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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

JAY W. CRIDER,

Plaintiff and Appellant,

v.

PILLSBURY WINTHROP SHAW  
PITTMAN LLP,

Third Party and  
Respondent.

B342274

Los Angeles County  
Super. Ct. No. 24STCV10976

APPEAL from an order of the Superior Court of  
Los Angeles County, Barbara M. Scheper, Judge. Affirmed.

Brower Law Group, Steven Brower and Tae J. Im for  
Plaintiff and Appellant.

Pillsbury Winthrop Shaw Pittman, Paul J. Fraidenburgh  
and Michelle A. Herrera for Third Party and Respondent.

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Jay Crider sued his employer GRM Information  
Management Services of California, LLC. Crider issued a

subpoena to third party Pillsbury Winthrop Shaw Pittman LLP. The trial court granted Pillsbury's motion to quash the subpoena and awarded Pillsbury \$12,500 in sanctions. Crider appeals. We affirm.

According to Crider's complaint, GRM California provides enterprise content management systems, document storage, and scanning services. GRM California hired him in 2008 to help develop a new digital division focusing on electronic document management. In addition to his base salary, Crider was eligible to receive commissions as set forth in various commission plans GRM California offered each year. Crider believed GRM California made errors in calculating commissions under the plans, but his complaints were to no avail. After GRM California promoted Crider, it failed to pay him commissions he had already earned. Despite these issues, Crider was the top producer in the company and made the "President's Club," a title given to employees achieving at least 125% of the sales quota.

In 2019, hackers attacked GRM California. GRM California's agreements with clients required it to inform clients of the attack. One such client was Pillsbury. Crider alleges GRM California failed to do so. Instead, the executive vice president distributed a script to help its personnel hide the attack from clients. Crider refused to go along. GRM California therefore excluded Crider from further communications about the incident.

Crider alleges GRM California began retaliating against him after this. GRM California changed Crider's compensation plan to make it harder for him to hit his targets and bonuses. Although Crider continued to perform well enough to achieve membership in the "President's Club," GRM California withheld the title until Crider asked why he had not been recognized.

When Crider complained to GRM California's CEO that he was being denied earning opportunities, the CEO threatened to write Crider up for being unprofessional and insubordinate.

Crider eventually considered himself constructively terminated and he resigned. He sued GRM California, alleging various employment law causes of action and retaliation associated with his refusal to lie about the hacker attack. Crider and GRM California's parent company, GRM Information Management Services, Inc. (GRM Inc.) tried to settle the case. Pillsbury represented GRM Inc. Pillsbury also represented GRM Inc. in a federal suit against Crider alleging Crider improperly accessed GRM Inc. emails after his resignation.

About a month after Crider filed this suit, he issued subpoenas to 11 non-party clients of GRM California, including Pillsbury. A few weeks later, Crider served more non-party subpoenas. The subpoenas listed topics of examination about the clients' relationships with GRM California, services provided, the clients' requirements for data storage, and any communications from GRM California. Crider did not serve GRM California with copies of the subpoenas until GRM California learned about the subpoenas from its clients.

Pillsbury moved to quash the subpoena. The trial court issued a minute order stating: "The Motion to Quash filed by Pillsbury Winthrop Shaw Pittman LLP on 8/13/2024 is Granted. [¶] Sanctions are imposed against Plaintiff and shall be paid to Pillsbury Winthrop Shaw Pittman LLP within thirty (30) days as more fully reflected in the Order signed and filed, as modified, this date and incorporated herein by reference." The referenced order specified that Crider was to pay sanctions in the amount of

\$12,500 and that he must obtain a court order before seeking further discovery from Pillsbury.

Crider argues on appeal that: (1) the trial court made erroneous assumptions in granting the motion to quash, (2) he sought to depose Pillsbury as a third party client of GRM California, not as opposing counsel, and (3) the trial court imposed excessive sanctions. These contentions all fail because Crider has not provided us with an adequate record for review.

Appellants bear the burden of demonstrating error. (*Jameson v. Desta* (2018) 5 Cal.5th 594, 608–609 (*Jameson*)). We presume the trial court ruling is correct and will only reverse when the appellant can show an error requiring reversal. (*Ibid.*) We make all presumptions in favor of the trial court’s ruling. (*Ibid.*) The necessary corollary is if the appellant fails to provide a record sufficient to show the error, the reviewing court will affirm. (*Ibid.*)

Crider attacks the trial court’s reasoning in granting the motion to quash, alleging the court made erroneous assumptions. But we have no transcript from the hearing, no reasoning provided in the order, nor a settled statement to evaluate this claim. (*Jameson, supra*, 5 Cal.5th at p. 608 [failure to have court reporter and “resulting lack of a verbatim record” is often fatal to reviewing court’s ability to determine merits of appellant’s claim].)

Crider has included in his appendix a number of filings related to GRM California’s later filed motion to quash a subpoena to another customer, HCA Healthcare, Inc. In ruling on that motion, the trial court did provide some reasoning for imposing sanctions on Crider. (Crider has also appealed that ruling, which we address in a separate opinion. (See *Crider v.*

*GRM Information Management Services of California, LLC* (May 29, 2026, B342639 [nonpub. opn.].) Crider argues the trial court must have applied the same reasoning here as in ruling on the Pillsbury motion. This is baseless speculation. Pillsbury raised unique arguments based on its identity as a law firm and as counsel for GRM Inc. and GRM California. Crider's speculation fails.

Crider's argument that he was trying to depose Pillsbury as a client, not as opposing counsel, suffers a similar fate. Without anything in the record reflecting the trial court's reasoning, we cannot know that the trial court rejected this argument and granted the motion on another basis. Indeed, the later and different reasoning the trial court applied in ruling on the GRM motion makes clear other bases existed.

The same analysis applies to the trial court's award of sanctions. Because the record Crider provided does not reflect the trial court's reasoning, we are unable to evaluate his claim that the award was excessive. Our review of trial court grants of sanctions is deferential. Crider gives us no reason to rule the trial court acted arbitrarily. (*Williams v. Superior Court* (2017) 3 Cal.5th 531, 540.)

Pillsbury asks for attorney's fees related to the appeal, noting a statute authorizing attorney's fees at the trial level also authorizes them on appeal unless the statute specifically states the contrary. (*Evans v. Unkow* (1995) 38 Cal.App.4th 1490, 1499; Code of Civil Procedure 1987.2(a).) We grant Pillsbury's request and remand to the trial court to determine the proper fee.

**DISPOSITION**

We affirm the order and award costs to Pillsbury.

WILEY, J.

We concur:

STRATTON, P. J.

SCHERB, J.