

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CIV063139

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      RESURGENCE  
FINANCIAL, LLC

vs.

DEFENDANT:      LAUREN TAMBELLINI

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NATURE OF PROCEEDINGS: CLAIM OF EXEMPTION HEARING

**RULING**

Notice of hearing was filed by the Collect Access, LLC on May 4, 2026, on a claim of exemption, however there is no levy packet in the file to support the claim.

Collect Access is the assignee of the judgment; a notice of opposition to the claim was filed by this same party on April 16.

The matter is continued to June 26, 2026, to provide more time for the moving party to file the levy packet.

***Parties must comply with Marin County Superior Court Local Rules, Rule 2.10(A), (B), which provides that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 2.10(B), the tentative ruling shall become the order of the court.***

***IT IS ORDERED that evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Kindly turn your camera on when your case is called and make sure the party or lawyer making the appearance is properly identified on the screen.***

***FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing while using the virtual remote courtroom. If the connection is inadequate, the Court may proceed with the hearing in the party's absence. If it is determined that you are driving your car during the hearing, you will be removed from the virtual courtroom. (Yes, this happens).***

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0001548

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      KEEP AMERICA SAFE  
AND BEAUTIFUL

vs.

DEFENDANT:    VANGUARD INDUSTRIES  
EAST, INC.

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NATURE OF PROCEEDINGS: MOTION – OTHER: APPROVE PROPOSITION 65  
SETTLEMENT & CONSENT JUDGMENT

**RULING**

Plaintiff Keep America Safe and Beautiful filed a motion to approve a Proposition 65 settlement and consent judgment. Plaintiff seeks approval of a settlement reached in this action involving alleged violations of Health and Safety Code § 25249.6 et seq. (“Proposition 65”), and requests the Court approve the “Consent Judgment,” setting forth the terms and conditions of the parties’ settlement.

Defendant has not filed a response, nor was an opposition to the motion for approval filed. The failure to oppose is considered consent to the granting of the motion. (Cal. Rules of Court, rule 8.54(c); Local Rule Marin, Civil 2.8G.1.) Plaintiff’s motion is therefore GRANTED in it’s entirety.

Plaintiff to lodge the order.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0007753

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      JOSHUA FOSTER, AS AN  
INDIVIDUAL

vs.

DEFENDANT:    GOLDEN GATE BRIDGE  
HIGHWAY AND TRANSPORTATION  
DISTRICT, A CALIFORNIA CORPORATION

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NATURE OF PROCEEDINGS: MOTION – RELIEVE COUNSEL

**RULING**

Counsel for Plaintiff Ronald Zambrano, Esq., seeks to be relieved as counsel for Plaintiff Joshua Foster. Defendant Golden Gate Transportation filed a non-opposition to the request.

The named plaintiff did not file an opposition. The request is GRANTED.

Relieved counsel to lodge the order.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0007859

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      CHAD LEAF

vs.

DEFENDANT:    MATTHEW CAPLAN, ET  
AL

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NATURE OF PROCEEDINGS: MOTION – QUASH – DISCOVERY FACILITATOR PROGRAM

**RULING**

Plaintiff Chad Leaf filed a motion for an order quashing the deposition subpoenas served on Leslee Leaf, William Callicott, and Charlseey Kellen. The motion also seeks sanctions against Defendants in the amount of \$2,560.00, pursuant to Code of Civil Procedure sections 1987.1 and 1987.2.

Plaintiff argues the subpoenas for Mr. Leaf's medical and mental health records seek irrelevant and immaterial personal records that invade the privacy of plaintiff, and seek private medical information that is not directly relevant to Mr. Leaf's claims or Defendants' defenses. Plaintiff argues that the subpoenas are overbroad and seek medical records without limitation as to a time period without any association with the injuries related to the dog attack, alleged in the complaint.

Defendants' seek this information based on information provided by Chanel Caplan, who is the plaintiff's sister. Defendants claim that Mr. Leaf has a long history of mental illness, largely untreated, and a number of traumatic and stressful incidents he experienced in the weeks leading up to the incident that is the subject of this lawsuit.

Defendants' seek:

- Documents and communications related to the death of Mr. Leaf's dog weeks before the incident. Request for Doc 2.
- Documents related to and arrest in January 2025 for attempted child abduction and related interactions with law enforcement. Request for Doc 3, 4.
- Documents related to Mr. Leaf's mental health and mental health history, which is directly relevant to his claimed damages. Request for Doc 5-9.

The request for medical records have no limitation as to time.

Plaintiff argues that there must be a compelling need for discovery. (*Britt v. Superior Court* (1978) 20 Cal.3d 844, 858-64.) The scope of any such discovery must be drawn with narrow specificity to include only the injuries which the plaintiff himself has brought before the court. (*Id.* at 863-64.) Seeking “information related to all past medical conditions, without regard to whether such conditions have any bearing on the present litigation” is overbroad and impermissible. (*Id.* at 862.) California law prohibits Defendant from engaging in a “fishing expedition” into “other possible alternative sources” of emotional distress simply because Plaintiff filed a lawsuit. (*Tylo v. Superior Court*) (1997) 55 Cal. App. 4th 1379, 1388.

Defendants’ demand to access to Plaintiff’s mental health records, without limitation as to scope and time is overboard as to Doc request 2, 5-9. Objections to document requests 3-4 are sustained, because those inquiries seek impermissible private and irrelevant information.

The Motion to Quash is GRANTED as to the deposition subpoenas served on Leslee Leaf, William Callicott; and Charlseey Kellen.

Discovery regarding Plaintiff’s mental health and related medical records shall be narrowly tailored and have direct bearing to the present litigation.

The court reserves on this issue of sanctions.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0008237

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      SCOTT SEKOL

vs.

DEFENDANT:      CITY OF NOVATO

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NATURE OF PROCEEDINGS: MOTION – AMEND

**RULING**

Plaintiff filed on April 8, 2026, a motion for leave to file a second amended complaint.

Defendant has not filed a response, nor was an opposition to the motion for approval filed. The failure to oppose is considered consent to the granting of the motion. (Cal. Rules of Court, rule 8.54(c); Local Rule Marin, Civil 2.8G.1.) Plaintiff's motion is therefore GRANTED in its entirety.

The court will sign the lodged order.

***Parties must comply with Marin County Superior Court Local Rules, Rule 2.10(A), (B), which provides that if a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 2.10(B), the tentative ruling shall become the order of the court.***

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0008333

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      TIMOTHY ROMPEL

vs.

DEFENDANT:    PRIME SKYLARK, LLC ET  
AL

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NATURE OF PROCEEDINGS: 1) DEMURRER  
2) MOTION TO STRIKE

**RULING**

Plaintiff filed a first amended complaint on May 18, 2026. Defendants filed a notice of withdrawal of their motions to strike and demurrer on May 27, 2026.

The matter is dropped from calendar.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 05/29/26      TIME: 1:30 P.M.      DEPT: L      CASE NO: CV0008573

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: M. GIL

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PLAINTIFF:      HOMETAP HEI FUND II  
SPV I, A DELAWARE STATUTORY TRUST

vs.

DEFENDANT:    CANDANCE CAIN  
O'DENVER, ET AL

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NATURE OF PROCEEDINGS: 1) MOTION - PRO HAC VICE  
2) MOTION – PRO HAC VICE  
3) DEMURRER

**RULING**

Defendant Stefano Schiavi filed on April 8, 2026, an application to appear as counsel, pro hac vice on behalf of John Alexander, Esq.

The unopposed application to admit the attorney as Counsel Pro Hac Vice for defendant Schiavi is GRANTED. (Rules of Court, rule 9.40.)

The court will sign the order.

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