

**1. KAAI v. EMERALD CASCADE RESTAURANT SYSTEMS, INC., 23CV1995**

**Hearing Re: Final Accounting and Distribution**

On January 28, 2026, a declaration on behalf of the settlement administrator was filed regarding distribution. There is no final accounting in the court's file.

**TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, FEBRUARY 13, 2026, IN DEPARTMENT FOUR.**

**2. CARDENAS v. LAKE TAHOE LODGING CO., ET AL., 22CV0189**

**OSC Re: Dismissal**

On November 16, 2023, defendants filed a notice of settlement of entire case. An order to show cause regarding dismissal was set for November 22, 2024. No appearances were made at that hearing. The court, on its own motion, continued the hearing to February 13, 2026. To date, there still is no request for dismissal in the court's file.

**TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, FEBRUARY 13, 2026, IN DEPARTMENT FOUR.**

**3. COETZEE v. LOMELI-DIAZ, ET AL., 24CV2028****(A) Motion to Compel Response to Form Interrogatories (Set One)****(B) Motion to Compel Response to Special Interrogatories (Set One)****(C) Motion to Compel Response to Request for Production (Set One)**

On December 9, 2025, defendants Adrian Lomeli-Diaz and Ignacio Ramos De Santiago (collectively, “defendants”) filed joint motions to compel plaintiff Ian Coetzee’s (“plaintiff”) verified responses to defendants’ Form Interrogatories (Set One), Special Interrogatories (Set One), and Request for Production (Set One), respectively.

Defendants do not request any monetary sanction.

Plaintiff filed no opposition.

If a party to whom interrogatories or request for production were directed fails to serve a timely response, the propounding party may move for an order compelling responses. (Code Civ. Proc., §§ 2030.290, subd. (b) [interrogatories], 2031.300, subd. (b) [production demands].) All that need be shown in the moving papers is that a set of interrogatories, or a set of requests for production, were properly served on the opposing party, that the time to respond has expired, and that no response of any kind has been served. (See *Leach v. Superior Court* (1980) 111 Cal.App.3d 902, 905–906.)

Here, defense counsel declares that, on May 22, 2025, defendants electronically propounded Form Interrogatories (Set One), Special Interrogatories (Set One), and Request for Production (Set One) upon plaintiff. Accordingly, the deadline for plaintiff’s verified response to each of the discovery requests was June 25, 2025 (30 calendar days, extended by two court days for electronic service). (Code Civ. Proc., §§ 1013, subd. (e), 2030.260, subd. (a) [interrogatories], 2031.260, subd. (a) [production demands].)

On August 11, 2025, plaintiff’s counsel requested a 30-day extension from defense counsel. Defense counsel granted plaintiff’s request in writing and set a new deadline of

September 10, 2025. As of the filing of the instant motions, plaintiff still had not served verified responses to any of the discovery requests at issue.

The motions are granted.

**TENTATIVE RULING # 3: DEFENDANTS' MOTIONS TO COMPEL PLAINTIFF'S VERIFIED RESPONSE TO FORM INTERROGATORIES (SET ONE), SPECIAL INTERROGATORIES (SET ONE), AND REQUEST FOR PRODUCTION (SET ONE) ARE EACH GRANTED. PLAINTIFF SHALL SERVE VERIFIED RESPONSES, WITHOUT OBJECTION, TO EACH OF THE DISCOVERY REQUESTS NO LATER THAN MARCH 20, 2026. NO HEARING ON THIS MATTER WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.**

**4. LAKESIDE PARK ASSN., INC. v. AMBASSADOR LODGE, ET AL., 22CV0183****OSC Re: Dismissal**

On March 29, 2022, plaintiff filed a notice of settlement of entire case. The court set an order to show cause regarding dismissal for February 13, 2026.

On February 3, 2026, plaintiff filed a response to the pending order to show cause regarding dismissal. Plaintiff's attorney declares that the parties' settlement agreement provides for a long-term payment plan that is set to be fully satisfied by April 30, 2027. Plaintiff indicated in its notice of settlement that the settlement was conditional and that it would file a request for dismissal no later than April 2027. The court hereby continues the order to show cause to June 14, 2027.

**TENTATIVE RULING # 4: THE COURT, ON ITS OWN MOTION, CONTINUES THE ORDER TO SHOW CAUSE RE: DISMISSAL TO 1:30 P.M., FRIDAY, JUNE 14, 2027, IN DEPARTMENT FOUR. NO HEARING ON THIS MATTER WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.**

**5. PEOPLE v. \$77,487.90 UNITED STATES CURRENCY, 25CV3100****People's Motion for Order of Default**

This matter is presently before the court on the People's February 6, 2026, Application for Order that Default Be Entered.<sup>1</sup>

By way of background, on November 20, 2025, the People filed a petition for forfeiture under Health and Safety Code section 11469, et seq. A hearing on the petition was set for January 16, 2026.

On January 5, 2026, respondent Izak Halter-Hurn filed a verified claim opposing forfeiture. To date, there is no proof of service in the court's file showing that an endorsed copy of said claim was served upon the People. (Health & Saf. Code, § 11488.5, subd. (a)(1) [requiring the claimant to serve an endorsed copy of the claim within 30 days of the filing of the claim].)

On January 15, 2026, the court issued its tentative ruling dropping the People's petition from the calendar due to the lack of service and proof of publication. (Health & Saf. Code, § 11488.4, subds. (c), (e).) There were no appearances at the January 16, 2026, hearing and no request for oral argument. Therefore, the court adopted the tentative ruling as the order of the court.

Immediately after the hearing, the People filed proof of service and proof of publication (showing the required notice of seizure was published three times, commencing on December 26, 2025, and ending on January 9, 2026).

The People's application filed February 6, 2026, indicates the People move for an order, pursuant to Health and Safety Code section 11488.5, granting a default judgment in favor of the People.

Health and Safety Code section 11488.5 provides in pertinent part that any person claiming an interest in the property seized pursuant to Health and Safety Code

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<sup>1</sup> In a letter dated January 26, 2026, the People requested the court to place the matter on calendar "for a hearing on petition."

section 11488 may, at any time within 30 days from the date of the last publication of the notice of seizure, file a verified claim stating the claimant's interest in the property. "If at the end of [this 30-day period] there is no claim on file, the court, upon motion, shall declare the property seized or subject to forfeiture ... forfeited to the state." (Heath & Saf. Code, § 11488.5, subd. (b)(1).)

Here, the last notice of publication of the notice of seizure was issued January 9, 2026. Therefore, the claim filed by Izak Halter-Hurn on January 5, 2026, is timely. Because a timely verified claim is on file, the court denies the People's motion to declare the property seized forfeited to the state. (Health & Saf. Code, § 11488.5, subd. (b)(1).) The People acknowledge there are no appellate cases specifically holding that failure to serve the claim triggers default. (App., filed Feb. 6, 2026, at 6:13–14.) Additionally, the court notes that Health and Safety Code section 11488.5, subdivision (b)(1), makes no mention of the service requirement in subdivision (a).

Generally, if a verified claim is filed, a forfeiture proceeding shall be set for hearing on a day not less than 30 days therefrom. (Health & Saf. Code, § 11488.5, subd. (c)(1).) It appears that, upon Mr. Halter-Hurn's filing of his verified claim, the court did not specifically set a hearing due to the fact that a hearing date was already pending on the People's November 20, 2025, petition. Accordingly, the court hereby sets a hearing on Mr. Halter-Hurn's verified claim for May 15, 2026, in light of the related criminal case currently pending against Mr. Halter-Hurn (El Dorado Super. Ct., Case No. 25CR2987). Under California state law, where, as here, forfeiture is contested, a judgment of forfeiture requires as a precondition that a defendant be convicted in an underlying or related criminal action of one of the offenses specified in Health and Safety Code section 11470 (e) or (g), which offense occurred within five years before the seizure or the notification of intention to seek forfeiture.

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TENTATIVE RULING # 5: THE PEOPLE'S MOTION FOR AN ORDER OF DEFAULT JUDGMENT IS DENIED. (HEALTH & SAF. CODE, § 11488.5, SUBD. (b)(1).) THE COURT HEREBY SETS A HEARING ON RESPONDENT IZAK HALTER-HURN'S CLAIM AT 1:30 P.M., FRIDAY, MAY 15, 2026, IN DEPARTMENT FOUR. THIS MATTER SHALL TRAIL THE PENDING CRIMINAL ACTION IN EL DORADO SUPERIOR COURT CASE NO. 25CR2987. THE COURT ORDERS IZAK HALTER-HURN TO FILE PROOF OF SERVICE OF HIS VERIFIED CLAIM ON THE PEOPLE NO LATER THAN FEBRUARY 27, 2026.

NO HEARING ON THIS MATTER WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

**6. SEERAT, INC. v. KINGS TRANS CARRIER, INC., ET AL., 23CV1861**

**OSC Re: Dismissal**

On November 12, 2025, plaintiffs filed a notice of settlement of entire case. The notice of settlement indicates that the settlement is conditional and that a request for dismissal will be filed no later than January 31, 2026. To date, there is no request for dismissal in the court's file.

**TENTATIVE RULING # 6: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, FEBRUARY 13, 2026, IN DEPARTMENT FOUR.**