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Superior Court of California,  
County of Los Angeles  
5/21/2025 5:39 PM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By A. Mejia, Deputy Clerk

Attorneys for Defendant  
Michael Pierattini

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

JOSE DECASTRO,

Plaintiff,

v.

KATHERINE PETER; DANIEL CLEMENT;  
MICHAEL PIERATTINI; DAVID OMO JR.;  
and DOES 1 TO 30, inclusive,

Defendants.

Case No. 23SMCV00538

Assigned for all purposes to the Honorable  
H. Jay Ford, Dept. O

**DECLARATION OF R. PAUL KATRINAK  
IN SUPPORT OF REPLY TO  
OPPOSITION TO MOTION TO  
VACATE/STRIKE REQUEST FOR  
DISMISSAL WITHOUT PREJUDICE**

Date: May 29, 2025  
Time: 8:30 a.m.  
Dept: O

**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. On February 25, 2025, I appeared at the hearing on the Motion for Terminating Sanctions. The stated that there was a reference to Plaintiff's declaration in the opposition to the Motion and the Court did not see the declaration, nor was I served with the declaration. The Court continued the Motion for Terminating Sanctions hearing until April 23, 2025 to give counsel for Plaintiff the opportunity to file the declaration and serve it on me.

3. From February 25, 2025 until the hearing on April 23, 2025, no declaration of Plaintiff was filed and served. Instead, on April 15, 2025, Plaintiff filed a Request for Dismissal Without Prejudice that was entered by the clerk on April 17, 2025. This Request for Dismissal is in violation of California law and is frankly intolerable.

4. In the Response to the Requests for Admission attached to his Opposition to the Motion for Terminating Sanctions, Plaintiff states:

"The truth will come out. I will not stop suing Michael Pertini, or going after him through legal process until the truth comes out. I may not be given due process right now, I may not have been given the proper consideration, however, I will eventually one day. I'm going to file another lawsuit against him after this one. I will never stop."

(Opposition to the Motion for Terminating Sanctions p. 35 of the document, Exhibit Plaintiff's Supplemental Response to Request for Admission No. 26).

5. Additionally, Plaintiff failed to respond to simple interrogatories to identify witnesses. Here is the Interrogatory and the Response requiring Plaintiff identify witnesses.

**SPECIAL INTERROGATORY NO. 23: IDENTIFY all WITNESSES that support YOUR eighth cause of action for "right to publicity torts" against PIERATTINI.**

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**SUPPLEMENTAL RESPONSE TO SPECIAL INTERROGATORY  
NO. 23:**

Again, I cannot identify witnesses here for fear that they will be stocked,  
harassed, their Google ratings will be downgraded for their business.

(Opposition to the Motion for Terminating Sanctions pp. 88 - 89 of the document,  
Exhibit Plaintiff's Supplemental Response to Special Interrogatory No. 23).

6. At the hearing on April 23, 2025, the Court continued the hearing on the Motion  
for Terminating Sanctions to May 29, 2025 to give me the opportunity to file a Motion to  
Vacate/Strike the Dismissal Without Prejudice and for the Court to enter a Dismissal with  
Prejudice based on the Motion for Terminating Sanctions.

7. This case must be dismissed with prejudice because Plaintiff, after violating  
multiple Court Orders, Plaintiff has vowed to sue Defendant Michael Pierattini again based on  
the same claims in Plaintiff's frivolous Complaint. This abuse of the judicial system must stop  
now. Plaintiff cannot repeatedly violate Court Orders and then on the eve of the Motion for  
Terminating Sanctions and the Motion for Summary Judgment Plaintiff just dismisses his case  
without prejudice. Due to Plaintiff's repeated violations of Court Orders and contempt of the  
judicial system, this case should be dismissed with prejudice.

I declare under penalty of perjury under the laws of the State of California that the  
foregoing is true and correct.

DATED: May 21, 2025



R. Paul Katrinak

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

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

On May 21, 2025, I served the foregoing document(s) described as:

**DECLARATION OF R. PAUL KATRINAK IN SUPPORT OF REPLY TO  
OPPOSITION TO MOTION TO VACATE/STRIKE REQUEST FOR  
DISMISSAL WITHOUT PREJUDICE**

on the interested parties to this action addressed as follows:

Jose DeCastro  
1258 Franklin Street  
Santa Monica, CA 90404  
chille@situationcreator.com

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

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

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

Executed May 21, 2025, at Los Angeles, California.

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



R. Paul Katrinak