**TENTATIVE RULINGS**
**LAW & MOTION CALENDAR**
**Wednesday, May 13, 2026, 3:00 p.m.**
**Courtroom 16 – Hon. Curtis Karnow for Hon. Patrick M. Broderick**
**3035 Cleveland Avenue, Suite 200, Santa Rosa**

**TO JOIN "ZOOM" ONLINE,**
**Courtroom 16**
**Meeting ID: 161-460-6380**
**Passcode: 840359**
https://sonomacourt-org.zoomgov.com/j/1614606380?pwd=NUdpOEZ0RGxnVjBzNnN6dHZ6c0ZQZz09

**TO JOIN "ZOOM" BY PHONE,**
**By Phone (same meeting ID and password as listed above):**
**(669) 254-5252 US (San Jose)**

The following tentative rulings will become the ruling of the Court unless a party desires to be heard. If you desire to appear and present oral argument as to any motion, YOU MUST notify the Court by telephone at **(707) 521-6725**, and all other opposing parties of your intent to appear by 4:00 p.m. the court day immediately before the day of the hearing.
Parties in motions for claims of exemption are exempt from this requirement.

**PLEASE NOTE: The Court WILL NOT provide a court reporter for this calendar. If there are any concerns, please contact the Court at the number provided above.**

## 1. 23CV00783, County of Sonoma v. Chand

Plaintiff County of Sonoma (County) moves to compel Alveen Chand (Chand) to provide full responses to the County's Special Interrogatories, Set One; and Request for Production of Documents, Set One. The County requests sanctions of $1,776.50. There is no opposition to the motion.

Chand provided no responses to the discovery at issue. No request for an extension was received and none granted. The County's meet and confer efforts were fruitless.

**The motion is granted**. Not later than May 29, 2026, Chand must (1) provide full responses, without objections, to the discovery at issue here, and (2) pay sanction in the sum of $1,292.00, based on counsel's billing rate and the court's estimated reasonable expenditure of 4 hours. *In re Marriage of Moore* (2024) 102 Cal.App.5th 1275, 1298 (sanctions may include fees and expenses such as "filing fees, copying costs, and attorney fees incurred in researching the issues, drafting the moving papers, reviewing any opposition papers, drafting any reply papers, and attending the hearing on the motion…[as well as] efforts to meet and confer….")

The court is concerned about Chand's apparent history of non-compliance with discovery and other obligations. The court alerts Chand that further, more serious sanctions may be imposed for failures to obey court orders or legal obligations, or in particular for further discovery abuse. E.g., Weil &

Brown, et al., California Practice Guide: Civil Procedure Before Trial ¶ 8:2235 (Rutter: 2025) (increasing sanctions for further discovery abuse).

The county's counsel must submit a written order to the court consistent with this ruling and in compliance with Cal. Rules of Court, Rule 3.1312. The signature block should read as follows:

Curtis E.A. Karnow (Ret.)
Judge of the Superior Court (Sonoma) on Assignment

## 2. 25CV00845, Sebring v. State Farm Mutual Automobile Insurance

Plaintiff Sean N. Sebring (Sebring) moves under CCP § 473(b) for relief from the order of August 26, 2025 which dismissed his action. Sebring also asks for a Case Management Conference (CMC) and for additional time to serve and file the summons and complaint and proof of service.

There is no opposition.

A CMC was set for June 24, 2025. Sebring did not file a CMC statement and did not appear at the hearing. Thus, the court issued an order to show cause re dismissal, setting it for August 26, 2025. Sebring failed to appear and the court dismissed this case.

Sebring now states he was unable to file a CMC statement or to appear at the hearing because he was jailed in the Sonoma County Main Adult Detention Facility from April 23, 2025, through October 4, 2025. As a result, and despite repeated attempts, he was unable to hire an attorney. Sebring also notes other factors that impeded his efforts to prosecute this case: effects of criminal proceedings and anti-psychotic medications.

Pursuant to CCP § 473(b) the court has the power to afford the relief sought here. Sebring has shown the requisite mistake, inadvertence, surprise, or excusable neglect. This motion was made within the statutory 6-month time period.

**The motion is GRANTED.** The August 26, 2025, order dismissing the action is vacated. A Case Management Conference is set for August 4, 2026, at 3:00 p.m. in Dept. 16. Sebring must serve defendants and file the proof of service no later than June 9, 2026.

Sebring must submit a written order to the court consistent with this ruling and in compliance with Cal. Rules of Court, Rule 3.1312. The signature block should read as follows:

Curtis E.A. Karnow (Ret.)
Judge of the Superior Court (Sonoma) on Assignment

## 3. 25CV02057, Looney v. Cedeno

Plaintiff Gary E. Looney dba Collectronics of California moves for an order compelling Defendant Rafael Cedeno, individually and dba Foreign Autohaus, dba A C Autohaus, to furnish responses to Plaintiff's first set of post-judgment interrogatories and post-judgment demand for production of documents, and sanctions.

On March 20, 2026, Plaintiff filed an Acknowledgement of Satisfaction of Judgment indicating that the judgment has been satisfied in full. Accordingly, this motion is moot and is *off calendar*.

**4. 25CV07011, Johnson v. Hopkins**

Defendant Shannon Hopkins moves for an order striking the allegations for punitive damages in the complaint filed by Plaintiff Laurellee Johnson.

The complaint alleges that Hopkins drove a vehicle through a red light and into Johnson's vehicle. Johnson alleges the impact caused severe property damage and physical injuries, and that after the accident Hopkins accelerated through another red light in an attempt to flee the scene and avoid liability. As a result, Johnson was left injured at the scene, bereft of medical assistance for an extended period of time which exacerbated Johnson's physical and emotional injuries. The complaint alleges Hopkins was stopped a mile away by police officers and others. Complaint filed 10/8/2025, Exemplary Damages Attachment.

To obtain punitive damages at trial, a plaintiff must prove the defendant "has been guilty of oppression, fraud, or malice." CC § 3294.

"Malice" is conduct which is intended by the defendant to cause injury to the plaintiff or despicable conduct which is carried on by the defendant with a willful and conscious disregard of the rights or safety of others. CC § 3294(c)(1). "Oppression" is despicable conduct that subjects a person to cruel and unjust hardship in conscious disregard of that person's rights. CC § 3294(c)(2). "Fraud" is also defined but is not pertinent here.

Hopkins argues the complaint does not plead facts to support a finding of oppression, fraud, or malice because it does not allege Hopkins intentionally collided with Johnson; and, at most, it alleges gross negligence, which is insufficient for punitive damages. Hopkins argues that allegations that she fled the scene are not true, in that she "was simply trying to find a safe place to pull over as to not block traffic or otherwise cause a new hazard." Cited in support of these factual allegations are declarations executed by Hopkins and her spouse. Opp. at 6.

The facts asserted in the Opposition supported by declarations are irrelevant to this sort of motion to strike. Hopkins' counsel knows this, so in the Reply she tries to avoid the accusation that she interposed patently improper material by writing the facts are simply for "context". Reply at 1. This isn't true. The extraneous facts were not provided for 'context;' counsel used them to argue there was no malice or oppression. Motion at 6. This extrinsic evidence is obviously improper. Weil & Brown, et al., California Practice Guide: Civil Procedure Before Trial ¶¶ 7::169 *ff*. (Rutter: 2025). Neither opposing counsel nor the court should have to waste time addressing it.

There are two arguments actually based on the complaint.

The first is that generally we ought not to allow plaintiffs to plead anything they like in order to claim punitive damages. Reply at 1-2; 2-3. But, within the limits imposed by (i) rules of professional responsibility and (ii) the risk of sanctions for frivolous pleadings (CCP §128.7 (b)(3)), that is indeed the system we have. Figuring out the truth of allegations comes later in the process.

Secondly, Hopkins makes this argument that the complaint in this case is inadequate:

> Plaintiff's Complaint makes speculative allegations on Defendant's state of mind that she deliberately and intentionally fled in order to leave Plaintiff 'injured and alone.' These are simply conclusory allegations plead that, given the substantive changes to section 3294 since *Taylor*, fall short of the necessary factual showing that defendant acted with "despicable" conduct, which require a showing of "base," "vile," or "contemptible" acts. It simply does not rise to that level here. As cited above, even proof of recklessness is insufficient to warrant an award of punitive damages
>
> Memo at 6-7.

This is just conclusory. There is no argument. It is not true that there are no "ultimate facts" supporting punitives (Memo at 6): indeed, Hopkins sets some of them out in her moving papers. Memo at 6:4-8. Complaints are construed liberally, CCP § 452, and assumed to be true in these sorts of motions to strike. *Today's IV, Inc. v. Los Angeles County Metropolitan Transportation Authority* (2022) 83 Cal.App.5th 1137, 1193. There is enough in the complaint to support the request for punitive damages based on oppression and malice. Complaint filed 10/8/2025, Exemplary Damages Attachment.

The motion is DENIED. Defendant must file an answer to the complaint within 10 days of the service of this order.

Plaintiff's counsel must submit a written order to the court consistent with this ruling and in compliance with Cal. Rules of Court, Rule 3.1312. The signature block should read as follows:

Curtis E.A. Karnow (Ret.)
Judge of the Superior Court (Sonoma) on Assignment

## 5. SCV-273480, Boyd v. Cotati Rohnert Park Unified School District

### 1. Motion to Compel Further Responses to Requests for Production

Plaintiff Victor Boyd moves for an order compelling Defendant Cotati Rohnert Park Unified School District (the District) to serve further responses to Boyd's Request for Production of Documents, Set Two, Requests Nos. 23, 24, 25, 26, 30. Boyd requests sanctions against the District's counsel, Mark Peters, in the amount of $5,350.00.

a. Timeliness of response

Boyd argues the District's responses are untimely such that any objections are waived.

Here an extension was granted with responses due November 10, 2025. Boyd inquired about the responses when they had not been received by November 12. Krankemann decl., ¶6. Defendant indicated that the responses were mailed on November 10. Id. When Boyd had still not received responses by November 17, the District provided a copy by email. Id., ¶6, Exhibit G. Defendant's Response to Requests for Production are dated November 10, 2025. Id., Exhibit H. The postmark on

the envelope containing Defendant's responses is dated November 12, 2025. Id., ¶7, Exhibit I. There was no intervening weekend between November 10 and 12, which might in some way explain a delay in affixing the postmark, and indeed the District does not resolve the discrepancy between the two dates. Instead, Counsel Mark Peters says he has "no information as to the delay in delivery by the Postal Service," Peters Decl. dated April 28, 2026, ¶3, as if the issue might be a delay in delivery. That obviously is not the issue.

The responses were served late, on November 12, 2025. They are untimely and all objections are waived. CCP § 2030.290.

Nevertheless, the court also addresses the merits.

b. Responses to Requests for Production

Boyd's Requests for Production of Documents, numbers 23-26, and 30 seek information that is relevant to the subject matter of this action and is likely to lead to the discovery of admissible evidence.

Request number 23 seeks emails between Jan Forni and former superintendent Maya Perez. Request number 24 seeks any email related to Boyd. Request numbers 25 and 26 seek documents related to any complaint about racial discrimination made against the District. Request number 30 seeks all emails related to the District's hiring for the daytime custodian positions for the last 10 years.

The District objected to each request, but as indicated above, these are waived.

The District also provided some substantive responses. In response to number 23, it stated it would produce the "text of an email." In response to number 25, it stated it would produce three pages of notes related to the complaint identified in response to interrogatory number 19.

The response to No. 23 is representative of others:

> "This Request is objected to on the grounds that it is overbroad, burdensome, vague as to time and not reasonably calculated to lead to the discovery of admissible evidence. Without waiving that objection, the following response is provided: The School District produces herewith the text of an email from Jan Forni to former Superintendent Maya Perez regarding Plaintiff's application for the position at Hahn Elementary School."

The form of the response is pernicious. It may be common, but by the same token it is also commonly the cause of great delay and cost in discovery disputes. The response does not inform the reader if an extant document is being withheld on the basis of any of the objections. The formal response does not state whether the District will comply with the request or whether it is unable to comply. The District's substantive responses do not comply with CCP § 2031.210; Weil & Brown, et al., California Practice Guide: Civil Procedure Before Trial ¶¶ 8:1469 *ff*. (Rutter: 2025). It is not clear if the District's statement that it will produce the "text of an email" (and in other responses, some pages of notes related to an investigation) refers to all the responsive documents in its possession. See generally, Weil & Brown, et al., California Practice Guide: Civil Procedure Before Trial ¶ 8:1476. (Rutter: 2025).

The suggestion in the Peters Declaration that everything has been produced—something Boyd had to wait for until after he had filed his motion to compel, and not in a form that necessarily binds the party--—will not do. The suggestion of a burden in the Peters Declaration ¶6 appears incompetent: there is no showing that Peters has non-hearsay knowledge of the burden. Indeed, lawyers generally don't have this sort of knowledge: showing burden usually requires the testimony of the client or other possessor of the documents, and lawyers are well advised to consult competent witnesses about it before inserting the objection in their formal responses.

Boyd has established good cause to compel further responses.

c. Sanctions

Boyd's counsel, W. Christian Krankemann, states he is informed and believes that a contract attorney in his office, Katherine Casebier, spent three hours on meet and confer emails (presumably on both motions), 10 hours drafting this motion. Krankemann Decl. dated Dec. 30, 2025, ¶18. Her hourly rate is $400. Id., ¶20. Krankemann also seeks reimbursement for his time, which is based on the assumption that there will be a hearing on this motion. If there is, he may then seek further reimbursement as he has claimed.

Eight hours to complete the papers is adequate, for a total of 11 hours. A reasonable sanction for this motion is $4,400.00.

d. Conclusion and Order

The motion is GRANTED. Cotati Rohnert Park Unified School District must serve further responses without objection to Boyd's Request for Production of Documents, Set One, numbers 23, 24, 25, 26, and 30, and The District and its counsel of record, Mark Peters, must pay sanctions in the amount of $4,400, all not later than June 17, 2026.

Boyd's counsel must submit a written order to the court consistent with this ruling and in compliance with Cal. Rules of Court, Rule 3.1312. The signature block should read as follows:

Curtis E.A. Karnow (Ret.)
Judge of the Superior Court (Sonoma) on Assignment

2. **Motion to Compel Further Responses to Special Interrogatories**

Plaintiff Boyd moves for an order compelling the District Cotati Rohnert Park Unified School District (the District) to serve further responses to Boyd's Special Interrogatories, Set Two, Numbers 19 and 29. Boyd requests sanctions against the District's counsel, Mark Peters, in the amount of $6,150.00.

a. Timeliness of response

The parties make the same arguments, and the court makes the same ruling, as in the accompanying motion regarding Boyd's Request for Production of Documents. As the responses were mailed on November 12, 2025, they are untimely and all objections are waived. CCP § 2030.290.

Nevertheless, the court also addresses the merits, in particular here because the motion is not granted as to interrogatory 29.

b. Special Interrogatory, Number 19

This interrogatory requests the District to list "all complaints of racial discrimination made against YOU and YOUR employees by Black people for the past 20 years, stating the date the complaint was made, the identity of the PERSON making the complaint and the nature of the allegation."

The District objected on the grounds the interrogatory was "overbroad, burdensome, vague as to time, not reasonably calculated to lead to the discovery of admissible evidence, violative of the privacy rights of the employees of the School District, and duplicative of Form Interrogatory 209.2 and Interrogatory 17 which have already been answered by the School District." Boyd's separate statement, no. 19.

Despite the objections, The District responded: "An employee complained on July 20, 2023, of the use of the "n word" by employees and students." Id.

As noted in connection with the accompanying motion to compel production of documents, the form of the response, which lists a series of boilerplate objections and then provides some information "without waiving those objections," makes it impossible for the reader to know if there is information withheld on the basis of any of the objections. This in turn drives up costs and delays in resolving discovery disputes.

The District provides no evidence to support the suggestion that privacy rights justify withholding evidence (if, indeed, any is withheld on that basis). Nor is there any attempt to show the interrogatory is not designed to lead to admissible evidence, another of the boilerplate objections interposed by the District.

As Boyd notes, the District has not identified the person making the complaint pursuant to the interrogatories' definitions by providing the person's full name, last known home and business address, last known business affiliation, employer, etc.

In opposition, the District argues that it identified the only responsive complaint of which it was aware—that of Lester Williams. Perhaps. But there is no indication that it made the requisite investigation (CCP § 2030.220(c)), and this—coming as it does in the opposition to a motion to compel- is too little, too late, and it's not under penalty of perjury by the client.

The District argues that it produced the notes of the investigation into Mr. William's complaint conducted by Dr. Jamal Fields, and that both Dr. Fields and Mr. Williams have already been deposed. But the issue is not, as the District seems to think, whether Boyd might find information he seeks somewhere in the mound of discovery done to date.

> Cumulative evidence: It is immaterial that the party seeking discovery already has extensive other evidence of the same fact: A party "is entitled to discover any non-privileged information, cumulative or not." [*TBG Ins. Services Corp. v. Sup.Ct. (Zieminski)* (2002) 96 CA4th 443, 448, 117 CR2d 155, 160; *City of King City v. Community Bank of Central Calif*. (2005) 131 CA4th 913, 933, 32 CR3d 384, 398]

Weil & Brown, et al., California Practice Guide: Civil Procedure Before Trial ¶ 8:70.5 (Rutter: 2025).

It is improper to answer an interrogatory by reference to another document without—*in the interrogatory responses*—identifying it and summarizing it so that the response is actually fully responsive. *Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 783–784.

The District also says that seeking records older than 10 years from a public entity is "fraught with peril." Opp. at 3:12. No support is provided for this empty speculation. The Peters April 28, 2026 Declaration ¶ 3 suggests a speculative basis for a burden objection, but as indicated in connection with the accompanying motion regarding Requests for Production of Documents, this appears inadmissible.

The response is incomplete and is evasive. Where the question is specific and explicit, an answer that supplies only a portion of the information sought is improper. *Deyo v. Kilbourne* (1978) 84 Cal. App. 3d 771, 783. Accordingly, the motion as to this interrogatory is granted

c. Special Interrogatory, Number 29

This reads: "If you responded to Special Interrogatory No. 27 in the affirmative, IDENTIFY all PERSONS with information regarding the complaints." Special Interrogatory No. 27 provided: "Has any complaint of racial discrimination been made against Josh Savage while YOU employed him?" Separate Statement, No. 29.

The term "IDENTIFY," means to state such person's full name, last-known home and business address, last-known business affiliation, employer, and position therewith, and the latest date that such information was true, to YOUR knowledge..." Id.

The District responded without objection: "Josh Savage and Jamal Fields, who may be contacted only through counsel. Jen Hansen, Director of Human Resources, Santa Rosa Junior College, Bussman Hall Annex, 1501 Mendocino Avenue, Santa Rosa, CA 95401-4395; (707) 524-1501." Id.

Boyd argues other discovery shows other people with relevant information. Boyd states the three-page document from the investigation of the Lester Williams Complaint, dated July 20, 2023, recounts interviews with a number of individuals (identified in some instances with initials, or simply first names) who may have information relevant to the complaint including: Lester Williams, Mayra Perez, Mark Baptista/Bautista, Karen Tadesco, "Ray," and "Mellissa" among others.

Boyd may be right, but this doesn't show that the response is on its face evasive, incomplete, or that there is an unjustified objection—for there are no objections. It does suggest the response, in effect stating as it does that Josh Savage and Jamal Fields are the *only* responsive names, is false. And if so, one need not detail here the series of serious, adverse consequences to the District that may ensue if the issue remains uncorrected.

The District has a duty to respond "as complete and straightforward as the information reasonably available to the responding party permits. If an interrogatory cannot be answered completely, it

shall be answered to the extent possible." CCP § 2030.220(a), (b). The unqualified response here, while satisfactory on its face, is a binding representation that it contains *all* the information on the subject known to the District.

This concern about a false response is amplified by the District's argument. The District says Boyd's criticism (that not all individuals were identified) is insignificant—*not that he is wrong*--because Boyd is already aware of all individuals who were contacted during Dr. Fields' investigation.

The motion as to this request is denied. The District may wish to review its response and if appropriate promptly serve fully responsive amended responses. CCP § 2030.310 (a).

d. Sanctions

Boyd's counsel, W. Christian Krankemann, is informed and believes that a contract attorney in his office, Katherine Casebier, spent three hours on meet and confer emails (presumably an overlap with the accompanying motion on documents), and 8 hours drafting the papers. Krankemann Decl. dated Dec. 30, 2025, ¶18. Her hourly rate is $400. Id., ¶20. There is substantial overlap between the papers prepared for the two motions: for example, only about 4 to 5 pages of the eleven-page supporting memoranda are clearly distinct. Here, too, the court has ordered further response to only one interrogatory. Under these circumstances, sanctions in compensation for 5 hours in drafting is reasonable, i.e., $2000.

Krankemann also seeks reimbursement for his time, which is based on the assumption that there will be a hearing on this motion. If so, he may then seek further reimbursement as he has claimed.

e. Conclusion and Order

The motion is GRANTED in part. The Cotati Rohnert Park Unified School District must serve further responses to Boyd's Special Interrogatories, Set Two, Number 19, without objection, not later than June 17, 2026. The District and its counsel of record, Mark Peters, must pay sanctions in the amount of $2000 all not later than June 17, 2026.

Boyd's counsel must submit a written order to the court consistent with this ruling and in compliance with Cal. Rules of Court, Rule 3.1312. The signature block should read as follows:

Curtis E.A. Karnow (Ret.)
Judge of the Superior Court (Sonoma) on Assignment