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8 Michael Pierattini

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County of Los Angeles
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Executive Officer/Clerk of Court,
By M. Elder, Deputy Clerk

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 JOSE DECASTRO,

13 Plaintiff,

14 v.

15 KATHERINE PETER; DANIEL CLEMENT;
16 MICHAEL PIERATTINI; DAVID OMO JR.;

17 and DOES 1 TO 30, inclusive,

18 Defendants.

) Case No. 23SMCV00538

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

) **DECLARATION OF R. PAUL KATRINAK**
) **IN OPPOSITION TO PLAINTIFF'S EX**
) **PARTE MOTION FOR**
) **RECONSIDERATION OF THIS COURT'S**
) **ORDER GRANTING DEFENDANT**
) **PIERATTINI'S MOTION TO COMPEL**
) **RESPONSES AND FOR SANCTIONS;**
) **REQUEST FOR SANCTIONS IN THE**
) **AMOUNT OF \$2,700.00 AGAINST**
) **PLAINTIFF**

19 Date: March 22, 2024
20 Time: 8:30 a.m.
21 Dept: O

LAW OFFICES OF R. PAUL KATRINAK
9663 Santa Monica Blvd., Suite 458
Beverly Hills, California 90210
(310) 990-4348

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 the hearing on March 7, 2024, Plaintiff Jose DeCastro (“Plaintiff”) has completely ignored the Court’s Order and has bombarded me with emails about various frivolous motions that Defendant is planning on filing, or has already filed. Also, Plaintiff has gone on his YouTube channel and talked about this case and how he uses the legal system to intimidate and “destroy” his opponents by running up the costs of the litigation. According to Plaintiff, his intent is to ruin their lives. True to his statements, Plaintiff is doing just that, as evidenced by the battery of emails and threatened motions set forth below.

3. Plaintiff’s Ex Parte Motion is replete with falsehoods and fantasies. As an initial point, Mr. Pierattini has absolutely nothing to do with this nonsense alleged organization called “Masshole Troll Mafia.” Additionally, Mr. Pierattini has not engaged in harassment of Plaintiff or defamed Plaintiff. These are complete fabrications as evidenced by the complete refusal of Plaintiff to provide any responses to discovery or any evidence to support his outlandish accusations.

4. Concerning Plaintiff’s Request for Production of Documents, a full response was served on **August 1, 2024**, over seven months ago. In addition, over a hundred pages of documents were produced by Defendant. There are no more responsive documents. Again, Plaintiff believes something that is simply not true.

5. Concerning the discovery that was served, Plaintiff has filed a fantastical Complaint over 25 pages long making bizarre allegations and then trying to bootstrap Mr. Pierattini into those bizarre allegations. I have repeatedly tried to have a rational discussion with Plaintiff and requested him to provide some evidence or information for months to no avail. As a result, I was forced to propound the discovery requests due to Plaintiff’s non-

1 cooperation. As opposed to responding, requesting an extension, or seeking to discuss the
2 discovery, Plaintiff merely served a host of frivolous objections and completely ignored my
3 meet and confer letters.

4 6. At no time did Plaintiff seek to discuss or request a call to discuss the discovery
5 at issue or seek an extension. That is completely false. The one call that Plaintiff is claiming
6 was a cancelled meet and confer concerning discovery was a call that was scheduled after the
7 deadline to file a demurrer to the Answer that Plaintiff is belatedly harping about. The call had
8 nothing to do with discovery. There was no basis for a demurrer to the Answer. Again, at no
9 time did Plaintiff want to discuss the discovery at issue, nor did Plaintiff request an extension.
10 Plaintiff has no intent on providing responses to discovery and is merely playing games.

11 7. Concerning the hearing on March 7, 2024, Plaintiff had ample opportunity to
12 present his arguments and fully addressed the issues in the Court’s tentative ruling. In fact,
13 Plaintiff became agitated during oral argument and stormed out of the courtroom. The Court
14 did not prevent Plaintiff from being heard.

15 8. There is a Protective Order in place. There is no need for another Protective
16 Order to be issued by the Court.

17 9. There were zero justifications for Plaintiff not to respond to the Form
18 Interrogatories at issue. This is a game that Plaintiff plays. He files frivolous lawsuits with no
19 evidence and harasses innocent people, like Mr. Pierattini, with expensive and unnecessary
20 litigation.

21 10. On March 11, 2024, after obtaining the Court’s Minute Order online and in
22 accordance with the Court’s March 7, 2024 Minute Order, I drafted a [Proposed] Order
23 Granting Defendant Michael Pierattini’s Motion to Compel Responses to Form Interrogatories
24 and Request For Sanctions (the “[Proposed] Order”). Attached hereto as Exhibit “A” is a true
25 and correct copy of the [Proposed] Order.

26 11. On March 11, 2024, I emailed a copy of the [Proposed] Order to Plaintiff for
27 review as required under CRC Rule 3.1312. Attached hereto as Exhibit “B” is a true and
28 correct copy of my email sent to Plaintiff on March 11, 2024.

1 12. On March 11, 2024, Plaintiff sent me an email containing a meet and confer
2 letter regarding Mr. Pierattini’s response to Plaintiff’s Second Set of Requests for Production
3 of Documents. The letter was not drafted by Plaintiff to address any specific issues regarding
4 Plaintiff’s second set of requests for production, and was instead just a modified copy of the
5 meet and confer letter I sent to Plaintiff on January 12, 2024, on a separate set of issues.
6 Attached hereto as Exhibit “C” are true and correct copies of Plaintiff’s email sent to me on
7 March 11, 2024, and of Plaintiff’s meet and confer letter which was attached.

8 13. On March 12, 2024, Plaintiff sent me an email containing four requests to
9 stipulate to frivolous motions, including a frivolous motion to disqualify the Court and a
10 request to stipulate to a motion for sanctions against myself. Attached hereto as Exhibit “D” is
11 a true and correct copy of Plaintiff’s email sent to me on March 12, 2024.

12 14. On March 12, 2024, I sent an email to Plaintiff informing him that his proposed
13 motions were frivolous and that I would seek sanctions against him as appropriate if he were to
14 file such motions. I also reminded Plaintiff that he had provided virtually no discovery
15 responses. I also inquired about when Plaintiff would provide his address as ordered by the
16 Court. Attached hereto as Exhibit “E” is a true and correct copy of my email sent to Plaintiff
17 on March 12, 2024.

18 15. On March 13, 2024, Plaintiff sent me an email falsely claiming that I had
19 breached the protective order. Plaintiff also asked where in the Court’s Minute Order it was
20 stated that Plaintiff had to provide his address. Plaintiff stated that he resides in Las Vegas, but
21 did not provide a specific address. Plaintiff also asked when I would be able to meet and confer
22 to narrow each side's discovery requests. Attached hereto as Exhibit “F” is a true and correct
23 copy of Plaintiff’s email sent to me on March 13, 2024.

24 16. On March 13, 2024, I sent an email to Plaintiff informing him that I did not file
25 anything covered by the protective order. I also attached the March 7, 2024 Minute Order, and
26 stated that I had previously sent Plaintiff the [Proposed] order as per the Court’s Minute Order.
27 I also stated that I would respond to Plaintiff’s meet and confer letter on Friday, March 15,
28 2024, and that I would work to narrow my client’s discovery requests as per the Court’s

1 Minute Order. Attached hereto as Exhibit “G” are true and correct copies of my email sent to
2 Plaintiff on March 13, 2024, and of the Court’s March 7, 2024 Minute Order which was
3 attached.

4 17. On March 14, 2024, Plaintiff sent me an email again falsely claiming that I had
5 breached the protective order. Plaintiff also incorrectly stated that the requirement that Plaintiff
6 provide his address was not a part of the Court’s Minute Order because it was “under the
7 tentative ruling part of the document.” Plaintiff also threatened to file a “motion for sanctions”
8 if I did not provide responses to Plaintiff’s second set of requests for production, and
9 incorrectly claimed that any objections to the request were untimely. Plaintiff also falsely
10 stated that I was refusing to meet and confer. Attached hereto as Exhibit “H” is a true and
11 correct copy of Plaintiff’s email sent to me on March 14, 2024.

12 18. On March 14, 2024, I sent an email to Plaintiff again explaining that I did not
13 file anything covered by the protective order. I explained that the Court adopted the tentative
14 ruling part of the Court’s final order on the issues. I also again stated that I would respond to
15 Plaintiff’s meet and confer letter on Friday, March 15, 2024. I also expressed confusion at
16 Plaintiff’s claim that I was refusing to meet and confer, as I had been responding to Plaintiff’s
17 repeated emails and had agreed to narrow the discovery requests. Attached hereto as Exhibit
18 “I” is a true and correct copy of my email sent to Plaintiff on March 14, 2024.

19 19. On March 14, 2024, Plaintiff sent me an email asking if I would stipulate to a
20 “motion for a factual determination of the sanctions order.” Attached hereto as Exhibit “J” is a
21 true and correct copy of Plaintiff’s email sent to me on March 14, 2024.

22 20. On March 15, 2024, I sent an email to Plaintiff explaining that there was no
23 basis for such a motion and that I would seek sanctions if Plaintiff filed such a motion.
24 Attached hereto as Exhibit “K” is a true and correct copy of my email sent to Plaintiff on
25 March 15, 2024.

26 21. On March 15, 2024, Plaintiff filed a Motion for Sanctions and to Compel prior
27 to receiving Mr. Pierattini’s meet and confer letter. Attached hereto as Exhibit “L” is a true and
28

1 correct copy of Plaintiff’s email enclosing his Motion for Sanctions and to Compel on March
2 15, 2024.

3 22. On March 15, 2024, shortly after receipt of Plaintiff’s Motion, I sent my meet
4 and confer letter that I was working on to explain that his position had no merit. I advised that
5 Plaintiff was not meeting and conferring in good faith and that Plaintiff should withdraw his
6 frivolous Motion. Attached hereto as Exhibit “M” are true and correct copies of my email to
7 Plaintiff and my responsive meet and confer letter.

8 23. On March 18, 2024, Plaintiff sent me an email questioning why I did not
9 include the entire tentative ruling in the [Proposed] Order. Attached hereto as Exhibit “N” is a
10 true and correct copy of Plaintiff’s email to me.

11 24. On March 18, 2024, I responded to Plaintiff’s email explaining that I followed
12 the Court’s Order. Attached hereto as Exhibit “O” is a true and correct copy of my email to
13 Plaintiff.

14 25. On March 18, 2024, Plaintiff again sent an email requesting various frivolous
15 stipulations and threatening various frivolous motions. Additionally, Plaintiff included his
16 frivolous ex parte application. Attached hereto as Exhibit “P” is a true and correct copy of
17 Plaintiff’s email to me.

18 26. On March 19, 2024, I responded to Plaintiff’s email explaining that the motions
19 threatened were frivolous and sanctionable. Attached hereto as Exhibit “Q” is a true and
20 correct copy of my email response.

21 27. As indicated by this declaration, Plaintiff is abusing the litigation process in
22 order to harass Mr. Pierattini. Plaintiff’s true intent is to make this case as expensive as
23 possible for Mr. Pierattini by running up Mr. Pierattini’s attorney’s fees, for entertainment
24 purposes in connection with his livestreams and YouTube videos, and to attempt to ruin Mr.
25 Pierattini professionally.

26 28. I spent no less than 3.0 hours researching the issues, preparing the memorandum
27 of points and authorities, preparing this declaration and the supporting exhibits. I anticipate
28 spending no less than 3.0 hours for attending the hearing on this matter, for a total of 6.0 hours.

1 My hourly rate is typically \$745 an hour. I have reduced my hourly rate to \$450 an hour, which
2 this court has consistently given for my hourly rate. My hourly rate of \$450 an hour is
3 reasonable.

4 29. I have the requisite skill, training, and experience to testify as to how these
5 matters are typically handled and attempts to deviate therefrom. Thus, my client should be
6 reimbursed a total of no less than \$2,700.00 for Plaintiff's frivolous ex parte.

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

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10 DATED: March 21, 2024

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14 R. Paul Katrinak

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EXHIBIT A

1 R. Paul Katrinak, State Bar No. 164057
2 LAW OFFICES OF R. PAUL KATRINAK
3 9663 Santa Monica Blvd., 458
4 Beverly Hills, California 90210
5 Telephone: (310) 990-4348
6 Facsimile: (310) 921-5398

7 Attorneys for Defendant
8 Michael Pierattini

9
10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 JOSE DECASTRO,

13 Plaintiff,

14 v.

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

18 Defendants.

) Case No. 23SMCV00538

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

) **[PROPOSED] ORDER GRANTING**
) **DEFENDANT MICHAEL PIERATTINI'S**
) **MOTION TO COMPEL RESPONSES TO**
) **FORM INTERROGATORIES AND**
) **REQUEST FOR SANCTIONS**

) Date: March 7, 2024
) Time: 8:30 a.m.
) Dept: O

LAW OFFICES OF R. PAUL KATRINAK
9663 Santa Monica Blvd., Suite 458
Beverly Hills, California 90210
(310) 990-4348

ORDER

The Motion by Defendant Michael Pierattini, to compel Plaintiff Jose DeCastro to respond to Defendant Pierattini’s Form Interrogatories, Set One, and for an award of monetary sanctions against Plaintiff, came on regularly for hearing in the above-entitled court on March 7, 2024. R. Paul Katrinak appeared on behalf of Defendant Pierattini. Plaintiff appeared on behalf of himself. After oral argument and good cause appearing therefore, the Court orders as follows:

1. No later than thirty (30) days after the date of service of this Order, Plaintiff Jose DeCastro is ordered to serve full and complete responses, without objections, to Defendant Michael Pierattini’s Form Interrogatories, Set One.
2. No later than thirty (30) days after the date of service of this Order, Plaintiff Jose DeCastro is ordered to pay to Defendant Michael Pierattini monetary sanctions in the amount of \$1,635.00.

IT IS SO ORDERED.

DATED: _____

The Honorable H. Jay Ford III
Judge of the Superior Court

LAW OFFICES OF R. PAUL KATRINAK
9663 Santa Monica Blvd., Suite 458
Beverly Hills, California 90210
(310) 990-4348

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 March 11, 2024, I served the foregoing document(s) described as:

[PROPOSED] ORDER GRANTING DEFENDANT MICHAEL PIERATTINI'S MOTION TO COMPEL RESPONSES TO FORM INTERROGATORIES AND REQUEST FOR SANCTIONS

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.

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

Executed March 11, 2024, 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

EXHIBIT B



Paul Katrinak <katrinaklaw@gmail.com>

Order Granting Motion to Compel and Sanctions

1 message

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Mon, Mar 11, 2024 at 11:45 AM

See attached.

--

Paul Katrinak
Law Offices of R. Paul Katrinak
9663 Santa Monica Blvd., 458
Beverly Hills, California 90210
Tel: (310) 990-4348
Fax: (310) 921-5398

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 **PIERATTINI [Proposed] Order re FROGs and Sanction.pdf**
378K

EXHIBIT C



Paul Katrinak <katrinaklaw@gmail.com>

Meet and Confer Letter attached

Chille DeCastro <chille@situationcreator.com>

Mon, Mar 11, 2024 at 10:15 AM

To: Paul Katrinak <Katrinaklaw@gmail.com>, Paul Katrinak <pkatrinak@kernanlaw.net>

Meet and Confer Letter attached

Respectfully,
Chille DeCastro
Exec Producer & Writer
www.DeleteLawZ.com

Ethics SCS Inc.
205 S. Beverly Drive
Suite 205
Beverly Hills, CA
90212

 **meet-and-confer-letter-rfp2.pdf**
262K

Jose DeCastro
1258 Franklin St.
Santa Monica, CA 90404
(310) 963-2445
chill@situationcreator.com

March 11, 2024

VIA E-MAIL

Paul Katrinak
9663 Santa Monica Blvd. No. 458
Beverly Hills, California 90210
katrinaklaw@gmail.com

Re: Defendant Michael Pierattini's discovery objections in Jose DeCastro v. Katherine Peter, et al. Case No. 23SMC00538

Dear Mr. Katrinak:

I am in receipt of your "responses" to my discovery requests sent to you on February 5, 2024. Your "responses" are completely improper. Specifically, your "responses" to my requests for production of documents consist primarily of improper objections and contain virtually no responsive information. You are the Defendant. You presumably had some evidence to harass my client with a deposition held during his scheduled trial in a state you know that he didn't reside in. You have not provided a shred of evidence or information and your Answer is devoid of any allegations against me, which I have repeatedly pointed out to you. You cannot simply refuse to participate in discovery by hiding behind dozens of inappropriate objections. This is not how the discovery process works, and your actions are completely prejudicing me.

Your outrageous non-responses to discovery, especially in light of your ambiguous Answer, is sanctionable.

I. YOUR IMPROPER OBJECTIONS

As an initial matter, I want to clarify some of the law as it relates to your objections to my discovery.

A. Relevance, Materiality, Propriety, and Admissibility

Your general objections regarding relevance, materiality, propriety, and admissibility are not well taken. As explained in Brown & Weil, *California Practice Guide: Civil Procedure Before Trial*, The Rutter Group (2017 update) (hereafter "Brown & Weil"):

[8:36] Right to Discovery Liberally Construed: Courts have construed the discovery statutes broadly, so as to *uphold the right to discovery wherever possible*. [*Greyhound Corp. v. Sup.Ct. (Clay)* (1961) 56 C2d 355, 377-378, 15 CR 90, 100 (decided under former law); *Emerson Elec. Co. v. Sup.Ct. (Grayson)* (1997) 16 C4th 1101, 1108, 68 CR2d 883, 886—"Our conclusions in *Greyhound* apply equally to the new discovery

statutes enacted by the Civil Discovery Act of 1986, which retain the expansive scope of discovery”; see *Obregon v. Sup.Ct. (Cimm's, Inc.)* (1998) 67 CA4th 424, 434, 79 CR2d 62, 69 (citing text)]

[8:37] For example, even where the statutes require a showing of “good cause” to obtain discovery (e.g., for court-ordered mental examinations), this term is *liberally* construed—to permit, rather than to prevent, discovery wherever possible. [*Greyhound Corp. v. Sup.Ct. (Clay)*, *supra*, 56 C2d at 377-378, 15 CR at 100]

On the issue of relevance, Brown & Weil adds:

[8:66] “Relevant to Subject Matter”:

[8:66.1] Purpose The first and most basic limitation on the scope of discovery is that the information sought must be relevant to the “subject matter” of the pending action or to the determination of a motion in that action. [CCP § 2017.010] The phrase “subject matter” does not lend itself to precise definition. It is *broader* than relevancy to the issues (which determines admissibility of evidence at trial). [*Bridgestone/Firestone, Inc. v. Sup.Ct. (Rios)* (1992) 7 CA4th 1384, 1392, 9 CR2d 709, 713]

[8:66.1] Purpose: For discovery purposes, information should be regarded as “relevant to the subject matter” if it might reasonably assist a party in *evaluating* the case, *preparing* for trial, or facilitating *settlement* thereof. [*Gonzalez v. Sup.Ct. (City of San Fernando)* (1995) 33 CA4th 1539, 1546, 39 CR2d 896, 901 (citing text); *Lipton v. Sup.Ct. (Lawyers' Mut. Ins. Co.)* (1996) 48 CA4th 1599, 1611, 56 CR2d 341, 347 (citing text); *Stewart v. Colonial Western Agency, Inc.* (2001) 87 CA4th 1006, 1013, 105 CR2d 115, 120 (citing text)]

The objections are improper and are not well taken. As explained in Brown & Weil in relation to the phrase “reasonably calculated”:

“This phrase is more helpful in defining the scope of permissible discovery. It makes it clear that discovery extends to any information that reasonably might lead to other evidence that would be admissible at trial. Thus, the scope of permissible discovery is one of *reason, logic and common sense*. [*Lipton v. Sup.Ct. (Lawyers' Mut. Ins. Co.)* (1996) 48 CA4th 1599, 1611, 56 CR2d 341, 348 (citing text)]”. *Id.* at 8:70.

B. The policy is to favor discovery

The policy is to favor discovery, as Brown & Weil explains:

[8:71] Policy favoring discovery: The “relevance to the subject matter” and “reasonably calculated to lead to discovery of admissible evidence” standards are applied *liberally*. Any doubt is generally resolved in favor of *permitting* discovery, particularly where the precise issues in the case are not yet clearly established. [*Colonial Life & Acc. Ins. Co. v. Sup.Ct. (Perry)* (1982) 31 C3d 785, 790, 183 CR 810, 813, fns. 7-8].

That leading treatise adds:

[8:72] “Fishing trips” permissible: Lawyers sometimes make the objection that opposing counsel are on a “fishing expedition.” But this is *not* a valid ground for refusal to make

discovery. The plain and simple answer is that “fishing expeditions” are expressly authorized by statute—i.e., the Discovery Act provides for discovery of matters “reasonably calculated to *lead* to discovery of admissible evidence.” [CCP § 2017.010 (emphasis added); see *Greyhound Corp. v. Sup.Ct. (Clay)* (1961) 56 C2d 355, 384, 15 CR 90, 104—“The method of ‘fishing’ may be, in a particular case, entirely improper ... But the possibility that it may be abused is not of itself an indictment of the fishing expedition *per se*”; see also *Gonzalez v. Sup.Ct. (City of San Fernando)* (1995) 33 CA4th 1539, 1546, 39 CR2d 896, 901].

C. Attorney-Client Privilege Objections

In many of your responses, you object on grounds of attorney-client privilege. As an initial point, the attorney-client privilege does not apply to you as an In Pro Per party. Attorney-client privilege requires “a confidential communication between client and lawyer.” Evid. Code, § 954. You cannot communicate with yourself.

Additionally, when asserting claims of privilege or attorney work product protection, the objecting party must provide “sufficient factual information” to enable other parties to evaluate the merits of the claim, including a privilege log. *Lopez v. Watchtower Bible & Tract Soc. Of New York, Inc.* (2016) 246 Cal.App.4th 566, 596-597. You must be prepared to explain why this objection is applicable to *every individual* discovery request.

In addition, you must prepare a privilege log that identifies each document withheld in response to the discovery requests and the specific privilege claimed. You have not produced a single document, so presumably, this privilege log would be extensive. The information in the privilege log must be sufficiently specific to allow a determination of whether each withheld document is or is not in fact privileged. As further explained in *Brown & Weil*, a privilege log is required for discovery that is being held back on privilege:

[8:1474.5] Objection based on privilege; “privilege log” may be required: When asserting claims of privilege or attorney work product protection, the objecting party must provide “sufficient factual information” to enable other parties to evaluate the merits of the claim, “including, *if necessary*, a privilege log.” [CCP § 2031.240(c)(1) (emphasis added); *Lopez v. Watchtower Bible & Tract Soc. of New York, Inc.* (2016) 246 CA4th 566, 596-597, 201 CR3d 156, 181—burden to show preliminary facts supporting application of privilege not met where D failed to produce privilege log or identify any specific confidential communications]

As to the contents, that treatise explains:

[8:1474.5a] Required contents of privilege log: As the term is commonly used by courts and attorneys, a “privilege log” identifies each document for which a privilege or work product protection is claimed, its author, recipients, date of preparation, and the *specific* privilege or work product protection claimed. [*Hernandez v. Sup.Ct. (Acheson Indus., Inc.)* (2003) 112 CA4th 285, 291-292, 4 CR3d 883, 888-889, fn. 6; see CCP § 2031.240(c)(2)—Legislative intent to codify concept of privilege log “as that term is used in California case law”]

“The information in the privilege log must be sufficiently specific to allow a determination of whether each withheld document is or is not [in] fact privileged.”

[Wellpoint Health Networks, Inc. v. Sup.Ct. (McCombs) (1997) 59 CA4th 110, 130, 68 CR2d 844, 857; see Catalina Island Yacht Club v. Sup.Ct. (Beatty) (2015) 242 CA4th 1116, 1130, 195 CR3d 694, 704 & fn. 5—privilege log deficient due to failure to describe documents or contents (other than noting they were emails with counsel) since not all communications with attorneys are privileged]

FORM: Privilege Log, *see Form 8:26.2* in Rivera, *Cal. Prac. Guide: Civ. Pro. Before Trial FORMS* (TRG).

Furthermore, a privilege log is due with the objections, Brown & Weil states on the timing:

The Code seems to indicate that if a privilege log is “necessary” to enable other parties to evaluate the merits of a privilege or work product claim, it must be provided by the objecting party with the response to the § 2031.010 inspection demand (i.e., at the time the objection is made). [See CCP § 2031.240(c)(1)—if objection is based on privilege or work product claim, “the response shall provide ... including, if necessary, a privilege log”] *Id.* at 1474.6.

D. Your Attempts to Deftly Evade Discovery are Sanctionable

The way you seek to deftly word what responses you will or will not produce is improper. The law is plain that deftly worded attempts to evade discovery are improper. *Deyo v. Kilbourne* (1978) 84 CA3d 771, 783, 149 CR 499, 509.

II. YOUR IMPROPER DISCOVERY RESPONSES

A. Responses to Requests for Production of Documents

The Response Required for a Request for Production of Documents:

Your “responses” to our document requests are completely improper. As explained in Brown & Weil, your response needs to be one of the following:

- **Agreement to comply:** A statement that the party will comply by the date set for inspection with the particular demand for inspection, testing, etc.; or
- **Representation of inability to comply:** A statement that the party lacks the ability to comply with the particular demand; or
- **Objections:** An objection to all or part of the demand. CCP § 2031.210(a).

Remarkably, you are in essence claiming that every single document request we have served is fully objectionable, and that you are therefore exempt from producing even a single responsive document. This position is outrageous and is an affront to the discovery process. We are entitled to your production of the requested documents. If you want to claim that only part of an item or category demanded is objectionable, your response must contain an agreement to comply with the remainder, or a representation of inability to comply. CCP § 2031.240(a) (General objections to the entire request are unauthorized and constitute discovery misuse; see ¶ 8:1071 (dealing with interrogatories).) *Id.* at 8:1469.

Brown & Weil explains as to what constitutes compliance:

[8:1471] What constitutes “compliance”: Documents must be produced either:

- as they are kept in the usual course of business, or
- sorted and labeled to correspond with the categories in the document demand. CCP § 2031.280(a).

No documents have been produced by you. It is outrageous that you have refused to produce even a single document. You are the Defendant who begged me to sue you so that you could participate in discovery. Instead, you continue to harass me by trying to schedule depositions while I’m in trial and out of state. If you have any responsive documents in your possession, custody, or control, you must produce the documents.

By way of this letter, we hereby demand that you comply with the California discovery statutes and produce all responsive documents and provide proper responses no later than 12:00 p.m. on Friday, March 15, 2024. If you do not promptly withdraw your objections and provide proper responses to our discovery requests, we will file motions to compel your responses to our discovery requests and seek monetary sanctions. Your gamesmanship and outrageous conduct in this matter concerning discovery warrants the imposition of substantial attorney’s fees as sanctions.

I look forward to complete responses, without objection, and the production of documents from you. You are the plaintiff. You must have some basis to be suing my client. If you do not, dismiss my client forthwith.

This letter is not intended, nor should it be construed, as a full recitation of all of the facts in this matter. Additionally, this letter is written without waiver or relinquishment of all of my client’s rights or remedies, all of which are hereby expressly reserved.

Very Truly Yours,



Jose DeCastro

EXHIBIT D



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Chille DeCastro <chille@situationcreator.com>

Tue, Mar 12, 2024 at 12:42 PM

To: Paul Katrinak <Katrinaklaw@gmail.com>, Paul Katrinak <pkatrinak@kernanlaw.net>

Mr. Katrinak, I was wondering if you would stipulate to any of these motions before I file them:

1. Motion to disqualify Judge Ford.
2. Motion to stay order "for sanctions and to compel" pending motion for protective order and appeal.
3. Motion for protective order to stop you from continuing to file documents marked as confidential.
4. Motion for sanctions against you for violating prior protective order

Thank you.

Respectfully,
Chille DeCastro
Exec Producer & Writer
www.DeleteLawZ.com

Ethics SCS Inc.
205 S. Beverly Drive
Suite 205
Beverly Hills, CA
90212

EXHIBIT E



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Tue, Mar 12, 2024 at 6:58 PM

Dear Mr. De Castro,

If you file Motions 2, 3 and 4, I will seek sanctions. You have no legal basis to file these Motions and they are frivolous on their face. I will let the Court address Number 1.

I did not file a document marked confidential by you with the Court that provided any confidential information. You haven't even provided any documents and you have not answered any discovery, other than some RFAs. Your position is frivolous and absurd.

When will you provide your address as ordered by the Court?

Very Truly Yours,

Paul Katrinak

[Quoted text hidden]

--
Paul Katrinak
Law Offices of R. Paul Katrinak
9663 Santa Monica Blvd., 458
Beverly Hills, California 90210
Tel: (310) 990-4348
Fax: (310) 921-5398

The information contained in this e-mail is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication and, as such, is privileged and confidential. If the reader of this message is not the intended recipient, you are hereby notified that you have received this communication in error, and that any review, dissemination, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and delete the original message. Thank you.

EXHIBIT F



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Chille DeCastro <chille@situationcreator.com>
To: Paul Katrinak <katrinaklaw@gmail.com>

Wed, Mar 13, 2024 at 9:47 AM

I misspoke, you filed with the court information that was marked confidential, which was required to be protected according to the plain language of the protective order.

Where is providing my address listed in the order? Do you mean as part of answering the form interrogatories? I'll be seeking a protective order before providing any further discovery, but I'm residing in Las Vegas, as your client and his troll mafia associates are well aware of.

When did you want to meet and confer to narrow yours and mine discovery disputes?

Thank you for the quick response.

[Quoted text hidden]

EXHIBIT G



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Wed, Mar 13, 2024 at 8:01 PM

Dear Mr. DeCatro,

1. I did not file anything covered by the Protective Order.
2. Here is the Court's Minute Order that was mailed to your mail drop in California. The Court Ordered this orally as well at the hearing. I sent you the proposed order on the sanctions and form interrogatories that I was ordered to prepare by the Court.
3. I will respond to your letter on Friday per your deadline.
4. I will go through our discovery and look at narrowing it per the Court's Order.

Very Truly Yours,

Paul Katrinak
[Quoted text hidden]

 **PIERATTINI Minute Order re Motions to Compel.pdf**
61K

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

West District, Santa Monica Courthouse, Department O

23SMCV00538

JOSE DECASTRO vs KATHERINE PETER

March 7, 2024

8:30 AM

Judge: Honorable H. Jay Ford III

Judicial Assistant: K. Neal

Courtroom Assistant: A. Elder

CSR: None

ERM: None

Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): Jose Decastro (In Court)

For Defendant(s): Raymond Paul Katrinak (In Court)

NATURE OF PROCEEDINGS: Hearing on Motion to Compel Deposition of Plaintiff and Request for Monetary Sanctions in the Sum of \$4,560; Hearing on Motion to Compel Responses to Form Interrogatories, Set One and Request for Monetary Sanctions in the sum of \$4,560; Hearing on Motion to Compel Further Discovery Responses to Special Interrogatories, Set One, to Plaintiff and Request for Monetary Sanctions Against Plaintiff in the Sum of \$4,560; Hearing on Motion to Compel Further Discovery Responses to Requests for Admission, Set One, to Plaintiff and Requests for Monetary Sanctions Against Plaintiff in the Sum of \$4,560; Hearing on Motion to Compel Further Discovery Responses to Requests for Production of Documents, Set One, to Plaintiff and Requests for Monetary Sanctions Against Plaintiff in the Sum of \$4,560

The Court issues the following tentative ruling:

TENTATIVE RULING

1. Defendant Michael Pierattini's motion to compel responses to form interrogatories and request for sanctions is granted. Plaintiff José DeCastro's is ordered to serve the responses, without objections, and pay monetary sanctions in the amount of \$1,635 within 30 days of service of the order. Pierattini is ordered to submit the proposed order in accordance with CRC Rule 3.1312.
2. The Court orders the parties to meet and confer regarding the necessity of serving more than 30 "contention" requests for admissions and 30 "contention" special interrogatories. It appears that many of 187 special interrogatories are duplicative of each other and seek the information sought by the form interrogatories. Likewise, the purpose of requests for admissions is to narrow discovery by eliminating undisputed issues. The Court's concerned that the 76 request for admissions that essentially ask DeCastro to admit his case has no merit is inconsistent with that purpose. Likewise, when coupled with form interrogatory 17.1, they become duplicative of much of the information to be disclosed in response to the remaining form interrogatories. Therefore, in lieu of ordering DeCastro to serve further responses to more than 30 requests for admission and 30 special interrogatories the Court is inclined to order DeCastro to serve a verified response

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

West District, Santa Monica Courthouse, Department O

23SMCV00538

JOSE DECASTRO vs KATHERINE PETER

March 7, 2024

8:30 AM

Judge: Honorable H. Jay Ford III

Judicial Assistant: K. Neal

Courtroom Assistant: A. Elder

CSR: None

ERM: None

Deputy Sheriff: None

that identifies the “initial disclosures” that are required to be disclosed under Code of Civil Procedure section 2016.090 for cases filed after January 1, 2024. Similarly, Pierattini’s request for production of documents that are linked to the special interrogatories that exceed 30 may be excessive and rendered moot by DeCastro complying with CCP 2016.090 subd (a) (1)(b) and responding to the form interrogatories.

3. Regarding Pierattini’s motion to compel Decastro’s appearance at his deposition, DeCastro is ordered to file a notice of change of address that discloses his purported out of state residence, not just mailing address, within 10 days. DeCastro may seek to file that notice with his residence address redacted from the public filing by making the appropriate motion to seal that notice under California rules of Court 2.551.

4. The hearing on Pierattini’s motions to compel further responses to the requests for admission, special interrogatories and production of documents, and to compel DeCastro's deposition are continued to May 2, 2024 at 8:30.

*****END OF TENTATIVE RULING*****

The matters are called for hearing and argued.

The Court adopts its tentative ruling as indicated above.

The Motion to Compel Responses to Form Interrogatories, Set One and Request for Monetary Sanctions Against Plaintiff in the Amount of \$4, 560 filed by Michael Pierattini on 01/25/2024 is Granted. Plaintiff José DeCastro's ordered to serve the responses, without objections, and pay monetary sanctions in the amount of \$1635 within 30 days of service of the order. Defendant Pierattini is ordered to submit the proposed order in accordance with CRC Rule 3.1312.

On the Court's own motion, the Hearing on Motion to Compel Deposition of Plaintiff and Request for Monetary Sanctions in the Sum of \$4,560 scheduled for 03/07/2024, Hearing on Motion to Compel Further Discovery Responses to Special Interrogatories, Set One, to Plaintiff and Request for Monetary Sanctions Against Plaintiff in the Sum of \$4,560 scheduled for 03/07/2024, Hearing on Motion to Compel Further Discovery Responses to Requests for Admission, Set One, to Plaintiff and Requests for Monetary Sanctions Against Plaintiff in the Sum of \$4,560 scheduled for 03/07/2024, and Hearing on Motion to Compel Further Discovery Responses to Requests for Production of Documents, Set One, to Plaintiff and Requests for Monetary Sanctions Against Plaintiff in the Sum of \$4,560 scheduled for 03/07/2024 are continued to 05/02/2024 at 08:30 AM in Department O at Santa Monica Courthouse.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

West District, Santa Monica Courthouse, Department O

23SMCV00538

JOSE DECASTRO vs KATHERINE PETER

March 7, 2024

8:30 AM

Judge: Honorable H. Jay Ford III

Judicial Assistant: K. Neal

Courtroom Assistant: A. Elder

CSR: None

ERM: None

Deputy Sheriff: None

The clerk is to give notice.

Certificate of Mailing is attached.

EXHIBIT H



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Chille DeCastro <chille@situationcreator.com>

Thu, Mar 14, 2024 at 9:23 AM

To: Paul Katrinak <katrinaklaw@gmail.com>

1. The protective order said that we could mark anything as confidential and that it would have to be filed under seal. I even discussed this with you, that it could be potentially expensive for each of us to put things on the record if a party marked things as confidential. You seemed to understand my objections. You seemed to have clearly understood the requirements of protecting information marked as confidential by the other party. You violated the protective order, and the judge seemed ready to rule on that if I filed a motion for relief. Clearly I can not continue to release confidential discovery until we resolve this matter.
2. The part about providing my address is under the tentative ruling part of the document and is not in the order. If you wanted to file a motion to clarify, I would stipulate to it.
3. I will be filing a motion for sanctions unless you provide the discovery. You are aware of how to redact any mixed communications. You should be aware that not all email between you and your defendant will be privileged, especially regarding scheduling and illegal activities. You also failed to provide a privilege log. Any objections are untimely.
4. So you're still refusing to meet and confer? I wanted to discuss my requests as well as yours.

[Quoted text hidden]

EXHIBIT I



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Thu, Mar 14, 2024 at 8:26 PM

Dear Mr. DeCastro,

1. The Protective Order speaks for itself. All you served were ridiculous objections that clearly would not be subject to the Protective Order. I marked the documents that we produced as confidential. They would be confidential.
2. Page 2 of the Minute Order states that the Court adopts the tentative as the final order of the Court. Adopt means "to accept and establish (something, such as a law or policy) in a formal or official way." Webster's Dictionary. The tentative is the final order of the Court. There is nothing to clarify.
3. I will respond to your meet and confer letter tomorrow as you demanded. The objections were not untimely and I will explain in my response tomorrow. If you file a Motion, I will seek sanctions against you.
4. I am not refusing to meet and confer. I have responded to your emails. I said in my last email that I will go through the discovery and narrow the requests. What more do I have to say?

These continuous daily emails are tiresome. I have many other matters that I am working on and do not have time to daily respond to your emails.

Very Truly Yours,

Paul Katrinak

[Quoted text hidden]

EXHIBIT J



Paul Katrinak <katrinaklaw@gmail.com>

A check in for stipulation regarding a separate matter

Chille DeCastro <chille@situationcreator.com>

Thu, Mar 14, 2024 at 6:25 PM

To: Paul Katrinak <Katrinaklaw@gmail.com>, Paul Katrinak <pkatrinak@kernanlaw.net>

I'm going to be filing a motion for a factual determination of the sanctions order.

Will you stipulate to it?

Respectfully,
Chille DeCastro
Exec Producer & Writer
www.DeleteLawZ.com

Ethics SCS Inc.
205 S. Beverly Drive
Suite 205
Beverly Hills, CA
90212

EXHIBIT K



Paul Katrinak <katrinaklaw@gmail.com>

A check in for stipulation regarding a separate matter

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Fri, Mar 15, 2024 at 7:18 PM

Dear Mr. DeCastro,

There is no basis for such a motion and it is frivolous to do so. I will seek sanctions if you file such a motion.

Very Truly Yours,

Paul Katrinak
[Quoted text hidden]

—
Paul Katrinak
Law Offices of R. Paul Katrinak
9663 Santa Monica Blvd., 458
Beverly Hills, California 90210
Tel: (310) 990-4348
Fax: (310) 921-5398

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EXHIBIT L



Paul Katrinak <katrinaklaw@gmail.com>

Notice and Motion for Sanctions and to Compel attached

Chille DeCastro <chille@situationcreator.com>

Fri, Mar 15, 2024 at 2:03 PM

To: Paul Katrinak <Katrinaklaw@gmail.com>, Paul Katrinak <pkatrinak@kernanlaw.net>

Notice and Motion for Sanctions and to Compel attached

Respectfully,
Chille DeCastro
Exec Producer & Writer
www.DeleteLawZ.com

Ethics SCS Inc.
205 S. Beverly Drive
Suite 205
Beverly Hills, CA
90212

 **motion_to_compel_and_for_sanctions_rfp_2_with_exhibits.pdf**
438K

EXHIBIT M



Paul Katrinak <katrinaklaw@gmail.com>

Notice and Motion for Sanctions and to Compel attached

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Fri, Mar 15, 2024 at 2:10 PM

Dear Mr. DeCastro,

You gave me until today to respond to your meet and confer letter. Attached is the response to your letter. If you filed this Motion, immediately withdraw it or I will seek sanctions. This is blatantly not meeting and conferring in good faith. Your Motion is completely frivolous. This whole situation is really tiresome.

Very Truly Yours,

Paul Katrinak
[Quoted text hidden]

--
Paul Katrinak
Law Offices of R. Paul Katrinak
9663 Santa Monica Blvd., 458
Beverly Hills, California 90210
Tel: (310) 990-4348
Fax: (310) 921-5398

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PIERATTINI 3.15.24 M&C Letter.pdf
129K

Law Offices of
R. PAUL KATRINAK
9663 Santa Monica Blvd., No. 458
Beverly Hills, California 90210

R. Paul Katrinak, Esq.
Direct: (310) 990-4348
Fas: (310) 921-5398
E-mail: katrinaklaw@gmail.com

March 15, 2024

VIA E-MAIL

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

Re: Plaintiff's Meet and Confer Letter Sent on March 11, 2024 in *Jose DeCastro v. Katherine Peter, et al.*, Case No. 23SMCV00538

Dear Mr. DeCastro:

I am in receipt of the meet and confer letter sent on March 11, 2024 regarding the responses to your second set of requests for production. Upon reviewing the letter, it is apparent that you did not actually bother researching the law as it applies to our responses to your improper requests for production. In fact, you did not even bother to draft "your" own letter at all. The letter you sent is just a copy of the meet and confer letter I sent to you on January 12, 2024 with only minor changes.

You did not try to hide the fact that "your" letter is just a modified copy of the letter I previously sent you. You refer to yourself in "your" letter as "my client," and "we." You leave in sentences such as "the attorney-client privilege does not apply to you as an In Pro Per party," "You are the plaintiff," and "You must have some basis to be suing my client." You leave in entire legal arguments that are completely inapplicable to the responses we provided to your requests for production. You even kept the exact same formatting and structure.

Frankly, it is insulting that you would send such a blatantly copied letter to me. This is not a proper attempt to meet and confer. The legal arguments you copied from my original letter do not even apply in this situation. This is clearly another attempt to waste time and run up my client's legal fees.

I. THE RESPONSES AND OBJECTIONS WERE TIMELY

Although you do not discuss this in "your" meet and confer letter, your claim in your email sent on March 14, 2024 that "any objections are untimely" is incorrect and again displays your complete and utter lack of understanding of the discovery timing rules. A response to

Jose DeCastro

Jose DeCastro v. Katherine Peter, et al., Case No. 23SMCV00538

Page 2

requests for production is due 30 days after service of the requests. Cal Code Civ Proc § 2031.260(a). **Service of the requests by email extends the deadline to respond by two calendar days. Code Civ. Proc. § 1010.6(a)(3)(B).**

You served the requests for production at issue on February 5, 2024 by email. Therefore, based on the 30-day response deadline plus two additional days based on email service, the deadline to serve a timely response was on March 8, 2024. As you know, the responses and objections were served on March 8, 2024. **Therefore, the responses were timely and there is no waiver of objections.**

II. THE RESPONSES WERE PROPER

In “your” letter, you claim that the responses provided to your second set of requests for production were somehow “improper” and that we claim to be “exempt from producing even a single responsive document.” Although these statements were true in the original letter you copied from, they do not apply here. As noted in Brown & Weil, California Practice Guide: Civil Procedure Before Trial (2023 update) (and in “your” letter) the response must be as follows:

Content: The party to whom the CCP § 2031.010 demand is directed must respond separately to each item in the demand by one of the following:

- **Agreement to comply:** A statement that the party will comply by the date set for inspection with the particular demand for inspection, testing, etc.; or
- **Representation of inability to comply:** A statement that the party lacks the ability to comply with the particular demand; or
- **Objections:** An objection to all or part of the demand. [CCP § 2031.210(a)]

Civ. Pro. Before Trial, § 8:1469.

As you are aware, we provided specific responses to each of your requests. While these responses were made subject to certain objections, specific responses were still provided to each request. Additionally, “your” letter did not address the specific objections you take issue with. As you saw in our January 12, 2024 letter (which, again, you copied verbatim), we specifically addressed each of your frivolous objections. In “your” letter, you did not address our legal and proper objections, making it impossible for us to properly meet and confer on the objections.

A. Response to Request for Production No. 1

Our response to your request for “All COMMUNICATIONS between YOU and Your attorney(s) regarding the scheduling or planning of the ‘Deposition of Plaintiff Jose DeCastro’ scheduled for January 25, 2023” is proper. So far as such communications may exist, any communication between Mr. Pierattini and his attorneys regarding the scheduling or planning of a deposition would be protected, as such communications are confidential communication

Jose DeCastro

Jose DeCastro v. Katherine Peter, et al., Case No. 23SMCV00538

Page 3

between client and lawyer protected by the attorney-client privilege as defined by Cal. Evid. Code §§ 950 et seq. Put another way, you are requesting communications which, by definition, are privileged.

When asserting claims of privilege or attorney work product protection, the objecting party must provide “sufficient factual information” to enable other parties to evaluate the merits of the claim. *Lopez v. Watchtower Bible & Tract Soc. Of New York, Inc.* (2016) 246 Cal.App.4th 566, 596-597. Here, you have been provided with sufficient factual information to evaluate the merits of the privilege claim. Frankly, *any* communication responsive to this request would be protected by the privilege, making a privilege log unnecessary. A California Appeals court nicely summarized the extent of the privilege:

“The attorney-client privilege, one of the oldest recognized, allows a client to refuse to disclose, and to prevent others from disclosing, confidential communications with an attorney. (Evid. Code, § 954.) The ‘fundamental purpose behind the privilege is to safeguard the confidential relationship between clients and their attorneys **so as to promote full and open discussion of the facts and tactics surrounding individual legal matters.**’ (*Mitchell v. Superior Court* (1984) 37 Cal.3d 591, 599 [208 Cal.Rptr. 886, 691 P.2d 642].) The privilege is absolute” (*People v. Bell* (2019) 7 Cal.5th 70, 96, 246 Cal.Rptr.3d 527, 439 P.3d 1102.) It “prevents disclosure of the communication regardless of its relevance, necessity or other circumstances peculiar to the case.” (*Kerner v. Superior Court* (2012) 206 Cal.App.4th 84, 111, 141 Cal.Rptr.3d 504.)

Carroll v. Commission on Teacher Credentialing (2020) 56 Cal.App.5th 365, 380 (emphasis added). Your request for obviously privileged information is improper, and we properly objected to it.

B. Response to Request for Production Nos. 2-4

Our responses to these three requests were specific and complete. While these responses were made subject to certain objections, specific responses were still provided to each request. The fact is that there are **no documents responsive to these three requests**. The fact that you are not satisfied with such a response because it does not fit your fantastical narrative of some great conspiracy against you does not change the fact that documents responsive to this request **do not exist**.

III. CONCLUSION

As explained above, the responses to your second set of requests for production were timely and proper. Frankly, you have no basis to file a motion to compel further responses, and your threat to do so is not well taken. Your requests were frivolous, and any attempt at compelling further responses would be just as frivolous, and would be another example of your goal to drag this out and run up my client’s legal costs as much as possible. If you file such a motion, I will seek sanctions against you for your continued abuse of the discovery process.

Jose DeCastro


Jose DeCastro v. Katherine Peter, et al., Case No. 23SMCV00538

Page 4

Additionally, I want to emphasize that your blatant copying of the meet and confer letter I previously sent is not well taken. The point of the meet and confer requirement is to address specific issues as they arise. By copying the meet and confer letter which I sent you and which was drafted regarding a completely separate set of issues, you have made your lack of seriousness in this matter even clearer. I will not waste further time responding to legal arguments I wrote.

This letter is not intended, nor should it be construed, as a full recitation of all of the facts in this matter. Additionally, this letter is written without waiver or relinquishment of all of my client's rights or remedies, all of which are hereby expressly reserved.

Very Truly Yours,



R. Paul Katrinak

EXHIBIT N



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Chille DeCastro <chille@situationcreator.com>
To: Paul Katrinak <katrinaklaw@gmail.com>

Mon, Mar 18, 2024 at 2:57 PM

Mr. Katrinak,

Then why does your proposed order not match the tentative ruling? If a tentative ruling is upheld, isn't the proposed order supposed to use the language of the tentative ruling verbatim?

Right now, I have to say that this order does not match what was ruled on.

/s/Jose DeCastro

[Quoted text hidden]

EXHIBIT O



Paul Katrinak <katrinaklaw@gmail.com>

motion stipulation check-in

Paul Katrinak <katrinaklaw@gmail.com>
To: Chille DeCastro <chille@situationcreator.com>

Mon, Mar 18, 2024 at 7:10 PM

Dear Mr. DeCastro,

If you read the Minute Order from the Court, the Court ordered me to prepare a proposed order on the Form Interrogatories only, not concerning the Court's entire order. I followed the Court's Order to me and prepared a proposed order only on the Form Interrogatories and the sanctions that you were ordered to pay.

Very Truly Yours,

Paul Katrinak
[Quoted text hidden]

EXHIBIT P



Paul Katrinak <katrinaklaw@gmail.com>

Motion attached for your service and record, and a couple more requests for stipulation

Chille DeCastro <chille@situationcreator.com>

Mon, Mar 18, 2024 at 7:00 PM

To: Paul Katrinak <Katrinaklaw@gmail.com>, Paul Katrinak <pkatrinak@kernanlaw.net>

Mr. Katrinak,

I'm still typing up the rest of the motions, but please let me know if you'll stipulate to:

1. Sanctions against you for failing to meet and confer for form interrogatories sanction motion.
2. Motion to compel my RFP set one.
3. Find you as a vexatious litigator for all of your "I will seek sanctions" emails and following through on it.

Ones you already answered for that are coming up:

1. Disqualify judge
2. Sanctions against you for violating protective order
3. Stay your motion for sanctions pending writ
4. Protective order to stop you from continuing to file documents marked as confidential.

Thank you.

Respectfully,
Chille DeCastro

 **motion_to_reconsider_sanctions.pdf**
152K

EXHIBIT Q



Paul Katrinak <katrinaklaw@gmail.com>

Motion attached for your service and record, and a couple more requests for stipulation

Paul Katrinak <pkatrinak@kernanlaw.net>
To: Chille DeCastro <chille@situationcreator.com>

Tue, Mar 19, 2024 at 1:19 PM

Dear Mr. DeCastro,

In response to you three new frivolous demands:

1. I legally am not required to meet and confer on the non-response to the Form Interrogatories. See the Motion to Compel I filed against you concerning the Form Interrogatories. If you file such a frivolous motion, I will seek sanctions.
2. There is no basis to move to compel Mr. Pierattini's responses to your Requests for Production of Documents that were served on **August 1, 2023 SEVEN MONTHS AGO**. Notwithstanding the fact that I fully complied with the California Code of Civil Procedure in responding and produced responsive documents, unlike you, the time for you to move to compel **expired on September 15, 2023**. If you file such a frivolous motion, I will seek sanctions.
3. I frankly do not understand your issue claiming I am a vexatious litigant. That is certainly a frivolous allegation. I am warning you that I will seek sanctions for every frivolous thing that you do. You have bragged on your livestreams and videos that you file frivolous motions and run up the attorney's fees and costs for your opposition as a tactic to intimidate and ruin people's lives. You plainly meet the definition of a vexatious litigant.

As you pointed out, I have responded to your other frivolous requests.

Very Truly Yours,

Paul Katrinak
[Quoted text hidden]
[Quoted text hidden]

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 March 21, 2024, I served the foregoing document(s) described as:

DECLARATION OF R. PAUL KATRINAK IN OPPOSITION TO PLAINTIFF’S EX PARTE MOTION FOR RECONSIDERATION OF THIS COURT’S ORDER GRANTING DEFENDANT PIERATTINI’S MOTION TO COMPEL RESPONSES AND FOR SANCTIONS; REQUEST FOR SANCTIONS IN THE AMOUNT OF \$2,700.00 AGAINST PLAINTIFF

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 March 21, 2024, 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