

1. MANFREDI, ET AL. v. LAKELAND VILLAGE OWNERS ASSN., ET AL., 24CV0747**Plaintiffs' Motion to Tax Costs**

This is a small claims action. On September 3, 2025, the court entered judgment in favor of defendants and awarded them costs of suit (but not attorney fees). On September 18, 2025, defendant Lakeland Village Owners Association ("defendant") filed a memorandum of costs claiming \$145.85 for "filing and motion fees."

Pending before the court is plaintiffs Alberto Fernando Manfredi's and Melissa Leigh Manfredi's (collectively, "plaintiffs") motion to tax costs filed September 29, 2025. On October 13, 2025, defendant filed a timely opposition. Plaintiffs filed no reply.

Plaintiffs' motion argues that the claimed costs are, in fact, attorney fees in disguise. The court is not convinced. In its memorandum of costs, defendant provided a breakdown of the total amount claimed, \$145.85, to include: (1) \$21.45 for "Notice of Remote Appearance for Gary Cerio;" (2) \$12.00 for "Proof of Service of Notice of Remote Appearance;" (3) \$16.45 for "Trial Brief;" (4) \$12.00 for "Notice of Remote Appearance for Andrew Hay;" (5) \$12.00 for "Proof of Service for Notice of Remote Appearance;" and (6) \$71.95 for "Reply Trial Brief."

Defendant's opposition brief clarifies that these costs were incurred e-filing the subject-documents. Although it would have been more accurate for defendant to list its claimed costs under "Fees for electronic filing or service" (instead of "Filing and motion fees"), the court exercises its discretion and finds that the costs are allowable.¹ (Code Civ. Proc., § 1033.5, subds. (a)(14), (c)(4).) Accordingly, the court denies plaintiffs' motion to tax.

¹ Code of Civil Procedure section 1033.5 states that electronic filing fees are allowable "if a court requires or orders electronic filing or service of documents." (Code Civ. Proc., § 1033.5, subd. (a)(14).) The court notes that electronic filing is not required in small claims actions in this court. However, Code of Civil Procedure section 1033.5 also gives the court discretion to allow or deny costs for items not mentioned in this section. (Code Civ. Proc., § 1033.5, subd. (c)(4).)

TENTATIVE RULING # 1: PLAINTIFFS' MOTION TO TAX COSTS IS DENIED. THE CLERK IS DIRECTED TO ENTER THE COSTS ON THE JUDGMENT. (CAL. RULES OF COURT, RULE 3.1700, SUBD. (b)(4).) 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.

2. SEDANO, ET AL. v. MAND, 23CV0691**Motion for Preliminary Approval of Class Action and PAGA Settlement**

On October 10, 2025, the court granted plaintiffs' request for a brief continuance to revise the proposed Class Notice Packet.

On October 20, 2025, plaintiffs' counsel submitted a supplemental declaration indicating that the parties made red-line changes to the settlement agreement and proposed Class Notice Packet. The court has reviewed the amended settlement agreement and amended Class Notice Packet, and notes two further issues to address:

1. Plaintiff's counsel states that, after further consideration, the parties have agreed not to count the front desk employees' workweeks as double for settlement purposes. However, the amended Class Notice Packet now includes the former "front desk employee" calculation (despite counsel stating the parties have decided not to proceed with that calculation method). This language should be removed from the amended Class Notice Packet.
2. The section of the amended Class Notice Packet entitled, "How do I weigh my options?" (p. 7) needs further editing. Currently, it states, "You have three options. You can do nothing, stay in the settlement and receive money, you can opt out of the settlement, or you can object to the settlement." The court suggests enumerating the options. For example, "You have three options: (1) you can do nothing, stay in the settlement and receive money; (2) you can opt out of the settlement; or (3) you can object to the settlement."

The court, on its own motion and in the interest of justice and judicial economy, continues the matter to October 31, 2025, to allow the parties to address these further issues and submit a supplemental declaration prior to the continued hearing.

TENTATIVE RULING # 2: THE COURT, ON ITS OWN MOTION AND IN THE INTEREST OF JUSTICE AND JUDICIAL ECONOMY, CONTINUES THE MATTER TO 1:30 P.M., FRIDAY,

OCTOBER 31, 2025, IN DEPARTMENT FOUR TO ALLOW THE PARTIES TO ADDRESS THE FURTHER ISSUES OUTLINED HEREIN AND SUBMIT A SUPPLEMENTAL DECLARATION PRIOR TO THE CONTINUED HEARING.

3. STEPHENS v. LAUB LAW PLCC, 25CV1050**(A) Defendant Jordan Morgenstern's Demurrer****(B) Defendant Jordan Morgenstern's Motion to Strike****(C) Defendant Jill Rusin's Motion to Quash****(A) Defendant Jordan Morgenstern's Demurrer**

On May 28, 2025, defendant Jordan Morgenstern ("defendant") filed a general and special demurrer to "plaintiff's complaint."²

On June 6, 2025, plaintiff filed an opposition to the demurrer.

A hearing on the demurrer was initially set for July 18, 2025. However, the court continued the matter to August 22, 2025, for defendant to satisfy the meet and confer requirement under Code of Civil Procedure section 430.41, subdivision (a). On August 11, 2025, defense counsel submitted a declaration stating the parties met and conferred earlier that day by telephone for over 40 minutes (Cullinane-Smith Decl., ¶ 2), thereby satisfying the meet and confer requirement.

On August 10, 2025, the court issued a tentative ruling clarifying the status of the pleadings. On August 11, 2025, the court adopted its tentative ruling as the order of the court. The court, on its own motion, struck the entirety of plaintiff's second amended complaint under Code of Civil Procedure section 436, subdivision (a) as an unauthorized pleading. The court deemed defendant's demurrer directed to plaintiff's first amended complaint ("FAC") – which was the operative pleading at the time defendant filed his demurrer – and continued the matter once more to September 19, 2025.

On August 19, September 5, and September 15, 2025, plaintiff submitted multiple unauthorized filings. The court does not consider these filings in ruling on this demurrer.

² The title of defendant's demurrer was ambiguous on its face where plaintiff had, by that time, filed a total of three complaints in this action.

Also on August 19, 2025, defendant filed a response and supporting declaration to plaintiff's unauthorized filings. The court does not consider defendant's response or supporting declaration in ruling on this demurrer, either.

1. Background

Plaintiff is a 100 percent disabled senior citizen who receives over 75 percent of his monthly income from his disability insurer, Reliance Standard Life Insurance ("RSLI").

(FAC, ¶¶ 1.1, 1.8.)

In Spring 2022, RSLI instructed plaintiff to submit an updated disability report, which was required to continue plaintiff's disability benefits. (FAC, ¶ 3.6.)

In July 2022, plaintiff attempted to obtain an updated disability report from his then-medical provider, Kaiser, but was informed that Kaiser no longer prepared those types of reports. (FAC, ¶ 3.7.)

With dwindling bank balances, plaintiff called his ex-wife to ask for time to pay her spousal support while plaintiff updated his disability report for RSLI. (FAC, ¶ 3.8.)

Plaintiff's ex-wife was not agreeable. (FAC, ¶ 3.8.)

Thereafter, plaintiff retained defendants Laub Law PLLC, Joey Max Laub, and associated staff to represent him concerning spousal support modification and related disability income matters. (FAC at 2:3–7, ¶¶ 3.8, 3.9.)

The FAC alleges defendant Morgenstern, a California-licensed attorney, is a partner or member of Laub Law PLLC (FAC, ¶ 1.4) and acted as plaintiff's co-counsel in the family law case mentioned above. (FAC, ¶ 2.7.)

On August 8, 2022, defendants accepted \$3,800 as a fixed fee for their services. (FAC, ¶ 3.10.) On August 24, 2022, plaintiff reminded defendant Joey Laub that plaintiff could not afford to make his next support payment, which was due on September 1, 2022. (FAC, ¶ 3.11.) On September 6, 2022, plaintiff informed defendant Jill Rusin, a legal assistant at Laub Law PLLC, that plaintiff had not made his spousal support payment that was due September 1. (FAC, ¶ 3.13.) On September 7, 2022, plaintiff sent

defendant Rusin the blank disability report that RSLI required to resume plaintiff's disability benefit payments. (FAC, ¶3.14.)

On December 14, 2022, nobody from Laub Law PLLC appeared for or represented plaintiff at a contested hearing in the family law case. (FAC, ¶ 3.26.)

In December 2022, RSLI closed plaintiff's disability case because it had not received any communications from defendants. (FAC, ¶ 3.29.)

On April 5, 2023, a readiness conference was held in the family law case. (FAC, ¶ 3.34.) Plaintiff had expected defendant Joey Laub to appear at the hearing on plaintiff's behalf; however, defendant Morgenstern appeared on behalf of plaintiff in Mr. Laub's place. (FAC, ¶ 3.34.) While scheduling a date for a settlement conference in the family law case, the court indicated there was a date available when defendant Lori London would be serving as a judge pro tem. (FAC, ¶ 3.36.) Plaintiff immediately told defendant Morgenstern that defendant London was plaintiff's ex-wife's attorney for ten years between 2003 and 2013 on this same case, SFL20110189. (FAC, ¶ 3.36.) Plaintiff conferred with defendant Morgenstern off the record. (FAC, ¶ 3.36.) Plaintiff clearly stated to the court his objection to defendant London serving as a judge pro tem on plaintiff's case. (FAC, ¶ 3.36.) However, defendant Morgenstern advised plaintiff that nothing defendant London does is binding, "so just agree." (FAC, ¶ 3.36.)

The transcript from the April 5 hearing reads: "THE COURT: Well, Ms. London has kindly offered some time to oversee a settlement conference. [¶] (Mr. Morgenstern and [plaintiff Jon C. Stephens] confer.) [¶] THE COURT: Mr. Stephens, she's – [¶] MR. MORGENSTERN: Mr. Stephens is not willing to do that because I guess – ." (FAC, ¶ 3.37.) The court then stated to plaintiff: "Well, sir, I'd say it this way: You have an absolute right not to go along with [having defendant London serve as a judge pro tem in the case] due to the conflict. You could also waive that conflict and go along with it. [¶] From my position, a settlement conference is never binding. Ms. London can't do anything to twist your arm to force a resolution." (FAC, ¶ 3.38.) The transcript

continues: “MR. STEPHENS: And I am willing to stipulate to agree to that. [¶] THE COURT: I appreciate that. I’d still like Mr. Laub to have you sign a waiver – [¶] MR. STEPHENS: Okay. [¶] THE COURT: -- so that there is a written waiver available. [¶] MR. STEPHENS: Understood.” (FAC, ¶ 3.39.)

Immediately after the April 5 hearing, plaintiff informed defendant Morgenstern that he would not sign the waiver of conflict of interest mentioned by the court. (FAC, ¶ 3.40.) Defendant Morgenstern told plaintiff he would ensure that another judge pro tem was assigned to hear the settlement conference. (FAC, ¶ 3.40.)

During the settlement conference on May 23, 2023, defendant Joey Laub appeared on behalf of plaintiff. (FAC, ¶ 3.47.) Defendant London took the bench, despite plaintiff’s many efforts to have her removed. (FAC, ¶ 3.47.) Plaintiff claims this directly violated plaintiff’s right to a fair and impartial hearing. (FAC, ¶ 3.47.) Additionally, plaintiff claims defendant Joey Laub required plaintiff to argue his own case to defendant London. (FAC, ¶ 3.47.) Although plaintiff had requested defendant Joey Laub to raise a domestic violence argument (plaintiff’s ex-wife allegedly committed acts of domestic violence against plaintiff in the past), Mr. Laub “said he didn’t know about the domestic violence issue and he hadn’t brought the Plaintiff’s case file with him to the Settlement Conference.” (FAC, ¶ 3.47.) Plaintiff claims his ex-wife attended the May 23 settlement conference, and plaintiff had to personally communicate with her, his domestic abuser, face-to-face without counsel. (FAC, ¶ 3.47.)

RSLI ultimately resumed payments to plaintiff on May 15, 2024 (approximately two years after suspending his benefits). (FAC, ¶ 3.61.)

The FAC alleges, upon information and belief, that defendants Joe Laub, London, and Morgenstern conspired to suppress plaintiff’s legal arguments and obstruct access to remedies to which he was lawfully entitled. (FAC, ¶ 3.62.)

The FAC seeks general, special, and punitive damages totaling \$6,390,000. (FAC at 2:20–21.) The FAC also seeks a referral to the California and Nevada State Bars for further investigation. (FAC at 2:21–23.)

2. Request for Judicial Notice

Attached to plaintiff's opposition brief filed June 6, 2025, is a request for judicial notice of two documents: (1) the cover page from the transcript of the April 5, 2023, hearing in the family law case stating defendant Morgenstern appeared on the record representing plaintiff (RJN Ex. B); and (2) an excerpt from the disciplinary order issued by the California Supreme Court in *In re Jordan Morgenstern* (RJN Ex. C).

The court denies plaintiff's request for judicial notice of Exhibit B because, although the document may be judicially noticeable, the truth of the matters stated within the document (i.e., that Morgenstern appeared on behalf of plaintiff) are not subject to judicial notice. (Evid. Code, § 452, subd. (d); see *In re Joseph H.* (2015) 237 Cal.App.4th 517, 541–542 [“[w]e can take judicial notice of official acts and public records, but we cannot take judicial notice of the truth of the matters stated therein”].) The court notes that plaintiff's FAC alleges the same fact that he requests judicial notice – that Morgenstern appeared on behalf of plaintiff at the family law hearing on April 5, 2023. For the purposes of this demurrer, the court accepts that allegation as true.

The court also denies plaintiff's request for judicial notice of Exhibit C because it is not “necessary, helpful, or relevant” to the instant demurrer. (See *Jordache Enterprises, Inc. v. Brobeck, Phleger & Harrison* (1998) 18 Cal.4th 739, 748, fn. 6.)

3. Legal Principles

“[A] demurrer challenges only the legal sufficiency of the complaint, not the truth or the accuracy of its factual allegations or the plaintiff's ability to prove those allegations.” (*Amarel v. Connell* (1998) 202 Cal.App.3d 137, 140.) A demurrer is directed at the face of the complaint and to matters subject to judicial notice. (Code Civ. Proc., § 430.30, subd. (a).) All properly pleaded allegations of fact in the complaint are accepted as true,

however improbable they may be, but not the contentions, deductions or conclusions of facts or law. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318; *Del E. Webb Corp. v. Structural Materials Co.* (1981) 123 Cal.App.3d 593, 604.) A judge gives “the complaint a reasonable interpretation, reading it as a whole and its parts in their context.” (*Blank, supra*, 39 Cal.3d at p. 318.)

4. Discussion

4.1. First C/A for Professional Negligence

The required elements of a professional negligence (or “legal malpractice”) claim include: (1) breach of the attorney’s duty to use such skill, prudence, and diligence as other members of the profession commonly possess and exercise; (2) a proximate causal connection between the negligent conduct and the resulting injury; and (3) actual loss or damage resulting from the negligence. (See *Carlton v. Quint* (2000) 77 Cal.App.4th 690, 699.)

The FAC alleges Morgenstern is a partner or member of Laub Law PLLC (FAC, ¶ 1.4) and acted as plaintiff’s co-counsel in the family law case mentioned above. (FAC, ¶ 2.7.) The only acts or omissions committed by Morgenstern alleged in the FAC occurred on April 5, 2023. On that date, Morgenstern allegedly appeared in court on behalf of plaintiff for a readiness conference in Mr. Laub’s place. While scheduling a future settlement conference, the court indicated there was a date available when defendant Lori London would be serving as judge pro tem. (FAC, ¶ 3.36.) Plaintiff immediately told defendant Morgenstern that defendant London was plaintiff’s ex-wife’s attorney for ten years between 2003 and 2013 on the same family law case. (FAC, ¶ 3.36.) Plaintiff conferred with defendant Morgenstern off the record. (FAC, ¶ 3.36.) Plaintiff clearly stated to the court his objection to defendant London serving as judge pro tem on plaintiff’s case. (FAC, ¶ 3.36.) However, defendant Morgenstern advised plaintiff that nothing defendant London does is binding “so just agree.” (FAC, ¶ 3.36.)

The transcript from the April 5 hearing reads: “THE COURT: Well, Ms. London has kindly offered some time to oversee a settlement conference. [¶] (Mr. Morgenstern and [plaintiff Jon C. Stephens] confer.) [¶] THE COURT: Mr. Stephens, she’s – [¶] MR. MORGENSTERN: Mr. Stephens is not willing to do that because I guess – .” (FAC, ¶ 3.37.) The court then stated to plaintiff: “Well, sir, I’d say it this way: You have an absolute right not to go along with [having defendant London serve as judge pro tem in the case] due to the conflict. You could also waive that conflict and go along with it. [¶] From my position, a settlement conference is never binding. Ms. London can’t do anything to twist your arm to force a resolution.” (FAC, ¶ 3.38.) The transcript continues: “MR. STEPHENS: And I am willing to stipulate to agree to that. [¶] THE COURT: I appreciate that. I’d still like Mr. Laub to have you sign a waiver – [¶] MR. STEPHENS: Okay. [¶] THE COURT: -- so that there is a written waiver available. [¶] MR. STEPHENS: Understood.” (FAC, ¶ 3.39.)

Immediately after the April 5 hearing, plaintiff informed Morgenstern that he would not sign the waiver of conflict of interest mentioned by the court. (FAC, ¶ 3.40.) Morgenstern told plaintiff he would ensure that another judge pro tem was assigned to hear the settlement conference. (FAC, ¶ 3.40.)

Plaintiff’s primary allegation against Morgenstern is that he advised plaintiff to consent to having defendant London serve as the judge pro tem in a future settlement conference, despite plaintiff’s stated objection that defendant London previously represented his ex-wife in the same case, and presumably, would be unfairly biased in favor of plaintiff’s ex-wife. Even assuming this to be true, as the court must do when ruling on a demurrer, the court finds plaintiff has failed to allege he suffered damages as a proximate cause of Morgenstern’s alleged breach. Additionally, the FAC merely states that the first cause of action is directed against “defendants;” it does not specifically identify defendant Morgenstern. The court sustains the demurrer with leave to amend.

The court also notes that, although a law firm may be held vicariously liable on the basis of respondeat superior for negligent conduct by lawyer employees or agents in the scope of the employment or agency (Civ. Code, § 2338), plaintiff does not cite any legal authority that would allow plaintiff to hold defendant Morgenstern, in his individual capacity, liable for the acts of any third party, as alleged in the FAC. Therefore, the FAC does not allege Morgenstern is personally liable for any of the acts or omissions committed by other employees or agents of Laub Law PLLC (i.e., defendants Joey Laub, Cristina Gomez, and Jill Rusin).

4.2. Second C/A for Intentional Infliction of Emotional Distress

To state a claim for intentional infliction of emotional distress (“IIED”), the plaintiff must allege: “(1) extreme and outrageous conduct by the defendant with the intention of causing, or reckless disregard of the probability of causing, emotional distress; (2) the plaintiff’s suffering severe or extreme emotional distress; and (3) actual and proximate causation of the emotional distress by the defendant’s outrageous conduct.” (*Hughes v. Pair* (2009) 46 Cal.4th 1035, 1050 (internal quotes omitted); see *Carlsen v. Koivumaki* (2014) 227 Cal.App.4th 879, 896; *So v. Shin* (2013) 212 Cal.App.4th 652, 671.) A defendant’s conduct is “outrageous” when it is so “ ‘ ‘extreme as to exceed all bounds of that usually tolerated in a civilized community.’ ” [Citation.] And the defendant’s conduct must be “ ‘ intended to inflict injury or engaged in with the realization that injury will result.’ ” [Citation.]” (*Hughes v. Pair* (2009) 46 Cal.4th 1035, 1050–1051.)

Severe emotional distress means “ ‘emotional distress of such substantial quality or enduring quality that no reasonable [person] in civilized society should be expected to endure it.’ ” (*Potter v. Firestone Tire & Rubber Co.* (1993) 6 Cal.4th 965, 1004.)

In this case, the FAC fails to allege extreme or outrageous conduct by Morgenstern. The demurrer to the second cause of action is sustained with leave to amend. For any amended complaint filed in this case, plaintiff shall clearly identify, by name, each defendant to which each cause of action is directed.

4.3. Third C/A for Fraud

“ ‘The elements of fraud ... are: (a) misrepresentation (false representation, concealment, or nondisclosure); (b) knowledge of falsity (or “scienter”); (c) intent to defraud, i.e., to induce reliance; (d) justifiable reliance; and (e) resulting damage.’ ” (*Lazar v. Superior Court* (1996) 12 Cal.4th 631, 638, quoting 5 Witkin, Summary of Cal. Law (9th ed. 1988), § 676, p. 778.) “[F]raud must be pled specifically; general and conclusory allegations do not suffice.” (*Lazar v. Superior Court* (1996) 12 Cal.4th 631, 645.) To survive demurrer, plaintiff must plead facts that “show how, when, where, to whom, and by what means the representations were tendered.” (*Hamilton v. Greenwich Investors XXVI, LLC* (2011) 195 Cal.App.4th 1602, 1614 (internal quotes omitted).)

The FAC alleges “[d]efendants intentionally misrepresented the scope of legal services they would provide and concealed material facts regarding their qualifications, experience, and the progress of the Plaintiff’s case. For example, on August 8, 2022, Defendant Joey Max Laub specifically assured the Plaintiff that the \$3,800 fee would cover all legal services related to his family law and RSLI income recovery matters, including court appearances, legal filings, and direct communication with RSLI. Defendants asked thrice more for additional fees for the same services.” (FAC, ¶ 6.2.)

The court finds the FAC fails to state a claim for fraud against defendant Morgenstern. There are no specific allegations that defendant Morgenstern made any misrepresentation; nor are there facts to show that defendant Morgenstern is liable for any alleged misrepresentation made by another person. The court sustains the demurrer with leave to amend. For any amended complaint filed in this case, plaintiff shall clearly identify, by name, each defendant to which each cause of action is directed.

4.4. Fourth C/A for Breach of Fiduciary Duty

“[B]reach of fiduciary duty is a species of tort distinct from a cause of action for professional negligence.” (*Stanley v. Richmond* (1995) 35 Cal.App.4th 1070, 1086.) “The elements of a claim for breach of fiduciary duty are (1) the existence of a fiduciary

relationship, (2) its breach, and (3) damage proximately caused by that breach.”

(*Mendoza v. Continental Sales Co.* (2006) 140 Cal.App.4th 1395, 1405.)

The FAC alleges, “Defendants in this case abandoned the Plaintiff in court, allowed a [judge pro tem] with a conflict of interest to preside, and failed to advocate for key spousal support protections under Family Code § 4320.” (FAC, ¶ 7.2.)

The FAC alleges Morgenstern acted as plaintiff’s co-counsel in the family law case. Thus, plaintiff has alleged the existence of a fiduciary relationship. “An attorney owes all clients ... duties of undivided loyalty and diligence, among other fiduciary duties.” (*White Mountains Reinsurance Co. of America v. Borton Petrini, LLP* (2013) 221 Cal.App.4th 890, 902.) The scope of an attorney’s fiduciary duties may be determined based on the California Rules of Professional Conduct, relevant statutes and general common law principles relating to fiduciary relationships. (*Stanley, supra*, 35 Cal.App.4th at pp. 1086–1087.)

The court finds that plaintiff has sufficiently alleged a breach of fiduciary claim. However, the FAC merely states the cause of action is directed to “defendants;” it does not expressly identify defendant Morgenstern. For that reason, the court sustains the demurrer to the fourth cause of action with leave to amend.

4.5. Fifth C/A for Civil Conspiracy

“Conspiracy is not a cause of action, but a legal doctrine that imposes liability on persons who, although not actually committing a tort themselves, share with the immediate tortfeasors a common plan or design in its perpetration. [Citation.]” (*Applied Equipment Corp. v. Litton Saudi Arabia Ltd.* (1994) 7 Cal.4th 503, 510–511.) “Standing alone, a conspiracy does no harm and engenders no tort liability. It must be activated by the commission of an actual tort.” (*Id.*, at p. 511.)

Because civil conspiracy is not an independent cause of action, and there is no reasonable likelihood that amendment can cure this defect, the court sustains the demurrer to the fifth cause of action without leave to amend.

(B) Defendant Jordan Morgenstern's Motion to Strike

On September 22, 2025, defendant Jordan Morgenstern ("defendant") filed a motion to strike plaintiff's entire complaint.³ The court notes there is no declaration stating that defendant met and conferred with plaintiff at least five days prior to filing the motion, as required under Code of Civil Procedure section 435.5. Proof of service filed September 22, 2025, states the motion was electronically served on May 28, 2024.⁴ Plaintiff filed no opposition.

A motion to strike is generally used to address defects appearing on the face of a pleading that are not subject to demurrer. (*Pierson v. Sharp Memorial Hospital* (1989) 216 Cal.App.3d 340, 342.) Further, "[t]he court may, upon a motion [to strike] ..., or at any time in its discretion ... [¶] ... [s]trike out any irrelevant, false, or improper matter inserted in any pleading." (Code Civ. Proc., § 436, subd. (a).) Like a demurrer, the grounds for a motion to strike must appear on the face of the pleading or from any matters judicially noticed. (Code Civ. Proc., § 437, subd. (a).) On a motion to strike, the trial court must read the complaint as a whole, considering all parties in their context, and must assume the truth of all well-pleaded allegations. (*Courtesy Ambulance Service v. Superior Court* (1992) 8 Cal.App.4th 1054, 1519.)

Defendant's motion claims (1) the entire complaint is barred by the statute of limitations; (2) the entire complaint is uncertain; (3) plaintiff fails to state a claim for punitive damages; (4) plaintiff's allegations that defendant was suspended from practicing law in California for one year are false; (5) plaintiff's inclusion of several pages

³ Defendant makes a request for judicial notice within his motion to strike. However, the court does not consider this request because it is not properly presented in a separate document listing the specific items for which notice is requested. (Cal. Rules of Court, Rule 3.113, subd. (I).)

⁴ It is the court's understanding that the motion to strike was electronically served on May 28, 2025 (not 2024), the same day that defendant filed his demurrer in this action. On September 19, 2025, defendant represented to the court that he had intended to file his motion to strike concurrently with his demurrer.

of historical bar information, primarily related to Mr. Laub's practice in another state nearly two decades ago, is irrelevant and improper; (6) plaintiff's claims that defendants "concealed material facts regarding their qualifications experience...", seem to imply that defendants had an obligation to disclose historical bar information to plaintiff, which is false; and (7) the court should strike "Plaintiff's complaint (P08 L21 – P09 L14) relating to Mr. Morgenstern's bar record."

Most of these arguments are not proper for a motion to strike, including statute of limitations, uncertainty, and false allegations (as the alleged "falsity" does not appear on the face of the pleading or from judicially-noticed material). The statute of limitations and uncertainty arguments could be raised on demurrer. (See Code Civ. Proc., § 430.10, subds. (e), (f).)

Defendant's motion to strike historical bar information and the claim for punitive damages is denied because defendant has failed to quote the portions of the complaint to be stricken verbatim in the notice of motion. (Cal. Rules of Ct., R. 3.1322, subd. (a).)

Based on the above, defendant's motion to strike is denied.

(C) Defendant Jill Rusin's Motion to Quash

On July 21, 2025, specially-appearing defendant Jill Rusin ("defendant") filed a motion to quash the service of summons and complaint. On August 18, 2025, plaintiff Jon Stephens ("plaintiff") filed a timely opposition, which includes a request for monetary sanctions against defendant under Code of Civil Procedure sections 128.5 and 128.7 (plaintiff requests \$5,250 payable to him and \$1,500 payable to the court). Defendant did not file a reply.

A hearing on the motion was originally set for August 29, 2025. On August 28, 2025, the court issued a tentative ruling sustaining plaintiff's objections regarding improper service of the motion (defendant's proof of service indicates she herself served the motion on plaintiff; and plaintiff had not consented to electronic service at the time service was allegedly made) and continuing the matter to October 24, 2025, to allow

defendant to properly serve the motion on plaintiff. There were no requests for oral argument and no appearances at the August 29 hearing. Pursuant to Rule 7.10.05 of the Local Rules, the court adopted the tentative ruling as the final order of the court.

Since the August 29 hearing, there have been no new filings concerning the instant motion to quash. As such, defendant has not properly served the motion to quash on plaintiff. The motion to quash is denied due to lack of proper service.

TENTATIVE RULING # 3:

(A) DEFENDANT JORDAN MORGENSTERN’S DEMURRER IS SUSTAINED WITH AND WITHOUT LEAVE TO AMEND; THE COURT GRANTS PLAINTIFF LEAVE TO AMEND THE FIRST, SECOND, THIRD, AND FOURTH CAUSES OF ACTION AND DENIES LEAVE TO AMEND THE FIFTH CAUSE OF ACTION. FOR ANY AMENDED COMPLAINT FILED IN THIS CASE, PLAINTIFF SHALL CLEARLY IDENTIFY, BY NAME, EACH DEFENDANT TO WHICH EACH CAUSE OF ACTION IS DIRECTED. ANY AMENDED COMPLAINT MUST BE FILED AND SERVED NO LATER THAN NOVEMBER 7, 2025.

(B) DEFENDANT JORDAN MORGENSTERN’S MOTION TO STRIKE IS DENIED.

(C) DEFENDANT JILL RUSIN’S MOTION TO QUASH IS DENIED DUE TO LACK OF PROPER SERVICE.

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. KBR INC. v. DELACY, SCL20170065**Hearing Re: Order of Examination**

On July 7, 2025, the court issued an order for the judgment debtor, Sara Delacy, to personally appear for examination. To date, there is no proof of personal service in the court's file showing that the judgment debtor was served with the order to appear for examination. (Code Civ. Proc., § 708.110, subd. (d).)

TENTATIVE RULING # 4: THE PERSONAL APPEARANCE OF THE JUDGMENT DEBTOR IS REQUIRED, PROVIDED THAT PROOF OF SERVICE OF THE ORDER TO APPEAR FOR EXAMINATION IS FILED PRIOR TO THE HEARING SHOWING THAT PERSONAL SERVICE ON THE JUDGMENT DEBTOR WAS EFFECTED NO LATER THAN 30 DAYS PRIOR TO THE HEARING DATE. (CODE CIV. PROC., § 708.110, SUBD. (d).) IF THE APPROPRIATE PROOF OF SERVICE IS NOT FILED, NO EXAMINATION WILL TAKE PLACE.

5. REYES, ET AL. v. DEPT. OF TRANSPORTATION, SC20200027**Defendants' Motion to Dismiss**

On August 25, 2025, pursuant to Code of Civil Procedure sections 583.310 and 583.360, subdivision (a), defendants California Department of Transportation and Nicholas Noah Hudspeth (collectively, "defendants") filed the instant motion to dismiss the entire action on the grounds that plaintiffs Maria Reyes and Fernando Gonzalez (collectively, "plaintiffs") failed to bring the case to trial within five years (plus six months for COVID-19 tolling under Judicial Council Emergency Rule 10(a)) after it was commenced on February 20, 2020, against defendants.

On October 13, 2025, plaintiffs filed a timely opposition. Plaintiffs' opposition indicates they intend to file an ex parte application to specially set trial. As of approximately 1:00 p.m. on October 23, 2025, no such application is in the court's file.

On October 17, 2025, defendants filed timely objections to plaintiffs' opposition evidence and a timely reply.

1. Background

Plaintiffs commenced this action against defendants on February 20, 2020. Since then, there have been multiple trial continuances, as well as an appeal. To date, plaintiffs have not brought the case to trial.

2. Request for Judicial Notice

Pursuant to Evidence Code section 452, subdivision (c), the court grants plaintiffs' request for judicial notice of Exhibit 1 (Jan. 17, 2025, minute order) and Exhibit 2 (transcript from the Apr. 11, 2025, hearing).

The court denies plaintiffs' requests to take judicial notice of: (1) the fact that the court did not conduct any civil jury trials on August 8, 2022, because either no courtroom or judge was available for trial; and (2) "the court's records to confirm that no courtroom or judge was available for a civil jury trial the entire month of August 2022 because of [sic] either no courtroom or judge was available for trial."

3. Evidentiary Objections

With the exception of defendants' Objection No. 6, the court sustains each of defendants' 11 objections to plaintiffs' opposition evidence. The court overrules Objection No. 6.

4. Discussion

"An action shall be brought to trial within five years after the action is commenced against the defendant." (Code Civ. Proc., § 583.310.) In response to the COVID-19 pandemic, the Judicial California enacted an emergency rule extending the period "for all civil actions filed on or before April 6, 2020 ... by six months[,] for a total time of five years and six months[.]" (Cal. Rules of Court, Appen. I, Emergency Rule, rule 10(a).)

"This dismissal requirement is mandatory and 'not subject to extension, excuse, or exception except as expressly provided by statute.' [Citation.] 'Under the press of this statutory requirement, anyone pursuing an "action" in the California courts has an affirmative obligation to do what is necessary to move the action forward to trial in timely fashion.' (*Tanguilig v. Neiman Marcus Group, Inc.* (2018) 22 Cal.App.5th 313, 322.)" (*Seto v. Szeto* (2022) 86 Cal.App.5th 76, 85.)

Here, plaintiffs filed the instant lawsuit on February 20, 2020. Defendants argue that under Code of Civil Procedure section 583.010, as extended by California Rules of Court, Appendix I, Emergency Rule, rule 10(a), plaintiffs had until August 20, 2025, to bring the case to trial. Plaintiffs claim that Emergency Rule 10(a) actually extended the deadline to August 21, 2025, arguing that Government Code section 6804 defines the term, "month" as "a calendar month, unless otherwise expressed." (Opp. at 6:3–6 (citing Gov. Code, § 6804; *Marchuk v. Ralphs Grocery Co.* (1990) 226 Cal.App.3d 1273, 1276, fn. 2 ["Reconciling Government Code sections 6803 [which defines a 'year' as a period of 365 days] and 6804 [which defines a 'month' as 'a calendar month, unless otherwise expressed'], the Court of Appeal has determined that six months 'mean[s] ... six calendar months or 182 days, whichever is longer.' "].) The court agrees with plaintiffs and finds

that the six-month extension under Emergency Rule 10(a) extended the five-year deadline to bring the case to trial to August 21, 2025 (February 20, 2025, + 182 days). That deadline expired without plaintiffs bringing the case to trial.

However, plaintiffs argue that the five-year time limit should be tolled for the following periods: (1) 63 days, from February 24, 2025, to April 28, 2025, due to the court granting defendants' motion to continue the February 24, 2025, trial on January 17, 2025 (see Opp. at 6:7–13); (2) 455 days,⁵ from August 8, 2022, to November 6, 2023, because on June 15, 2022, the court vacated the August 8, 2022, trial date sua sponte and ordered the parties back to a case management conference on August 16, 2022, at which time, the court reset trial for November 6, 2023 (see Opp. at 8:18–22); (3) 104 days, from April 16, 2025, to July 29, 2025, because on April 16, 2025, the court vacated the April 28, 2025, trial sua sponte and did not reset trial until July 29, 2025 (or August 27, 2025 – it is difficult to understand plaintiffs' argument) (see Opp. at 12:15–13:1, 13:14–16).

Code of Civil Procedure section 583.340 sets forth three circumstances in which the time to bring a case to trial is tolled: “(a) “The jurisdiction of the court to try the action was suspended. [¶] (b) Prosecution or trial of the action was stayed or enjoined. [¶] (c) Bringing the action to trial, for any other reason, was impossible, impracticable, or futile.” (Code Civ. Proc., § 583.340, subds. (a)–(c).) “An action shall be dismissed by the court on its own motion or on motion of the defendant, after notice to the parties, if the action is not brought to trial within the time prescribed in this article.” (Code Civ. Proc., § 583.360, subd. (a).)

The plaintiff bears the burden of proving that the circumstances warrant application of an exception to the five-year rule, and the trial court has discretion to determine

⁵ Alternatively, plaintiffs submit that the five-year time limit should be tolled 62 days, from June 15, 2022, through August 16, 2022.

whether that exception applies. (*Gaines v. Fidelity Nat. Title Ins. Co.* (2016) 62 Cal.4th 1081, 1100.)

“What is impossible, impracticable or futile must be determined in light of all the circumstances in the individual case, including the acts and conduct of the parties and the nature of the proceedings themselves. [Citations.] The critical factor in applying these exceptions to a given factual situation is whether the plaintiff exercised reasonable diligence in prosecuting his or her case.” (*Moran v. Superior Court* (1983) 35 Cal.3d 229, 238.) “ ‘ “Reasonable diligence places on a plaintiff the affirmative duty to make every reasonable effort to bring a case to trial within five years, even during the last month of its statutory life.” ’ ” (*Sanchez v. City of Los Angeles* (2003) 109 Cal.App.4th 1262, 1270, italics omitted.) “The exercise of reasonable diligence requires a plaintiff to ‘ “keep track of the pertinent dates which are crucial to maintenance of his lawsuit, and to see that the action is brought to trial within the five-year period.” ’ ” (*Wilcox v. Ford* (1988) 206 Cal.App.3d 1170, 1175.) A plaintiff “has an affirmative obligation to do what is necessary to move the action forward to trial in timely fashion.” (*Tanguilig v. Neiman Marcus Group, Inc.* (2018) 22 Cal.App.5th 313, 322.) It is not the trial court's job to ensure a case is brought to trial within the five-year period. Instead, “if a trial court does not take any action,” it is the plaintiff's obligation “ ‘to seek an order from the trial court’ ” scheduling the trial by the statutory deadline. (*Oswald v. Landmark Builders, Inc.* (2023) 97 Cal.App.5th 240, 249.)

The court finds that plaintiffs have established that the five-year period in which to bring the present case to trial was tolled 63 days from February 24, 2025, to April 28, 2025, due to the court granting *defendants'* motion to continue the trial from February 24, 2025, trial to April 28, 2025 (See *Rose v. Scott* (1991) 233 Cal.App.3d 537, 541 [“the general rule is that when a party seeks a continuance of trial, that party is estopped to assert limitation periods for bringing an action to trial.”].)

However, plaintiffs have failed to meet their burden of establishing it was “impossible, impracticable, or futile” to bring the case to trial during the other claimed periods, namely: (1) the period of 455 days from August 8, 2022, to November 6, 2023; (2) (alternatively) the period of 62 days, from June 15, 2022, through August 16, 2022; or (3) the period of 104 days, from April 16, 2025, to July 29, 2025. The court notes there is no competent evidence of courtroom unavailability, as plaintiffs claim.

Moreover, that information is not available by searching the court’s computer system.

Plaintiffs also argue that the case was stayed from April 14, 2025, to July 24, 2025, while plaintiffs’ appeal of the court’s April 11, 2025, order denying plaintiffs’ motion to disqualify defense counsel was pending. Plaintiffs’ opposition brief quotes the court as stating during the April 11, 2025, hearing: “All right. So once that notice [of appeal] is filed, we I’ll be vacating dates and staying the case, or at least vacating the dates. Yes, sir?” Plaintiffs argue, “[b]ased upon the comments of the Court at the April 11, 2025, hearing PLAINTIFFS believed that the pending case was stayed without the need to bring a motion to impose a stay of the proceeding.” (Opp. at 15:23–25.) “PLAINTIFFS request that the Court enter an order and acknowledge that it issued a stay of the trial when on April 16, 2025, when it ordered the trial of April 28, 2025, vacated. [¶] PLAINTIFFS are requesting that the court to enter its stay of the entire action nunc pro tunc to April 16, 2025.” (Opp. at 16:14–18.)

The court rejects plaintiffs’ arguments and denies the requests to enter an order staying the action. First, the court’s comment that it would vacate and stay the case, or at least vacate the scheduled court dates, was based on representations made by plaintiffs’ counsel during the hearing that plaintiffs’ intended appeal would trigger an automatic stay, which turned out to be false. (See Code Civ. Proc., § 916, subd. (a); *Varian Medical Systems, Inc. v. Delfino* (2005) [“an appeal from an order denying a motion to disqualify counsel does not automatically stay further trial court proceedings on the merits because such proceedings would occur regardless of whether the

reviewing court affirms or reverses the order”]; *Reed v. Superior Court* (2001) 92 Cal.App.4th 448, 450 [“If, pending an appeal of an order denying disqualification of counsel, the unsuccessful moving party desires a stay or a continuance of the trial proceeding on the merits, which the trial court in its discretion denies, the party must seek a writ of supersedeas or other discretionary stay from the appellate court.”].)

At the time the court made the statement, plaintiffs had not yet filed their appeal. Given that, the court could not make a preemptory order based on an event that had not yet occurred. The appeal was filed on April 14, 2025. At that point, the court researched whether the appeal triggered an automatic stay and determined it did not. Thus, on April 16, 2025, the court issued an ex parte minute order, which states: “Due to the filing of Notice of Appeal on 04/14/2025, all future hearing dates are vacate[d].” This minute order was served on all counsel and put plaintiffs’ counsel on notice that the court had not ordered a stay of the action. The burden was then on plaintiffs to bring the appropriate motion to obtain a stay. Plaintiffs filed no such motion.

In sum, the five-year time limit to bring the case to trial expires on October 23, 2025 (August 21, 2025, plus 63 days’ tolling). Because plaintiffs have failed to bring the case to trial within the five-year limit, defendants’ motion to dismiss the entire case with prejudice is granted.

TENTATIVE RULING # 5: DEFENDANTS’ MOTION TO DISMISS THE ENTIRE CASE WITH PREJUDICE IS GRANTED. 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. PEOPLE v. PRESTON, 25CV2320**Petition to Challenge Disqualified Person Determination**

This matter is before the court on petitioner Stephen Preston's ("petitioner") request for hearing under Penal Code section 26206 to challenge the "disqualified person" determination made by the El Dorado County Sheriff's Office in response to petitioner's application to renew his Carry Concealed Weapons ("CCW") permit.

Penal Code section 26206 provides, "An applicant who has requested a hearing under this section shall be given a hearing. The clerk of the court shall set a hearing date and notify the person, the licensing authority, the department, and the district attorney." (Pen. Code, § 26206, subd. (d)(1).)

In this case, petitioner's request for hearing was submitted on August 27, 2025.⁶ It appears the court made a clerical error when it sent notice to petitioner at the wrong address (the notice was sent to the Sheriff's office, not the address petitioner provided on his request for hearing). Therefore, petitioner has not been given proper notice of this hearing.

However, the court notes that, on September 16, 2025, the People filed a "Motion in Support of Denial of CCW License or Renewal Pursuant to Penal Code § 26202." Penal Code section 26202 does not expressly authorize such motion. Nonetheless, the court points out that the motion appears to have been properly served on petitioner.

If petitioner does not appear at the hearing on October 24, 2025, or petitioner appears and objects to the procedural defect, the court is inclined to continue the hearing to provide petitioner proper notice. If, however, petitioner appears at the

⁶ Generally, "an applicant shall have 30 days after the receipt of the notice of denial ... to request a hearing to review the denial or revocation from the superior court of their county of residence." The court currently does not have information stating when the Sheriff's Office issued petitioner the notice of denial to determine whether petitioner's request for hearing is timely.

hearing and waives the notice issue, the court intends to proceed with the review hearing as currently scheduled.

1. Background

On January 30, 2025, petitioner submitted an application with the California Department of Justice to renew his CCW permit.

On July 27, 2025, petitioner was arrested on suspicion of felony domestic violence, in violation of Penal Code section 273.5, subdivision (a), that allegedly occurred on the evening of July 25, 2025. Petitioner and his wife reportedly got into a verbal argument, which escalated to the wife throwing a wine bottle at petitioner's face, and petitioner then slamming the wife's face into a cabinet causing visible injury. To date, no formal charges have been filed against petitioner. A copy of the police report, which is attached to the People's motion as Exhibit A, reveals petitioner was reportedly intoxicated from alcohol during the incident; he also stated he might be an alcoholic. There were two witnesses present during the incident: petitioner's adult daughter and son-in-law. The report indicates no firearms were involved in the incident; petitioner's firearms were safely locked and stored at the time. The wife reportedly told police there had been approximately a dozen of unreported prior domestic violence incidents with petitioner. The wife declined a protective order at the scene. On July 31, 2025, the wife recanted her entire statement.

2. Discussion

As relevant here, an applicant is disqualified from receiving or renewing a license if the applicant "[i]s reasonably likely to be a danger to self, others, or the community at large, as demonstrated by anything in the application for a license or through the investigation described in subdivision (b), or as shown by the results of any psychological assessment...." (Pen. Code, § 26202, subd. (a)(1).) The licensing authority must notify the disqualified person of this determination. (Pen. Code, § 26206, subd. (a).)

The People claim petitioner is a “disqualified person” under Penal Code section 26202 because he is a danger to others. (Pen. Code, § 26202, subd. (a)(1).)

Penal Code section 26206 provides: “An applicant who has requested a hearing under this section shall be given a hearing. The clerk of the court shall set a hearing date and notify the person, the licensing authority, the department, and the district attorney. The people of the State of California shall be the plaintiff in the proceeding and shall be represented by the district attorney. Within 14 days after receiving from the clerk of the court the request for a hearing, the department shall file copies of the applicant's criminal history report described in this section with the superior court under seal, and the licensing authority shall file any records or reports on which it relied in denying or revoking the license at issue with the superior court. The licensing authority may also, or instead, file a declaration that summarizes the information it relied upon in denying or revoking the license at issue. The reports filed by the department and the licensing authority shall be disclosed to the person and to the district attorney upon request. The court, upon motion of the applicant establishing that confidential information is likely to be discussed during the hearing that would cause harm to the person, shall conduct the hearing in camera, with only the relevant parties present, unless the court finds that the public interest would be better served by conducting the hearing in public.” (Pen. Code, § 26206, subd. (d)(1).)

Relevant evidence, except that excluded under California law, “shall be admissible at the hearing.” (Pen. Code, § 26206, subd. (d)(3).) Further, “[t]he people shall bear the burden of showing by a preponderance of the evidence that the applicant is a disqualified person in accordance with Section 26202.” (Pen. Code, § 26206, subd. (e).)

TENTATIVE RULING # 6: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, OCTOBER 24, 2025, IN DEPARTMENT FOUR.

7. MATTER OF BAGLIO, 25CV2437**Petition for Order Re: Deceased Parent and Releasing Confidential Marriage Certificate**

Petitioner Paul Baglio requests an order (1) declaring that, “for purposes of legal and civil documentation,” the individual known as “Rino Baglio” is the same person as “Calogero Baglio” and “Calogero Rino Baglio” (the petitioner’s deceased father); and (2) authorizing petitioner to obtain a certified copy of his parent’s confidential marriage certificate that was issued in El Dorado County.

Regarding the second request to release to petitioner a copy of his parent’s confidential marriage certificate, “[t]he county clerk shall maintain confidential marriage certificates filed pursuant to [Family Code] Section 506 as permanent records which shall not be open to public inspection except upon order of the court issued upon a showing of good cause. The confidential marriage license is a confidential record and not open to public inspection without an order from the court.” (Fam. Code, § 511, subd. (a).)

The court finds good cause to release a copy of the confidential marriage certificate to petitioner, who has shown he needs a copy of his parent’s marriage certificate to complete petitioner’s application for dual citizenship in Italy.

Further, the court finds that, the individual known as “Rino Baglio” is the same person identified as “Calogero Baglio” or “Calogero Rino Baglio” in the copy of notarized records submitted by petitioner with the instant petition.

TENTATIVE RULING # 7: THE PETITION IS GRANTED. THE COURT FINDS GOOD CAUSE UNDER FAMILY CODE SECTION 511, SUBDIVISION (a) TO RELEASE A COPY OF THE CONFIDENTIAL MARRIAGE CERTIFICATE (RELATED TO THE MARRIAGE OF CALOGERO BAGLIO AND COLLEEN CORDY ON OR ABOUT APRIL 22, 1988, IN SOUTH LAKE TAHOE, CALIFORNIA) TO PETITIONER PAUL BAGLIO. ADDITIONALLY, THE COURT FINDS THAT, THE INDIVIDUAL KNOWN AS “RINO BAGLIO” IS THE SAME PERSON IDENTIFIED AS

**“CALOGERO BAGLIO” OR “CALORGERO RINO BAGLIO” IN THE COPIES OF NOTARIZED
RECORDS SUBMITTED BY PETITIONER WITH THE INSTANT PETITION.**