November 20, 2026, Civil Law & Motion Tentative Rulings

1. CU0001323 Ryan Shirley vs. Dynasty Valley, LLC

Defendant Dynasty Valley, LLC, dba Golden Empire's motion to file under seal confidential and trade secret information is granted. Defendant must electronically file under seal an unredacted version of the Declaration of Nikki Kisgen in Support of Plaintiff's Motion for Preliminary Approval of PAGA Settlement at least ten (10) days prior to the continued hearing on Plaintiff's motion to approve PAGA settlement.

Legal Standard

"[T]he First Amendment provides a right of [public] access to ordinary civil trials and proceedings." *NBC Subsidiary (KNBC-TV), Inc. v. Super. Ct.* (1999) 20 Cal.4th 1178, 1212. "[C]onstitutional standards governing closure of trial proceedings apply in the civil setting." *Ibid*. Those standards are embodied in California Rules of Court, rules 2.550 and 2.551.

"Unless confidentiality is required by law, court records are presumed to be open." Cal. Rules of Court, rule 2.550(c). "A record must not be filed under seal without a court order." Cal. Rules of Court, rule 2.551(a). "The court must not permit a record to be filed under seal based solely on the agreement or stipulation of the parties." *Ibid*.

> The court may order that a record be filed under seal only if it expressly finds facts that establish:
> (1) There exists an overriding interest that overcomes the right of public access to the record;
> (2) The overriding interest supports sealing the record;
> (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed;
> (4) The proposed sealing is narrowly tailored; and
> (5) No less restrictive means exist to achieve the overriding interest.

Cal. Rules of Court, rule 2.550(d).

There are two separate elements to establish "the overriding interest requirement of a closure or sealing order…. The first element requires the identification of an overriding interest." *Universal City Studios, Inc. v. Superior Court* (2003) 110 Cal.App.4th 1273, 1283. "The second element of the overriding interest analysis is there must be a substantial probability that it will be prejudiced absent closure or sealing." *Ibid.*

> An order sealing the record must: (A) Specifically state the facts that support the findings; and (B) Direct the sealing of only those documents and pages, or, if reasonably practicable, portions of those documents and pages, that contain the material that needs to be placed under seal. All other portions of each document or page must be included in the public file.

Cal. Rules of Court, rule 2.550(e)(1).

A motion or application to file under seal must be accompanied by a memorandum and a declaration containing facts sufficient to justify the sealing. Cal. Rules of Court, rule 2.551(b)(1). "A request to seal a document must be filed publicly and separately from the object of the request. It must be supported by a factual declaration or affidavit explaining the particular needs of the case." *In re Marriage of Lechowick* (1998) 65 Cal.App.4th 1406, 1416. "[A]t a minimum that the party seeking to seal documents, or maintain them under seal, must come forward with a specific enumeration of the facts sought to be withheld and specific reasons for withholding them." *H.B. Fuller Co. v. Doe* (2007) 151 Cal.App.4th 879, 894.

Analysis

Defendant asserts the requirements of Rule 2.550 have been met. The Court agrees.

In California there is a clear longstanding right to privacy of financial documents. See *Valley Bank of Nevada v. Superior Court* (1975) 15 Cal.3d 652, 655; *see, e.g.*, Gov. Code § 7460 (California Right to Financial Privacy Act).

Defendant seeks to seal "portions of the Declaration of Nikki Kisgen ("Kisgen Declaration"), Golden Empire's owner, regarding Golden Empire's confidential business model, finances, and operational condition." Mot., 4:6-8. This information is contained in:

> Paragraphs 4 through 7 of the Declaration of Nikki Kisgen in Support of Plaintiff's Motion for Preliminary Approval of PAGA Settlement ["Kisgen Financial Declaration"], separately filed in response to the Court's July 24, 2026 Civil Law & Motion Tentative Ruling, referring to Golden Empire's confidential business model, finances, and operational condition.

Mot., 5:22-24.

Defendant presents the declaration of Nikki Kisgen, Chief Executive Officer of Dynasty Valley, LLC, to support Defendant's assertion there is an overriding interest in sealing its financial information. Kisgen Decl. ISO Mot. to Seal, ¶ 1. "As a privately held company, Golden Empire does not publicly report its financial information." Kisgen Decl. ISO Mot. to Seal, ¶ 3. Defendant asserts that due to the competitive market in which Golden Empire operates, it is critical to Golden Empire's business that its private financial information remain private." Kisgen Decl. ISO Mot. to Seal, ¶ 5. The financial information which is maintained in confidence is considered sensitive and highly confidential, and if made known to potential acquirers or competitors could be used by such to gain a tactical and competitive advantage in negotiations, jeopardize operations, and provide them with economic value. Kisgen Decl. ISO Mot. to Seal, ¶¶ 5-7. Thus, Kisgen asserts that it would be cause substantial and irreparable injury to Defendant to publicly disclose these records. Kisgen Decl. ISO Mot. to Seal, ¶ 5.

Defendant has served both redacted and unredacted versions of the Declaration on Plaintiff. See POS to Notice of Motion to File Under Seal, filed 8/14/2026.

Based on the record presented, the Court finds (1) There exists an overriding interest that overcomes the right of public access to the paragraphs at issue; (2) The overriding interest supports sealing the paragraphs; (3) A substantial probability exists that the overriding interest will be prejudiced if the paragraphs are not sealed; (4) The proposed sealing is narrowly tailored; and (5) No less restrictive means exist to achieve the overriding interest.

Accordingly, Defendant's motion to seal is granted.

2. CU0002867 Jason Christ vs. Elizabeth Aroyan

Defendant Elizabeth Aroyan's motion to quash subpoenas for production of personal records is denied as moot. Plaintiff has withdrawn the subpoenas at issue.

3. CU0002909 Jason Christ vs. Wendy Phares

One of the parties apparently reserved this date for the filing of a motion; none was filed. This matter is removed from calendar.

4. CU0001885 Paula Onescu, et al. vs. Oakridge Apartments

The petition for approval of compromise of minor's claim is approved as prayed. No good cause has been stated to dispense with appearances; hence, appearances are required. *See* Rules of Court, rule 7.952.

5. CU0003012 In the Matter of J.G. Wentworth Originations, LLC

Appearances are required. The Court needs further information as to payee Brian Kelley as specified below.

Legal Standard

The transfer of structured settlement payments is authorized in California provided the transfer is first approved by the court. Ins. Code § 10139.5(a). The court shall consider the totality of the circumstances, including, but not limited to a list of considerations described in Insurance Code section 10139.5(b), when determining whether the proposed transfer should be approved, including whether the transfer is fair, reasonable, and in the payee's best interest, taking into account the welfare and support of the payee's dependents.

Analysis

Per the petition, Payee Brian Kelley became entitled to certain structured settlement payments resulting from a claim for damages arising in connection with a personal injury claim in 1994. Pet. ¶ 3; Kelley Supp. Decl. ¶ 4. The petition does not detail what the terms of the structured settlement were. There is also no copy of the structured settlement agreement attached to the petition. Payee has agreed to sell, to petitioner, one-hundred and thirty-two (132) $295.14

monthly payments (equivalent to $38,940.00) in exchange for $11,000.00. First Amend. Ex. A. The petition is verified by a vice-president of Petitioner.

Payee is 55-years-old with no spouse, no dependents, and no court-ordered payments to any person. Kelley Supp. Decl. ¶ 5. Payee is experiencing a reported financial hardship: his income is currently limited to his annuity payments $1,400.68 and $295.14, respectively), and he has occasional income between $500.00 to $800.00 per week from a "temp agency". He apparently has monthly rent in an undeclared amount, phone expenses of approximately $108.00 per month, and bus expenses of $45.00 per month. Kelley Supp. Decl. ¶ 10. Payee currently owes $2,800.00 in rent, and $395.00 in credit card debt. Kelley Supp. Decl. ¶ 10. Payee will use the proceeds to pay off the $3,500.00 in debt, and use the rest of the money to put towards job certifications in the field of welding. Kelley Supp. Decl. ¶ 10.

The original settlement was not intended to pay for future medical care or necessary living expenses. Kelley Supp. Decl. ¶ 6. Payee has not completed a previous transaction involving this structured settlement. Kelley Supp. Decl. ¶ 9. If this transfer is approved, payments will resume in 2037, and run through 2071. Kelley Supp. Decl. ¶ 10, Ex. A.

Payee acknowledges that he was advised of his right to seek independent counsel and financial advice, and he knowingly waived that right. Kelley Supp. Decl. ¶ 12; Pet. Ex. E. Payee understands the terms of the transfer agreement and does not want to exercise his right to cancel the agreement. Kelley Supp. Decl. ¶ 13.

Under the terms of this transaction, Payee will transfer 132 monthly payments of $295.14 commencing November 5, 2026, through and including October 5, 2037, and he will pay no expenses. First Amended Exhibit A. The transfer and payment have an equivalent interest rate of 34.36% per year. First Amended Exhibit B.

Payee submits an affidavit stating a Qualified Assignment on his behalf was executed in or about 1994 with a defendant resulting in the issuance of an annuity from Transamerica Life Insurance Company. Supp. Ex. C, ¶ 2. Payee also submits a supplemental exhibit C, Uniform Qualified Assignment and Release with an effective date of December 12, 1988. Supp. Ex. C. However, such does not include any description of the terms of the same. *See* Ins. Code § 10139.5(f)(2)(H).

The Court appreciates the additional information provided. That said, it is not wholly clear that the transfer is fair, reasonable and in the payee's best interest based on the current record. Petitioner/Payee must confirm if proposed Payee is still receiving *other* annuity payments and the amount, how frequently he has been employed, and the amount of compensation, and what his total ordinary monthly expenses.

6. CU0002985 The Blue Bird Company, LLC v. Peak Foreclosure Services

No appearances are required. Pursuant to the November 5, 2025, stipulation and order, the order to show cause regarding a preliminary injunction is continued to January 29, 2027, at 10:00 a.m. in Department 6.

7. CU0003110 In the Matter of Kimberly Karen Carlson

On the Court's motion, the hearing on the petition for compromise of minor's claim is continued to December 11, 2026, at 10:00 a.m. in Department 6. Petitioner is directed to file a corrected Petition to correct the following deficiencies prior to the continued hearing date:

- 12.a(1) states total medical expenses before any reductions of $6,512.40; $0 total medical expenses to be paid or reimbursed from the proceeds; $6,512.40 total amount of statutory or contractual liens. However, 12.b(4) states Medi-Cal will accept reimbursement of $6,512.40 and 12.b(5)(1)(i) states there are no statutory or contractual liens. It appears the information in 12.a(1) may be entered incorrectly. Appropriate corrections should be made.
- 17.1(2) states Petitioner has been represented or assisted by an attorney in preparing the expedited petition, etc., ; but the petition is filed by a self-represented party. California Rules of Court, rule 7.950.5(a)(1) allows use of an expedited approval only if "Petitioner is represented by an attorney authorized to practice" in California; and per rule 7.950.5(a)(5)-(6), the attorney cannot become involved at the request of an insurance carrier and cannot be employed by an insurance carrier.
- The only medical information is the Medi-Cal bill from the minor's treatment in February 2025. There are no other medical records or bills that detail the extent of the injuries or disability, no current prognosis, and no record of the most recent examination. The Petition must include all information in support of the reasonableness of the compromise of the claim for the minor, including copies of medical records and bills. Cal. Rules of Court, rule 7.950.

The application for appointment of guardian ad litem is approved and the proposed order shall issue.