

**TENTATIVE RULING FOR November 10, 2025**  
**Department S29 - Judge Nicole Quintana Winter**

This court follows California Rules of Court, rule 3.1308(a) (1) for tentative rulings. (See San Bernardino Superior Court Local Emergency Rule 8.) Tentative rulings for each law & motion will be posted on the internet (<https://www.sb-court.org>) by 3:00 p.m. or 7:00 p.m. on the court day immediately before the hearing.

**If you wish to submit on the ruling, call the Court, check-in and state that you will be submitting on the Tentative, and your continued appearance is not necessary. However, you must check in. If both sides do not appear, the tentative will simply become the ruling. If any party submits on the tentative, the Court will not alter the tentative and it will become the ruling. If one party wants to argue, Court will hear argument but will not change the tentative. If the Court does decide to modify tentative after argument, then a further hearing for oral argument will be reset for both parties to be heard at the same time by the Court. This procedure is meant to minimize your waiting time in Court.**

*COYOTE AVIATION CORPORATION, ET AL.*

v.

*CITY OF REDLANDS, ET AL.*

CIVSB2418252

**Motion(s):** Judgment on the Pleadings

**Movant(s):** Defendants City of Redlands, Adrian Lawson, Tabitha Kevari Crocker, and Christopher Boatman

**Respondent(s):** Plaintiffs Coyote Aviation Corporation, Gil Brown, and Carol Brown

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**FACTUAL AND/OR PROCEDURAL BACKGROUND**

On June 6, 2024, Plaintiffs Coyote Aviation Corporation, Gil Brown, and Carol Brown (Collectively, Plaintiffs) filed their initial Complaint against Defendants City of Redlands (the City), Adrian Lawson (Lawson), Tabitha Kevari Crocker (Crocker), and Christopher Boatman (Boatman) (Collectively, Defendants). Prior to a responsive pleading being filed, on June 21, 2024, Plaintiffs filed their First Amended Complaint (FAC). In response to the FAC, on August 21, 2024, Defendants filed a Demurrer.

In response to the Defendants' Demurrer, on October 28, 2024, Plaintiffs filed a Motion for Leave to File Second Amended Complaint, which the Court granted.

On December 9, 2024, Plaintiffs filed their Second Amended Complaint (SAC). In response to the SAC, Defendants filed another Demurrer, which the Court sustained with leave to amend on June 11, 2025.

On July 11, 2025, Plaintiffs filed the operative Third Amended Complaint (TAC) against these same Defendants alleging four causes of action for 1) Conversion, 2) Breach of Contract, 3) Specific Performance, and 4) Intentional Infliction of Emotional Distress (IIED).

According to the TAC, on September 5, 2000, Coyote Aviation signed a lease with the City to lease land with an agreement to construct and operate an aviation complex at Redlands Municipal Airport. (TAC ¶¶ 11-12.) The Ground Lease separated the ownership of the land from the ownership of any improvements constructed on it. The City owned its land, and Coyote Aviation would own the improvements constructed on the land. Plaintiffs explicitly told the City that the Ground Lease would never authorize the City to seize Plaintiffs' property. (¶¶ 15-16.)

While the Ground Lease stated the land encompassed 36,000 square feet, the City later claimed the square footage was 53,658 and increased Plaintiffs rent, who dutifully paid the new rates despite no new contract being drafted, finalized, or signed as required by Paragraph 27 of the Ground Lease. This is the City's alleged first breach of the lease. (¶ 17.) The City charged Plaintiff twice the scheduled rent and more than double what they charged another tenant. (¶ 18.)

Plaintiffs, meanwhile, constructed a 16-hanger bay aviation complex complete with plumbing, electrical, concrete foundation, metal structure, and numerous other improvements. (¶ 19.) These improvements were the property of Coyote Aviation. (¶ 22.) At all times, the City understood that the improvements in all particulars were the property of Coyote Aviation. This understanding was memorialized in the Ground Lease between the parties in Paragraph 21.1. (¶¶ 22-23.) Prior to these improvements, the land was undeveloped. (¶ 25.) Plaintiffs paid for the costs of the improvements, and still pay all taxes, repair costs, and test costs on all improvements and alterations. (¶¶ 26-29.)

In 2016, the City commissioned a study of the airport and its income-generating options. The Report identified the ability for the City to generate income by constructing hangars and leasing them out, but the City faced funding challenges. Consequently, the report recommended acquiring hangars that had been privately constructed by individuals and entities, such as Plaintiffs', which the City could then rent out and capture that revenue. (¶¶ 33-36.)

In 2020, the parties began a dispute over whether Plaintiffs had exercised their option to extend the lease. (¶ 42.) In January 2020, the City Airport Supervisor informed Plaintiffs they had effectively applied for the extension. (¶ 44.) Plaintiffs filed again in June 2020 for the extension, but the City did not respond. (¶ 45.) In September 2020, Plaintiffs were told the City did not consider their request to be an "effective" request to extend the Ground Lease. (¶ 47.)

Meanwhile, the City ordered an appraisal of Plaintiffs' property. (¶ 58.)

On January 5, 2021, Plaintiffs informed Defendants that their actions were causing distress to their small business and resulted in many sleepless nights. (¶¶ 63-64.) Emails show the City estimated it could generate at least \$87,552 annually at the beginning and potentially \$100,000 with rent increases if it acquired Plaintiffs' hangar complex. (¶ 69.) It is further alleged that Boatman told Plaintiffs the City was open to their thoughts regarding their personal property, and the City acknowledged Plaintiffs' personal property belonged to them. (¶ 79.)

On June 3, 2021, City staff were instructed to remove all Coyote Aviation-related banners, posters, and signs hung in support of Coyote Aviation. Then, staff were informed it would cost \$4-5 million to construct hangars identical to those of Coyote Aviation. (¶¶ 82-83.)

Plaintiff Brown was later admitted to the ER for cardiology, chest pain, irregular heart rhythm, tachycardia, hypertension, stress, and depression. His injuries were caused by Defendants' conduct towards Plaintiffs. (¶¶ 87, 93.) Brown also suffered from insomnia and migraines as a result of Defendants' conduct. (¶ 99.)

During the pendency of the legal dispute between the parties, Plaintiffs applied for a permit from the City to remove its property in the form of the improvements and alterations it had made to the site. (¶ 105.) The City then refused to approve the permit. (¶ 113, 131.)

Towards the end of March 2024, Plaintiffs were evicted. The City also removed and damaged Plaintiffs' property, including Coyote Aviation signage that was affixed to the hangar complex and other items. (§ 135.)

On October 2, 2025, Defendants filed the instant Motion for Judgment on the Pleadings, a Request for Judicial Notice, and the declaration of Evelyn Blanco in support.

Plaintiffs oppose, and Defendants reply.

### **Discussion**

***Defendants' Request for Judicial Notice.*** Defendants request the Court take judicial notice of the following seven exhibits:

1. The April 18, 2023 Memorandum Opinion, *City of Redlands v. Coyote Aviation Corp.*, Case No. LLTVA2200544 (Superior Court of San Bernardino).

2. The April 28, 2023 Judgment in *Coyote Aviation v. City of Redlands*, Case No. CIVSB2203398 (Superior Court of San Bernardino).

3. The July 17, 2023 Judgment in *City of Redlands v. Coyote Aviation Corp.*, Case No. LLTVA2200544 (Superior Court of San Bernardino).

4. The June 5, 2025 Opinion in *Coyote Aviation Corp. v. City of Redlands* (2025) 111 Cal. App. 5th 955.

5. The January 3, 2024 Government Claim.

6. Coyote Aviation Corporate Documents.

7. The City of Redlands Municipal Code Chapter 15.44.

As to the first four requests, in the case of court records, not all matters contained therein (e.g., pleadings, affidavits, etc.) are indisputably true. While the existence of any document in a court file may be judicially noticed, the truth of matters asserted in such documents – including the factual findings of the judge who was sitting as the trier of fact – is not necessarily subject to judicial notice unless the document is an order, statement of decision, or judgment. (*Sosinsky v. Grant* (1992) 6 Cal.App.4th 1548, 1564-1569; *Garcia v. Sterling* (1985) 176 Cal.App.3d 17, 22.) As these are court records consisting of opinions and/or judgments, the Court grants the request pursuant to Evidence Code section 452, subdivision (d).

As to the fifth request, the Court grants the request. "If a plaintiff alleges compliance with the claims presentation requirement, but the public records do not reflect compliance, the governmental entity can request the court to take judicial notice under Evidence Code section 452, subdivision (c) that the entity's records do not show compliance." (*Gong v. City of Rosemead* (2014) 226 Cal.App.4th 363, 376.)

As to the sixth request, the Court grants the request pursuant to Evidence Code section 452, subdivision (d) as a record of the State of California and subdivision (h) as a fact or proposition not reasonable subject to dispute.

The Court grants the seventh request pursuant to Evidence Code section 452, subdivision (b).

Plaintiffs filed an Opposition to the RJN on the grounds the documents are irrelevant; however, this is based on a finding that the arguments raised in this motion were already raised in Defendants' Demurrer to the SAC. There is some merit to Plaintiffs' claim, however, all of the arguments raised are not the same. Therefore, the Court overrules the objections.

***Plaintiffs' Request for Judicial Notice.*** Plaintiffs request the Court take judicial notice of the June 11, 2025 Minute Order of this Court regarding Defendants' Demurrer to Plaintiffs

Second Amended Complaint in the case of *Coyote Aviation Corporation, et al v. City of Redlands, et al.*, Case No. CIVSB2418252.

The Court grants this request although it is unnecessary. While these documents are all entitled to judicial notice pursuant to Evid. Code, § 452, subd. (d), the request is unnecessary since the Court has the authority to look through its own file. (*See Davis v. Southern California Edison Company* (2011) 236 Cal.App.4th 619, 632, fn. 11 [judicial notice of document included in appellate record is unnecessary]; *Roth v. Plikaytis* (2017) 15 Cal.App.5th 283 [court was required to consider previously filed materials incorporated by reference into attorney fee motion].)

**Meet and Confer.** The Court finds that the parties have met and conferred.

**Statement of the Law.** A party may bring a motion for judgment on the pleadings after filing an answer and the time to demurrer has expired. (Code Civ. Proc., § 438, subd. (b)(1) and (f); *Evans v. California Trailer Court, Inc.* (1994) 28 Cal.App.4th 540, 548 (*Evans*), disapproved on other grounds in *Black Sky Capital, LLC v. Cobb* (2019) 7 Cal.5th 156.) Essentially a motion for judgment on the pleading performs the same function as a general demurrer; thus, it attacks only the defects disclosed on the face of the pleading or by matters that are judicially noticed. (*Cloud v. Northrop Grumman Corp.* (1998) 67 Cal.App.4th 995, 999.) As such, the judgment on the pleading admits the truth of all material facts alleged in the complaint. (*Evans, supra*, 28 Cal.App.4th at p. 549.)

**Analysis.** Defendants bring this motion on the grounds that the TAC fails to demonstrate sufficient compliance with the claims presentation requirements of the Government Code, and therefore, they claim, each tort cause of action fails. And, they argue the TAC is predicated on tort claims for which Defendants are statutorily immune. They request the motion be granted without leave to amend. In other words, only the first cause of action for conversion and fourth cause of action for IIED are at issue.

**First Cause of Action: Conversion.** “Conversion is the wrongful exercise of dominion over the property of another.” (*Burlesci v. Petersen* (1998) 68 Cal.App.4th 1062, 1066.) “The elements of a conversion claim are: (1) the plaintiff’s ownership or right to possession of the property; (2) the defendant’s conversion by a wrongful act or disposition of property rights; and (3) damages.” (*Ibid.*)

“It is not necessary that there be a manual taking of the property, only an assumption of control or ownership over the property, or that the alleged converter has applied the property to his [or her] own use.” (See *Prakashpalan v. Engstrom, Lipscomb & Lack* (2014) 223 Cal.App.4th 1105, 1135 (quoting *Farmers Ins. Exchange v. Zerin* (1997) 53 Cal.App.4th 445, 451-452).) “[A]ny act of dominion wrongfully exerted over the personal property of another inconsistent with the owner’s rights thereto constitutes conversion.” (*Plummer v. Day/Eisenberg, LLP* (2010) 184 Cal.App.4th 38, 50.)

Here, Defendants first argue the lease obligated Plaintiffs to remove their property once the lease expired, but because Plaintiffs failed to do that, they cannot maintain a cause of action for conversion. But Plaintiffs allege the City understood the improvements were to remain Plaintiffs’ property and that Paragraph 21.1 of the Ground Lease demonstrates as much. (TAC ¶¶ 22-23.) Plaintiffs also allege they requested extensions on the lease and the City delayed in communicating its decision. (¶¶ 45-48.) Plaintiffs then applied for a permit to remove its property, which the City did not approve. (¶¶ 105-116.) Paragraph 21.1 of the Ground Lease that is cited by the City states Plaintiffs are to remove improvements and alterations; it does not state the property would revert to the City.

Indeed, the TAC pleads the elements of the cause of action. Plaintiffs allege Defendants wrongfully converted their personal property, Defendants never had ownership of that property, instead Defendants wrongfully exerted control of Plaintiff's personal property, Defendants have interfered substantially with Plaintiffs personal property, for which Plaintiffs have been harmed as the fair market value of the property and its improvements exceed \$3 million. (TAC ¶¶ 168-180.) Defendants claim that only the denial of the permit is the basis of the conversion, but this is an oversimplification of the allegations.

Next, Defendants argue that because Plaintiffs had no possessory rights in the hangar units, they cannot state a cause of action for conversion. Defendants rely on the previous judgments entered in the prior civil suit and unlawful detainer actions, which are attached to their Request for Judicial Notice (RJN). Notably, this argument was already raised in Defendants' Demurrer to the SAC. And it remains that contrary to Defendants' arguments and assertions, Plaintiffs are correct that Defendants can be held liable for a cause of action based upon conversion of property.

Plaintiffs correctly point out that the unlawful detainer matter did not adjudicate ownership of Plaintiffs' property. (See Defendants' RJN, Exhibit 3, p. 4.) The judgment's unambiguous language was confirmed by the Court of Appeal in its decision. (See Defendants' RJN, Exhibit 4, p. 23 and pp. 39-40.) The judgment was clear and unambiguous in specifying that the City was to be granted possession, not outright ownership. As such, this argument fails.

Next, Defendants claim they are immune. Government Code section 820, subdivision (a) states, "Except as otherwise provided by statute (including Section 820.2), a public employee is liable for injury caused by his act or omission to the same extent as a private person." Government Code section 815.2, subdivision (a) states, "A public entity is liable for injury proximately caused by an act or omission of an employee of the public entity within the scope of his employment if the act or omission would, apart from this section, have given rise to a cause of action against that employee or his personal representative."

The City is not immune from conversion claims because City employees can be sued for conversion. (See *Tallmadge v. County of Los Angeles* (1987) 191 Cal.App.3d 251, 255 (the plaintiffs sued the county for conversion after county employees allegedly destroyed the plaintiffs' firearms. The court specifically rejected application of prosecutorial immunity or of the immunity for discretionary acts or judicial immunity); see also, *Kane v. County of San Diego* (1969) 2 Cal.App.3d 550, 552-553 (county held liable on conversion theory for immediate destruction of 28 greyhound dogs taken to animal shelter because county should have waited 72 hours); and, *Hibbard v. City of Anaheim* (1984) 162 Cal.App.3d 270, 274, 278 (the court recognized a conversion action would lie where city police destroyed guns taken on a search warrant without prior notice to the owners).)

Finally, Defendants argue only Coyote Aviation submitted a claim and not the Individual Plaintiffs, thus, Defendants argue, this tort claim cannot be maintained against them. "Generally, each claimant must file his or her own tort claim. When people suffer separate and distinct injuries from the same act or omission, they must each submit a claim. One claimant cannot rely on a claim presented by another." (*Castaneda v. Department of Corrections & Rehabilitation* (2013) 212 Cal.App.4th 1051, 1062.)

Plaintiffs are required to submit a timely claim for money or damages to a public entity in order to maintain an action against that entity. (*State of California v. Superior Court* (2004) 32 Cal.4th 1234, 1243.) "[A] plaintiff must allege facts demonstrating or excusing compliance with the claim presentation requirement. Otherwise, his complaint is subject to a general demurrer for failure to state facts sufficient to constitute a cause of action." (*Ibid.*)

Here, the TAC alleges that on January 3, 2024, Plaintiffs filed a claim. (TAC ¶ 133.) The Opposition implies more than one claim may have been filed. (See Opp. at p. 3:16.) Yet, the claim, which is proper to consider under the RJN (though Plaintiffs incorrectly suggest otherwise) is that very same January 3 claim. (See Defendants' RJN; Exh. 5.) The claim shows it was submitted by Coyote Aviation. (*Ibid.*) Indeed, the Opposition misses the point. Defendants are not claiming Coyote Aviation did not submit a claim but are instead arguing that the Individual Plaintiffs did not file a claim and they therefore cannot bring the conversion cause of action even if Defendant Coyote Aviation can.

A further review of the claim however shows that the attachment describing the damages states "Coyote Aviation, owned by Gil and Carol Brown and George and Eva Saliba". The motion itself at no point provides any case law to demonstrate that the claim could not be brought on behalf of someone else, which is allowed under Government Code section 910 ["A claim shall be presented by the claimant or by a person acting on his or her behalf..."]. Indeed, courts have struggled to define this ambiguity in the statute. (See *Cavey v. Tualla* (2021) 69 Cal.App.5th 310, 336–337, ["The statutory language in question requires the claim to "be presented by the claimant or by a person acting on his or her behalf." (§ 910.) The Government Claims Act does not define what it means to act on behalf of a claimant and, thus, does not identify the point of view used to decide the question."]) Defendants further argue the claim does not support the torts of conversion and IIED. Yet, the claim does describe the City as taking the personal property of the Browns. Moreover, the claim itself incorporates a November 7, 2023, letter that Coyote Aviation sent to the City Clerk and City Council regarding the present claims. (See Defendants' RJN, Exh. 5.) This additional information is not before the Court at present and is likely what is referred to in the Opposition. Thus, what is in the claim as it appears in the RJN is not complete and therefore does not discount what is alleged in the TAC, which should be liberally construed. As such, the TAC contains sufficient allegations to support compliance.

Plaintiffs argue, however, that this analysis is largely futile. This Court already overruled the Defendants' arguments with respect to the conversion cause of action when they demurred to the SAC. "To provide context, Code of Civil Procedure section 438 (added by Stats. 1993, ch. 456, § 5, pp. 2524–2527) (hereafter section 438), which became effective January 1, 1994, imposes two significant limitations on bringing a motion for judgment on the pleadings. First, it may not be brought on grounds previously raised by demurrer unless there has been a material change in the law since the demurrer was overruled." (*Tung v. Chicago Title Co.* (2021) 63 Cal.App.5th 734, 757.) The motion does not state what material changes in the law have occurred since.

In Reply, Defendants argue many of the arguments are raised for the first time, in some cases this is true, and in others, they argue that they did not demurrer to the operative TAC previously and there are many new allegations making these arguments more nuanced.

For example, on Reply, the City notes that it invoked different Governmental immunities under Government Code sections 818.4, 821.2, 820.4, and 820.8.

Government Code section 818.4, provides: "A public entity is not liable for an injury caused by the issuance, denial, suspension or revocation of, or by the failure or refusal to issue, deny, suspend or revoke, any permit, license, certificate, approval, order, or similar authorization where the public entity or an employee of the public entity is authorized by enactment to determine whether or not such authorization should be issued, denied, suspended or revoked." Indeed, each of these immunities are aimed at demonstrating Defendants are immune from liability with respect to the issuance of the permit. While these code sections may be cited for the first time, the argument is the same. Also, each tort cause of action addressed here does not simply rely on the denial of the permit. As stated previously, that is an oversimplification of the

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allegations. Defendants, thus, have still not demonstrated immunity that would completely bar these causes of action.

*Fourth Cause of Action: IIED.* The elements of a cause of action for IIED include: (1) extreme and outrageous conduct by defendant; (2) intention to cause or reckless disregard of the probability of causing emotional distress; (3) severe emotional suffering; and (4) actual and proximate causation of the emotional distress. (CACI 1600.) “To be outrageous, conduct must be ‘so extreme as to exceed all bounds of that usually tolerated in a civilized community.’” (*Ross v. Creel Printing & Publishing Co., Inc.* (2002) 100 Cal.App.4th 736, 745, citation omitted.)

Defendants only advance three arguments against this claim: Defendants claim Plaintiffs did not comply with the claim requirement, that they are immune, and that such tort claims must arise under statute and then be pleaded with particularity.

Here, Plaintiffs allege Defendants engaged in extreme and outrageous conduct with the intent to cause, or with reckless disregard for the probability of causing emotional distress by their actions. (TAC ¶ 199.) These actions include refusing the pleas of the Browns to allow them to recover their personal property, altering and modifying their personal property, profiting from their personal property, and destroying their personal property. (¶ 201.) The TAC cites to *Cole v. Fair Oaks Fire Protection Dist.* (1987) 43 Cal.3d 148, 155, fn. 7 to demonstrate that behavior may be considered outrageous if a defendant (1) abuses a relation or position that gives him power to damage the plaintiff’s interest; (2) knows the plaintiff is susceptible to injuries through mental distress; or (3) acts intentionally or unreasonably with the recognition that the acts are likely to result in illness through mental distress. (TAC ¶ 202.)

Defendants had a position of power over the Browns and knew that they were susceptible to injury. Defendants acted intentionally or unreasonably with the recognition that the acts are likely to result in illness through mental distress. (¶ 203.) Defendants’ actions were part of a course of conduct that occurred over a prolonged period. (¶¶ 204-205.) Defendants engaged in a series of outrageous acts. (¶ 206.) The actions described throughout the TAC were also incorporated by reference as to this cause of action. (¶ 198.) The Browns lost their life savings, dreams, and hard work over the past 20 years. (¶ 208.) Due to the Defendants’ conduct, Mr. Brown was admitted to the hospital more than four times since 2022 and he was forced to undergo surgery, and he now suffers from atypical atrial flutter, depression, anxiety, tachycardia, hypertension, insomnia, hyperventilation, and heart arrhythmias. (¶ 209.) Defendants conduct caused the Browns’ severe and emotional distress. (¶ 213.)

As to Defendants’ claims act argument, it fails here for the same reasons stated above. Namely, the claim presented in the RJN does not discount the allegations of compliance with the claims act in the TAC.

Previously, the Court found that the IIED allegations did largely stem from the denial of the issuance of the permit. In the Opposition, Plaintiffs claim the underlying allegations refer to the City’s misconduct in how it chose to breach the lease agreement to ensure that Coyote Aviation could not perform under the lease, which the City then used to justify commencing the unlawful detainer action and where, before the judgment, the City refused to allow Coyote to obtain its assets which resulted the City’s conversion. The City claims there is no statutory authority in the TAC because Plaintiffs cannot rely on vicarious liability (see TAC ¶ 200) since the City Officials’ actions alleged are immune from liability. But the Defendants’ argument requires the Court to find that the basis of the IIED allegations are based on the refusal to issue the permit.

Here, the TAC alleges that Defendants Lawson, Crocker, and Boatman engaged in outrageous conduct over a prolonged period and abused a position of power over the Plaintiffs. Plaintiffs have continued to allege that there were secret reports recommending the City acquire

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hangar bays to generate significant income for the City and that it would be best to acquire those already built but concealed the reports from the Plaintiffs who poured their life savings into building 16 hangar bays. (See TAC ¶¶ 33-37, 165, 207.) Meanwhile, these Individual Defendants and the City are alleged to have essentially, in bad faith, delayed communicating with the Plaintiffs who had applied for and pleaded for an extension of the Ground Lease, and the Defendants delayed in responding with the ultimate goal of acquiring Plaintiffs' personal property with the goal of generating significant profit, at the cost of the life savings and dreams of the Plaintiffs, who were lifelong city residents and dreamt of constructing the hangar aviation complex. (¶¶ 14, 43-57 208.) And, while delaying, the City was appraising Plaintiffs' personal property. (¶ 56, 104, 156.) Meanwhile, the City was already making Plaintiffs pay double the regular rent. (¶ 18.)

The TAC describes specific dates and actions whereby the Individual Defendants, became aware of Plaintiffs' pleas and application, yet unknown to Plaintiffs, did not provide answers and acted to appraise the property instead. (See e.g., TAC ¶¶ 50-59.) The City then altered or destroyed the personal property of Coyote Aviation. (TAC ¶¶ 142-143, 149, 151.)

The TAC further distinguishes the roles played by City Officials and the Plaintiffs who were lifelong city residents with careers in education but had their hometown steal their personal property worth millions overtime. (¶¶ 155, 164.)

These allegations are specific and go beyond the issuance of a permit. Again, Defendants repeatedly oversimplify the allegations of the TAC, which even they admit, contains significantly more allegations than previous pleadings.

Ultimately, however, the Defendants here are accused of abusing their power to take millions of dollars from lifelong residents causing them serious medical issues and dragging out the process in order to take the property to generate significant income from the City while hiding this from the Plaintiffs. Such conduct, as alleged, appears outrageous and despicable such that it would not be tolerated by civilized society. Here, the allegations are sufficient to support the cause of action for IIED.

### **RULING**

The Court denies the motion for judgment on the pleadings as to the first and fourth causes of action. Plaintiffs, as the prevailing party, is ordered to provide notice.

Dated: November 10, 2025

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Judge Nicole Quintana Winter