

Judge Mosbarger – Law & Motion – Wednesday, October 8, 2025 @ 9:00 AM
TENTATIVE RULINGS

1. 24CV00889 CLIFTON, ANGELA V. SAYALATH, PAUL

EVENT: Motion for Order Deeming Admitted the Truth of Facts and Genuineness of Documents and Imposing Monetary Sanctions

The Motion is unopposed and is granted. Pursuant to *Code of Civil Procedure* §2033.280, Plaintiff's Requests for Admission of Fact and Genuineness of Documents, Set One, is deemed admitted. Plaintiff Angela Clifton shall pay sanctions in the amount of \$1,000 to Karl A. Schweikert of Sutterville Law Group within 30 days of notice of this Court's ruling. Counsel shall submit a form of order within two weeks.

2. 24CV03028 PEOPLE OF THE STATE OF CALIFORNIA V. CHEN, ZHENLING

EVENT: Plaintiff's Application and Motion for Default and Judgment of Forfeiture

The proof of service shows service by mail on September 16, 2025, which is only 15 Court days before the hearing. *Code of Civil Procedure* §1005(b) requires one additional Court day and an additional five calendar days because the Motion was served by mail. Thus, Notice is insufficient. The matter is continued to October 22, 2025 at 9:00 a.m. to allow for proper notice. The Court also advances the Case Management Conference on October 8, 2025 at 10:30 a.m. to 9:00 a.m., and continues the Case Management to trail the hearing on the instant Motion on October 22, 2025 at 9:00 a.m. Further Case Management Conference Statements are not required.

3. 24CV04338 TORRES, KIMBERLY V. PARK, WILLIAM

EVENT: William Park's Motion for Sanctions Pursuant to Code of Civil Procedure Section 128.7

The Court finds that Defendant/Cross-Complainant has failed to demonstrate a violation of *Code of Civil Procedure* §128.7 that would support an award of sanctions. Robert Towne filed a sufficient declaration consistent with *Code of Civil Procedure* §430.41(a)(2) by stating (1) that a good faith effort was made to meet and confer, and (2) why those efforts were unsuccessful. William Park's Motion for Sanctions Pursuant to *Code of Civil Procedure* Section 128.7 is denied. Additionally, the Court advances the Case Management Conference on calendar October 8, 2025 at 10:30 a.m. to 9:00 a.m. and continues the Case Management Conference to January 7, 2026 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served.