

1 FAHED FREDDY SAYEGH
2 407 E. Woodbury Rd.
3 Altadena, California 91001
4 Telephone: (310) 877-5033
5 freddy@thefoxxfirm.com

6 IN PRO PER
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8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES

11 NUHA SAYEGH
12 Petitioner,

13 v.
14

15 FAHED SAYEGH,
16 Respondent.

17 CASE NO: 25PDRO01260
18 (r/w 25PDFL01441 (dissolution lead)
19 (r/w 25PDFL01460 (related dv matter)

20 [PROPOSED] ORDE

21 Code Civ. Proc., § 1008(a); in the alternative
22 §§ 533; Fam. Code § 6345; Fam. Code § 217]

23 The Motion for Reconsideration filed by Respondent/Moving Party, Fahed “Freddy” Sayegh,
24 came on regularly for hearing on _____, 2025, in Department L of the above-entitled
25 Court. Petitioner, Nuha Sayegh, appeared by counsel _____; Respondent
26 appeared in pro per.

27 Having considered the moving, opposition, and reply papers; the declarations and exhibits; the
28 arguments of the parties; and good cause appearing, the Court finds and orders as follows:

29 FINDINGS

- 30 1. Good cause exists to reconsider the orders issued on October 15, 2025, in light of “new or
31 different facts” discovered after that hearing that could not, with reasonable diligence,
32 have been presented on October 15. Code Civ. Proc., § 1008(a).

- 1 2. The showing includes, among other items: (a) the October 16, 2025 school interview of
2 the minor conducted by DCFS social worker Tyler Polk, first learned by Respondent on
3 October 19, 2025; and (b) June 8, 2025 message threads recovered from the minor's
4 phone on October 19, 2025, which are material to credibility, mechanism of injury, and
5 timeline.
- 6 3. Independently, the Court may revisit and modify interim injunctive orders upon changed
7 facts or in the interests of justice. See *Le Francois v. Goel* (2005) 35 Cal.4th 1094; Code
8 Civ. Proc., § 533; Fam. Code, § 6345.
- 9 4. This is a contested family law matter in which credibility is central. Family Code § 217
10 presumes live testimony upon request. A short evidentiary hearing is necessary to ensure
11 a reliable record. See *Elkins v. Superior Court* (2007) 41 Cal.4th 1337.

12 ORDERS

14 A. Reconsideration Granted; Prior Orders Vacated in Part

- 15 1. The Motion for Reconsideration is GRANTED.
16 2. The October 15, 2025 orders are VACATED to the extent set forth below and are
17 TEMPORARILY SUSPENDED pending a limited evidentiary hearing under Family
18 Code § 217.
19 3. DENIED ____-

21 B. Evidentiary Hearing Under Family Code § 217

- 22 3. A live-testimony evidentiary hearing under Family Code § 217 is SET for _____,
23 2025, at _____ a.m./p.m., Department ____ (estimated 2.5 hours of direct examination; cross-
24 examination time to be managed by the Court).
25 4. At the § 217 hearing, the Court will receive live testimony limited to credibility, timeline,
26 mechanism-of-injury, and the newly discovered items identified in the motion, including: DCFS
27 social worker Tyler Polk; the Tuesday housekeeper; any treating/procedural physician or
28

1 qualified expert on the “lip” image; Detective Lohmann; DDA Sara Antoun; and necessary
2 records custodians.

3 C. Subpoenas; Foundation; Exhibit Exchange

4 5. Short-form subpoenas and custodian declarations may issue pursuant to Evid. Code §§ 1560–
5 1561.

6 6. Exhibits must be exchanged no later than five (5) court days before the § 217 hearing, with
7 courtesy binders/lodging delivered to the department per local rules.

8 7. Before admitting collateral or undated images, the Court will conduct any required Evid. Code
9 § 402 foundation hearing and will apply Evid. Code §§ 350, 352, and 1400–1402 even-handedly.
10

11 D. DCFS/Minor Records; Protective Measures

12 8. DCFS records and the social worker’s testimony may be received subject to appropriate
13 confidentiality protections. The Court authorizes narrowly tailored protective orders and, if
14 necessary, in camera review consistent with Welf. & Inst. Code § 827 and Cal. Rules of Court,
15 rules 5.552 and 2.550–2.551. Any sealed materials shall be handled per CRC 2.551.
16

17 E. Witness Lists; Logistics

18 9. Each party shall serve and file a witness list identifying live witnesses and time estimates no
19 later than five (5) court days before the § 217 hearing. See Fam. Code § 217(c); CRC 5.113.

20 10. Remote testimony may be permitted for agency/custodian witnesses upon advance request
21 consistent with department procedures.

22 F. Interim Parenting/Contact; School Access

23 11. Pending the § 217 hearing, and to prevent further interference, the Court orders interim non-
24 interference/contact terms as follows:

25 a. Neither party shall block, monitor, or interfere with the children’s ordinary telephonic/video
26 contact with the other parent.

27 b. Both parties shall refrain from presenting false or unsigned directives to schools.
28

1 c. Each school currently attended by the children shall recognize Respondent's parental access
2 rights for records and information absent a contrary court order.

3 d. The parties shall cooperate in promptly restoring normal school communication and access
4 consistent with Fam. Code § 3020.

5 G. Transcripts; Supplemental Filing

6 12. Upon receipt, Respondent may lodge certified transcript excerpts and a short supplemental
7 points-and-authorities (not to exceed 7 pages) within ten (10) court days. Petitioner may file a
8 response (not to exceed 7 pages) ten (10) court days thereafter; optional reply (not to exceed 4
9 pages) five (5) court days thereafter.

10 H. Sanctions/Fees

11 13. Any sanctions requests related to the Motion for Reconsideration are DENIED WITHOUT
12 PREJUDICE at this time, the Court finding the motion is supported by new facts and is brought
13 in good faith to complete the record. This is without prejudice to fee applications noticed and
14 supported under applicable statutes and rules.

15 I. Further Orders

16 14. The Court may issue further orders to effectuate this ruling and to manage the presentation of
17 evidence at the § 217 hearing.

18 IT IS SO ORDERED.

19 Dated: _____, 2025

20 Hon. Joel F. Lofton _____

21 JUDGE OF THE SUPERIOR COURT – DEPT L - NORTHEAST