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2 Law Offices of Natalia Foley  
3 751 S Weir Canyon Rd Ste 157-455  
4 Anaheim CA 92808  
5 Tel 714 948 5054/Fax 310 626 9632  
6 nfoylelaw@gmail.com  
7 Attorney for Defendants  
8 5 STAR K-9 ACADEMY, Inc  
9 dba MASTER DOG TRAINING,  
10 Ekaterina Korotun an individual  
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**THE SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES  
STANLEY MOSK COURTHOUSE**

DYLAN YEISER-FODNESS, ) Case No.: 22STCV21852  
an individual )  
Plaintiff, ) Defendant Ekaterina Korotun, NOTICE OF LEGAL  
vs. ) IMPOSSIBILITY TO FILE OPPOSITION TO  
MASTER DOG TRAINING ET ) PLAINTIFF’S MOTION TO COMPEL DEFENDANT  
AL. ) EKATERINA KOROTUN TO RESPOND TO THE FIRST  
Defendants. ) SET OF PLAINTIFF’S FORM INTERROGATORIES—  
GENERAL, SET ONE, FORM INTERROGATORIES—  
EMPLOYMENT LAW, SET ONE, SPECIAL  
INTERROGATORIES, SET ONE, AND REQUESTS  
FOR PRODUCTION, SET ONE; Supporting Declaration  
by attorney Natalia Foley  
)  
)  
) Date of Hearing: 01/19/2023  
) Time of Hearing: 9:00 AM  
) Department: 52, Room 510  
) Judge: Hon. Armen Tamzarian  
) Date Action Filed: 07/06/2022  
) Trial Date: not set

PLEASE TAKE A NOTICE that Defendant Ekaterina Korotun is in default entered by clerk on 10/3/2022. The clerk's entry of default cuts off the defendant's right to take further affirmative steps such as filing a pleading or motion except motion to set aside default. [(Garcia v.

1 Politis, 192 Cal.); (Sporn v. Home Depot USA, Inc. (2005) 126 Cal.App.4th 1294, 1301 [24 Cal.  
2 Rptr. 3d 780]).

3 The defendant was never served with the notice of entry of default, and thus was unaware  
4 of default and therefore filed an answer on 10/11/2022 and Motion to compel arbitration on  
5 10/14/2022. During the hearing on the Defendant' motion to compel arbitration, Defendant'  
6 attorney learned of the default by clerk. Defendant filed motion to set aside default, as allowed by  
7 law, and hearing on this motion is set for 01/26/2023. Until the decision of the court, Defendant  
8 cannot appear in the action and file an opposition to the Plaintiff discovery motion that was filed  
9 against the defendant after the default was entered.

10  
11 DATE: 01/04/2021

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13 Respectfully Submitted

14  
15 LAW OFFICES OF NATALIA FOLEY

16  
17 

18 By Natalia Foley, Esq ( SBN 295923)  
19 Attorney for Defendants  
20 5 STAR K-9 ACADEMY, Inc  
21 dba MASTER DOG TRAINING,  
22 Ekaterina Korotun an individual  
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6 nfoleylaw@gmail.com  
7 Attorney for Defendants 5 STAR K-9 ACADEMY, Inc  
8 dba MASTER DOG TRAINING, Ekaterina Korotun an individual

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**THE SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES  
STANLEY MOSK COURTHOUSE**

DYLAN YEISER-FODNESS, ) Case No.: 22STCV21852  
an individual )  
Plaintiff, ) Declaration by attorney Natalia Foley in support of  
vs. ) Defendant Ekaterina Korotun notice of legal impossibility  
MASTER DOG TRAINING ET ) to file opposition to plaintiff’s motion to compel defendant  
AL. ) Ekaterina Korotun to respond to the first set of plaintiff’s  
Defendants. ) form interrogatories - general, set one, form interrogatories  
) - employment law, set one, special interrogatories, set one,  
) and requests for production, set one  
)  
) Date of Hearing: 01/19/2023  
) Time of Hearing: 9:00 AM  
) Department: 52, Room 510  
) Judge: Hon. Armen Tamzarian  
) Date Action Filed: 07/06/2022  
) Trial Date: not set

1. I am Natalia Foley, an attorney at law duly admitted to practice in the State of California and attorney of record for the defendants 5 STAR K-9 ACADEMY, Inc dba MASTER DOG TRAINING, and EKATERINA KOROTUN an individual (hereinafter collectively – “Defendants”) and make this declaration in support of Defendant Ekaterina Korotun notice of legal impossibility to file opposition to plaintiff’s discovery motion.

2. According to the Plaintiff’ Motion to compel defendant Ekaterina Korotun to respond to the first set of plaintiff’s form interrogatories -general, set one, form interrogatories -employment law, set one, special interrogatories, set one, and requests for production, set one (**hereinafter – discovery motion**), Defendant Ekaterina Korotun was properly served with the discovery motion on August 17, 2022 (**exhibit 01**) “by e-service to Natalia Foley at Law Offices of Natalia Foley”.

1 3. In his declaration attached to the discovery motion, attorney YOUNG W. RYU  
2 confirmed under the oath that my office was e-served with the discovery on 8/17/2022 (**exhibit**  
3 **02**).

4 4. Both of the above statements are false, and made with the sole intent to mislead the  
5 court, because I would not be able to get any discovery service by either mail or email on August  
6 17, 2022, since I contacted Plaintiff' counsel for first time only on September 14, 2022.

7 5. It appears further that the copy of the proof of service for the discovery devices attached  
8 as a part of the exhibit to the Plaintiff' discovery motion, indicates that Defendant Korotun was  
9 served by mail on 8/17/2022, yet there is no signature on the proof of service (**exhibit 03**).

10 6. This statement is also a flagrant misrepresentations of material fact, because according to  
11 a certified mail receipt provided by the Plaintiff' attorney, (**exhibit 04**), the discovery set was just  
12 mailed on 8/17/202 at 04:02 pm by USPS certified mail, and was actually delivered on 9/14/2022  
13 (**exhibit 05**).

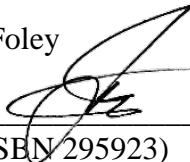
14 7. Should my client be allowed to oppose the Plaintiff' discovery motion, my client would  
15 object **to the date of the service** of the discovery devises, because Plaintiff provided conflicting  
16 and mutually excluding information in this regard, and thus the service did not result in actual  
17 knowledge of the defendant of the discovery.

18 8. Further my client would object to the **mode of the delivery** which is, according to the  
19 plaintiff', was made either by email or mail or certified mail, which makes it impossible to  
20 ascertain the due date of the responses, which makes the entire motion to compel discovery  
21 defective.

22 9. I declare under penalty of perjury under the laws of the State of California that the  
23 foregoing is true and correct.

24 Date: 01/04/2023

25 Law Offices of Natalia Foley



26 By Natalia Foley, Esq ( SBN 295923)  
27 Attorney for Defendants 5 STAR K-9 ACADEMY, Inc  
28 dba MASTER DOG TRAINING, and Ekaterina Korotun an individual

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**Exhibit 01**

1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I. INTRODUCTION AND STATEMENT OF FACTS

3 Plaintiff Dylan Yeiser-Fodness (“Plaintiff”) filed this action on July 6, 2022.  
4 Plaintiff, through his counsel of record, personally served Summons and Complaint  
5 on Defendants 5 Star K-9 Academy and Ekaterina Korotun (“Korotun”), on July 27,  
6 2022 (Declaration of Young W. Ryu [Ryu Decl.], ¶ 3; **Ex. A–C.**)

7 On October 11, 2021, Defendants Master Dog Training and 5 Star K-9  
8 Academy, Inc., through Natalia Foley of Law Offices of Natalia Foley (“Foley”), filed  
9 verified answers to Plaintiff’s Original Complaint for Damages (“Original  
10 Complaint”). (*Id.* at ¶ 3; **Ex. D.**) Defendant Korotun filed her verified answer on  
11 October 12, 2022. (*Id.* at ¶ 3; **Ex. E.**)

12 On August 17, 2022, Plaintiff properly served the following first sets of written  
13 discovery requests upon each of the two Defendants by e-service to Natalia Foley at  
14 Law Offices of Natalia Foley: (1) Form Interrogatories—General; (2) Form  
15 Interrogatories—Employment Law; (3) Special Interrogatories; (4) Requests for  
16 Production of Documents; and (4) Requests for Admissions (collectively, the “First  
17 Written Discovery Requests”). (*Id.* at ¶ 4; **Ex. F–J.**) The last day for Defendants to  
18 respond to the First Written Discovery Requests was **September 21, 2022**. (Ryu  
19 Decl., ¶ 5.)

20 As of the date of making this motion to compel, Plaintiff has not received  
21 responses to any of the First Written Discovery Requests (*Id.* at ¶ 6.) Plaintiff also  
22 has not heard from Defendants or Foley regarding a request for an extension of time  
23 to serve discovery responses or any excuse for failing to respond to any of the First  
24 Written Discovery Requests. (*Id.*)

25 Plaintiff now moves the Court for an Order compelling Defendants to respond  
26 to the following:

- 27 (1) Plaintiff’s Form Interrogatories—General, Set One (“FIG”);  
28 (2) Plaintiff’s Form Interrogatories—Employment Law, Set One (“FIE”);

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**Exhibit 02**

1 DECLARATION OF YOUNG W. RYU

2 I, Young W. Ryu, declare as follows:

3 1. I am an attorney duly licensed to practice law in all courts of the State  
4 of California and am a senior attorney of LOYR, APC, and attorney of record for  
5 Plaintiff Dylan Yeiser-Fodness (“Plaintiff”). I file this declaration in support of  
6 Plaintiff’s motion to compel Defendants to respond to Plaintiff’s First Written  
7 Discovery Requests.

8 2. The following facts are based on my personal knowledge, except those  
9 stated upon information and belief, and to all such facts upon information and belief,  
10 I am informed and believe that the same are true. If called to testify, I could and  
11 would do so competently as follow:

12 3. On July 6, 2022, Plaintiff filed his original Complaint for Damages  
13 against Defendants Master Dog Training, 5 Star K-9 Academy, Inc., and Ekaterina  
14 Korotun (“Korotun”), (collectively, “Defendants”). Plaintiff, through his counsel of  
15 record, personally served Summons and Complaint on Defendants on July 27, 2022.  
16 True and correct copies of the Proofs of Service of the Summons and Complaint on  
17 Defendants are attached hereto as **Exhibits A through C**, respectively. On October  
18 11, 2021, Defendants Master Dog Training and 5 Star K-9 Academy, Inc., through  
19 Natalia Foley of Law Offices of Natalia Foley (“Foley”), filed verified answers to  
20 Plaintiff’s Original Complaint for Damages (“Original Complaint”). Defendant  
21 Korotun filed her verified answer on October 12, 2022. (See **Exhibits D and E**  
22 attached hereto.)

23 4. Approximately *eighty days ago*—on August 17, 2022, Plaintiff  
24 commenced discovery. On August 17, 2022, Plaintiff e-served his first set of written  
25 discovery requests, specifically: (1) Form Interrogatories—General; (2) Form  
26 Interrogatories—Employment Law; (3) Special Interrogatories; (4) Requests for  
27 Production of Documents; and (4) Requests for Admissions (collectively, the “First  
28 Written Discovery Requests”). True and correct copies of the Frist Written



1 Discovery Requests served on Defendant KOROTUN are attached hereto as **Exhibits**  
2 **F through J**, respectively.

3 5. The last day for KOROTUN to respond to the First Written Discovery  
4 Requests was September 21, 2022.

5 6. KOROTUN never corresponded with Plaintiff about needing an  
6 extension to fully respond to Plaintiff's first set of written discovery requests. Hence,  
7 without being provided with an extension, KOROTUN's responses to Plaintiff's First  
8 Written Discovery Requests were still due on September 21, 2022. KOROTUN failed  
9 to serve timely responses to Plaintiff's First Written Discovery Requests on  
10 September 21, 2022, or to seek a reasonable and timely extension from Plaintiff. I  
11 did not receive any communication from KOROTUN regarding her tardy responses.

12 7. Plaintiff seeks to compel Defendants to respond to (1) Plaintiff's Form  
13 Interrogatories—General, Set One ("FIG"); (2) Plaintiff's Form Interrogatories—  
14 Employment Law, Set One ("FIE"); (3) Plaintiff's Special Interrogatories, Set One  
15 ("SI"); and (4) Plaintiff's Requests for Production of Documents, Set One ("RFP").

16 8. As a result of Defendant's refusal to comply with her discovery  
17 obligations, my office has been forced to expend extensive time and energy  
18 researching the issues and preparing the Motion. In addition, in the event these  
19 issues are not resolved by the time Plaintiff's Replies are due and the hearing is held,  
20 Plaintiff will incur additional expenses. The expenses incurred to date, as well as  
21 those anticipated in the preparation for any Replies and the participation at the  
22 hearing, are as follows:

23 a. 5 hours to research the issues, prepare this motion, cull necessary  
24 exhibits, and prepare all supporting papers, billed at a reasonable rate  
25 of \$650.00 per hour, which totals **\$3,250.00**;

26 b. 2.5 hours in an anticipation of any Reply paper, billed at a reasonable  
27 rate of \$650.00 per hour, which totals of **\$1,625.00**; and

28

1 c. Clerk Filing Fees in connection with this motion, which totals **\$61.65**.

2 9. Therefore, the total amount of attorney's fees Plaintiff has already  
3 incurred and will incur in the future in connection with this motion is \$4,875.00. The  
4 total amount of costs Plaintiff has incurred in connection with this motion is \$61.65.  
5 Thus, Plaintiff requests that monetary sanctions in the total amount of **\$4,936.65** be  
6 awarded to her and against Defendant and her attorney of record, Natalia Foley, in  
7 connection with Plaintiff's Motion to Compel Responses to Plaintiff's Discovery  
8 Requests, Set One.

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

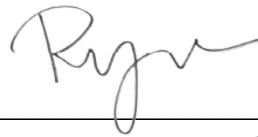
11 Executed December 28, 2022, at Los Angeles, California.

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Young W. Ryu, Declarant

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**Exhibit 03**

1 **PROOF OF SERVICE**

2 I am employed in the County of Los Angeles, State of California. I am over the  
3 age of 18 and am not a party to the within action. My business address is 3130  
4 Wilshire Blvd., Suite 209, Los Angeles CA 90010.

5 On August 17, 2022, I caused the foregoing document(s) described as

6 **PLAINTIFF’S REQUESTS FOR ADMISSION TO DEFENDANT EKATERINA**  
7 **KOROTUN (SET ONE)**

8  
9 to be served on the parties in this action as follows:

10 Ekaterina Korotun  
11 5502 Penfield Ave.,  
12 Woodland Hills, CA 91364

13 *Defendant*

14  
15  **(VIA U.S. MAIL)**

16 I caused such envelope(s) to be deposited in the mail at Los Angeles, California  
17 with postage thereon fully prepaid. I am “readily familiar” with the firm’s  
18 practice of collection and processing correspondence for mailing. It is deposited  
19 with the U.S. Postal Service on that same day in the ordinary course of  
20 business. I am aware that on motion of party served, service is presumed  
invalid if postal cancellation date or postage meter date is more than one day  
after date of deposit for mailing in affidavit.

21  **(STATE)**

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

23 Executed on August 17, 2022, at Los Angeles, California.

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27 Martha Gutierrez  
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**Exhibit 04**

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
 Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**WILSHIRE WORLD**  
**Postmark Here**  
**AUG 17**  
**CPU 0313**

**Dylan Hensen Address**  
 Certified Mail Fee \$ **4.00**

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$ **8.70**

**Total Postage and Fees \$ 12.70**

Sent To **Ekateryna Korotun 90 5 Star K-9 Acad.**  
 Street and Apt. No., or PO Box No. **502 Penfield Ave**  
 City, State, ZIP+4® **Woodland Hills, CA 91364**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2527 2842 0000 0560 7202



CPU WILSHIRE WORLD  
 3010 WILSHIRE BLVD  
 LOS ANGELES, CA 90010-1103  
 (800)275-8777

08/17/2022 04:02 PM

Product	Qty	Unit Price	Price
Priority Mail®	1		\$8.70
Woodland Hills, CA 91364			
Weight: 0 lb 15.50 oz			
Expected Delivery Date			
Fri 08/19/2022			
Certified Mail®			\$4.00
Tracking #:	70210950000024871752		
<b>Total</b>			<b>\$12.70</b>
<b>Grand Total:</b>			<b>\$12.70</b>

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm> or call 1-800-222-1811

Preview your Mail  
 Track your Packages  
 Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
 Thank you for your business.

UFN: 054552-5556  
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**Exhibit 05**

# USPS Tracking®

[FAQs >](#)

Tracking Number:

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## 7021095000024871752

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

### Latest Update

Your item was delivered to an individual at the address at 12:46 pm on September 14, 2022 in WOODLAND HILLS, CA 91364.

### Get More Out of USPS Tracking:

**USPS Tracking Plus®**

### Delivered

**Delivered, Left with Individual**

WOODLAND HILLS, CA 91364  
September 14, 2022, 12:46 pm

[See All Tracking History](#)

**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



[See Less ^](#)

Track Another Package

Enter tracking or barcode numbers



1 PROOF OF SERVICE

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3 DYLAN YEISER-FODNESS vs. MASTER  
4 DOG TRAINING ET AL.

Case No.: 22STCV21852

5 1. I, Irina Palees, am over the age of 18 and not a party of this cause. I am a resident of or employed  
6 in the county where the mailing occurred. My residence or business address is

7 **751 S Weir Canyon Rd Ste 157-455**  
8 **Anaheim CA 92808**

9 2. I served the following document:

10 Defendant Ekaterina Korotun, NOTICE OF LEGAL IMPOSSIBILITY TO FILE OPPOSITION TO  
11 PLAINTIFF’S NOTICE OF MOTION TO COMPEL DEFENDANT EKATERINA KOROTUN TO  
12 RESPOND TO THE FIRST SET OF PLAINTIFF’S FORM INTERROGATORIES—GENERAL, SET  
ONE, FORM INTERROGATORIES— EMPLOYMENT LAW, SET ONE, SPECIAL  
INTERROGATORIES, SET ONE, AND REQUESTS FOR PRODUCTION, SET ONE; Supporting  
Declaration by attorney Natalia Foley

13 by enclosing a true copy in a sealed envelope addressed to each person whose name and address is shown  
14 below and depositing the envelope in the US mail with the postage fully prepaid.

- 15 • Date of Mailing: 01/04/2023
- 16 • Place of Mailing: Los Angeles, CA

17 Name and Address of Person Served:

18 Attorney for Plaintiff:

Attorney for Defendants:

19 Young W Ryu, Esq  
20 LOYR, APC  
1055 West 7th Street, Suite 2290  
Los Angeles CA 90017

Natalia Foley, Esq  
Law Offices of Natalia Foley  
751 S Weir Canyon Rd Ste 157-455  
Anaheim CA 92808

21 3. I declare under penalty of perjury under the laws of the State of California that the foregoing is true  
22 and correct.

23 Date: 01/04/2023

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26 By Irina Palees,  
27 Legal assistant to attorney Natalia Foley