

**Judge Mosbarger – Law & Motion – Wednesday, June 3, 2026 @ 9:00 AM
TENTATIVE RULINGS**

1-2. 23CV00211 NOLL, TIMOTHY ET AL V. 1 SOURCE SOLUTIONS INC

EVENTS: (1) Motion to Lift the Stay of Proceedings Imposed Pursuant to CCP §1281.4 and to Award Attorney Fees as Sanctions Under CCP §128.5

(2) Motion for Leave to File a Second Amended Complaint

Motion to Lift the Stay of Proceedings Imposed Pursuant to CCP §1281.4 and to Award Attorney Fees as Sanctions Under CCP §128.5

There being no opposition to the request that the Court lift the stay of proceedings imposed pursuant to *Code of Civil Procedure* §1281.4, that request is granted. The Court continues the Case Management Conference on July 1, 2026 to September 16, 2026 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served. In regard to the request for sanctions, that request is denied, the Court finding that Plaintiffs have failed to establish that Defendant or its counsel participated in actions or tactics, made in bad faith, that are frivolous or solely intended to cause unnecessary delay, to justify an award of sanctions pursuant to *Code of Civil Procedure* §128.5(a). The Court will utilize the form of order submitted by counsel.

Motion for Leave to File a Second Amended Complaint

Even in light of the broad application generally given to this type of Motion, there are procedural issues that could lead to a denial pursuant to California Rules of Court Rule 3.1324. Here, the Court finds that Plaintiffs have failed to satisfy these procedural requirements. First, Plaintiffs have failed to state what allegations are to be added “by page, paragraph, and the line number.” Instead, Plaintiffs only speak in generalities in violation of California Rules of Court, Rule 3.1324(a)(3). However, the Court in its discretion has considered the merits of the Motion.

Plaintiffs’ Motion for Leave to File a Second Amended Complaint is unopposed and is granted. The Second Amended Complaint is to be filed within 10 days’ notice of this order. The Court will sign the form of order submitted by counsel.

3. 25CV00015 MLAKAR, RYAN V. RCI GENERAL ENGINEERING

EVENT: Defendant’s Motion to Compel Plaintiff’s Further Responses to Defendant’s Requests for Production of Documents, Set One, and Request for Sanctions

Defendant RCI General Engineering’s (“Defendant” herein) Request for Judicial Notice is granted. The Court finds that because Plaintiff Ryan Mlakar’s (“Plaintiff” herein) responses include both that “Plaintiff is not withholding any responsive documents on the basis of the stated objections” and “Plaintiff will comply in whole and all documents or things in the demanded category that are in the possession, custody, or control of Plaintiff and to which no objection is being made will be included in the production...” that the responses fail to comply with *Code of Civil Procedure* §§2031.210 and 2031.240. The Court orders that Plaintiff is to serve verified further responses to Defendant’s

Requests for Production of Documents, Set One, Request Nos. 2, 4, 10-18, 20, 23, 25-27, and 31-32, clearly stating whether he is withholding documents on the basis of his objections; and if Plaintiff is withholding documents on the basis of objections, he comply with *Code of Civil Procedure* §2031.240(b), and identify the documents he is withholding on a privilege log. Such further responses are to be served within 14 days' notice of this order. The parties' respective requests for sanctions are denied. Counsel for the Defendant shall submit a form of order consistent with this ruling within two weeks.

4. 25CV02891 JANE DOE CFL V. CHICO UNIFIED SCHOOL DISTRICT

EVENT: Plaintiff's Motion to Compel California Commission on Teacher Credentialing to Produce Records Subpoenaed by Plaintiff

The Proof of Service indicates that the Motion was served electronically on May 18, 2026, which is only 11 Court days' notice (and only 2 days prior to the deadline for filing an Opposition). Pursuant to *Code of Civil Procedure* §1005(b), an additional 5 Court days' notice is required, and pursuant to *Code of Civil Procedure* §1010.6(3)(B), an additional 2 Court days' notice is required for electronic service. Thus, notice here is insufficient. Additionally, the Court notes that the Exhibits referenced in the Declaration of Crystle Caigoy are not attached to the copy that was filed with the Court. The Motion is continued to June 24, 2026 at 9:00 a.m. to allow for proper notice and the filing of an Amended Declaration that includes the referenced Exhibits. The Court also advances the Case Management Conference on June 3, 2026 at 10:30 a.m. to 9:00 a.m. and continues the Case Management Conference to September 2, 2026 at 10:30 a.m. Case Management Statements are to be timely filed and served.