

**Judge Benson – Law & Motion – Wednesday, July 23, 2025 @ 9:00 AM
TENTATIVE RULINGS**

1-2. 24CV02261 Derrick McCulloch v. Grilli, Robert et al.

EVENT: (1) OEX of Kellie Grilli

(2) OEX of Robert Grilli

The Court will swear in the witnesses.

3. 25CV01665 2520 Cohasset, LLC v. Zebrosky, LLC et al.

EVENT: Plaintiff's Motion to Determine Value, and Send Buyout Notice

Counsel is ordered to appear. The Court will hear from counsel regarding status of any potential settlement. The Court is inclined to continue the matter to August 27, 2025 at 9:00 am.

4. 25CV02001 In re: Stokes, Laurie Ann

EVENT: Change of name (adult)

The Court is in receipt of the proof of publication and will sign the decree provided.

5-6. 25CV02255 Foster, Brian et al v. One Source Builders, Inc.

EVENT: (1) Request for Hearing About Fee Waiver Order (Brian Foster)

(2) Request for Hearing About Fee Waiver Order (Gina Bartiromo)

The Court will conduct a hearing.

7. 25CV02313 California Highway Patrol v. McNeil, Gregory C

EVENT: Vehicle Forfeiture Petition

The Court will hear from Petitioner.

Preliminarily, it appears that California Highway Patrol has attempted to pursue this Petition in a self-represented capacity. The caption of the Petition simply provides the CHP Valley division address. There is no indication that a licensed member of the bar filed this Petition on CHP's behalf.

The principle that a corporation may not be represented by a non-lawyer stems from case law, see *Merco Constr. Engineers, Inc. v. Municipal Court* (1978) 21 Cal.3d 724. The rationale is that a non-lawyer representing an entity essentially amounts to the unauthorized practice of law. The same reasoning prohibits a non-lawyer from representing a governmental entity. In other words, a government entity must be represented by counsel in a judicial proceeding.

Additionally, there is no proof of service indicating claimants and the individual from whom the vehicle was seized were provided notice of this hearing. After reviewing Officer Craven's declaration, it is clear that, at a minimum, George C. McNeil, Miguel Medrano, Capital Ford, Manheim Auto Auction, and Israel Chavez are entitled to notice of this hearing pursuant to VC § 10751(c).

Accordingly, the Petition will need to be continued for Petitioner to obtain counsel, and to cure the notice issues identified in this ruling.

8. **25CV02613 County of Butte v. Pillsbury, Brandy**

EVENT: Petition to Determine if Dog is Vicious

The Court will conduct a hearing.