

NO: _____

IN THE

supreme court for the united States of America

:Fareed :Sepehry-Fard.

PETITIONER

v.

SUPERIOR COURT OF SANTA CLARA COUNTY,
RESPONDENT

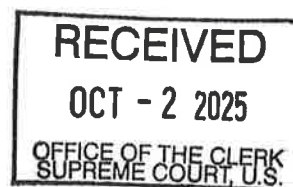
VALLEY WATER, Alleged Real Party in Interest

Motion to extend time to file a consolidated certiorari petition on four case numbers (from the California Court of Appeal, Sixth Appellate District Case Numbers H053343, H053265, H053206; H053131 and from Supreme Court of California Case Numbers S291526, S291165, S291328 and S291353).

IN THE SUPREME COURT OF CALIFORNIA, Case Nos. S291526, S291165, S291328 and S291353; Court of Appeal, Sixth Appellate District, Nos. H053343, H053265, H053206; H053131; Superior Court of California, County of Santa Clara "CASE NUMBER: 21cv392344"

After Unpublished Decisions by the Court of Appeal

:Fareed :Sepehry-Fard., Beneficiary., *Sui Juris*.
C/o 12309 Saratoga Creek Dr.
Saratoga, the State of California, Santa Clara County
(Zip code Exempt DMM 602 sec 1.3(e))
Phone Number (408) 690-4612
Email: Ahuraenergysolarcells@msn.com



- 1 -

INDEX TO APPENDICES

APPENDIX A - Decision of California State Supreme Court- No. S291526

APPENDIX B - Decision of 6th California State Court of Appeal- No. H053343

APPENDIX C - Decision of California State Trial Court – “CASE NUMBER: 21cv392344”

APPENDIX D - Decision of California State Supreme Court- No. S291165

APPENDIX E - Decision of 6th California State Court of Appeal- No. H053265

APPENDIX F - Decision of California State Trial Court- “CASE NUMBER: 21cv392344”

APPENDIX G - Decision of California State Supreme Court- No. S291328

APPENDIX H - Decision of 6th California State Court of Appeal- No. H053206

APPENDIX I - Decision of California State Trial Court - “CASE NUMBER: 21cv392344”

APPENDIX J - Decision of California State Supreme Court- No. S291353

APPENDIX K - Decision of 6th California State Court of Appeal- No. H053131

APPENDIX L - Decision of California State Trial Court – “CASE NUMBER: 21cv392344”

Dear Associate Justice Kagan,

Petitioner :Fareed :Sepehry Fard., beneficiary., ("Petitioner") respectfully motions this court, pursuant to Rules 12.4 and 13.5, to extend time to file a combined certiorari petition on four case numbers (from the California Court of Appeal, Sixth Appellate District Case Numbers H053343, H053265, H053206, and H053131; and from Supreme Court of California Case Numbers S291526, S291165, S291328 and S291353).

Rule 12.4 specifies when two or more judgments are sought to be reviewed on a writ of certiorari to the same court and involve identical or closely related questions, a single petition for a writ of certiorari covering all the judgments suffices.

Rule 13.5 specifies for good cause, a Justice may extend the time to file a petition for a writ of certiorari for a period not exceeding 60 days.

Here, there are more than 2 cases sought to be reviewed on a writ of certiorari to this same court and involve identical or closely related questions, accordingly, the motion must be granted.

Additionally, Petitioner humbly moves this court to extend time to file a certiorari petition on four cases - California Sixth Appellate Court Case Numbers H053343, H053265, H053206; H053131 and Supreme Court of California Case Numbers S291526, S291165, S291328 and S291353 combined, by 60 days from the last due date of the Petition or 60 days from 90 days for orders dated July 30th, 2025 in Case Numbers S291526, S291165, S291328 and S291353 which is December 27, 2025.

Petitioner's motion is based on Petitioner's need finding and retaining a knowledgeable lawyer plus having enough time for the printing and binding.

The opinion of the highest state court for writ of review in Case Number S291526 appears at Appendix A to the petition and is unpublished, dated July 30, 2025.

The opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for

a writ of prohibition/mandate in Case Number H053343 appears at Appendix B to the petition and is unpublished, dated 06-10-2025.

The opinion of the Superior Court of California's Clerk, in "CASE NUMBER: 21cv392344" appears at Appendix C to the petition, dated 4-17-2025.

The last day for filing a certiorari petition, is 90 days from July 30, 2025, which is October 28th, 2025.

The opinion of the highest state court for writ of review in Case Number S291165 appears at Appendix D to the petition and is unpublished, dated July 30, 2025.

The opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for Case Number H053265 appears at Appendix E to the petition and is unpublished, dated 5-21-2025.

The opinion of the Superior Court of California, in "CASE NUMBER: 21cv392344" appears at Appendix F to the petition, dated 5-1-2025.

The last day for filing a certiorari petition, is 90 days from July 30, 2025, which is October 28th, 2025.

The opinion of the highest state court for writ of review in Case Number S21328 appears at Appendix G to the petition and is unpublished, dated July 30, 2025.

The opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for Case Number H053206 appears at Appendix H to the petition and is unpublished, dated 5-28-2025.

The opinion of the Superior Court of California, in "CASE NUMBER: 21cv392344" appears at Appendix I to the petition, dated 3-25-2025.

The last day for filing a certiorari petition, is 90 days from July 30, 2025, which is October 28th, 2025.

The opinion of the highest state court for writ of review in Case Number S291353 appears at Appendix J to the petition and is unpublished, dated July 30, 2025.

The opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for Case Number H053131 appears at Appendix K to the petition and is unpublished, dated 6-10-2025.

The opinion of the Superior Court of California, in "CASE NUMBER: 21cv392344" appears at Appendix L to the petition, dated 3-25-2025.

The last day for filing a certiorari petition, is 90 days from July 30, 2025, which is October 28th, 2025.

Petitioner humbly asks for your decision extending the time to file a certiorari petition on the four cases combined, *Id.*, by 60 days from the last due date to be or on or before December 27, 2025 and combining all four cases, *Id.*

Respectfully presented,
All rights reserve waive none
DATED: September 29, 2025

By: Fareed :Sepehry-Fard., beneficiary.
:Fareed :Sepehry-Fard®, beneficiary.

DECLARATION

i: a man, :Fareed :Sepehry-Fard®, beneficiary., ("Petitioner"),
declare:

i: am a man of republic of California and an American National.

i: have personal first hand knowledge of the facts set forth in this declaration. If called upon to testify as a witness re same, i: a man, :Fareed :Sepehry-Fard®, could and would competently testify to the facts in this declaration.

Everything that i, a man, :Fareed :Sepehry-Fard®, have stated in " Motion to extend time to file a consolidated certiorari petition on four case numbers (from the California Court of Appeal, Sixth Appellate District Case Numbers H053343, H053265, H053206; H053131 and from Supreme Court of California Case Numbers

S291526, S291165, S291328 and S291353)" which is concurrently filed with this Declaration are truth to the best of my (a man's) knowledge and nothing but the truth.

i: a man, :Fareed :Sepehry-Fard[®]., declare under the penalty of perjury under the laws of the united States of America, the State of California and the california republic that the foregoing is true and correct.

Executed and DATED: September 29, 2025 in Saratoga,
California.

All Rights Reserve Waive None

Respectfully presented,

By:

Fareed: Sepehry-Fard, beneficiary.

:Fareed :Sepehry-Fard[®]., beneficiary.

APPENDIX A

True and correct indorsed copies of the opinion of the highest state court for writ of review in Case Number S291526 and is unpublished.

SUPREME COURT
FILED

JUL 30 2025

Court of Appeal, Sixth Appellate District - No. H053343

Jorge Navarrete Clerk

S291526

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

FAREED SEPEHRY-FARD, Petitioner,

v.

SUPERIOR COURT OF SANTA CLARA COUNTY, Respondent;

VALLEY WATER, Real Party in Interest.

The petition for review is denied.

GUERRERO

Chief Justice

APPENDIX B

B

True and correct indorsed copies of the opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for a writ of prohibition/mandate in Case Number H053343 and is unpublished.

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

FAREED SEPEHRY-FARD,
Petitioner,

v.

THE SUPERIOR COURT OF SANTA CLARA COUNTY,
Respondent;
VALLEY WATER,
Real Party in Interest.

H053343
Santa Clara County Super. Ct. No. 21CV392344

BY THE COURT:

The petition for writ of mandate or prohibition is denied.

(Grover, Acting P.J., Lie, J., and Wilson, J.
participated in this decision.)

Date: 06/10/2025



Acting P.J.

APPENDIX C

The opinion of the Superior Court of California, County of Santa Clara in “CASE NUMBER: 21cv392344”.

C

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO: 129072 NAME: Jeffrey F. Oneal FIRM NAME: RANKIN ONEAL STREET ADDRESS: 96 North Third Street, Suite 560 CITY: San Jose STATE: CA ZIP CODE: 95112 TELEPHONE NO.: (408) 293-0463 FAX NO.: E-MAIL ADDRESS: jeffrey@rankinstock.com ATTORNEY FOR (name): Plaintiff, VALLEY WATER SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 North First Street MAILING ADDRESS: CITY AND ZIP CODE: San Jose, CA 95113 BRANCH NAME: Downtown Plaintiff/Petitioner: VALLEY WATER Defendant/Respondent: FAREED SEPEHRY-FARD	FOR COURT USE ONLY FILED 4/16/2025 Clerk of the Court Superior Court of CA County of Santa Clara 21CV392344 By: suy CASE NUMBER: 21CV392344
REQUEST FOR <input checked="" type="checkbox"/> Entry of Default <input type="checkbox"/> Clerk's Judgment (Application) <input type="checkbox"/> Court Judgment	Not for use in actions under the Fair Debt Buying Practices Act (Civ. Code, § 1788.50 et seq.); (see form CIV-105)

1. TO THE CLERK: On the complaint or cross-complaint filed

a. on (date): December 16, 2021

b. by (name): VALLEY WATER

c. ☒ Enter default of defendant (names):
FAREED SEPEHRY-FARDd. ☐ I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):

(Testimony required. Apply to the clerk for a hearing date, unless the court will enter a judgment on an affidavit under Code Civ. Proc., § 585(d).)

e. ☐ Enter clerk's judgment(1) ☐ for restitution of the premises only and issue a writ of execution on the judgment. Code of Civil Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)☐ Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.(2) ☐ under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)(3) ☐ for default previously entered on (date):

2. Judgment to be entered.

	Amount	Credits acknowledged	Balance
a. Demand of complaint	\$	\$	\$
b. Statement of damages*			
(1) Special	\$	\$	\$
(2) General	\$	\$	\$
c. Interest	\$	\$	\$
d. Costs (see reverse)	\$ TBD	\$	\$
e. Attorney fees	\$ TBD	\$	\$
f. TOTALS	\$	\$	\$

g. Daily damages were demanded in complaint at the rate of: \$ per day beginning (date):

(* Personal injury or wrongful death actions: Code Civ. Proc., § 425.11.)

3. ☐ (Check if filed in an unlawful detainer case.) Legal document assistant or unlawful detainer assistant information is on the reverse (complete item 4).

Date: April 15, 2025

Jeffrey F. Oneal

(TYPE OR PRINT NAME)

(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

FOR COURT USE ONLY	(1) <input checked="" type="checkbox"/> Default entered as requested on (date): 4/16/2025 (2) <input type="checkbox"/> Default NOT entered as requested (state reason): suy 4/17/2025 Clerk, by Deputy
---------------------------	--

Plaintiff/Petitioner: VALLEY WATER Defendant/Respondent: FAREED SEPEHRY-FARD	CASE NUMBER: 21CV392344
---	----------------------------

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant ☐ did ☒ did not for compensation give advice or assistance with this form. If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state:
- a. Assistant's name: _____ c. Telephone no.: _____
b. Street address, city, and zip code: _____ d. County of registration: _____
e. Registration no.: _____
f. Expires on (date): _____
5. ☒ **Declaration under Code Civ. Proc., § 585.5** (for entry of default under Code Civ. Proc., § 585(a)). This action
- a. ☐ is ☒ is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).
b. ☐ is ☒ is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).
c. ☐ is ☒ is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).
6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this *Request for Entry of Default* was
- a. ☐ **not mailed** to the following defendants, whose addresses are unknown to plaintiff or plaintiff's attorney (names): _____
- b. ☒ **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:
- (1) Mailed on (date): April 16, 2025
- (2) To (specify names and addresses shown on the envelopes):
FAREED SEPEHRY-FARD
12309 Saratoga Creek Dr.
Saratoga, CA 95070

I declare under penalty of perjury under the laws of the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: April 16, 2025

Jeffrey F. Oneal

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):
- a. Clerk's filing fees \$
b. Process server's fees \$
c. Other (specify): \$
d. \$
e. **TOTAL** \$ _____
f. ☐ Costs and disbursements are waived.
g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing item 7 is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Plaintiff/Petitioner: VALLEY WATER Defendant/Respondent: FAREED SEPEHRY-FARD	CASE NUMBER: 21CV392344
---	----------------------------

8. **Declaration of nonmilitary status** *(required for a judgment)*.

No defendant/respondent named in item 1c is in the military service of the United States as defined by either the Servicemembers Civil Relief Act (see 50 U.S.C. § 3911(2)) or California Military and Veterans Code sections 400 and 402(f).

I know that no defendant/respondent named in item 1c is in the U.S. military service because *(check all that apply)*:

- a. ☐ the search results that I received from <https://scra.dmdc.osd.mil/> say the defendant/respondent is not in the U.S. military service.
- b. ☐ I am in regular communication with the defendant/respondent and know that they are not in the U.S. military service.
- c. ☐ I recently contacted the defendant/respondent, and they told me that they are not in the U.S. military service.
- d. ☐ I know that the defendant/respondent was discharged from U.S. military service on or about *(date)*:
- e. ☐ the defendant/respondent is not eligible to serve in the U.S. military because they are:
☐ incarcerated ☐ a business entity
- f. ☐ other *(specify)*:

Note

- U.S. military status can be checked online at <https://scra.dmdc.osd.mil/>.
- If the defendant/respondent is in the military service, or their military status is unknown, the defendant/respondent is entitled to certain rights and protections under federal and state law before a default judgment can be entered.
- For more information, see <https://selfhelp.courts.ca.gov/military-defaults>.

I declare under penalty of perjury under the laws of the State of California that the foregoing item 8 is true and correct.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

APPENDIX D

Decision of California State Supreme Court- No. S291165

- D

JUL 30 2025

Court of Appeal, Sixth Appellate District - No. H053265

Jorge Navarrete Clerk

S291165

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

FAREED SEPEHRY-FARD, Petitioner,

v.

SUPERIOR COURT OF SANTA CLARA COUNTY, Respondent;

VALLEY WATER, Real Party in Interest.

The petition for review is denied.

GUERRERO
Chief Justice

APPENDIX E

True and correct indorsed copies of the opinion of THE SIXTH APPELLATE DISTRICT IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA for a writ of prohibition/mandate in Case Number H053265 and is unpublished.

E

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

FAREED SEPEHRY-FARD,
Petitioner,

v.

THE SUPERIOR COURT OF SANTA CLARA COUNTY,
Respondent;
VALLEY WATER,
Real Party in Interest.

H053265
Santa Clara County Super. Ct. No. 21CV392344

BY THE COURT:

The petition for writ of mandate or prohibition is denied.

(Greenwood, P.J., Danner, J., and Bromberg, J.
participated in this decision.)

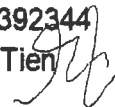
Date: _____

 P.J.

APPENDIX F

Decision of California State Trial Court -
"CASE NUMBER: 21cv392344".

F

Filed
May 1, 2025
Clerk of the Court
Superior Court of CA
County of Santa Clara
21CV392344
By: RTien 

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
CIVIL DIVISION

VALLEY WATER,

Plaintiff,

vs.

FAREED SEPEHRY-FARD,

Defendant.

Case No. 21CV392344

ORDER RE: MOTION TO QUASH

The present motion came on for hearing before the court on May 1, 2025 at 9:00 a.m. in Department 10. The matter having been submitted, the court now finds and orders as follows:

I. BACKGROUND

This is an action for trespass by plaintiff Valley Water against self-represented defendant Fareed Sepehry-Fard. Valley Water is a special district authorized by the California Legislature that owns certain real property along Saratoga Creek in Saratoga, California. (Complaint, ¶ 1.) Sepehry-Fard owns adjacent real property at 12309 Saratoga Creek Drive.

1 (Id. at ¶ 4.) According to the complaint, Sepehry-Fard constructed and maintained
2 encroachments on Valley Water's property and has refused to remove them. (Id. at ¶ 11.)

3 The procedural history of this case is set forth in prior orders of the court (see, e.g.,
4 October 29, 2024 Order, pp. 1:20-2:20) and will not be repeated here. The short version of the
5 history is that Sepehry-Fard previously filed a motion to quash service of the summons in this
6 case, a motion to strike the summons, and a motion to strike the complaint, and the court
7 denied all three motions on October 29, 2024. Sepehry-Fard then filed a "motion to vacate
8 void order," which was a motion for reconsideration of the October 29, 2024 order in disguise,
9 and the court denied that motion on March 25, 2025.¹

10 Now before the court is motion to quash service of summons, filed by Sepehry-Fard on
11 November 8, 2024, which seeks exactly the same relief as was previously denied by the court's
12 October 29, 2024 and March 25, 2025 orders.

13 **II. DISCUSSION**

14 The court court finds the present motion to be improper and denies it.

15 First, if taken on face value as a "motion to quash," it is untimely by a matter of years.
16 (See Code Civ. Proc., § 418.10, subd. (a) [a motion to quash must be brought "on or before the
17 last day of [a defendant's] time to plead," unless the court finds good cause for further time].)

18 Second, considering the motion based on the relief it seeks, the court finds that it
19 constitutes a motion for reconsideration in disguise, just like the "motion to vacate void order"
20 that the court previously denied. A trial court may construe a motion bearing one label as a
21 different type of motion. (*Austin v. Los Angeles Unified School Dist.* (2016) 244 Cal.App.4th
22 918, 930.) "The nature of a motion is determined by the nature of the relief sought, not by the
23 label attached to it. The law is not a mere game of words The principle that a trial court
24

25 ¹ The court takes judicial notice of its October 29, 2024 and March 25, 2025 orders
under Evidence Code section 452, subdivision (d).

1 may consider a motion regardless of the label placed on it by a party is consistent with the
2 court's inherent authority to manage and control its docket.' [Citation.]" (*Ibid.*, internal
3 citations omitted.) As such, Sepehry-Fard has failed to meet the requirements for
4 reconsideration under Code of Civil Procedure section 1008.

5 Section 1008 requires that any such motion be: (1) filed within 10 days after service
6 upon the party of written notice of the entry of the order of which reconsideration is sought, (2)
7 supported by new or different facts, circumstances or law, and (3) accompanied by an affidavit
8 detailing the circumstances of the first motion, and the respects in which the new motion
9 differs from it. Reconsideration cannot be granted based on the argument that the court
10 misinterpreted the law in the prior ruling; that is not a "new" or "different" matter. (See
11 *Gilberd v. AC Transit* (1995) 32 Cal.App.4th 1494, 1500 (*Gilberd*).) The accompanying
12 affidavit must state: 1) what application was made before; 2) when and before what judge the
13 application was made; 3) what order or decision was made; and 4) what new or different facts,
14 circumstances or law are claimed to be shown. (Code Civ. Proc., § 1008, subd. (a); *Branner v.*
15 *Regents of Univ. of Calif.* (2009) 175 Cal.App.4th 1043, 1048 (*Branner*) [motion filed without
16 supporting affidavit invalid].)

17 Here, Sepehry-Fard's supporting declaration does not comply with the foregoing
18 affidavit requirement. It does not state what application was made before, when and before
19 whom such application was made, what prior decision was made, or what new or different facts
20 or law exist to support the motion. On this basis alone, the motion could be denied.

21 In addition, Sepehry-Fard's supporting memorandum fails to state any valid basis for
22 reconsideration.² Other than repeating the assertion that he is a "sovereign," the
23

24 ² The requests for judicial notice in the body of the memorandum are denied. (See Cal.
25 Rules of Court, rule 3.1113(d) ["Any request for judicial notice must be made in a
separate document listing the specific items for which notice is requested and must
comply with rule 3.1306(c)."].)

1 memorandum argues that service by publication in this case was somehow void under
2 Government Code sections 68076 and 68079, based on a “seal” on the documents. Sepehry-
3 Fard fails to cite any California authority to support this claim. The only authority he does cite,
4 an 1868 decision of the United States Supreme Court arising out of the State of Indiana
5 (*Insurance Company v. Hallock* (1868) 73 U.S. 556), does not support his argument. That
6 decision involved a review of an order of sale issued by an Indiana state court in a foreclosure
7 action. It has nothing to say about service by publication in California, or about Government
8 Code sections 68076 and 68079, which were enacted 85 years later in 1953. At any rate, the
9 memorandum fails to show any reasonable diligence by Sepehry-Fard in asserting this
10 argument now for the first time, three years after service of the summons.

11 The court has not considered any arguments made for the first time in Sepehry-Fard’s
12 reply brief, for the obvious reason that the opposing party has not been given the opportunity
13 to address it. (See *Tellez v. Rich Voss Trucking Inc.* (2015) 240 Cal.App.4th 1052, 1066 [courts
14 do not consider points raised for the first time in a reply brief]; see also *Reichardt v. Hoffman*
15 (1997) 52 Cal.App.4th 754, 764 [points raised for the first time in a reply brief will ordinarily be
16 disregarded because the other party is deprived of the opportunity to counter the argument].)

17 Even if the court considered the arguments made in the reply, the court would find that
18 they do not provide any support for reconsideration of the court’s prior orders.

19 **III. CONCLUSION**

20 The motion to quash service of summons is DENIED. Again.

21
22
23 Date: May 1, 2025



24 Frederick S. Chung
25 Judge of the Superior Court



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**
DOWNTOWN COURTHOUSE
191 NORTH FIRST STREET
SAN JOSE, CALIFORNIA 95113
CIVIL DIVISION

**FAREED SEPEHRY-FARD
12309 Saratoga Creek Dr.
Saratoga CA 95070**

RE: VALLEY WATER vs FAREED SEPEHRY-FARD
Case Number: 21CV392344

PROOF OF SERVICE

Order Re: Motion to Quash was delivered to the parties listed below the above entitled case as set forth in the sworn declaration below.

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408) 882-2700, or use the Court's TDD line (408) 882-2690 or the Voice/TDD California Relay Service (800) 735-2922.

DECLARATION OF SERVICE BY MAIL OR EMAIL: I declare under penalty of perjury that I served this notice by enclosing a true copy in a sealed envelope, addressed to each person whose name is shown below, and by depositing the envelope with postage fully prepaid, in the U.S. Mail at San Jose, CA. If consent to be electronically served was provided, I served this notice via email to each person listed below at the email address shown. Service performed on 05/02/2025. CLERK OF THE COURT, by Rachel Tien, Deputy.

cc: Jeffrey Frank Oneal Rankin | Oneal 96 No. Third St., Suite 560, San Jose, CA 95112



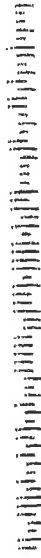
Superior Court of California
County of Santa Clara

Downtown Superior Court
191 North First Street
San Jose, California 95113

RETURN SERVICE REQUESTED



SAN JOSE CA 950
2 MAY 2025 PM 3 L



95070-953203

APPENDIX G

Decision of California State Supreme Court No. S291328

- G

SUPREME COURT
FILED

Court of Appeal, Sixth Appellate District - No. H053206

JUL 8 0 2025

S291328

Jorge Navarrete Clerk

IN THE SUPREME COURT OF CALIFORNIA

Deputy

En Banc

VALLEY WATER, Plaintiff and Respondent,

v.

FAREED SEPEHRY-FARD, Defendant and Appellant.

The petition for review is denied.

GUERRERO
Chief Justice

APPENDIX H

Decision of 6th California State Court of Appeal –
No. H053206


— H

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

VALLEY WATER,
Plaintiff and Respondent,
v.
FAREED SEPEHRY-FARD,
Defendant and Appellant.

H053206
Santa Clara County Super. Ct. No. 21CV392344

BY THE COURT:

Having considered appellant's response to the order to show cause issued May 6, 2025, the notice of appeal filed April 17, 2025, seeking review of the trial court clerk's entry of default on April 16, 2025, is dismissed as premature and/or taken from a nonappealable order. (See *Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 981; *First American Title Co. v. Mirzaian* (2003) 108 Cal.App.4th 956, 960.) This order is without prejudice to appellant seeking writ relief in this court, as appropriate, or raising the issues in a later appeal from a judgment or dismissal.

Date: 05/28/2025



P.J.

APPENDIX I

Decision of California State Trial Court –
“CASE NUMBER: 21cv392344”

I

Filed
March 25, 2025
Clerk of the Court
Superior Court of CA
County of Santa Clara
21CV392344
By: RTien

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
CIVIL DIVISION

VALLEY WATER,

Plaintiff,

vs.

FAREED SEPEHRY-FARD,

Defendant.

Case No. 21CV392344

ORDER RE: MOTION TO VACATE PRIOR
ORDER DENYING MOTION TO QUASH
SERVICE OF SUMMONS

The present motion came on for hearing before the court on March 25, 2025 at 9:00 a.m. in Department 10. The matter having been submitted, the court now finds and orders as follows:

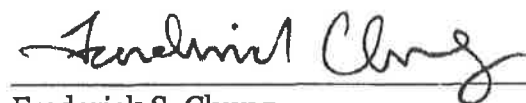
Defendant Fareed Sepehry-Fard moves to vacate the court's "void" order of October 29, 2024, which denied his motion to quash service of summons on him by plaintiff Valley Water. Once again, Sepehry-Fard challenges the validity of service, and once again, the court finds his arguments to be unmeritorious. Even though he does not call this a motion for reconsideration under Code of Civil Procedure section 1008, it is the same as a motion for reconsideration in disguise.

1 Sepehry-Fard argues that the April 29, 2022 order of this court (Judge Kulkarni)
2 authorizing Valley Water to serve him by publication was improper, because it was not
3 supported by an "affidavit," as required by Code of Civil Procedure section 415.50. Instead, it
4 was supported by a declaration, and Sepehry-Fard contends that that is not the same thing.
5 The court is unpersuaded. As Valley Water points out, Code of Civil Procedure section 2015.5
6 permits a party to use a declaration in place of an affidavit. Moreover, even if there were
7 defects in the application or supporting declaration, the question of whether the court has
8 jurisdiction over Sepehry-Fard is moot, given that Judge Kulkarni ultimately concluded that
9 Sepehry-Fard could not with reasonable diligence be served by other means, given that
10 Sepehry-Fard was in fact served properly by publication, and given that it resulted in his
11 receiving actual notice of this action.

12 In addition, Sepehry-Fard has failed to show "new or different facts, circumstances, or
13 law" to support a motion for reconsideration under Code of Civil Procedure section 1008,
14 subdivisions (a) and (b). (Ironically, section 1008 also expressly requires the moving party to
15 make a showing by "affidavit," and Sepehry-Fard has submitted a non-notarized "declaration.")
16 To the extent that Sepehry-Fard insists that his motion is not one for reconsideration, then it is
17 an untimely motion to quash that has been brought years too late. (Code Civ. Proc., § 418.10,
18 subd. (a).) Sepehry-Fard cannot claim that these statutory deadlines do not apply simply
19 because he has chosen to label the motion as one "to vacate" rather than one "for
20 reconsideration" or "to quash."

21 For these reasons, the motion is DENIED.

22
23 Date: March 25, 2025



Frederick S. Chung
Judge of the Superior Court



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**
DOWNTOWN COURTHOUSE
191 NORTH FIRST STREET
SAN JOSE, CALIFORNIA 95113
CIVIL DIVISION

Fareed Sepehry-Fard
12309 Saratoga Creek Dr.
Saratoga CA 95070

RE: VALLEY WATER vs FAREED SEPEHRY-FARD
Case Number: 21CV392344

PROOF OF SERVICE

Order Re: Motion to Vacate Prior Order Denying Motion to Quash Service of Summons was delivered to the parties listed below the above entitled case as set forth in the sworn declaration below.

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408) 882-2700, or use the Court's TDD line (408) 882-2690 or the Voice/TDD California Relay Service (800) 735-2922.

DECLARATION OF SERVICE BY MAIL OR EMAIL: I declare under penalty of perjury that I served this notice by enclosing a true copy in a sealed envelope, addressed to each person whose name is shown below, and by depositing the envelope with postage fully prepaid, in the U.S. Mail at San Jose, CA. If consent to be electronically served was provided, I served this notice via email to each person listed below at the email address shown. Service performed on 03/26/2025. CLERK OF THE COURT, by Rachel Tien, Deputy.

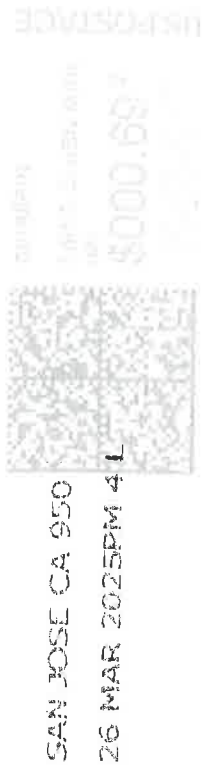
cc: Jeffrey Frank Oneal Rankin | Oneal 96 No. Third St., Suite 560



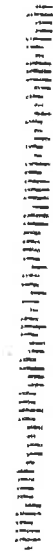
Superior Court of California
County of Santa Clara

Downtown Superior Court
191 North First Street
San Jose, California 95113

RETURN SERVICE REQUESTED



95070-353203



APPENDIX J

Decision of California State Supreme Court- No. S291353

J

SUPREME COURT
FILED

JUL 30 2025

Court of Appeal, Sixth Appellate District - No. H053131

Jorge Navarrete Clerk

S291353

Deputy

IN THE SUPREME COURT OF CALIFORNIA

En Banc

VALLEY WATER, Plaintiff and Respondent,

v.

FAREED SEPEHRY-FARD, Defendant and Appellant.

The petition for review is denied.

GUERRERO
Chief Justice

APPENDIX K

Decision of 6th California State Court of Appeal –
Case Number H053131

K

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
SIXTH APPELLATE DISTRICT

VALLEY WATER,
Plaintiff and Respondent,
v.
FAREED SEPEHRY-FARD,
Defendant and Appellant.

H053131
Santa Clara County Super. Ct. No. 21CV392344

BY THE COURT:

Appellant's motion to reopen the appeal and/or for reconsideration of the order dismissing the appeal is denied. Although appellant has sufficiently shown that he is a defendant in the underlying trial court action and thus does not require a prefiling order to proceed (see *John v. Superior Court* (2017) 63 Cal.4th 91), the appeal is taken from a nonappealable order and this court is without jurisdiction to consider it. (See *County of Ventura v. Tillett* (1982) 133 Cal.App.3d 105, 111, disapproved of on other grounds by *County of Los Angeles v. Soto* (1984) 35 Cal.3d 483; *American Express Centurion Bank v. Zara* (2011) 199 Cal.App.4th 383, 387; *Warden v. Brown* (1960) 185 Cal.App.2d 626, 629.)

Date: 06/10/2025



P.J.

APPENDIX L

Decision of California State Trial Court –
“CASE NUMBER: 21cv392344”



—

L

- 18 -

Filed
March 25, 2025
Clerk of the Court
Superior Court of CA
County of Santa Clara
21CV392344
By: RTien

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
CIVIL DIVISION

VALLEY WATER,

Plaintiff,

vs.

FAREED SEPEHRY-FARD,

Defendant.

Case No. 21CV392344

ORDER RE: MOTION TO VACATE PRIOR
ORDER DENYING MOTION TO QUASH
SERVICE OF SUMMONS

The present motion came on for hearing before the court on March 25, 2025 at 9:00 a.m. in Department 10. The matter having been submitted, the court now finds and orders as follows:

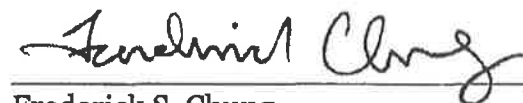
Defendant Fareed Sepehry-Fard moves to vacate the court's "void" order of October 29, 2024, which denied his motion to quash service of summons on him by plaintiff Valley Water. Once again, Sepehry-Fard challenges the validity of service, and once again, the court finds his arguments to be unmeritorious. Even though he does not call this a motion for reconsideration under Code of Civil Procedure section 1008, it is the same as a motion for reconsideration in disguise.

1 Sepehry-Fard argues that the April 29, 2022 order of this court (Judge Kulkarni)
2 authorizing Valley Water to serve him by publication was improper, because it was not
3 supported by an "affidavit," as required by Code of Civil Procedure section 415.50. Instead, it
4 was supported by a declaration, and Sepehry-Fard contends that that is not the same thing.
5 The court is unpersuaded. As Valley Water points out, Code of Civil Procedure section 2015.5
6 permits a party to use a declaration in place of an affidavit. Moreover, even if there were
7 defects in the application or supporting declaration, the question of whether the court has
8 jurisdiction over Sepehry-Fard is moot, given that Judge Kulkarni ultimately concluded that
9 Sepehry-Fard could not with reasonable diligence be served by other means, given that
10 Sepehry-Fard was in fact served properly by publication, and given that it resulted in his
11 receiving actual notice of this action.

12 In addition, Sepehry-Fard has failed to show "new or different facts, circumstances, or
13 law" to support a motion for reconsideration under Code of Civil Procedure section 1008,
14 subdivisions (a) and (b). (Ironically, section 1008 also expressly requires the moving party to
15 make a showing by "affidavit," and Sepehry-Fard has submitted a non-notarized "declaration.")
16 To the extent that Sepehry-Fard insists that his motion is not one for reconsideration, then it is
17 an untimely motion to quash that has been brought years too late. (Code Civ. Proc., § 418.10,
18 subd. (a).) Sepehry-Fard cannot claim that these statutory deadlines do not apply simply
19 because he has chosen to label the motion as one "to vacate" rather than one "for
20 reconsideration" or "to quash."

21 For these reasons, the motion is DENIED.

22
23
24 Date: March 25, 2025



Frederick S. Chung
Judge of the Superior Court



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA**
DOWNTOWN COURTHOUSE
191 NORTH FIRST STREET
SAN JOSE, CALIFORNIA 95113
CIVIL DIVISION

**Fareed Sepehry-Fard
12309 Saratoga Creek Dr.
Saratoga CA 95070**

RE: VALLEY WATER vs FAREED SEPEHRY-FARD
Case Number: 21CV392344

PROOF OF SERVICE

Order Re: Motion to Vacate Prior Order Denying Motion to Quash Service of Summons was delivered to the parties listed below the above entitled case as set forth in the sworn declaration below.

If you, a party represented by you, or a witness to be called on behalf of that party need an accommodation under the American with Disabilities Act, please contact the Court Administrator's office at (408) 882-2700, or use the Court's TDD line (408) 882-2690 or the Voice/TDD California Relay Service (800) 735-2922.

DECLARATION OF SERVICE BY MAIL OR EMAIL: I declare under penalty of perjury that I served this notice by enclosing a true copy in a sealed envelope, addressed to each person whose name is shown below, and by depositing the envelope with postage fully prepaid, in the U.S. Mail at San Jose, CA. If consent to be electronically served was provided, I served this notice via email to each person listed below at the email address shown. Service performed on 03/28/2025. CLERK OF THE COURT, by Rachel Tien, Deputy.

cc: Jeffrey Frank Oneal Rankin | Oneal 96 No. Third St., Suite 560



Superior Court of California
County of Santa Clara

Downtown Superior Court
191 North First Street
San Jose, California 95113

RETURN SERVICE REQUESTED

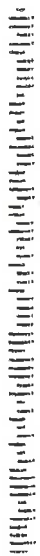
SAN JOSE CA 950
26 MAR 2025PM 4 L



Postage
TOTAL \$000.69

U.S. POSTAGE

95070-353203



PROOF OF SERVICE

I, Parvin Heshmati, do hereby solemnly declare that on September 29, 2025, I did cause to be delivered by mail a true and correct copy of the foregoing instruments ("Motion to extend time to file a consolidated certiorari petition on four case numbers (from the California Court of Appeal, Sixth Appellate District Case Numbers H053343, H053265, H053206; H053131 and from Supreme Court of California Case Numbers S291526, S291165, S291328 and S291353)"), including true and correct copies of all/any documents referenced therein as "attached hereto", to the parties and locations listed below except the one identified by the Petitioner, Petitioner served those:



Parvin Heshmati

12309 Saratoga Creek Dr., City of Saratoga, California Republic
[near: CA 95070]
Tel: 408 873 8734

TO:

1. Delivery via U.S.P.S. courier mail with tracking number to:
supreme court for the united States of America
Attention: Justice Elena Kagan
1 First Street, NE
Washington, DC 20543
[1 original plus 2 copies]
2. Delivery via e filing and email to:
Attention of Mister F. Chung, Court Administrator, Department 10th
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
191 North 1st Street,
San Jose, California Republic [near: CA 95113]
3. Delivery via e filing and email to:
Jeffrey F. Oneal, Esq. (SBN 129072)
RANKIN | ONEAL
96 North Third Street, Suite 560, San Jose, California [near: CA
95112
Telephone: (408) 293-0463, Facsimile: 408-293-9514
Email: jeffrey@rankinstock.com
4. Delivery via e filing in the California Supreme Court and 6th District
Court of Appeal
5. And several others through e filing and email