

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

West District, Santa Monica Courthouse, Department O

23SMCV00538

JOSE DECASTRO vs KATHERINE PETER

July 3, 2025

2:27 PM

Judge: Honorable H. Jay Ford III

Judicial Assistant: G. Mikaelian

Courtroom Assistant: None

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

NATURE OF PROCEEDINGS: Ruling on Submitted Matter: ORDERS AFTER HEARING (MAY 29, 2025)

The Court, having taken the matter under submission on 05/29/2025 for Hearing on Motion to Vacate or Strike Request for Dismissal Without Prejudice, now rules as follows: Defendant Michael Pierattini's (1) Motion to Vacate/Strike Plaintiff Jose DeCastro's voluntary Request for Dismissal of the complaint against Michael Pierattini, without prejudice, filed on April 15, 2025; (2) Motion for Terminating Sanctions; and, (3) Motion for Summary Judgment all came on regularly for a hearing in the above-entitled court on May 29, 2025. R. Paul Katrinak appeared on behalf of Defendant Michael Pierattini. Plaintiff appeared in pro per. After oral argument and having taken the matter under submission, the Court orders:

1. Defendant Michael Pierattini's Motion to Vacate or Strike Plaintiff Jose Castro's Voluntary Dismissal without prejudice is GRANTED. The Court orders the dismissal of the case without prejudice entered on April 17, 2025, on Plaintiff's Voluntary Request for Dismissal is vacated as to Defendant Michael Pierattini only. Plaintiff's request for dismissal of his complaint, without prejudice, against defendant's Daniel Clement and David Omo, Jr remains entered effective April 17, 2025.

The Court, having taken the matter under submission on 05/29/2025 for Hearing on Motion for Sanctions, now rules as follows: Defendant Michael Pierattini's (1) Motion to Vacate/Strike Plaintiff Jose DeCastro's voluntary Request for Dismissal of the complaint against Michael Pierattini, without prejudice, filed on April 15, 2025; (2) Motion for Terminating Sanctions; and, (3) Motion for Summary Judgment all came on regularly for a hearing in the above-entitled court on May 29, 2025. R. Paul Katrinak appeared on behalf of Defendant Michael Pierattini. Plaintiff appeared in pro per. After oral argument and having taken the matter under submission, the Court orders:

2. Defendant Michael Pierattini's Motion for Terminating Sanctions is GRANTED. The Court

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previously granted Pierattini’s motion for summary adjudication of all of Plaintiff’s claims against Pierattini except for Plaintiff’s remaining eighth cause of action for “Right to Publicity Torts.” (First Amended Complaint, filed 3/14/2023.) The Court orders now orders Plaintiff’s complaint against Pierattini dismissed, in its entirety, WITH PREJUDICE. Further the Court orders Plaintiff to pay Defendant Pierattini additional monetary sanctions under CCP § 2023.030 in the amount of \$4,560.00 (10 hrs. @ \$450hr + \$60 filing fee) Pierattini is ordered to submit the proposed judgment of dismissal and for monetary sanctions against Plaintiff and in favor of Pierattini.

The Court, having taken the matter under submission on 05/29/2025 for Hearing on Motion for Summary Judgment, now rules as follows: Defendant Michael Pierattini’s (1) Motion to Vacate/Strike Plaintiff Jose DeCastro’s voluntary Request for Dismissal of the complaint against Michael Pierattini, without prejudice, filed on April 15, 2025; (2) Motion for Terminating Sanctions; and, (3) Motion for Summary Judgment all came on regularly for a hearing in the above-entitled court on May 29, 2025. R. Paul Katrinak appeared on behalf of Defendant Michael Pierattini. Plaintiff appeared in pro per. After oral argument and having taken the matter under submission, the Court orders:

3. P’s motion for summary judgment on Plaintiff’s remaining cause of action for “Right of Publicity Torts” is DENIED, as moot. Here, the Court’s order vacating Plaintiff’s voluntary dismissal is not based on the fact the hearing on Pierattini’s motion for summary judgment is pending. Regardless, the Court’s order for terminating sanctions as to the Plaintiff’s claims against Pierattini renders Pierattini’s motion for summary judgment moot

Clerk to give notice.

Certificate of Mailing is attached.