

VERIFIED QUOTATION SHEET | OCTOBER 20, 2026

Cancer Survivor Challenges California Ruling Denying Her Use of Frozen Embryos

The appeal tests California's constitutional guarantee of reproductive freedom in the IVF process.

These excerpts are from the official trial transcript and the trial court's written decisions. Transcript capitalization and source punctuation are preserved. The quotations record testimony or rulings; they are not new statements prepared for this media package.

Trial testimony

Sofiya Goldshteyn was the respondent in the trial court and is the appellant. Max Borenstein was the petitioner and is the respondent on appeal. Trial testimony was given February 24, 2026.

Sofiya Goldshteyn on the existing embryos

The court asked why she sought the donor-egg embryos despite the absence of her genetic material. She described her deliberate donor selection and the embryos' personal importance.

I JUST WANT THE CHANCE TO HAVE THE CHILDREN FROM THE EMBRYOS THAT ALREADY EXIST.

[Official Reporter's Transcript, RT 68:17-19; context at RT 67:22-68:28.](#)

Sofiya Goldshteyn on reproductive freedom

After examination, the court invited her to explain why it should not enforce agreements she acknowledged signing, reading, and reviewing. These are her words and constitutional contention.

TO ME, THIS IS -- IF THE CALIFORNIA CONSTITUTION PROTECTS MY RIGHT TO BEAR A CHILD, WHY SHOULD I BE PUNISHED FOR NOT HAVING A WOMB THAT WORKS OR EGGS THAT WORK? BECAUSE IF I'D JUST GOTTEN PREGNANT, IF MY WOMB WORKED, AND HE DECIDED THAT HE DIDN'T WANT ME TO HAVE THAT BABY, I WOULD STILL BE ABLE TO HAVE MY BABY, IT WOULD BE INSIDE ME. SO I DON'T GET THE PROTECTION OF MY OWN BODY BECAUSE MY BODY IS BROKEN, I DON'T THINK THAT THAT IS CONSTITUTIONALLY FAIR.

[Official Reporter's Transcript, RT 89:22-90:3; context at RT 87:18-88:28.](#)

Max Borenstein on the scope of his objection

Counsel asked whether removing potential child-support obligations would resolve his objections. He separately described wanting to choose parenthood jointly with a partner (RT 41:26-42:6).

Q. SURE. IF THERE WERE A WAY TO ABSOLVE POTENTIAL OBLIGATION TO POTENTIAL CHILD SUPPORT, WOULD THAT SOLVE YOUR OBJECTIONS?
A. THAT'S NOT MY ONLY OBJECTION.

[Official Reporter's Transcript, RT 47:4-7.](#)

Full source: https://lojrh.com/b355195/record/b355195_cv_goldshteyn_rt.pdf

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VERIFIED QUOTATION SHEET | OCTOBER 20, 2026**Trial court findings and orders**

The following passages are from the April 23, 2026 tentative decision. The court adopted the decision with modifications on May 12. The modification conditionally left additional earlier embryos for a later proceeding. The appeal disputes the directives' coverage and the unresolved embryo inventory.

The court's finding about Sofiya's remaining genetic embryo

The court recognized the medical history and genetic significance, then stated its view of the reproductive-rights issue.

Based on the Respondent's medical condition, she cannot produce additional eggs. The Court understands this issue and is sympathetic to the plight of the Respondent. The Respondent is a cancer survivor who has undergone chemotherapy and radiation treatment and is on hormone suppressants. This single embryo is the last chance for her progeny to have her DNA and her biological lineage to continue. However, the Court does not see this as a reproductive rights issue.

Tentative decision, printed pp. 7-8; combined PDF pp. 9-10.

The disposition ordered by the trial court

The passage distinguishes the embryo containing both parties' DNA from the donor-egg embryos.

As such, the Court holds that as to the one embryo containing the DNA of both Petitioner and Respondent, that embryo is to be donated to medical research. As to the remaining embryos, which only contain the DNA of the Petitioner and the donor eggs, those embryos are to be the Petitioner's property to do so as he sees fit.

Tentative decision, printed pp. 6:27-7:2; combined PDF pp. 8-9.

The court's stated rationale

Sofiya's appeal challenges this reasoning and seeks constitutional review of the court's disposition orders.

The Court's decision does not interfere with a party's reproductive rights. The Court is enforcing an agreement the parties freely and voluntarily entered regarding how they wished the disposition of their embryos to occur in the event of a dissolution.

Tentative decision, printed p. 8:4-7; combined PDF p. 10.

May 12 adoption: printed p. 1:19-20 (combined PDF p. 15). Conditional earlier-embryo exception: printed p. 3:20-25 (combined PDF p. 17). A May 19 minute order denied a requested stay extension while referring to the automatic appellate-stay provision. These materials do not verify later docket developments or current physical preservation. [May 19 order \(also included in the media kit\)](#)

Full source: <https://www.theamericancounsel.com/content/files/2026/08/Combined-Tentative-and-Final-Judgment.pdf>

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