

**Judge Mosbarger – Law & Motion – Wednesday, March 11, 2026 @ 9:00 AM  
TENTATIVE RULINGS**

**1. 22CV02560 PETERSEN, CHELSEA ET AL V. 1271 WHITEWOOD WAY RESIDENCE, ET AL**

*EVENT: Defendants DAREC Inc dba IPM Chico and Jared Treat's Joint Motion for an Order Continuing Trial and all Related Dates*

Defendants DAREC Inc dba IPM Chico and Jared Treat's Joint Motion for an Order Continuing Trial and all Related Dates is GRANTED, it being unopposed and the Court finding good cause for the requested continuance. The Court vacates the trial date of May 11, 2026, the trial readiness conference set for May 7, 2026, and the mandatory settlement conference set for April 13, 2026. This matter is set for a case management conference on April 8, 2026 at 10:30 a.m. for resetting of trial dates. All discovery deadlines are to run with the new trial date. Counsel for the Defendants shall prepare and submit a form of order within two weeks.

**2. 23CV00479 ROGERS, KELSI V. KENNEMER, FRANKLIN ET AL**

*EVENT: Motion (1) for New Trial and/or (2) Vacate Judgment*

Plaintiff's request for a new trial pursuant to *Code of Civil Procedure* §§656–662 and 657 is denied, the Court finding no evidence of (1) irregularity in the proceedings of the court, or any order of the court or abuse of discretion, by which Plaintiff was prevented from having a fair trial; (2) accident or surprise, which ordinary prudence could not have guarded against; (3) insufficiency of the evidence to justify the decision, or the decision is against law; (4) error in law excepted to by Plaintiff; or (5) that the decision is against law within the meaning of *Code of Civil Procedure* §657(6). Similarly, the Court finds no evidence of incorrect or erroneous conclusions of law; that the conclusions were not consistent with or not supported by the findings of fact; nor that any such errors materially affected the substantial rights of Plaintiff, entitling her to a different judgment, as required by *Code of Civil Procedure* §663. Plaintiff's Motion (1) for New Trial and/or (2) Vacate Judgment is denied in its entirety.

**3-10. 23CV02667 PARRISH SCARBROUGH, MELISSA V. LALLY, KULWINDER ET AL**

*EVENTS: (1) Plaintiff's Motion to Compel Responses to Requests for Production, Set One, Propounded on Kulwinder Lally; Request for Monetary Sanctions of \$660 Against Kulwinder Lally and His Counsel of Record*

*(2) Plaintiff's Motion to Compel Responses to Requests for Production, Set One, Propounded on Kuldeep Lally; Request for Monetary Sanctions of \$660 Against Kuldeep Lally and His Counsel of Record*

*(3) Plaintiff's Motion to Compel Responses to Form Interrogatories – Employment, Set One, Propounded on Harry Harwinder; Request for Monetary Sanctions of \$660 Against Harry Harwinder and His Counsel of Record*

- (4) *Plaintiff's Motion to Compel Responses to Form Interrogatories – Employment, Set One, Propounded on Kulwinder Lally; Request for Monetary Sanctions of \$660 Against Kulwinder Lally and His Counsel of Record*
- (5) *Plaintiff's Motion to Compel Responses to Form Interrogatories – Employment, Set One, Propounded on Kuldeep Lally; Request for Monetary Sanctions of \$660 Against Kuldeep Lally and His Counsel of Record*
- (6) *Plaintiff's Motion for Order to Deem Admitted Plaintiff's Requests for Admission, Set One, Propounded on Harry Harwinder; Request for Monetary Sanctions of \$660 Against Harry Harwinder and His Counsel of Record*
- (7) *Plaintiff's Motion for Order to Deem Admitted Plaintiff's Requests for Admission, Set One, Propounded on Kulwinder Lally; Request for Monetary Sanctions of \$660 Against Kulwinder Lally and His Counsel of Record*
- (8) *Plaintiff's Motion for Order to Deem Admitted Plaintiff's Requests for Admission, Set One, Propounded on Kuldeep Lally; Request for Monetary Sanctions of \$660 Against Kuldeep Lally and His Counsel of Record*

The Motions are unopposed and are granted. Defendants Kuldeep Lally, Kulwinder Lally, and Harry Harwinder shall provide full and complete responses, without objection, to Plaintiff's Form Interrogatories – Employment Set One and Defendants Kuldeep Lally and Kulwinder Lally shall provide full and complete responses, without objection, to Plaintiff's Requests for Production of Documents Set One, within 14 days of the hearing on this matter. Further, pursuant to *Code of Civil Procedure* §2033.280, Plaintiff's Requests for Admission Set One to Defendants Kuldeep Lally, Kulwinder Lally, and Harry Harwinder are deemed admitted. Defendants Kuldeep Lally, Kulwinder Lally, and Harry Harwinder and their attorney of record, David Collins, shall pay sanctions in the amount of \$2,000 to Blair & Ramirez LLP within 30 days of notice of this Court's ruling. Counsel for the Plaintiff shall prepare and submit a form of order within two weeks.

Additionally, the Court advances the Case Management Conference on calendar March 11, 2026 at 10:30 a.m. to 9:00 a.m. and continues the Case Management Conference to June 10, 2026 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served.

Finally, the Court notes that although the Court on August 22, 2024 issued an order that the default taken January 29, 2024 is set-aside and "the defendants attached answers shall be filed with the Court", no Answers were attached to the Stipulation and Order, and to date the Court does not have any Answers in its file.

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**11. 24CV00434 MAHNKE, TIM V. JUSTESON, JEREMY ET AL**

*EVENT: Defendant LaTroy Justeson's Motion for Summary Judgment*

Defendant LaTroy Justeson's ("Defendant" herein) Request for Judicial Notice is granted pursuant to *Evidence Code* §452(d). Plaintiff Tim Mahnke's ("Plaintiff" herein) Request for Judicial Notice is granted as to Nos. 1 and 2 pursuant to *Evidence Code* §452(d), and denied as to Nos. 3, 4 and 5 [the documents attached to the Request are three one-page documents evidencing correspondence with Butte County Public Records, which do not fall under any of the categories of documents the Court must or may judicially notice]. Plaintiff's and Defendant's Objections to Evidence are overruled. The Court finds that there exists competing reasonable inferences regarding dominion, knowledge, and foreseeability of the dog's propensities toward aggressive behavior, and thus a triable issue of material fact exists as to whether Defendant owed Plaintiff a duty that could give rise to liability in this action [See Undisputed Material Fact Nos. 7, 14 and the evidence in support thereof and in opposition thereto; and Plaintiff's Additional Undisputed Material Fact Nos. 2-9 and the evidence in support thereof]. Defendant LaTroy Justeson's Motion for Summary Judgment is denied.

**12. 24CV02590 GOODLIN, SCOTT ET AL V. WILLIAMS AG SERVICES, INC ET AL**

*EVENT: Defendants' Motion for Summary Judgment, or, in the Alternative, Summary Adjudication*

The Declaration of Clarence Williams, which is attached as Exhibit B to the Defendants' Index of Evidence in Support of the Motion (beginning at Page 206), is missing Page 2. Based on the Opposition, it is clear that Plaintiffs were provided with a complete copy, and the error appears to have only been in relation to the Court's copy. As such, and because no prejudice to the Plaintiffs will occur, the Court continues the Motion to allow Defendants' to file a complete Declaration of Clarence Williams that includes Page 2. The Court deems the matter fully briefed and other than a complete copy of the Declaration of Clarence Williams, the Court will not consider any additional evidence or briefing. The matter is continued to March 25, 2026 at 9:00 a.m.

**13. 24CV02857 PLATTS, TOBIAS, II ET AL V. JOHNSON, MARK ET AL**

*EVENT: Defendants' Motion for Sanctions for Failure to Comply with Court Order Compelling Discovery Responses; Request for Issue and Evidentiary Sanctions*

The Proof of Service indicates that the Motion was served electronically on February 13, 2026, which is only 17 Court days' notice. Pursuant to *Code of Civil Procedure* §1010.6(3)(B), one additional Court days' notice is required for electronic service. Thus, notice here is insufficient. The Motion is continued to March 25, 2026 at 9:00 a.m. to allow for proper notice.

**14. 24CV03506 CASTILLO, LUIS V. LONG, DAVID**

*EVENT: Motion to be Relieved as Counsel*

The Motion to Be Relieved as Counsel is granted, and David Griffith, Steven Chamberlin, and Allison Diaz of Griffith & Horn, LLP, are relieved as counsel for Cross-Defendant/Cross-Complainant Todd Merrell. The Court will sign the form of order submitted by counsel.

**15. 25CV00789 THOMAS, KIMBERLEY ET AL V. SARTAJ MGMT, INC.**

*EVENT: Motion to be Relieved as Counsel*

The Motion to Be Relieved as Counsel is granted, and Patricia Savage is relieved as counsel for Defendant Sartaj Mgmt, Inc. dba Super 8 Wyndam Oroville, a California Corporation, effective upon the filing of the proof of service of the signed order upon the client. The Court will sign the form of order submitted by counsel.

**16. 25CV01050 MERCHANTS BONDING COMPANY (MUTUAL) V. WIEBER, DAVID ET AL**

*EVENT: Motion of Cross-Complainants Newton and Lee to Compel Cross-Defendant Ronald G. Norton to Serve Further Response to Cross-Complainants' First Demand for Production of Documents; and for Recovery of the Fees and Expenses of the Motion*

The Motion of Cross-Complainants Newton and Lee to Compel Cross-Defendant Ronald G. Norton to Serve Further Response to Cross-Complainants' First Demand for Production of Documents; and for Recovery of the Fees and Expenses of the Motion is denied as moot, Cross-Complainants having subsequently received Code compliant further amended responses. Plaintiffs' request for sanctions is denied.

**17. 25CV03655 HARDY, KATARINA V. MARKS, JOSHUA RUBEN ET AL**

*EVENT: Plaintiff's Motion for Clarification of the Court's January 28, 2026 Order on Demurrer and Motion to Strike*

As to Plaintiff's Motion for Clarification of the Court's January 28, 2026 Order on Demurrer and Motion to Strike, the Court, proceeding under its inherent constitutional authority to revisit its own interim rulings, provides the following clarification to its Ruling on: (1) Demurrer by Defendants to Plaintiff's First Amended Complaint; and (2) Motion to Strike by Defendants to Plaintiff's First Amended Complaint, dated January 28, 2026.

Retaliation and Wrongful Termination Claims. The Court found that the allegations were factually insufficiently specific to plead protected activity and causation.

Wage and Hour Claims. The Court found that the "skip-the-line" fee, as alleged, is categorically excluded from being a wage or gratuity as a matter of law.

PAGA Claim. The Court found that the factual connection between the individual act and the alleged group-wide policies was insufficiently pleaded.

Alter Ego Allegations. The Court found that the allegations regarding control, commingling, and unity of interest were insufficient as a matter of law.

Punitive Damages. The Court found that the allegations were factually insufficiently pleaded.

Application of Uncertainty Standard. The Court refers to its prior order without further clarification, that “Plaintiff does not adequately allege which of the Defendants were her employer(s), the location(s) at which Plaintiff worked, and it is therefore unclear the scope of the allegations as to each of the Defendants, or against whom the causes of action the causes of action are alleged.”

Counsel for the Plaintiff shall prepare and submit a form of order within two weeks.