

[dagrella@lawyer.com](mailto:dagrella@lawyer.com)

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**From:** dagrella@lawyer.com  
**Sent:** Thursday, September 11, 2025 3:09 PM  
**To:** 'Evan.Morehouse@gtlaw.com'; 'jason.ackerman@ackermanlawpc.com'  
**Cc:** 'Robert.Herrington@gtlaw.com'; 'Jennifer.Cooper@gtlaw.com'  
**Subject:** RE: eService: Dagrella v. Samsung - Application for Extension of Time to File Brief - Limited Civil Case

Evan,

Thank you for your email.

While your application for an extension is now moot, the false statement within your sworn declaration is not. The issue is not, as you suggest, whether the rules *required* you to seek a stipulation. The issue is that Ms. Cooper affirmatively declared, under penalty of perjury, that I was "not willing to stipulate." This was a representation of fact for which she had no basis, as no one from your office had ever asked. Your after-the-fact justification—that you "reasonably believed it would be futile"—is irrelevant; the application required her to state a fact, not a prediction, and she made a direct misrepresentation of fact by declaring I was "not willing to stipulate," which falsely implies a request was made and refused.

Your intention is noted, but the record of this litigation speaks for itself. It has been our side that has consistently extended professional courtesies, displayed respect, avoided gamesmanship, and offered olive branches to resolve this matter, only to be met with the opposite from your side. Our sanctions letter was not an act of antagonism. It was a fact-based notice that we will bring frivolous filings and unethical conduct to the court's attention. Providing that notice directly to you, rather than simply filing a motion without warning, was a professional courtesy intended to give you a clear opportunity to ponder your client's actions and avoid those consequences altogether.

Best Regards,

**Jerry R. Dagrella**  
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**From:** Evan.Morehouse@gtlaw.com <Evan.Morehouse@gtlaw.com>  
**Sent:** Thursday, September 11, 2025 1:03 PM  
**To:** dagrella@lawyer.com; jason.ackerman@ackermanlawpc.com  
**Cc:** Robert.Herrington@gtlaw.com; Jennifer.Cooper@gtlaw.com  
**Subject:** RE: eService: Dagrella v. Samsung - Application for Extension of Time to File Brief - Limited Civil Case

Jerry,

We just spoke to the clerk from the Riverside Appellate Division and the extension was denied as premature. The extension was filed yesterday due to an inadvertent internal docketing error showing the deadline to file the opening brief as tomorrow. The clerk explained that, because the Court has yet to certify the record on appeal, no briefing schedule has been set for the appeal. He further advised that the Court will mail the parties notice of the briefing schedule typically within one week from certification of the record. Our request for an extension is therefore moot.

With respect to your assertions of perjury, we respectfully disagree. Neither Rule 8.212(b) nor Rule 8.882(b) of the California Rules of Court require an appellant to first ask opposing counsel for a stipulation before filing its application for extension of time. Based on your objections and the sanctions letter, we opted to file an application instead of asking you for a stipulation because we reasonably believed it would be futile to do so. We appreciate your explanation that you would have agreed to a stipulation and, in the unlikely event we need to ask the Court for an extension after the briefing schedule issues, we will reach out to you first for a stipulation before proceeding with filing an application.

Understand our intention is never to be antagonistic. We are simply carrying out our responsibilities to our client in this case. Thank you for your understanding and have a good day.

Best,

**Evan Morehouse**  
Associate

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**From:** [dagrella@lawyer.com](mailto:dagrella@lawyer.com) <[dagrella@lawyer.com](mailto:dagrella@lawyer.com)>  
**Sent:** Wednesday, September 10, 2025 3:56 PM  
**To:** Del Grande, Debi (LSS-ShrdSvc-LT) <[Debi.DelGrande@gtlaw.com](mailto:Debi.DelGrande@gtlaw.com)>; [jason.ackerman@ackermanlawpc.com](mailto:jason.ackerman@ackermanlawpc.com)

**Cc:** Herrington, Robert J. (Shld-LA-LT) <[Robert.Herrington@gtlaw.com](mailto:Robert.Herrington@gtlaw.com)>; Cooper, Jennifer (Assoc-LA-LT) <[Jennifer.Cooper@gtlaw.com](mailto:Jennifer.Cooper@gtlaw.com)>; Morehouse, Evan (Assoc-LA-LT) <[Evan.Morehouse@gtlaw.com](mailto:Evan.Morehouse@gtlaw.com)>

**Subject:** RE: eService: Dagrella v. Samsung - Application for Extension of Time to File Brief - Limited Civil Case

**\*EXTERNAL TO GT\***

Ms. Cooper:

I am writing regarding the Application for Extension of Time to File Brief you filed today, which you signed under penalty of perjury.

Item 6 of the application required you to state why you were unable to stipulate to an extension. You checked the box corresponding to the statement: "The other party is not willing to stipulate to an extension."

This is false.

No one from your firm ever contacted me or Mr. Ackerman to request a stipulation for this or any other extension on appeal. Had you asked, I would have granted it. In my 24 years of practice, I cannot recall a single instance where I denied an opposing counsel's first request for a courtesy extension. I routinely grant them as a matter of professional courtesy, a fact demonstrated by the multiple lengthy discovery extensions I granted your client in the trial court.

Filing a declaration with a knowingly false statement is an exceptionally serious matter. Please be advised that we will be presenting this application to the appellate division as further evidence of the bad-faith litigation tactics that have defined this case when we file our motion for sanctions.

**Jerry R. Dagrella**

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**From:** [Debi.DelGrande@gtlaw.com](mailto:Debi.DelGrande@gtlaw.com) <[Debi.DelGrande@gtlaw.com](mailto:Debi.DelGrande@gtlaw.com)>

**Sent:** Wednesday, September 10, 2025 3:16 PM

**To:** [dagrella@lawyer.com](mailto:dagrella@lawyer.com); [jason.ackerman@ackermanlawpc.com](mailto:jason.ackerman@ackermanlawpc.com)

**Cc:** [Robert.Herrington@gtlaw.com](mailto:Robert.Herrington@gtlaw.com); [Jennifer.Cooper@gtlaw.com](mailto:Jennifer.Cooper@gtlaw.com); [Evan.Morehouse@gtlaw.com](mailto:Evan.Morehouse@gtlaw.com)

**Subject:** eService: Dagrella v. Samsung - Application for Extension of Time to File Brief – Limited Civil Case

Good afternoon,

Attached please find the Application for Extension of Time to File Brief – Limited Civil Case.

**Debi A. Del Grande**  
*Legal Support Specialist*

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