

1 R. Paul Katrinak, State Bar No. 164057  
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Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
10/01/2024 4:09 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By A. Ilieva, Deputy Clerk

4 Attorneys for Defendant  
5 Michael Pierattini

6  
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 FOR THE COUNTY OF LOS ANGELES

9 JOSE DECASTRO, )  
10 )  
Plaintiff, )  
11 )  
v. )  
12 )  
KATHERINE PETER; DANIEL CLEMENT; )  
13 MICHAEL PIERATTINI; DAVID OMO JR.; )  
and DOES 1 TO 30, inclusive, )  
14 )  
Defendants. )

Case No. 23SMCV00538  
Assigned for all purposes to the Honorable  
H. Jay Ford III, Dept. O  
**DECLARATION OF R. PAUL KATRINAK  
IN SUPPORT OF DEFENDANT  
MICHAEL PIERATTINI'S MOTION FOR  
SANCTIONS**  
Date: January 23, 2024  
Time: 8:30 a.m.  
Dept: O

LAW OFFICES OF R. PAUL KATRINAK  
9663 Santa Monica Blvd., Suite 458  
Beverly Hills, California 90210  
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**DECLARATION OF R. PAUL KATRINAK**

I, R. Paul Katrinak, declare as follows:

1. I am an attorney duly licensed to practice law before all courts of the State of California. My law firm is counsel for Defendant Michael Pierattini (“Mr. Pierattini”) in this action. The following facts are within my personal knowledge and, if called as a witness herein, I can and will competently testify thereto.

2. Since I first got involved in this case last summer, I have been repeatedly asking Plaintiff Jose DeCastro (“Plaintiff”) to provide any evidence and explain to me why he is suing Mr. Pierattini. Plaintiff refused to provide any basis for any liability on the part of Mr. Pierattini. As a result, I propounded basic discovery on Plaintiff on December 11, 2023.

3. In response to that basic discovery, Plaintiff provided nothing but factually devoid responses and objections to Mr. Pierattini’s reasonable discovery requests. In particular, Plaintiff did not provide a single document in response to the Requests for Production of Documents.

4. I attempted to meet and confer regarding these reasonable discovery requests, but Plaintiff ignored my efforts.

5. On January 25, 2024, I filed Motions to Compel Responses to Form Interrogatories, Requests for Admission, Special Interrogatories and Requests for Production of Documents.

6. The Court granted the Motion to Compel Form Interrogatories on March 7, 2024 and issued sanctions in the amount of \$1,635.00. As the Court will recall, Plaintiff went completely crazy in Court on March 7, 2024.

7. After this Order, Plaintiff filed an Ex Parte for Reconsideration, a Motion for Reconsideration, and a frivolous Motion to Compel that was without merit. The Court denied the ex parte.

8. On May 2, 2024, the Court granted Mr. Pierattini's Motions to Compel Requests for Admission, Special Interrogatories, Requests for Production and Plaintiff's deposition. The written responses and production of documents was ordered to occur within 30 days. Court

1 deferred ruling on the location of the deposition pending Plaintiff providing his address to the  
2 Court and continued the hearing on the Motion to Compel the Deposition concerning locations  
3 and sanctions.

4 9. On June 18, 2024, the Court denied Plaintiff's frivolous Motion to Compel and  
5 awarded sanctions in the amount of \$4,500.00.

6 10. On July 30, 2024, the Court denied Plaintiff's frivolous Motion for  
7 Reconsideration

8 11. On September 5, 2024, the Court denied Mr. Pierattini's Motion for Summary  
9 Judgment concerning the cause of action for right of publicity. The motion was denied  
10 because Mr. Pierattini did not have the discovery needed to attack the one claim for which  
11 summary judgment was denied.

12 12. Plaintiff has completely ignored the Court's Orders concerning discovery. To  
13 date, I have not received a single discovery response as required by the Court's Orders. I have  
14 received no documents either. Finally, I have not received any of the sanctions ordered by the  
15 Court. Plainly, Plaintiff is completely ignoring the Court's Orders, which is severely  
16 prejudicing Defendant as evidenced by the denial of Defendant's Motion for Summary  
17 Adjudication to Plaintiff's frivolous claim for violating his right to publicity.

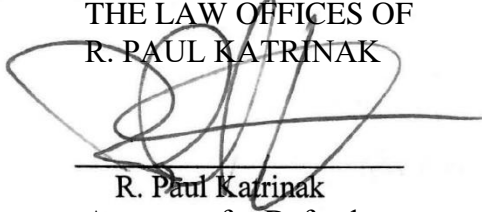
18 13. I spent no less than 7.0 hours preparing this Motion, researching the issues,  
19 preparing the memorandum of points & authorities, and preparing this declaration and the  
20 supporting exhibits. I anticipate spending no less than 2.0 hours on a Reply and no less than an  
21 additional 1.0 hour for attending the hearing on this matter, for a total of no less than 10.0  
22 hours. My hourly rate is typically \$745 an hour. I have reduced my hourly rate to \$450 an  
23 hour, which this court has consistently given for my hourly rate. My hourly rate of \$450 an  
24 hour is reasonable.

25 14. I have the requisite skill, training, and experience to testify as to how these  
26 matters are typically handled and attempts to deviate therefrom. The cost of this motion is  
27 \$60.00. Thus, my client should be reimbursed a total of no less than \$4,560.00 for this Motion.  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: October 1, 2024

THE LAW OFFICES OF  
R. PAUL KATRINAK  
  
\_\_\_\_\_  
R. Paul Katrinak  
Attorneys for Defendant  
Michael Pierattini

LAW OFFICES OF R. PAUL KATRINAK  
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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA  
3 COUNTY OF LOS ANGELES

4 I am employed in the County of Los Angeles, State of California; I am over the age of  
5 18 and not a party to the within action; my business address is 9663 Santa Monica Boulevard,  
6 Suite 458, Beverly Hills, California 90210.

7 On October 1, 2024, I served the foregoing document(s) described as:

8 **DECLARATION OF R. PAUL KATRINAK IN SUPPORT OF DEFENDANT  
9 MICHAEL PIERATTINI'S MOTION FOR SANCTIONS**

10 on the interested parties to this action addressed as follows:

11 Steven T. Gebelin, Esq.  
12 LESOWITZ GEBELIN LLP  
13 8383 Wilshire Blvd., Suite 800  
14 Beverly Hills, CA 90211  
15 [steven@lawbylg.com](mailto:steven@lawbylg.com)

16 (BY MAIL) I deposited such envelope in the mail at Los Angeles, California.  
17 The envelope was mailed with postage thereon fully prepaid and addressed to the person  
18 above.

19 (BY PERSONAL SERVICE) by causing a true and correct copy of the above  
20 documents to be hand delivered in sealed envelope(s) with all fees fully paid to the person(s) at  
21 the address(es) set forth above.

22 X (BY EMAIL) I caused such documents to be delivered via electronic mail to the  
23 email address for counsel indicated above.

24 Executed October 1, 2024, at Los Angeles, California.

25 I declare under penalty of perjury under the laws of the United States that the above is  
26 true and correct.

27   
28 R. Paul Katrinak