

Judge Mosbarger – Law & Motion – Wednesday, April 30, 2025 @ 9:00 AM
TENTATIVE RULINGS

1. 23CV01288 WOLFF, LINDA V. OPTION ONE MORTGAGE CORPORATION, ET AL

EVENT: Plaintiffs' Motion for Quieting Title

The Court finds that Plaintiffs must strictly comply with the Quiet Title Act's procedural requirements [See *Code of Civil Procedure* §§761.010, et seq.], including filing a verified complaint, recording a lis pendens, serving unknown defendants by publication, and proving their title in an evidentiary hearing. These steps ensure that the judgment is enforceable against all potential claimants, including unknown parties, and provides the Plaintiffs with clear and marketable title to the property. Here, Plaintiffs have failed to meet these procedural prerequisites as outlined above, and therefore the requested relief is not appropriate or authorized. The Motion is denied.

2. 25CV00472 BADGER, NIKOLAS V. CHRISTIANSON, JESSICA

EVENT: Specially Appearing Defendant Jessica Christianson's Motion to Quash Service of Summons and Complaint for Lack of Personal Jurisdiction, and Improper Service

Plaintiff's Request for Judicial Notice is granted. "When a party has availed itself of the courts of California, that party is held to have impliedly consented to jurisdiction in any action related to the action it brought." *Sea Foods Co., Ltd. v. O.M. Foods Co., Ltd.* (2007) 150 Cal.App.4th 769, 786; *Adam v. Saenger* (1938) 303 U.S. 59, 67-68 [By choosing a particular forum, the plaintiff is considered to have voluntarily submitted to the court's jurisdiction "for all purposes for which justice to the defendant requires his presence."]; *In re Marriage of Aron* (1990) 224 Cal.App.3d 1086, 1095-1096 [California court could exercise personal jurisdiction over obligee in child support modification proceeding after she availed herself of forum by voluntarily initiating enforcement action]. Here, the Court finds that Defendant has voluntarily availed herself of the benefits of the California's legal system by filing a small claims action in Butte County Superior Court (Case No. 25SC00841) based upon the same underlying events and involve related claims. Defendant's Motion is denied.