TENTATIVE RULINGS: CIVIL LAW & MOTION

Wednesday, July 8, 2026 at 3:00 p.m.
Courtroom 18 – Hon. Dana Simonds
Civil and Family Law Courthouse
3055 Cleveland Avenue
Santa Rosa, California 95403

The 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, **YOU MUST NOTIFY** the Judge's Judicial Assistant by telephone at **(707) 521-6724**, and all other opposing parties of your intent to appear, **and whether that appearance is in person or via Zoom**, no later 4:00 p.m. the court day immediately preceding the day of the hearing.

If the tentative ruling is accepted, no appearance is necessary unless otherwise indicated.

TO JOIN ZOOM ONLINE:

Department 18:
Meeting ID: **160—739—4368**
Password: **000169**
https://sonomacourtorg.zoomgov.com/j/1607394368?pwd=aW1JTWlIL3NBeE9LVHU2NVVpQlVRUT09

TO JOIN ZOOM BY PHONE:
By Phone (same meeting ID and password as listed for each calendar):
Call: +1 669 900 6833 US (San Jose)

Unless notification of an appearance has been given as provided above, the tentative ruling shall become the ruling of the Court the day of the hearing at the beginning of the calendar.

1. 25CV08532, Crane v. Christos

Defendant Helen Christos's demurrer to the complaint is **OVERRULED**.

Plaintiff's counsel shall submit a written order consistent with this tentative ruling and in compliance with Rule 3.1312.

Analysis:

On December 12, 2025, Plaintiffs Leslie Jo Crane and Dan Larson filed a complaint against Defendants Theodore Christos, Cherie Sexton Christos, Cherie Sexton Christos dba Graze, Cherie Sexton Christos dba The Rio Nido Lodge; Wood Road Tic Alexander, LLC, Wood Road TIC Helen, LLC, Wood Road TIC Theodore, LLC, Alexander Christos, Helen Christos, The Rio Nido Lodge, and Does 1-25, inclusive.

The Complaint alleges causes of action for assault, battery, intentional infliction of emotional distress, motor vehicle negligence, negligence, negligence per se, trespass to personal property, and

civil harassment arising out of several physical and non-physical altercations between Leslie Jo Crane, Dan Larson, Theodore Christos and Cherie Sexton Christos. It is alleged that one of the alleged incidents occurred at the Rio Nido Lodge. It is further alleged that the Lodge is owned by Defendants Wood Road TIC Alexander, LLC, Wood Road TIC Helen, LLC, and Wood Road TIC Theodore, LLC. As alleged, Defendant Helen Christos is an individual and managing member of Defendant Wood Road TIC Helen, LLC. Plaintiffs allege that Helen Christos is liable for the conduct alleged in the complaint under the alter ego theory.

Defendant Helen Christos demurrers to the complaint as failing to state a cause of action against her and as being uncertain.

I. The Complaint is Not Uncertain

A demurrer for uncertainty pursuant to CCP § 430.10(f) will be sustained only where a defendant cannot reasonably respond, i.e. cannot reasonably determine what issues must be admitted or denied, or what counts or claims are directed against him or her. (*Khoury v. Maly's of Calif., Inc.* (1993) 14 Cal.App.4th 612, 616; see also *A.J. Fistes Corp. v. GDL Best Contrac-tors, Inc.* (2019) 38 Cal.App.5th 677, 695 ["A demurrer for uncertainty is strictly construed, even where a complaint is in some respects uncertain, because ambiguities can be clarified un-der modern discovery procedures."].) Plaintiffs' complaint is not uncertain as it can easily be determined what claims must be admitted or denied. The demurrer on this basis is overruled.

II. Plaintiffs Have Sufficiently Alleged Alter Ego Liability of Helen Christos

"It has been stated that the two requirements for application of [the alter ego] doctrine are (1) that there be such unity of interest and ownership that the separate personalities of the corporation and the individual no longer exist and (2) that, if the acts are treated as those of the corporation alone, an inequitable result will follow." (*Automotriz Del Golfo De California S. A. De C. V. v. Resnick* (1957) 47 Cal.2d 792, 796.)

> Factors for the trial court to consider include the commingling of funds and assets of the two entities, identical equitable ownership in the two entities, use of the same offices and employees, disregard of corporate formalities, identical directors and officers, and use of one as a mere shell or conduit for the affairs of the other. [Citation.] "No one characteristic governs, but the courts must look at all the circumstances to determine whether the doctrine should be applied. [Citation.]"

(*Troyk v. Farmers Group, Inc.* (2009) 171 Cal.App.4th 1305, 1342.)

Here, Plaintiffs allege, upon information and belief, that

> …there was such a unity of interests as between some or all of Defendants, including, but not limited to, WOOD ROAD TIC ALEXANDER, LLC, WOOD ROAD TIC HELEN, LLC, WOOD ROAD TIC THEODORE, LLC, Alexander Christos, Helen Christos, Theodore Christos, and Cherie Sexton that there does not exist the requisite legal separateness that is required for the individual person and the purported entity to constitute separate legal entities…such Defendants have comingled their financial affairs with their personal and other business activities and assets, and that they have disregarded legal

> formalities and failed to maintain arm's length relationships. By such actions, said Defendants have failed or refused to observe legal and practical distinctions between said entity Defendants and the individual Defendants, which has produced unjust and inequitable results to Plaintiffs, who would be extremely prejudiced if Defendants were permitted to use corporate entities to shield against personal obligations. As a consequence of their actions, each of said Defendants is or has become the alter ego of each other Defendant, and each Defendant is liable for the debts and obligations of the other(s).

(Complaint, ¶ 13.)

Defendant argues that the Court may resolve the issue of alter ego liability on demurrer at the pleading stage if the Court finds that, as a matter of law, Plaintiffs' allegations, even if proven, would be insufficient to support a finding of alter ego. Defendant cites *Dos Pueblos Ranch & Improv. Co. v. Ellis* (1937) 8 Cal.2d 617, 621; *Sheard v. Superior Court of Alameda* (1974) 40 Cal.App.3d 207, 211—212 and *Norins Realty Co. v. Consol. A. & T.G. Co.* (1947) 80 Cal.App.2d 879, 882—883.) These cases are distinguishable.

In *Dos Pueblos Ranch*, the Court found alter ego allegations to be insufficient where the plaintiff only alleged that the individual owned more than a majority share of the capital stock in the corporation and controlled, managed, and dominated the corporation. The Court found these allegations to be insufficient to state that the two entities are one and the same person. (8 Cal.2d at 621.)

In *Sheard*, the facts supporting the alleged alter ego theory were that Sheard is a small Wisconsin corporation, that it has no insurance, that Sheard was not financially able to litigate the lawsuit, and that the litigation could result in forcing Sheard out of business and to be dissolved. The assertion was that it would be in the interests of justice to permit alter ego allegations otherwise there could be no recovery against Sheard for the real party's injuries. The Court found this to be insufficient. (40 Cal.App.3d at 211—212.) Furthermore, the analysis was made in the context of a motion to quash service of summons, not a motion challenging the sufficiency of a pleading.

Finally, in *Norins Realty*, the Court stated, "Mere ownership of all the stock and control and management of a corporation by one or two individuals is not of itself sufficient to cause the courts to disregard the corporate entity…" (80 Cal.App.2d at 883.)

None of these cases control here where Plaintiffs have alleged sufficient ultimate facts to meet the two-prong requirement for alter ego liability.

2-3. 26CV00850, Graton Church of Christ v. Pacific Christian Academy

1. Defendant Pacific Christian Academy's Demurrer to Plaintiff's Complaint

Defendant Pacific Christian Academy's demurrer to Plaintiff's complaint is **CONTINUED** to August 26, 2026 at 3:00 p.m. in Department 18.

Plaintiff's opposition brief was filed 3 court days late. It was due Wednesday June 24th but was file on Monday June 29th, the day before Defendant's reply was due. Plaintiff filed a concurrent motion for relief pursuant to CCP § 473(b) seeking relief from this mistake and asking for the Court to consider the late-filed papers. The parties have submitted a stipulation for the Court to consider the

late filed opposition and agreed that Defendant could file a reply brief by Monday, June 6th. Defendant did so. However, the Court has not had the opportunity to review the reply. Therefore, a continuance is necessary.

Plaintiff's motion for relief under CCP §473(b) filed June 29, 2026 is ordered **DROPPED FROM CALENDAR as MOOT.** The Court has already granted the requested relief when it signed the parties' stipulation and order.

2. Defendant Pacific Christian Academy's Motion to Expunge Lis Pendens

Defendant's motion to expunge lis pendens is **CONTINUED** to August 26, 2026 at 3:00 p.m. in Department 18.

Plaintiff's opposition brief was filed 3 court days late. It was due Wednesday June 24th but was file on Monday June 29th, the day before Defendant's reply was due. Plaintiff filed a concurrent motion for relief pursuant to CCP § 473(b) seeking relief from this mistake and asking for the Court to consider the late-filed papers. The parties have submitted a stipulation for the Court to consider the late filed opposition and agreed that Defendant could file a reply brief by Monday, June 6th. Defendant did so. However, the Court has not had the opportunity to review the reply. Therefore, a continuance is necessary.

Plaintiff's motion for relief under CCP §473(b) filed June 29, 2026 is ordered **DROPPED FROM CALENDAR as MOOT.** The Court has already granted the requested relief when it signed the parties' stipulation and order.

4. 25CV07729, Barclays Bank Delaware v. Segura

Defendant's motion to quash service of summons is **CONTINUED to August 26, 2026 at 3:00 p.m.** for Defendant to provide proper notice of the motion to Plaintiff. Defendant shall file an amended notice of motion with a proof of service that reflects notice to Plaintiff of the August 26th hearing date, time, and location, no later than July 31, 2026.

CCP § 1005(a)(5) requires written notice of a motion to quash summons be given. Cal. Rules of Court, Rule 3.1110 requires the notice to specify the date, time, and location of the hearing. The opposing party must be given notice of the date, time, and location of the hearing.

Defendant's notice of motion states the following, verbatim: "TO Plaintiff and its counsel of record: Please take notice that on [date], at [time], or soon thereafter as the mater may be heard in Department [] of the above-entitled Court, Defendant Kristian J. Segura specially appears and will move this Court for an order quashing service of summons on the grounds that the Court lacks personal jurisdiction due to defective service of process including failure to comply with Code of Civil Procedure section 415.20 (b) governing substituted service."

Defendant did not fill in the date, time, or department where this hearing would take place. The proof of service states that the motion was served on June 1, 2026. However, a date for the motion had not yet been assigned when the proof of service was submitted. Defendant filed the motion in

person and the clerk of Court assigned a hearing date to it once the papers were submitted. Defendant has not filed an amended notice of motion or amended proof of service reflecting that a complete and sufficient notice of motion was served on Plaintiff apprising Plaintiff of the hearing date, time, and location. Plaintiff's failure to file an opposition to his motion is further indication that it did not receive proper notice of it.

5-8. 25CV02727, Hagos v. Vigilant Eye Security

1. Plaintiffs' Motions to Compel Further Discovery Responses from Defendant Abdul Nomair

This is a joint ruling on the following motions made by Plaintiffs:

1) Plaintiffs' Motion to Compel Further Responses to Written Interrogatories from Defendant Abdul Nomair.
2) Plaintiffs' Motion to Compel Further Responses to Demands for Production of Documents and Copying, Set One from Defendant Abdul Nomair.

Each of the motions is unopposed.

Plaintiffs' motions are **GRANTED**. Defendant shall provide complete, code-compliant, objection-free supplemental responses to each of the discovery requests described in Plaintiffs' motions no later than 20 days from service of notice of entry of an order on this motion. Plaintiffs' requests for sanctions are **GRANTED** in the total amount of $5,790.00 for these motions.

Plaintiffs' counsel shall submit a written order consistent with this tentative ruling. Due to the lack of opposition, compliance with Rule 3.1312 is excused.

Analysis:

This matter involves an employment dispute wherein Plaintiffs assert that they worked for Defendants and Defendants engaged in several Labor Code violations.

On October 20, 2025, counsel for Plaintiffs served counsel for Defendant Abdul Nomair with special interrogatories, set one, employment form interrogatories, set one, and demands for production of documents, set one. After two two-week extensions, on December 19, 2025, Defendant served his responses, some of which Plaintiffs believe to be insufficient.

On January 7, 2026, counsel for Defendant and counsel for Plaintiffs met and conferred via telephone concerning the discovery responses. Counsel for Defendant stated that he would supplement the responses by January 21, 2026. Over the course of the following two months, Mr. Collins' office requested, and counsel for Plaintiffs granted, a series of extensions for Defendant to provide supplemental responses. Defendant also extended the deadline for Plaintiffs to file a motion to compel further responses by April 3, 2026. The final deadline for Defendant to produce supplemental responses was March 20, 2026. As of the filing of these motions on April 3rd no supplemental responses have been served.

A. Special Interrogatories, Set One

Plaintiffs seek to compel further response from Defendant to Special Interrogatory No. 1. Plaintiffs asked Defendant Abdul Nomair: "Which business entity(ies) entered into a contract with Vigilant Eye Security, Inc. for Vigilant Eye Security, Inc. to provide security guard services at the Santa Rosa Stiiizy store?" After stating objections, Defendant responded in part as follows: "Vigilant Eye Security, Inc. Investigation and discovery are continuing, and Defendant reserves the right to supplement his response."

The Court agrees with Plaintiffs that the answer to this interrogatory is evasive and incomplete. Plaintiffs are seeking the name of the other party(ies) to the contract. Defendant evaded answering. Defendant shall provide further response. By failing to oppose this motion, Defendant has failed to justify any of its objections to the interrogatory. Therefore, the supplemental response shall be objection-free.

B. Employment Form Interrogatories, Set One

Plaintiffs seek to compel further response from Defendant to Employment Form Interrogatories, Nos. 200.4, 201.1, 201.2, 207.1, 207.2, 209.2, 211.1, 211.3, 216.1 and 217.1.

Defendant responded to Nos. 200.4, 201.1, 201.2, 207.1, 207.2, 209.2, 211.1, and 211.3 with the same boilerplate response: "Responding Party has not yet completed his investigation into the allegations made by Plaintiff in the Complaint, and state that this Interrogatory is premature. Investigation is continuing, and Responding Party reserves the right to supplement his response." This is not a code compliant response. (CCP § 2030.220.) The Court finds these answers to be evasive and incomplete.

Defendant responded to Nos. 216.1 and 217.1 with the same paragraph of boilerplate objections. By failing to oppose this motion, Defendant has failed to justify any of the objections to these interrogatories. The Court finds them to be without merit.

Defendant shall provide complete, code-compliant, and objection-free responses to each of these interrogatories.

C. Demand for Production of Documents and Copying, Set One

Defendant responded to each of Plaintiffs' inspection demands with the same copy-and-pasted boilerplate response that contained only objections and a statement that "Investigation and discovery are continuing, and Defendant reserves the right to supplement his response." Defendant has failed to justify any of the objections raised. The Court finds Defendant's responses to be evasive. Defendant shall provide complete, code-compliant, and objection-free responses to each of the inspection demands.

D. Sanctions

The Court finds sanctions to be warranted pursuant to CCP §§ 2030.300 and 2031.310. Plaintiffs seek $3,455.00 for the motion regarding the written interrogatories and $2,335.00 for the motion regarding the inspection demands. This is based on an hourly rate of $350 and 9.7 and 6.5 hours spent on the motions respectively, with a $60 filing fee for each. The Court finds these requests to be reasonable. Monetary sanctions are granted in the total amount of $5,790.00 for these motions.

2. Plaintiffs' Motions to Compel Further Discovery Responses from Defendant Vigilant Eye Security

This is a joint ruling on the following motions made by Plaintiffs:

1) Plaintiffs' Motion to Compel Further Responses to Written Interrogatories from Defendant Vigilant Eye Security.
2) Plaintiffs' Motion to Compel Further Responses to Requests for Admissions from Defendant Vigilant Eye Security.

Each of the motions is unopposed.

Plaintiffs' motions are **GRANTED**. Defendant Vigilant Eye Security, Inc. shall provide supplemental responses to the discovery requests described in Plaintiffs' motion within 20 days of service of notice of entry of an order on this motion. Plaintiffs' request for sanctions is **GRANTED** in the total amount of $2,325.00 for these two motions. Plaintiffs' request for judicial notice is **GRANTED**.

Plaintiffs' counsel shall submit a written order consistent with this tentative ruling. Due to the lack of opposition, compliance with Rule 3.1312 is excused.

Analysis:

This matter involves an employment dispute wherein Plaintiffs assert that they worked for Defendants and Defendants engaged in several Labor Code violations.

On December 19, 2025, counsel for Plaintiffs served counsel for Defendant Vigilant Eye Security, Inc. with special interrogatories, employment form interrogatories and requests for admissions. After two two-week extensions, Defendant served its responses to the discovery requests on February 18, 2026, some of which Plaintiffs believe to be insufficient. On February 25, 2026, counsel for Defendant and counsel for Plaintiffs met and conferred via telephone concerning Defendant's discovery responses. The deadline for filing this motion was extended to April 7th. No supplemental responses have been served.

A. Special Interrogatories, Set One

Plaintiffs seek to compel further response to their Special Interrogatory No. 16 which asks: "If so, in what ways did Stiiizy Inc. exercise control over Plaintiff's working conditions?"

Defendant answered with, "After reasonable and good faith inquiry, representative of the Defendant lacks sufficient information to respond to the interrogatory. No natural persons or entities are known to possess information responsive to this interrogatory at this time. Discovery is continuing and Defendant will supplement responses upon further inquiry."

The preceding interrogatory asked, "Did Stiiizy Inc. exercise control over Plaintiff's working conditions?" to which Defendant responded, "Yes. Response not conclusive as discovery and investigation is continuing."

Based on Defendant's response that "yes," Stiizy Inc. exercised control over Plaintiffs' working conditions, the Court finds the response to No. 16 to be evasive. If Defendant possesses enough knowledge to respond "yes" to No. 15, then surely Defendant would be able to provide a substantive answer to No. 16. Defendant shall provide further response that is complete, code-compliant and objection-free.

B. Employment Form Interrogatories, Set One

Plaintiffs seek to compel further responses to Employment Form Interrogatories 201.1(d), 209.2, 216.1, and 217.1.

No. 201.1 asks whether the identified employee was involved in a termination and subsection (d) asks Defendant to identify all documents relied upon in the termination decision. Defendant provides substantive responses to subsections (a) through (c), but states, "Discovery is continuing, and Defendant reserves the right to supplement his response" as its answer for subsection (d). This answer is evasive and incomplete. Defendant shall supplement its answer to No. 201.1(d) and shall identify all responsive documents.

No. 209.2 seeks information regarding any civil actions filed against Defendant by an employee in the past 10 years. Defendant responded with "After reasonable and diligent inquiry, representative of Defendant lacks sufficient information at this time to respond to this inquiry at this time. No other natural persons or entities are known at this time to possess information responsive to this inquiry. Discovery and investigation is continuing and Defendant reserves the right to supplement response upon further inquiry."

Plaintiff has listed in the First Amended Complaint several lawsuits filed against Defendant by employees regarding their employment. Plaintiff has shown examples of cases where the plaintiffs have filed proofs of service of summons. (RJN, Ex. A.) Accordingly, it is clear that Defendant's answer to this interrogatory is evasive. Defendant shall supplement it.

Finally, Defendant responded to Nos. 216.1 and 217.1 with the same copy-and-pasted paragraph of objections. Defendant has failed to justify any of these objections. The Court finds the responses to these interrogatories to be evasive and incomplete. Defendant shall supplement them with complete, code-compliant, objection-free responses.

C. Requests for Admissions

Plaintiffs seek to compel further response to their Request for Admissions No. 1 which states, "Admit that the documents attached hereto as Exhibit A are true and correct copies of Plaintiff's timesheets from the time he worked for you."

Defendant responded with, "Defendant is unable to admit or deny this request at this time, as the submitted attachment contains documents that are out of order or are otherwise incomplete. If, after a reasonable inquiry and diligent search, Defendant is able to confirm that the documents are true and correct, Defendant will supplement this response."

Defendant is required to admit so much of the matter involved in the request as is true. (CCP 2033.220(b)(1).) Even if the documents were not in chronological order or complete, Defendant does not explain how it would be unable to admit or deny their truth. This answer is evasive and Defendant must supplement it.

D. Sanctions

The Court finds sanctions to be warranted pursuant to CCP §§ 2030.300(d) and 2033.290(d). Plaintiffs request monetary sanctions in the amount of $1,635.00 for the motion regarding the written interrogatories and $690.00 for the motion regarding request for admission. This is based on an hourly rate of $350 and 4.5 and 1.8 hours spent on the motions respectively, with a $60 filing fee for each. The Court finds these requests to be reasonable. Monetary sanctions are awarded in the total amount of $2,325.00 for these motions.

*****This is the end of the Tentative Rulings*****