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FILED
SEP 17 2026
Superior Court of California
County of Tuolumne
by: O.S. VonBelle Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF TUOLUMNE

DORRIYA ANDERSON; CRAIG ANDERSON; JAMES ROBERTS; JOANN ROBERTS; FRANK FERNANDEZ; ANTONIO FERNANDEZ; JIM FERNANDEZ; and PATRICIA REH,
Plaintiffs,
v.
JOHN LAMAR SLATON, an individual; BRUCE SLATON, an individual; ROBERT A. WOODWORTH and DIANE WOODWORTH, individually and as trustees; DJ SLATON EXCAVATION, form unknown; COUNTY OF TUOLUMNE, a political subdivision of the State of California; and DOES 1 through 50, inclusive,
Defendants.

Case No. CV68663

~~[PROPOSED]~~ ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER PRESERVING EVIDENCE

Date: September 17, 2026
Time: 8:00 a.m., or as soon thereafter as the Court permits
Dept.: 3
Judge: David Reyerslorf

~~[PROPOSED]~~ ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER PRESERVING EVIDENCE

Plaintiffs' Ex Parte Application for a Temporary Restraining Order and Order to Show Cause re Preliminary Injunction came before the Court on September 17, 2026. The Court considered the application, memorandum, declarations of M. Renée Orth, Dorriya Anderson and Scott Fischler, any

properly submitted exhibits and matters subject to judicial notice, the records and pleadings on file, and the argument of the parties appearing.

For purposes of interim relief only, and without deciding the ultimate merits, the Court finds:

1. Plaintiffs gave notice of the application as described in the declaration regarding notice. To the extent notice was shorter than ordinarily required or a department had not yet been assigned, the immediate risk that unique physical evidence would be removed, altered, or commingled before a regularly noticed hearing constitutes exceptional circumstances and good cause to consider the application.

2. The real property at 18955 Industry Way, Sonora, California, APN 097-090-010 (the "Site"), contains asphalt, concrete, soil, rock, demolition debris, and related material that is a subject of this action and may be necessary to determine the parties' claims and defenses (the "Subject Material"). "Subject Material" includes both material remaining at the Site and identifiable or traceable material removed from the Site, wherever presently located.

3. The declarations establish repeated excavation, loading, and removal of Subject Material on September 4 and September 8, 2026; a refusal to provide even a sample after litigation had commenced. Continued removal, alteration, or commingling before representative sampling would risk permanently destroying the ability to identify and test the material in its original or traceable condition. The evidence further indicates that removed Subject Material was delivered to Sierra Rock Products for processing. Jim Hatler of Sierra Rock Products informed Plaintiffs' counsel on September 10, 2026, that approximately 90 percent of the delivered material had already been processed and mixed with other material. The remaining identifiable material is therefore at immediate risk of processing, commingling, disposition, or loss unless preserved.

4. Monetary damages cannot restore unique physical evidence once it has been dispersed, processed, or commingled. The threatened evidentiary injury is therefore immediate and irreparable, and may tend to render a judgment in this action ineffectual.

5. For purposes of interim relief, the verified Complaint and supporting declarations demonstrate a reasonable probability that Plaintiffs will prevail on the merits of at least one pleaded cause of action to which the subject material is material. The balance of interim harms favors a short, narrowly tailored order preserving the remaining evidence until a preliminary-injunction hearing can be held.

6. The restraints below preserve the status quo until sampling and testing are completed.

ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION

Defendants are ORDERED TO SHOW CAUSE why, pending the completion of sampling and testing of evidence or further order of the Court, a preliminary injunction should not issue:

1. prohibiting the excavation, crushing, grinding, screening, grading, mixing, loading, removal, transportation, sale, transfer, disposal, concealment, alteration, destruction, or commingling of Subject Material remaining at the Site or removed from the Site on or after September 3, 2026;
2. requiring preservation of Subject Material and all documents, electronically stored information, photographs, videos, drone footage, load records, scale tickets, invoices, receipts, communications, sampling data, and other records identifying its source, condition, location, movement, recipient, testing, processing, or disposition;
3. requiring Defendants who possess, control, or have the legal right to obtain access to the Site or traceable removed Subject Material to permit an expedited inspection, photographic and video documentation, and representative sampling by qualified consultants under an approved or stipulated protocol that provides for split samples, documented locations, chain of custody, appropriate health-and-safety controls, and analysis by qualified laboratories; and
4. requiring such other narrowly tailored measures as are necessary to preserve the evidentiary value of the Subject Material while allowing any lawful remediation to proceed after documentation and representative sampling.

The hearing on the Order to Show Cause will be held as follows:

5. Hearing date: 9-23-2026; Time: 1:30; Department: 5.

6. Plaintiffs shall serve this signed Order, the Ex Parte Application, supporting memorandum, declarations, and exhibits, on each responding party no later than 9-21-2026 by the following manner: Telephone or e-mail.

7. Plaintiffs shall file proof of service no later than 9-23-26.

8. Any opposition papers shall be filed and served no later than 9-23-26.

9. Any reply papers shall be filed and served no later than N/A - Time does not permit.

10. Counsel shall meet and confer no later than 9-22-26 regarding a proposed inspection and sampling protocol and shall file either a stipulation or a joint statement identifying remaining disputes no later than 9-23-26.

TEMPORARY RESTRAINING ORDER

Pending the hearing on the Order to Show Cause, and subject to the exceptions stated below, IT IS HEREBY ORDERED:

11. Defendants John Lamar Slaton, Bruce Slaton, Robert A. Woodworth, Diane Woodworth, and DJ Slaton Excavation (collectively, the "Private Defendants"), together with their officers, agents, employees, representatives, contractors, haulers, bailees, custodians, and all persons acting for them or in active concert or participation with them who receive actual notice of this Order—including Sierra Rock Products, Inc. and Jim Hatler solely to the extent either is acting in any such capacity—shall not excavate, crush, grind, screen, grade, mix, load, remove, transport, sell, transfer, use, dispose of, conceal, alter, destroy, or commingle any Subject Material remaining at the Site or any identifiable Subject Material removed from the Site on or after September 3, 2026.

12. The Private Defendants shall not direct, request, authorize, assist, or permit any other person or entity to engage in conduct prohibited by paragraph 11.

13. The Private Defendants shall not direct, request, authorize, assist, procure, suffer, or permit any other person or entity—including Sierra Rock Products, Inc. or Jim Hatler—to engage in conduct prohibited by paragraph 11. The Private Defendants shall immediately exercise all contractual rights, possessory rights, ownership rights, instructions, or other means within their control to suspend further processing, commingling, transfer, sale, use, or disposition of Subject Material previously delivered to any third party.

14. This obligation includes taking all steps within that Defendant's possession, custody, control, contractual authority, or practical ability to preserve Subject Material delivered to Sierra Rock Products. To the extent Sierra Rock Products, Inc. or Jim Hatler possesses Subject Material as an agent, contractor, hauler, bailee, custodian, or person acting in concert or participation with a Private Defendant, and receives actual notice of this Order, Sierra Rock Products and Hatler shall preserve all remaining identifiable Subject Material in its present location and condition and shall not process, crush, screen, blend, commingle, transfer, sell, use, dispose of, conceal, or otherwise alter it pending further order of the Court.

15. No later than 5:00 p.m. on the first court day after service of this Order, each Defendant with knowledge of removal shall serve on all appearing counsel a written identification, to the extent known after reasonable inquiry, of: (a) each date material was removed on or after September 3, 2026; (b) the person or entity that transported it; (c) the approximate number of loads or quantity; (d) every delivery or present location; (e) each recipient's name and contact information; and (f) whether the material remains segregated, has been processed, or has been commingled. A jointly verified response may be submitted.

16. Immediately upon service of this Order, the Private Defendants shall transmit a copy of it and written preservation instructions to Sierra Rock Products, Inc., Jim Hatler, and each other known hauler or recipient of Subject Material removed on or after September 3, 2026. The Private Defendants shall complete such transmission by telephone and by email, personal delivery, or another reasonably calculated written method, and shall promptly provide appearing counsel with copies of the written notices and evidence of transmission.

17. The County of Tuolumne shall preserve the evidence and records described in paragraph 13.

18. This Order does not prohibit watering or other dust-suppression measures that do not excavate, relocate, mix, bury, cover with additional fill, or materially alter the Subject Material. It also does not prohibit action reasonably necessary to address an imminent threat to life, health, safety, or property pursuant to a written direction of an authorized public agency or emergency responder. When circumstances permit, the person taking emergency action shall first photograph and document the affected area, preserve reasonably representative samples under documented chain of custody, and promptly notify all appearing counsel.

19. Nothing in this Order authorizes entry onto private property, invasive sampling, or interference with lawful regulatory inspections. Inspection and sampling shall occur only by written stipulation or further order of the Court.

20. This Order binds the named Defendants upon service or actual notice. It also binds their officers, agents, employees, representatives, contractors, haulers, bailees, custodians, and persons acting in concert or participation with them—including Sierra Rock Products, Inc. and Jim Hatler to the extent either falls within one of those categories—upon actual notice of the Order.

21. Pursuant to Code of Civil Procedure section 529, this Temporary Restraining Order becomes effective when Plaintiffs file an undertaking in the amount of $ 10,000.00, conditioned as required by law.

22. Unless extended by the Court or by written stipulation approved by the Court, this Temporary Restraining Order expires on 9-23-26 at 5:00 p.m.

23. The Court retains jurisdiction to clarify or enforce this Order and to address any genuine emergency or claimed undue hardship on shortened notice. No finding in this Order is binding at trial or constitutes a final adjudication of any claim or defense.

IT IS SO ORDERED.

Dated: 9-17-2026

JUDGE OF THE SUPERIOR COURT