

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES**

**DEPARTMENT 16**

**TENTATIVE RULING**

DR. IMAN SADEGHI,

Plaintiff

vs.

PINSCREEN, INC., DR. HAO LI, YEN-  
CHUN CHEN, LIWEN HU, HAN-WEI  
KUNG,

Defendants

Case No.: BC709376

[Tentative] Order on Motion to Compel  
Further Responses to Form  
Interrogatories and for Sanctions

Hearing Date: April 4, 2019

TO PLAINTIFF DR. IMAN SADEGHI AND HIS ATTORNEYS OF RECORD  
AND DEFENDANTS PINSCREEN, INC., DR. HAO LI, YEN-CHUN CHEN,  
LIWEN HU, HAN-WEI KUNG AND THEIR ATTORNEYS OF RECORD:

Plaintiff filed this action alleging defendants Pinscreen and Li fraudulently induced him to accept employment with Pinscreen. Plaintiff discovered while working that Pinscreen was engaged in illegal practices, but was assured there would be no public misrepresentations. Pinscreen made public misrepresentations and terminated plaintiff, battering him and invading his privacy.

Plaintiff moves to compel further responses to form interrogatories from Dr. Li and for sanctions against Dr. Li and his attorney.

## **Motion to Compel Further Responses to Form Interrogatories**

The motion is taken off calendar as moot as supplemental responses were served.

### **Sanctions**

Where satisfactory responses have been served after the filing of motions to compel, courts nonetheless may award sanctions. (*Sinaiko Healthcare Consulting, Inc. v. Pacific Healthcare Consultants* (2007)148 Cal. App. 4th 390, 409.)

Defendant argues he had substantial justification for bringing the motion, as there is a demurrer pending which will establish that plaintiff cannot state a cause of action. The right to discovery does not depend on the status of the pleadings, including where a complaint is vulnerable to a demurrer. (*Mattco Forge, Inc. v. Arthur Young & Co.* (1990) 223 Cal.App.3d 1429, 1436.) “In pursuing such discovery, the strength or weakness of the plaintiff’s individual claim is immaterial...” (*Williams v. Sup. Ct.* (2017) 3 Cal.5th 531, 551.) That defendant believes his demurrer will be successful against every cause of action is not a ground to refuse to provide substantive discovery responses.

Defendant also argues that plaintiff did not include the code section authorizing sanctions in the notice of motion. It is referenced, Code of Civil Procedure section 2023.010. Sanctions of \$3867.50 are awarded against defendant Dr. Hao Li and his attorney Benjamin Davidson.

[It is so ordered.]

Dated: April 4, 2019

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Hon. Lia Martin  
Judge of the Superior Court

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES**

**Civil Division**

Central District, Stanley Mosk Courthouse, Department 16

**BC709376**

**DR IMAN SADEGHI VS PINSSCREEN INC ET AL**

April 4, 2019

9:00 AM

Judge: Honorable Lia Martin  
Judicial Assistant: A. Cisneros  
Courtroom Assistant: V. Ponce

CSR: None  
ERM: None  
Deputy Sheriff: None

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**APPEARANCES:**

For Plaintiff(s): Adam Phillip Zaffos

For Defendant(s): Leonard Grayver By: Benjamin Davidson, #241859

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**NATURE OF PROCEEDINGS:** Hearing on Motion to Compel Further Discovery Responses Responses to Form Interrogatories, Set One and for Monetary Sanctions against Defendant hao Li and His Attorney Benjamin Davidson in the amount of \$3,867.50;

Counsel present in Court are given the Court's [Tentative] Order on Motion to Compel Further Responses to Form Interrogatories and for Sanctions in open court.

Hearing on Motion to Compel Further Discovery Responses Responses to Form Interrogatories, Set One and for Monetary Sanctions against Defendant hao Li and His Attorney Benjamin Davidson in the amount of \$3,867.50 is held and argued.

The Court adopts its [Tentative] Order on Motion to Compel Further Responses to Form Interrogatories and for Sanctions as amended by the Court is signed by the Court and filed this date with the original forwarded to the e-Court Scanning Unit.

Plaintiff's counsel is to give notice and e-file proof of notice with the Court.