

Tentative Rulings for July 9, 2026
Department 502

For any matter where an oral argument is requested and any party to the hearing desires a remote appearance, such request must be timely submitted to and approved by the hearing judge. In this department, the remote appearance will be conducted through Zoom. If approved, please provide the department's clerk a correct email address. (CRC 3.672, Fresno Sup.C. Local Rule 1.1.19)

There are no tentative rulings for the following cases. The hearing will go forward on these matters. If a person is under a court order to appear, he/she must do so. Otherwise, parties should appear unless they have notified the court that they will submit the matter without an appearance. (See California Rules of Court, rule 3.1304(c).) *The above rule also applies to cases listed in this "must appear" section.*

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| 24CECG00762 | <i>Lonnie Tiner v. John Doe.</i> A tentative ruling has been prepared for review before the hearing. |
| 23CECG00411 | <i>Ashjian v. Lift Energy Construction, Inc.</i> |
| 24CECG05207 | <i>Doe v. Prueitt</i> – hearing for Dept. 403. A tentative ruling has been prepared for review before the hearing. |

The court has continued the following cases. The deadlines for opposition and reply papers will remain the same as for the original hearing date.

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| 25CECG04882 | <i>Ralph Boyajian, SR v. Saint Agnes Medical Center</i> is continued to Wednesday, August 19, 2026, at 3:30 p.m. in Department 502. |
| 25CECG00102 | <i>Manning-Hegle v. Amazon Logistics, Inc. et al.</i> is continued to Thursday, July 16, 2026, at 3:30 p.m. in Department 502. |
| 25CECG02550 | <i>Gregory Smith v. Nationwide Mutual Insurance Company</i> is continued to Thursday, July 23, 2026, at 3:30 p.m. in Department 502. |

(Tentative Rulings begin at the next page)

Tentative Rulings for Department 502

Begin at the next page

(20)

Tentative Ruling

Re: **Hayes vs. GSF Properties, Inc., et al.**
Superior Court Case No. 25CECG04191

Hearing Date: July 9, 2026 (Dept. 502)

Motion: By Defendants for Sanctions for Filing Frivolous Pleading in Violation of Code of Civil Procedure Section 128.7

Tentative Ruling:

To deny. (Code Civ. Proc. § 128.7.)

Explanation:

Defendants GSF Properties Inc., Trans Asian Investment Group, Inc., Stephen Kao, Maria Mcanally, Shannon Zepeda and Levon Baladjanian ("defendants") move for sanctions against plaintiff's counsel Reza Sina ("counsel") under Code of Civil Procedure section 128.7 because the First Amended Complaint ("FAC") contains fabricated quotations, nonexistent legal authority, and objectively unreasonable legal contentions.

Courts may impose sanctions for a pleading which was "filed for an improper purpose or was indisputably without merit, either legally or factually." (*Peake v. Underwood* (2014) 227 Cal.App.4th 428, 440.) Code of Civil Procedure section 128.7, subdivision (b) provides:

By presenting to the court, whether by signing, filing, submitting, or later advocating, a pleading, petition, written notice of motion, or other similar paper, an attorney or unrepresented party is certifying that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances, all of the following conditions are met:

(1) It is not being presented *primarily* for an improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

(2) The claims, defenses, and other legal contentions therein are warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

(3) The allegations and other factual contentions have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

(4) The denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on a lack of information or belief.

(*Ibid.*)

Violations of Code of Civil Procedure section 128.7, subdivision (b) are tested objectively. (*Peake v. Underwood, supra*, 227 Cal.App.4th at p. 440.) A claim is "objectively unreasonable if 'any reasonable attorney would agree that [it] is totally and completely without merit.'" (*Ibid*, citations omitted.) Such sanctions are discretionary,

even where a claim is frivolous, and the court is to award such with restraint. (*Id.* at p. 448.)

Section 128.7 provides for a 21-day safe harbor provision “during which a party may avoid sanctions by withdrawing the offending pleading or other document.” (*Bucur v. Ahmad* (2016) 244 Cal.App.4th 175, 190.) “If a party does not take advantage of the safe harbor period by withdrawing a frivolous filing, a court has broad discretion to impose sanctions.” (*Ibid.*)

On January 8, 2026, defense counsel served plaintiff's counsel with a copy of the instant motion for sanctions. (Kandarian Decl., ¶ 10, Exh. F.) Counsel did not seek to withdraw or amend the pleading within 21 days of service of that motion. Counsel argues in the opposition that the motion is moot because the FAC has been superseded by the filing of a Second Amended Complaint (“SAC”) which omits all of the challenged allegations. On April 14, 2026, plaintiff and defendants stipulated that “that the attached SAC *can be filed* by Plaintiff” (emphasis added) and the stipulation was signed into an order by the court on April 20.

Aside from the fact that the proposed SAC still has not been filed, counsel's argument clearly misses the point. Counsel can only avoid sanctions by withdrawing the offending pleading within the 21-day safe harbor period. The stipulation to file a SAC was not submitted until more than three months after notice of the intent to seek sanctions was served. Because counsel did not withdraw the FAC, defendants were forced to file a demurrer and motion to strike the FAC, responding to allegations that counsel does not deny are frivolous. Because counsel failed to avail himself of the safe harbor, he cannot avoid sanctions under section 128.7.

Counsel does not dispute that the FAC contains “claims ... and other legal contentions [that are not warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law ...” The moving papers show:

1. The FAC asserts causes of action not recognized under California law – claims styled as “wage deprivation through housing termination,” “violation of public policy: illegal working conditions,” a cause of action under Health and Safety Code § 17031.5 [a statute providing no private right of action, but creating only a rebuttable presumption and defensive mechanism in limited possession proceedings];
2. The FAC asserts claims barred by a final court order and absolute privilege. The claims for wrongful eviction, tenant harassment, abuse of process, and conversion, are premised on an eviction that was carried out pursuant to a valid court order and writ of possession. (Kandarian Decl., ¶ 8, Ex. D; ¶ 11.) Claims that seek to impose tort liability based on conduct authorized by a final unlawful detainer judgment constitute an impermissible collateral attack and are barred as a matter of law. (See *Gombiner v. Swartz* (2008) 167 Cal.App.4th 1365.) Defendants contend, and counsel does not dispute, that “Plaintiff's claims for tenant harassment, wrongful eviction and forcible dispossession, and conversion of personal property are premised entirely on the act of dispossession itself—namely, the Sheriff's execution of a writ of possession issued in the unlawful detainer action—those claims are barred by *res judicata*.” And the defamation

claim is predicated on statements made in communications to the Employment Development Department ("EDD"), which qualify for absolute privilege as statements made in official or quasi-judicial proceedings. (Civ. Code, § 47(b); see *Hagberg v. California Federal Bank* (2004) 32 Cal.4th 350, 362 ["the privilege protect[s] communications to or from governmental officials which may precede the initiation of formal proceedings"].)

3. The FAC contains material misrepresentations of fact – that defendants' counsel sought a "global resolution" thirteen hours before a writ of possession was executed against plaintiff (FAC ¶ 185(e)) and plaintiff requested personnel records (FAC ¶ 42). Both allegations are false. (Kandarian Decl., ¶¶ 14-16, Exs. H-I.)
4. The FAC includes fabricated quotations and misleading legal citation. It includes direct quotations that do not appear in the referenced sources (FAC ¶ 25) and cites case law for propositions those cases do not support. Of all the frivolous allegations identified in the motion for sanctions, in the whole opposition counsel only disputes the latter – pertaining to a reference to *Karz v. Mecham* (1981) 120 Cal.App.3d Supp. 1. Defendants correctly show that *Karz* does not contain the proposition asserted in paragraph 25 of the FAC. Counsel claims that he was referring to the "progeny" of *Karz*, but does not point to any case supporting the claimed proposition.

Regardless of whether sanctions are appropriate for the *Karz* allegation, there is ample evidence of other frivolous, fake and false allegations in the FAC to justify an award of sanctions under section 128.7. Counsel does not dispute that all of the above (other than *Katz*) are frivolous claims and allegations. Sanctions are clearly warranted here.

The problem is that the motion fails to specify the sanctions to be imposed. The notice of motion states that "Defendants seek an order awarding reasonably attorneys' fees and costs incurred in responding to the FAC and in bringing this motion, together with such further relief as the Court deems appropriate to deter repetition of the offending conduct." But the sanctions amount is not specified, either in the notice, the memorandum of points and authorities, nor declaration of counsel in support of the motion (see Kandarian Decl.), where counsel would provide evidence of the attorneys' fees incurred.

A notice of motion must state what relief is sought and the grounds. (Code Civ. Proc., § 110; Cal. Rules of Court, Rule 3.1110(a).) Courts cannot grant different relief, or relief on different grounds, than stated in the notice of motion. (*People v. American Sur. Ins. Co.* (1999) 75 Cal.App.4th 719, 726.) On this record the court cannot impose sanctions in the sum of the expense of responding to the FAC and filing the motion for sanctions, as such information is not provided.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order

Issued By: Img on 7-8-26.
(Judge's initials) (Date)

(34)

Tentative Ruling

Re: **Lonnie Tiner v. John Doe**
Superior Court Case No. 24CECG00762

Hearing Date: July 9, 2026 (Dept. 502)

Motion: Motion to be Relieved as Counsel

Tentative Ruling:

The court intends to deny plaintiff counsel's motion to be relieved as counsel, without prejudice.

Explanation:

The proof of service for the moving papers indicated the client was served by electronic transmission. "If the notice is served on the client by electronic service under Code of Civil Procedure section 1010.6 and rule 2.251, it must be accompanied by a declaration stating that the electronic service address is the client's current electronic service address." (Cal. Rules of Court, rule 3.1362(d)(2).) The declaration filed with the motion indicates the client was served by mail and the address was confirmed in the last 30 days by telephone but does not specify whether the electronic service address was confirmed.

Additionally, the proof of service does not comply with the requirements of Code of Civil Procedure section 1013b which requires the identification of the electronic service address of the person sending the documents and that of the person receiving the documents. (Code Civ. Proc., § 1013b, subd. (b)(1), (3).) A code-compliant proof of service is required.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: Img on 7-8-26.
(Judge's initials) (Date)

(41)

Tentative Ruling

Re: ***Jasmine Scott v. Clovis Unified School District***
Superior Court Case No. 26CECG00272

Hearing Date: July 9, 2026 (Dept. 502)

Motion: Defendants' Demurrer to Plaintiff's Third, Sixth, Eighth, and Tenth Causes of Action

Tentative Ruling:

To overrule the demurrer with defendants granted leave to answer within 10 days. The time to answer shall run from the date of service by the clerk of the minute order.

Explanation:

In the operative complaint (Complaint) filed on January 16, 2026, by plaintiff Jasmine Lee Scott (Plaintiff) against defendants, Clovis Unified School District (CUSD), Brion Warren, and Lisa Peterson (together, Defendants), Plaintiff generally alleges 10 causes of action for hostile work environment harassment, discrimination, and retaliation. Defendants demur to the third and sixth causes of action for retaliation in violation of the Fair Housing and Employment Act (FEHA), the eighth cause of action for violation of Labor Code section 1102.5, and the tenth cause of action for intentional infliction of emotional distress.

Meet and Confer

The parties have complied with the obligation to meet and confer.

Demurrer to Third and Sixth Causes of Action

In her third and sixth causes of action, Plaintiff alleges violations of Government Code section 12940, which generally prohibits various employment practices set forth in the section's subdivisions, such as discrimination or harassment, and retaliation for complaining about such conduct. Plaintiff alleges Defendants have violated subdivisions (a), (j), and (k) of Government Code section 12940. Subdivision (a), based on discrimination, makes it an unlawful employment practice:

For an employer, because of the race, religious creed, color, national origin, ancestry, physical disability, mental disability, reproductive health decisionmaking, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status of any person, to refuse to hire or employ the person or to refuse to select the person for a training program leading to employment, or to bar or to discharge the person from employment or from

a training program leading to employment, or to discriminate against the person in compensation or in terms, conditions, or privileges of employment.

Government Code section 12940, subdivision (j)(1), based on harassment, makes it an unlawful employment practice:

For an employer . . . or any other person, because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, or sexual orientation, to harass an employee, an applicant, or a person providing services pursuant to a contract.

Subdivision (j) of Government Code section 12940 expressly provides that an employee, including a supervisor, may be personally liable for harassment:

An employee of an entity subject to this subdivision is personally liable for any harassment prohibited by this section that is perpetrated by the employee, regardless of whether the employer or covered entity knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

(Gov. Code, § 12940, subd. (j)(3).)

Government Code section 12940, subdivision (k) makes it unlawful:

For an employer, labor organization, employment agency, apprenticeship training program, or any training program leading to employment, to fail to take all reasonable steps necessary to prevent discrimination and harassment from occurring.

The California Supreme Court has explained the difference between harassment and discrimination as follows:

Harassment consists of conduct outside the scope of necessary job performance, conduct presumably engaged in for personal gratification, because of meanness or bigotry, or for other personal motives. Commonly necessary personnel management actions do not come within the meaning of harassment. These actions may retrospectively be found discriminatory if based on improper motives, but in that event the remedies provided by the FEHA are those for discrimination, not harassment. This significant distinction underlies the differential treatment of harassment and discrimination in the FEHA.

(*Roby v. McKesson Corp.* (2009) 47 Cal.4th 686, 707, 710, internal quotations marks and citations omitted [finding evidence of manager's rude comments and behavior sufficient to allow jury to conclude hostility was pervasive to support a finding of harassment].)

In her complaint Plaintiff alleges that in June 2023, when she began her employment at CUSD as a first-grade teacher at Century Elementary, she was an enthusiastic 28-year-old wife and mother. Plaintiff reported directly to Century's principal, defendant Warren, and Century's vice principal, defendant Peterson. Before beginning her career as a teacher, Plaintiff had worked for CUSD as an instructional aide for nearly two years and was then promoted to lead instructional aide for two years. Plaintiff next served as a substitute teacher for first and third graders. She loved the CUSD community, and she was excited to return to CUSD in a new capacity, viewing her position as a first-grade teacher as a path to stable employment and professional growth within a school system she had long served. (Comp., ¶ 8 (a), (b), (c).)

Plaintiff describes her unusual job offer at a local bar as follows:

Before officially starting her new position, on May 18, 2023, [Plaintiff] received a phone call from Warren, asking her to meet him at a local bar called "Neighbors." When she arrived, she noticed that Warren was accompanied by Peterson. Warren bought [Plaintiff] a drink and proceeded to offer her the First Grade Teacher position. During the course of their conversation, Warren drank at least five drinks—beers and lemon drop martinis—and Peterson drank at least five martinis. Both Warren and Peterson became noticeably drunk. While [Plaintiff] found the setting and approach somewhat unusual and unprofessional, she accepted the offer because she was eager to step into her first official role as a classroom teacher—a position she had worked hard for through education and work experience for the last several years. Warren told [Plaintiff], "Get used to this because we do this a lot at Century," referring to drinking alcohol. He further stated he will announce, "My 'Neighbor' needs me," while at work to signal going to the Neighbors bar with staff to drink.

(Comp., ¶ 8(d), p. 5:3-15.)

The parties agree that to establish a cause of action for retaliation on the basis of sex, gender, or sexual orientation under the FEHA, Plaintiff must allege: (1) she engaged in a "protected activity," (2) her employer (CUSD) subjected Plaintiff to an adverse employment action, and (3) a causal link existed between the two. (*Yanowitz v. L'Oreal USA, Inc.* (2005) 36 Cal.4th 1028, 1042.) The court finds Plaintiff has alleged the three necessary elements.

First, Plaintiff describes Defendants' adverse employment actions and behavior in detail. For example, she rebuffed Warren's unwanted sexual attention, objected to the inappropriate behavior between Warren and Peterson, and refused to engage in similar conduct:

The physical affection—including cheek kisses and prolonged touching—was blatant, and there were already circulating rumors that Warren and Peterson were having an affair, as both Warren and Peterson are married. Warren, who was widely perceived as "untouchable" within the district, appeared emboldened by this perception and freely engaged in inappropriate, sexual behavior with Peterson in front of staff on a daily basis.

[Plaintiff] was extremely uncomfortable with Warren's inappropriate behavior, and CUSD's failure to address it sent a clear message to [Plaintiff] that Warren was in-fact untouchable.

(Comp., ¶ 10 (p), p. 10:6-13.)

Plaintiff described her forced resignation of March 4, 2024, which would take effect at the end of the school year in June 2024, as follows:

On March 4, 2024, Warren called [Plaintiff] into a meeting with Area Superintendent Kevin Kerney and abruptly told her she needed to resign if she wanted "any chance back into Clovis Unified." He claimed she "wasn't there for the kids"—a statement that directly contradicted his own written praise just days earlier. When [Plaintiff] reminded Warren of his earlier reassurances, he dismissed her concerns, stating, "I don't remember that." Shocked, blindsided, and feeling completely cornered, [Plaintiff] felt she had no choice but to resign. She wanted to work at CUSD—where she had worked the last five years and where her son would soon attend school. She had no genuine choice—Warren made it clear that if she did not resign, she would be blacklisted from ever working in the district again. Warren informed her that she would be able to finish out the school year until June 2024 despite her "resignation."

(Comp., ¶ 10 (ll), p. 15:15-25.) Thereafter, while still an employee, Plaintiff complained to the human resources department (HR) about Warren's retaliatory conduct, which included sexual harassment, homophobic comments, and a hostile work environment. Although HR promised to "look into" Plaintiff's complaints and her forced resignation, the HR department took no action, it allowed rumors to persist about Plaintiff's sexual orientation, and it failed to reverse her wrongful forced resignation. (Comp., ¶ 10, (oo), (pp).)

Defendants' contention that placing Plaintiff on a performance improvement plan (PIP) does not constitute an "adverse employment action" lacks merit. As Plaintiff explains:

Defendants claim that [Plaintiff] fails to show disparate treatment because the other teachers were first-grade and not first-year teachers. However, this distinction is not relevant. While the Complaint is silent as to whether Alyssa Birges, Tanner Trutna, and Iliana Rodriguez were first year teachers in 2024, they were first-year teachers at some point and all of them denied being placed on a "standard" PIP and being forced to sit in on bi-weekly meetings with Warren and Peterson.

(Opp., p. 5, fn. 1.) Plaintiff's allegations support a reasonable inference that the PIP and the subsequent forced resignation were designed to terminate an employee Warren feared would report him.

In sum, after Plaintiff complained to HR, she complained directly to Warren and Peterson on April 3, 2024. They stated they would schedule a time to talk, but failed to do

so. Three months later, CUSD refused to reinstate Plaintiff, and her employment was terminated in June 2024 at the end of the school year. (Comp., ¶ 10 (rr), (ss).) Plaintiff's protected activity preceded CUSD's final adverse action, thereby satisfying the required causal sequence. The court finds Plaintiff has sufficiently alleged the three necessary elements: (1) Plaintiff alleges she engaged in a protected activity, (2) thereafter CUSD subjected Plaintiff to an adverse employment action, and (3) a causal link existed between the protected activity and CUSD's action terminating Plaintiff's employment. (*Yanowitz v. L'Oreal USA, Inc.*, *supra*, 36 Cal.4th at p. 1042.) Therefore, the court overrules the demurrer to the third and sixth causes of action.

Demurrer to Eighth Cause of Action

Defendants demur to Plaintiff's eighth cause of action for violations of the California Constitution and California Labor Code section 1102.5. In *Ross v. County of Riverside* (2019) 36 Cal.App.5th 580, the court explained the requirements to establish a prima facie case of retaliation under this whistleblower statute as follows:

Under this code section, an employer may not retaliate "against an employee for disclosing information ... to a government or law enforcement agency [or] to a person with authority over the employee ... if the employee has reasonable cause to believe that the information discloses a violation of [a] state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee's job duties." (Lab. Code, § 1102.5, subd. (b).) "A report made by an employee of a government agency to his or her employer is a disclosure of information to a government or law enforcement agency." (Lab. Code, § 1102.5, subd. (d).)^[fn.]

A claim for violation of Labor Code section 1102.5 requires "(1) the plaintiff establish a prima facie case of retaliation, (2) the defendant provide a legitimate, nonretaliatory explanation for its acts, and (3) the plaintiff show this explanation is merely a pretext for the retaliation. [Citations.]" [Citation.] To establish the first element, the plaintiff must show (1) the plaintiff engaged in protected activity, (2) the defendant subjected the plaintiff to an adverse employment action, and (3) there is a causal link between the two. [Citation.]

(*Id.* at pp. 591–592.)

Plaintiff alleges Defendants' conduct violated the FEHA, the California Constitution, and Labor Code section 1102.5. (Comp., ¶ 65.) Therefore, the court overrules the demurrer to the eighth cause of action.

Demurrer to Tenth Cause of Action

To maintain a cause of action for intentional infliction of emotional distress Plaintiff must allege facts showing:

(1) extreme and outrageous conduct by the defendant with the intention of causing, or reckless disregard of the probability of causing, emotional distress; (2) the plaintiff's suffering severe or extreme emotional distress; and (3) actual and proximate causation of the emotional distress by the defendant's outrageous conduct. A defendant's conduct is "outrageous" When it is so extreme as to exceed all bounds of that usually tolerated in a civilized community. And the defendant's conduct must be intended to inflict injury or engaged in with the realization that injury will result.

(*Hughes v. Pair* (2009) 46 Cal.4th 1035, 1050-1051, citations and internal quotation marks omitted (*Hughes*).)

As summarized in Plaintiff's opposition, accepting Plaintiff's allegations as true, she sufficiently pleads facts to establish the required elements of Defendants' outrageous conduct:

- Plaintiff "felt uncomfortable and intimidated by Warren's persistent and suggestive messages . . ." (Comp., ¶ 10(b).)
- "Warren's tone was flirtatious yet direct and jealous, and the comments made [Plaintiff] feel deeply uncomfortable and singled out." (*Id.* at ¶ 10(c).)
- "Warren's comments made [Plaintiff] feel uncomfortable in his presence." (*Id.* at ¶ 10(e).)
- "She was also extremely embarrassed ...As a young woman starting out her career in teaching, she was intimidated by the power imbalance. (*Ibid.*)
- "[Plaintiff] was extremely uncomfortable with Warren's inappropriate behavior." (*Id.* at ¶ 10 (p).)
- "These comments humiliated, offended, and upset [Plaintiff]. . ." (*Id.* at ¶ 10(v).)
- "[Plaintiff] was stunned and deeply disturbed ... She felt targeted, vulnerable, and humiliated." (*Id.* at ¶ 10(y).)
- "Shocked, blindsided, and completely cornered" (*Id.* at ¶ 10 (ll).)
- "[Plaintiff] had an extremely difficult time processing the hostile work environment she was subjected to followed by her baseless termination. She felt extreme anxiety and a sense of loss, and knew what happened to her was not right." (*Id.* at ¶ 10(mm).)
- "[Plaintiff] was anxious and vulnerable detailing the sexual harassment she endured, the retaliation she suffered and hostile work environment Warren and Peterson created, the harassment she faced regarding her sexuality, and her wrongful termination." (*Id.* at ¶10 (nn).)
- "[Plaintiff] suffers from extreme anxiety, depressed mood, and difficulty falling asleep." (*Ibid.*)
- "She has negative, intrusive thoughts about herself, and her self-esteem has completely plummeted. She is uncomfortable in her own skin and identity" (*Ibid.*)
- "As a result of these symptoms caused by CUSD's conduct, [Plaintiff] began psychotherapy treatment and remains in treatment." (*Id.* at ¶ 10 (uu).

In *Hughes*, the California Supreme Court affirmed the granting of summary judgment in the defendant's favor because the record contained no evidence showing the plaintiff was subjected to the requisite "extreme or outrageous conduct," where the plaintiff's alleged distress required no treatment and did not disrupt the plaintiff's daily life. (*Hughes, supra*, 46 Cal.4th at p. 1051.) In contrast, here Plaintiff alleges Defendants' conduct caused her to suffer from extreme anxiety such that she began and continues to receive psychotherapy treatments. The court finds Plaintiff's allegations are sufficient to allow the trier of fact to conclude Defendants' conduct was sufficiently extreme or outrageous to satisfy this element (although not necessary so). Therefore, the court overrules Defendants' demurrer to the tenth cause of action.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: Img **on** 7-8-26.
(Judge's initials) (Date)

(47)

Tentative Ruling

Re: **Jane Doe v. Michael Prueitt**
Superior Court Case No. 24CECG05207

Hearing Date: July 9, 2026 (Dept. 502)

Motion: Defendants' Counsel's Motion to Withdraw as Counsel of Record for Defendants Lolo's Pub, Michael Dean Prueitt, and Laurie Denise Bedford

Tentative Ruling:

To deny defendants' counsel's motion to withdraw as counsel for defendants Lolo's Pub, Michael Dean Prueitt, and Laurie Denise Bedford, without prejudice.

Explanation:

Giulio A. Sanchez of Wanger Jones Helsley PC ("Counsel") makes this motion to withdraw as counsel for defendants Lolo's Pub, Michael Dean Prueitt, and Laurie Denise Bedford.

“A notice of motion and motion to be relieved as counsel under ... must be directed to the client and must be made on the Notice of Motion and Motion to Be Relieved as Counsel--Civil (form MC-051).” (Cal. Rules Ct., rule 3.1362, subd. (a).) “The motion to be relieved as counsel must be accompanied by a declaration on the Declaration in Support of Attorney's Motion to Be Relieved as Counsel--Civil (form MC-052).” (Cal. Rules Ct., rule 3.1362, subd. (c).) “The proposed order relieving counsel must be prepared on the Order Granting Attorney's Motion to Be Relieved as Counsel-Civil (form MC-053) and must be lodged with the court with the moving papers.” (Cal. Rules Ct., rule 3.1362, subd. (d).) Use of the Judicial Council forms became mandatory on January 1, 2007.

Moving counsel did not file and serve the required form MC-051, MC-052, and MC-053 in compliance with Rule 3.1362. Accordingly, the motion is denied.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: img on 7-8-26
(Judge's initials) (Date)