

**Judge Mosbarger – Law & Motion – Wednesday, September 2, 2026 @ 9:00 AM
TENTATIVE RULINGS**

1. 24CV02857 PLATTS, TOBIAS, II ET AL v. JOHNSON, MARK ET AL

EVENT: Defendants' Motion for Sanctions for Failure to Comply with the Court's July 1, 2026 Order Compelling Further Discovery Responses; Request for Terminating and Monetary Sanctions

Defendants' Mark Johnson; Ceres Plaza Apartments; Ceres Plaza Apartments, LP; and RSC Associates, Inc. (collectively "Defendants" herein) Motion for Sanctions for Failure to Comply with the Court's July 1, 2026 Order Compelling Further Discovery Responses; Request for Terminating and Monetary Sanctions is unopposed and is granted in its entirety. Pursuant to *Code of Civil Procedure* §§2023.030(a), and 2030.300(e), the Court awards additional monetary sanctions of \$3,000 against Plaintiffs Tobias Platts, II; Kishuante Platts; A-Zarrah Platts, a minor by Kishuante Platts as guardian ad litem; A-Zmonni Platts, a minor by Kishuante Platts as guardian ad litem (collectively "Plaintiffs" herein) and Plaintiffs' counsel Ilan N. Rosen Janfaza/Law Office of Ilan N. Rosen Janfaza, A.P.C., jointly and severally, which are to be paid within thirty days' of this hearing.

Additionally, the Court finds that there has now been a showing of ongoing and willful disobedience of this Court's discovery orders and blatant and ongoing abuse of the discovery process that rises to the level of discovery abuse to support terminating sanctions. See, *Liberty Mutual Fire Ins. Co. v. LcL Administrators, Inc.* (2008) 163 Cal.App.4th 1093. As such, terminating sanctions are warranted on this record, and the matter is ordered dismissed. The Court vacates the following dates: September 11, 2026 – Mandatory Settlement Conference; October 8, 2026 – Trial Readiness Conference; and October 12, 2026 – Jury Trial, and sets this matter for a Status Conference on October 14, 2026 at 10:30 a.m. for status of dismissal.

Counsel for the Defendants shall prepare and submit a form of order consistent with this ruling within two weeks.

2. 25CV00744 FISHER, JEFF v. FISHER, JENNIFER

EVENT: Amended Motion for Stay of Enforcement Pending Appeal

Based upon the Court's Orders of June 10, 2026, July 1, 2026, and August 6, 2026, Plaintiff Jeff Fisher was ordered to serve a copy of the Amended Motion on Defendant Jennifer Fisher, and file with the Court a proof of service. The Court has received no such proof of service and the Motion is denied.

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3-5. 25CV03679 PATINO PADILLA, FRANCISCO v. FREEDOM FOREST MANAGEMENT, LLC

EVENTS: (1) Plaintiff's Motion to Compel Defendant Freedom Forest Management, Inc., to Provide Responses to Plaintiff's Form Interrogatories - Employment

(2) Plaintiff's Motion to Compel Defendant Freedom Forest Management, Inc., to Provide Responses to Plaintiff's Form Interrogatories - General

(3) Plaintiff's Motion to Compel Defendant Freedom Forest Management, Inc., to Provide Responses to Plaintiff's Request for Production of Documents, Set One

There is no meet and confer requirement when no response is given. See, *Sinaiko Healthcare Consulting, Inc. v. Pacific Healthcare Consultants* (2007) 148 Cal.App.4th 390, 411; *Leach v. Superior Court* (1980) 111 Cal.App.3d 902, 905-906. However, it does appear that Plaintiff's counsel did attempt to meet and confer. [See Declaration of Levon Shant Yepremian at ¶¶4-9]. The Court finds Plaintiff's counsel's meet and confer efforts to have been in good faith and are sufficient for the Court to reach the merits of these Motions.

The Motions are granted, and Defendant Freedom Forest Management, LLC is ordered to provide verified responses without objection to Plaintiff's Form Interrogatories – General; Plaintiff's Form Interrogatories – Employment, and Plaintiff's Request for Production of Documents, Set One within thirty (30) days of the hearing on these Motions.

Monetary sanctions are issued against Defendant Freedom Forest Management, LLC in the amount of \$2,100. These sanctions are to be paid within thirty (30) days' of the hearing on these Motions. Counsel for the Plaintiff shall submit a form of order within two weeks.

6-7. 26CV02561 GAGE, BRITTANI v. ENTERPRISE RANCHERIA TRIBAL GOVERNMENT AND HOUSING AUTHORITY ET AL

EVENTS: (1) Specially-Appearing Defendants' Motion to Quash Service of Summons and Dismiss Complaint with Prejudice

(2) Plaintiff's Motion for Trial Preference

Specially Appearing Defendants Enterprise Rancheria Tribal Government and Housing Authority; Glenda Nelson; Donna Rodriguez; Christy Anderson; Phil Bush; Shari Ghalayini; and Heather Nydell's (collectively "Defendants" herein) Request for Judicial Notice is granted. Likewise, Plaintiff Brittani Gage's ("Plaintiff" herein) Request for Judicial Notice is granted.

The Court finds that this Court lacks subject matter jurisdiction over Plaintiff's Complaint due to Defendants' sovereign immunity and the Motion is granted. Service of Plaintiff's

Summons is quashed, the Case Management Conference on January 6, 2027 is vacated, and Plaintiff's Complaint is hereby dismissed with prejudice.

Additionally, based on the Court's ruling, Plaintiff's Second Amendment Emergency Ex Parte Application for Temporary Order Staying Execution of Fraudulent Notice and Plaintiff's Motion for Trial Preference (which fails to comply with *Code of Civil Procedure* §1005), are denied as moot.

The Court will sign the form of order submitted by Defendants.