

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF VENTURA**

**Tentative Ruling**

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**2025CUBC054543: ANUSH BARSAMYAN vs ANGELIQUE FRIEND  
06/17/2026 in Department 43  
Demurrer to FIRST AMENDED COMPLAINT**

The morning calendar in courtroom 43 will normally begin at 8:45. Please arrive for your hearing no later than 8:30 a.m. The door will be opened before the calendar is called.

The Court allows appearances by CourtCall and Zoom. Refer to the Courtroom 43 webpage for more information about remote appearances. If appearing by CourtCall, call in no later than 8:30 a.m. If you wish to appear by CourtCall, you must make arrangements with CourtCall by 4:00 p.m. the court day before your scheduled hearing. Requests for approval of a CourtCall appearance made on the morning of the hearing will not be granted. No exceptions will be made.

For Zoom appearances, all counsel appearing by Zoom must email the court at Courtroom43@ventura.courts.ca.gov with a simultaneous copy to all other counsel/self-represented parties no later than 3:00 p.m. the court day before the hearing. INCLUDE THE PHRASE "ZOOM APPEARANCE ON (DATE OF HEARING)" IN THE SUBJECT LINE OF YOUR EMAIL. The email must identify the person who will make the appearance. You will receive the login information for your appearance in reply to your email. If appearing by Zoom, log into the hearing no later than 8:30 a.m. The Court will transfer you to the meeting room when your matter is called. Additional instructions can be found on the Courtroom 43 webpage. When you log in to Zoom, be sure that your name and the case name are used as your Zoom name. IF YOU DO NOT FOLLOW ALL OF THESE INSTRUCTIONS, YOU WILL NOT BE PERMITTED TO APPEAR BY ZOOM AT THE HEARING.

With respect to the tentative ruling below, no notice of intent to appear is required. If you wish to submit on the tentative ruling you can fax notice to Judge Coats's secretary, Ms. Brantner at 805-477-8790, stating that you submit on the tentative. Or you may email Courtroom43@ventura.courts.ca.gov with all counsel copied on the email. Do not call in lieu of sending a fax or email. If you submit on the tentative without appearing and the opposing party appears, the hearing will be conducted in your absence. If you are the moving party and do not advise the Court that you submit on the tentative, or you do not appear at the hearing, the Court may deny your motion irrespective of the tentative.

Unless stated otherwise at the hearing, if a formal order is required but not signed at the hearing, the prevailing party shall prepare a proposed order and comply with CRC 3.1312 subdivisions (a), (b), (d) and (e). The signed order shall be served on all parties and a proof of service filed with the court. A "notice of ruling" in lieu of this procedure is not authorized.

**Motion:** Defendant's Demurrer to the First Amended Complaint

**Tentative Ruling:** Defendant's Demurrer to the First Amended Complaint is OVERRULED.

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The Court has taken judicial notice of the following documents:

- (1) Petition for Letters of Administration filed December 23, 2024;
- (2) Letters of Administration issued February 21, 2025;
- (3) Creditor's Claim filed by Plaintiff Anush Barsamyan on September 24, 2025;
- (4) Rejection of Plaintiff's September 24 Creditor's claim filed on October 30, 2025;
- (5) Creditor's Claim filed by Plaintiff Anush Barsamyan on November 10, 2025; and
- (6) Rejection of Plaintiff's November 10 Creditor's claim filed on November 12, 2025.

These are probate court documents and judicial notice is properly taken under Evidence Code section 452, subdivision (d).

The First Amended Complaint pleads an action to enforce a contract to make a will and not a creditor claim against the estate. This negates Defendant's primary argument that the claims are barred by a failure to file a timely creditor claim in probate court. The claim is excepted from the statute of frauds at the pleading stage because the contract was capable of being completed within one year. The First Amended Complaint pleads the correct and specific remedy and measure of damages for a quantum meruit claim. Constructive trust is a correct remedy in this situation and is adequately pled.

Defendant shall file an answer to the complaint on or before July 2, 2026.

Plaintiff is ordered to serve notice of the Court's ruling.