

Nathan Sosa et al vs Santa Maria Joint Union High School District et al (Case No. 26CV00457)

Hearing Date: May 12, 2026
Nature of Proceeding: Motion: Strike

Attorneys:

For plaintiff Juarez, Adam & Farley LLP by Mario Juarez

For defendants Zimmer & Melton, LLP by Nicholas J. Street representing Santa Maria Bonita School District; Eusebio Martinez, Jr.; Lisa Reynoso; Ana Mejia; Anthony Breska (erroneously sued and served herein as “Anothony Breskar”); and Ashlee Perlitsh (erroneously sued and served herein as “Ashley Perlitish”) [together, District Defendants]

Tentative Ruling:

For all the reasons discussed below, the motion to strike is granted.

The parties are instructed to appear at the hearing for oral argument. Appearance by Zoom Videoconference is optional and does not require the filing of Judicial Council form RA-010, Notice of Remote Appearance. (See [Remote Appearance \(Zoom\) Information | Superior Court of California | County of Santa Barbara.](#))

Background:

Plaintiffs Nathan Sosa and Daniel Martinez (represented by their respective guardians ad litem) allege that from April 29, 2025 to May 2, 2025, while in sixth grade, they participated in an Oakley School sponsored event at Science Camp operated by the United Boys and Girls Club of Santa Barbara County. While there, they were forced into physical fights with other individuals, physically assaulted or injured, and forced to watch other sixth grade students engage in fighting activities while defendant District’s agents or employees laughed and/or cheered. Plaintiffs’ complaint alleges causes of action for (1) negligent infliction of emotional distress; (2) intentional infliction of emotional distress; (3) negligence; (4) assault; and (5) battery. The 2nd, 4th and 5th causes of action include allegations to support punitive damages (¶¶ 30, 41, and 46) and the prayer requests imposition of punitive damages. (Prayer, ¶3.)

District Defendants filed a motion to strike all allegations and prayers seeking punitive damages against District from the complaint, as well as the prayer for attorney’s fees. No opposition has been filed.

Analysis

1. Punitive Damages

Government Code section 818 provides: “Notwithstanding any other provision of law, a public entity is not liable for damages awarded under Section 3294 of the Civil Code or other damages imposed primarily for the sake of example and by way of punishing the

defendant.” It “clearly shields public entities from punitive damages. . .” (*Los Angeles Unified School Dist. v. Superior Court* (2023) 14 Cal.5th 758, 768.) As such, the allegations and prayer must be stricken. (Code Civ. Proc., § 435, subd. (b)(1)—court may strike any improper matter inserted in the pleading; *Uva v. Evans* (1978) 83 Cal.App.3d 356, 360 fn. 2—motion to strike is appropriate for use against an improper demand in the prayer of a complaint.) The motion to strike the punitive damages allegations and prayer against District is granted.

2. Attorney Fees

None of the alleged causes of action independently provide a statutory basis for attorney’s fees. The motion to strike the prayer for attorney fees against the moving defendants is thus granted.