

**TENTATIVE RULINGS
LAW & MOTION CALENDAR
Friday, August 21, 2026 3:00 p.m.
Courtroom 17 – Hon. Jane Gaskell
3035 Cleveland Avenue, Santa Rosa**

PLEASE NOTE: In accordance with the Order of the Presiding Judge, a party or representative of a party may appear in Department 17 in person or remotely by Zoom, a web conferencing platform.

CourtCall is not permitted for this calendar.

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

TO JOIN D17 ZOOM ONLINE:

Meeting ID: 161 126 4123

Passcode: 062178

<https://sonomacourt-org.zoomgov.com/j/1611264123>

TO JOIN ZOOM BY PHONE:

By Phone (same meeting ID and password as listed for each calendar):

+1 669 254 5252

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** Judge Gaskell's Judicial Assistant by telephone at **(707) 521-6723**, and all other opposing parties of your intent to appear, and **whether that appearance is in person or via Zoom**, by **4:00 p.m. the court day immediately preceding the day of the hearing.**

1-2. 24CV05965, White v. Alimpic

This action centers around Plaintiff's allegation that Defendant arranged for the delivery and installation of a large amount of fill material to Plaintiff's construction site and that Defendant installed the material improperly, resulting in the County imposing remediation orders and fines on Plaintiff. The matter is before the Court for Plaintiff's two fundamentally identical motions to compel compliance with Plaintiff's business-records subpoenas by two third-party trucking companies, Sunny Motors and S&S Motors Trucking (collectively the "Deponents").

In her declarations accompanying the two motions, Plaintiff's counsel asserts that "On March 26, 2026, my office served [each Deponent] with a Deposition Subpoena for the Production of Business Records" (Beletsis Dec, ¶ 5.) The subpoenas are attached as Exhibit A to each declaration. Each Exhibit A consists of a cover letter from the Long Beach attorney-services firm Macro-Pro, followed by the subpoena, followed by a proof of service. Each proof of service indicates service by mail on Katharine Falace, Esq., counsel for Defendant. However, neither indicates service of the subpoena on the actual deponent trucking company.

The hearing on the two motions is **CONTINUED to September 11, 2026, at 3:00 p.m. in Department 17.** Plaintiff may file POSs reflecting service of the subpoenas on Deponents in compliance with CCP § 2020.220 at any time up to five court days before the new hearing date. If Plaintiff does not do so, the Court will deny the motion.

3. 24CV05296, Fallis v. Loucks

Plaintiff Kathryn Mary Rottman’s counsel Sareen K. Khakh and her firm Bibiyan Law Group, P.C. seek to be relieved as counsel. The Court is inclined to grant the motion but finds that the proofs of service and attorney declaration are inconsistent. In counsel Khakh’s declaration, she affirms that Plaintiff was served with the motion via personal service under Section 3. However, the proofs of service attached to the motion, declaration, and proposed order all indicate service via mail (even though the second paragraph on the proof of service states “served by electronic transmission to the below referenced electronic e-mail address”). Furthermore, counsel provided no proof of service showing that the hearing date was served on all parties. Therefore, the motion is **CONTINUED** to **Wednesday, September 30, 2026, at 3:00 p.m.** in Department 17 to allow counsel to correct these inconsistencies and serve the new September 30th hearing date on all parties and file a copy of such proof of service with the Court.

4. 24CV04788, Otani v. Northfield

Defendant Dr. Scott Tweten’s demurrer to Plaintiffs’ Second Amended Complaint is **CONTINUED** to **Wednesday, August 26, 2026, at 3:00 p.m.** in Department 17 to be heard with Defendant Christopher Walter’s demurrer to the Second Amended Complaint.