

TENTATIVE RULINGS for LAW and MOTION
August 15, 2024

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted on Yolo Court's Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Eleven	(530) 406-6843
Telephone number for the clerk in Department Fourteen	(530) 406-6800

TENTATIVE RULING

Case: **Baker v. Coldwell Banker Real Estate, LLC, et al.**
Case No. CV-2024-1150

Hearing Date: **August 15, 2024** **Department Fourteen** **9:00 a.m.**

The Court reminds plaintiff Mark Baker of the memorandum page length limitations. (Cal. Rules of Court, rule 3.1113(d) [stating that “no opening or responding memorandum may exceed 15 pages”].) In the future, the Court may decline to consider any argument or legal authority found in pages exceeding the maximum permitted number of pages.

Petrovich Development Company, LLC’s demurrer:

Petrovich Development Company, LLC’s (“Petrovich”) request for judicial notice as to Exhibit A is **GRANTED**. (Evid. Code, §§ 452, subd. (d), 453.) Petrovich’s request as to the remaining items are **DENIED** as they are not relevant to the Court’s determination of this demurrer. (Evid. Code, §§ 452, 453; *People v. Rowland* (1992) 4 Cal.4th 238, 268, fn. 6; see *Malek Media Group LLC v. AXQG Corp.* (2020) 58 Cal.App.5th 817, 825; *People ex rel. Lockyer v. Shamrock Foods Co.* (2000) 24 Cal.4th 415, 422 [a precondition to the taking of judicial notice in either its mandatory or permissive form must be relevant to a material issue].)

Plaintiff request for judicial notice is **DENIED**. (Evid. Code, §§ 452, 453.) The proffered documents are not relevant to the Court’s determination of this demurrer. (*Rowland, supra*, 4 Cal.4th at p. 268, fn. 6; see *Malek Media Group LLC, supra*, 58 Cal.App.5th at p. 825; *People ex rel. Lockyer, supra*, 24 Cal.4th at p. 422.)

Petrovich’s objections to plaintiff’s request for judicial notice are **OVERRULED AS MOOT**.

As the document plaintiff seeks to submit is not authorized by law, plaintiff’s request for submission of late paper is **DENIED**. (See Code Civ. Proc., § 1005, subd. (b).)

Petrovich’s demurrer to the first cause of action [The Americans with Disabilities Act] in plaintiff’s complaint is **OVERRULED**. (Code Civ. Proc., § 430.010, subd. (e).) The Court finds that plaintiff has alleged facts sufficient to state this cause of action. (42 USC 12181, subd. (7)(E); 28 CFR 36.101, 36.402; *Martinez v. San Diego County Credit Union* (2020) 50 Cal.App.5th 1048, 1060; see *Serrano v. Priest* (1971) 5 Cal.3d 584, 591; Compl., ¶¶ 2, 12, 15, 16, 30 – 33, 35 – 37.)

Petrovich **SHALL** file an answer by no later than **August 26, 2024**. (Cal. Rules of Court, rule 3.1320(j).)

Plaintiff’s request for preliminary injunction is **DENIED**. The Court finds that plaintiff fails to provide any legal authority or argument in support of this request. (Cal. Rules of Court, rule 3.1113(b); see *Quantum Cooking Concepts, Inc. v. LV Associates, Inc.* (2011) 197 Cal.App.4th 927, 934; citing *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 52 [where a motion is supported by a deficient memorandum, the trial court is justified in denying the motion on procedural grounds].)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

Coldwell Banker Real Estate LLC’s demurrer:

Defendant Coldwell Banker Real Estate LLC’s (“CBRE”) request for judicial notice is **GRANTED**. (Evid. Code, §§ 452, subd. (g), (h), 453.)

The Court rules on CBRE’s demurrer to plaintiff’s complaint as follows:

- CBRE’s demurrer to the first cause of action in plaintiff’s complaint [the Americans with Disabilities Act] is **OVERRULED**. (Code Civ. Proc., § 430.010, subds. (e), (f).) The Court finds that while CBRE has shown that it is not the owner of the Woodland Gateway Shopping Center, CBRE has not shown that it does not lease and/or operate the Woodland Gateway Shopping Center or any portion thereof. (See *Martinez v. San Diego County Credit Union* (2020) 50 Cal.App.5th 1048, 1060; RJN, Exhibits 1 – 3.)
- CBRE’s demurrer to the second cause of action in plaintiff’s complaint [the Unruh Civil Rights Act] is **OVERRULED**. (Code Civ. Proc., § 430.010, subd. (e).) The Court finds that plaintiff has alleged facts sufficient to state this cause of action. (Civ. Code 51; 42 USC 12181, subd. (7)(E); CACI 3060; see *Serrano, supra*, 5 Cal.3d at p. 591; *Munson v. Del Taco, Inc.* (2009) 46 Cal.4th 661, 664 – 665 [a violation of the right of any individual under the Americans with Disabilities Act of 1990, which does not necessarily require a plaintiff to show intentional discrimination, shall also constitute a violation of the Unruh Civil Rights Act]; Compl., ¶¶ 2, 12, 15, 16, 30 – 33, 35 – 37.)

Plaintiff’s request for “defendant referral to California Attorney General” is **DENIED**. The Court finds that plaintiff fails to provide any legal authority or argument in support of this request. (Cal. Rules of Court, rule 3.1113(b); see *Quantum Cooking Concepts, Inc, supra*, 197 Cal.App.4th at p. 934; citing *Chavez, supra*, 162 Cal.App.4th at p. 52.)

CBRE **SHALL** file an answer by no later than **August 26, 2024**. (Cal. Rules of Court, rule 3.1320(j).)

The notice of demurrer does not provide notice of this Court’s tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

Plaintiff's motion to compel as to Petrovich:

The Court construes plaintiff's motion to compel Petrovich's responses without objections to special interrogatories set 1, and request for order awarding sanctions, as a motion to compel *further* responses to said interrogatories, which is **DENIED**. (Code Civ. Proc., § 2030.300; see *Sole Energy Co. v. Petrominerals Corp.* (2005) 128 Cal.App.4th 187, 193 [the trial court may construe a pleading labeled as one type of motion to be a different type of motion]; see Motion re Petrovich, Exhibit A.)

The moving and supporting papers on this motion were required to be filed at least 18 court days prior to the hearing, by July 22, 2024; however, the moving and supporting papers were not filed until July 31, 2024 – 11 court days prior. (Cal. Rules of Court, rule 2.251(c); Code Civ. Proc., §§ 1005, subd. (b); 1010.6, subd. (a)(4)(B); YCR 7.2.)

The Court further finds that plaintiff failed to file meet and confer declarations or separate statements in support of this motion, as required. (Cal. Rules of Court, rule 3.1345, subd. (a); Code Civ. Proc., §§ 2016.040, 2030.300, subds. (b)(1), (b)(2).)

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

Plaintiff's motions to compel as to CBRE:

The Court construes plaintiff's motion to compel CBRE's responses without objections to special interrogatories set 1, and request for order awarding sanctions, as a motion to compel *further* responses to said interrogatories, which is **DENIED**. (Code Civ. Proc., § 2030.300; see *Sole Energy Co., supra*, 128 Cal.App.4th at p. 193; see Motion re CBRE, Exhibit A.)

The moving and supporting papers on this motion were required to be filed at least 18 court days prior to the hearing, by July 22, 2024; however, the moving and supporting papers were not filed until August 1, 2024 – 10 court days prior. (Cal. Rules of Court, rule 2.251(c); Code Civ. Proc., §§ 1005, subd. (b); 1010.6, subd. (a)(4)(B); YCR 7.2.)

The Court further finds that plaintiff failed to file meet and confer declarations or separate statements in support of this motion, as required. (Cal. Rules of Court, rule 3.1345, subd. (a); Code Civ. Proc., §§ 2016.040, 2030.300, subds. (b)(1), (b)(2).)

CBRE's request for sanctions in the amount of **\$500.00** for plaintiff's failure to meet and confer is **GRANTED**. (Code Civ. Proc., § 2023.020; Fisher Decl., ¶ 5.) Plaintiff **SHALL** pay said sanction by **September 12, 2024**.

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Bautista v. Wyndham Worldwide Corp., et al.**
Case No. CV-2020-1071

Hearing Date: **August 15, 2024** **Department Eleven** **9:00 a.m.**

Defendants Vineshwar K. Goundar (“Goundar”) and S.A.V. Texas, LLC’s (“Texas”) (collectively, “defendants”) request for judicial notice is **GRANTED**. (Evid. Code, §§ 452, subd. (d), 453.)

Defendants’ motion to dismiss plaintiff Maribel Bautista’s complaint against them is **GRANTED**. (Code Civ. Proc., §§ 583.210, 583.250.) The Court finds that plaintiff failed to timely serve the summons and complaint on Goundar as an individual defendant, failed to timely return the proof of service of summons on Texas, and presents no valid exception. (*Ibid.*; Code of Civ. Proc., §§ 583.220, 583.240; *Brookview Condominium Owners’ Ass’n v. Heltzer Enterprises-Brookview* (1990) 218 Cal.App.3d 502, 509; *Weatherby v. Van Diest* (1991) 233 Cal.App.3d 506, 508.) The Court further finds that plaintiff has not properly sought relief under Code of Civil Procedure 473(b). (Code Civ. Proc., § 473, subd. (b); *Bernasconi Commercial Real Estate v. St. Joseph’s Regional Healthcare Sys.* (1997) 57 Cal.App.4th 1078, 1081-1082; *Gotschall v. Daley* (2002) 96 Cal.App.4th 479, 483-484.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Goldman Sachs Bank USA v. Vierra**
Case No. CV-2023-0264
Hearing Date: **August 15, 2024** **Department Fourteen** **9:00 a.m.**

Plaintiff Goldman Sachs Bank USA’s motion for summary judgment is **GRANTED**. (Code Civ. Proc., § 437c, subd. (p)(1).) Plaintiff has established all required elements for its common counts cause of action (open book account) against defendant Stephanie Vierra. (Code Civ. Proc., § 337a; *Interstate Group Administrators, Inc. v. Cravens, Dargan & Co.* (1985) 174 Cal.App.3d 700, 708, fn. 4; UMF 1-11.) As the motion is unopposed, defendant has failed to show that a triable issue of material fact exists as to plaintiff’s single cause of action. (Code Civ. Proc., § 437c, subds. (b)(2), (p)(1).)

Accordingly, the case management conference, also set for August 15, 2024, at 9:00 a.m. in Department Fourteen, is **VACATED**.

The notice of motion does not provide notice of this Court’s tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Perez v. Wyndham Destinations, Inc., et al.**
Case No. CV-2021-0289

Hearing Date: **August 15, 2024** **Department Eleven** **9:00 a.m.**

The Court proposes to take judicial notice of the following record contained in the Court’s own file: plaintiff Benjamin Perez’s complaint (file-stamped, as corrected, February 16, 2021). (Evid. Code, §§ 452, subd. (d), 455, subd. (a); *Scott v. JPMorgan Chase Bank, N.A.* (2013) 214 Cal.App.4th 743, 752 [“the court may take judicial notice on its own volition.”]) The Court shall afford each party reasonable opportunity before the cause is submitted for decision by the Court to present to the Court information relevant to: (1) the propriety of taking judicial notice of the matter; and (2) the tenor of the matter to be noticed. (Evid. Code, § 455, subd. (a).)

Defendants Vineshwar K. Goundar and S.A.V. Texas, LLC’s unopposed demurrer to plaintiff’s complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Based on the corrected file-stamp of February 16, 2021, the Court finds that plaintiff timely filed his complaint within the limitations period applicable to his causes of action against defendants. (Code Civ. Proc., § 335.1; Complaint, ¶ 16 [alleged injury occurred on February 16, 2019].)

Defendants shall file their answer(s) by no later than **August 26, 2024**. (Cal. Rules of Court, rule 3.1320(g).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Rae v. State of California, et al.**
Case No. CV-2023-2113

Hearing Date: August 15, 2024 Department Fourteen 9:00 a.m.

California State Teachers' Retirement System's motion to compel further responses to request for production of documents:

The Court declines to rule on California State Teachers' Retirement System's ("CalSTRS") evidentiary objections to the declaration of plaintiff Matthew Rae as the Court did not rely upon the items challenged in determining this motion.

The Court rules on CalSTRS' motion to compel plaintiff's further responses to requests for production of documents, set one, as follows:

- CalSTRS' motion as to request nos. nos. 1, 2, 4, 5, 7, 10, 11, 13 – 17, 19 – 30, 33, 38, 39, 57, 70 – 74 and 77-80 is **GRANTED**. (Code Civ. Proc., § 2031.310, subd. (a)(3).) The Court finds that the requested information is reasonably calculated to lead to the discovery of admissible evidence and plaintiff's objections have no merit – except for the objection based on attorney work-product, which requires the provision of a privilege log. (Code Civ. Proc., §§ 2017, 2031.240, subd. (c), 2031.310, subd. (a)(3); *Lopez v. Watchtower Bible & Tract Society of New York, Inc.* (2016) 246 Cal.App.4th 566, 591 [for discovery purposes, information is "relevant" if it might reasonably assist a party in evaluating the case, preparing for trial, or facilitating settlement]; *Vinson v. Superior Court* (1987) 43 Cal.3d 833, 842-843 [even though a plaintiff retains certain unwaived privacy rights, these rights are not necessarily absolute and on occasion privacy interests may have to give way to an opponent's right to a fair trial]; *Fremont Indemnity Co. v. Superior Court* (1982) 137 Cal.App.3d 554, 559 [*Fremont*] [when the gravamen of a lawsuit is so inconsistent with the continued assertion of a privilege, it compels the conclusion that the privilege has in fact been waived].)
- CalSTRS' motion as to request nos. 8 and 9 is **DENIED**. (Code Civ. Proc., § 2031.310, subd. (a)(3).) The Court finds that the requests pertain to causes of action that were dismissed based on the Court's ruling on CalSTRS demurrer. (Code Civ. Proc., § 2017.)
- CalSTRS' motion as to request no. 12 is **DENIED**. (Code Civ. Proc., § 2031.310, subd. (a)(3).) The Court finds that this request fails to reasonably particularize the category of documents sought; thus, is not reasonably calculated to lead to the discovery of admissible evidence. (Code Civ. Proc., §§ 2017, 2031.030, subd. (c)(1).)
- CalSTRS' motion as to request nos. 32, 34 – 37, 55 and 56 is **DENIED**. (Code Civ. Proc., § 2031.310, subd. (a)(1).) The Court finds that plaintiff provided documents responsive to these requests on June 5, 2024. (Code Civ. Proc., § 2031.210, subd. (a)(1).) Moreover, in its reply, CalSTRS did not address plaintiff's provision of documents in response to these requests, which the Court construes as a concession that the responses are satisfactory. (See *Pacifica First National, Inc. v. Abekasis* (2020) 50 Cal.App.5th 654, 657 [the failure to address an argument on reply "is a concession"].)

- CalSTRS’ motion as to request nos. 40 – 42 and 44 – 46 is **GRANTED**. (Code Civ. Proc., § 2031.310, subd. (a)(3).) The Court finds that the requested information is reasonably calculated to lead to the discovery of admissible evidence; however, the Court limits the scope of these requests to only those documents related to plaintiff’s Crohn’s Disease alleged in the first amended complaint. (Code Civ. Proc., §§ 2017, 2031.310, subd. (a)(3); *Lopez, supra*, 246 Cal.App.4th at p. 591; *Vinson, supra*, 43 Cal.3d at pp. 842-843; *Fremont, supra*, 137 Cal.App.3d at p. 559; see FAC, ¶¶ 34 – 36, 70, 71, 98, 101, 103 – 109, 136.)
- CalSTRS’ motion as to request nos. 47 – 50, 52 – 54, 58, 59, 61, 64 and 66 – 69 is **DENIED**. (Code Civ. Proc., § 2031.310, subd. (a)(2).) The Court finds that plaintiff’s responses regarding his inability to comply are sufficient. (Code Civ. Proc., § 2031.230.)

Plaintiff’s request for sanctions is **DENIED**. (Code Civ. Proc., § 2031.310.) The Court finds that CalSTRS had substantial justification for bringing this motion given plaintiff’s failure to meaningfully meet and confer. (Marshall Decl., ¶¶ 5 – 22, 25. Exs. B – T, W.)

By **September 12, 2024**, plaintiff **SHALL** provide full and complete responses to: (1) request numbers 1, 2, 4, 5, 7, 10, 11, 13 – 17, 19 – 30, 33, 38, 39, 57, 70 – 74 and 77 – 80, without objections, and/or a privilege log, along with any responsive documents; and (2) requests numbers 40 – 42 and 44 – 46, without objection, but limited to the production of those documents related to plaintiff’s Crohn’s Disease.

The notice of motion does not provide notice of this Court’s tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

Plaintiff’s demurrer and motion to strike first amended answer.

The Court reminds plaintiff of the memorandum page length limitations. (Cal. Rules of Court, rule 3.1113(d) [stating that “no opening or responding memorandum may exceed 15 pages”].) In the future, the Court may decline to consider any argument or legal authority found in pages exceeding the maximum permitted number of pages.

The Court notes that plaintiff has failed to establish any attempt to meet and confer after CalSTRS filed its amended answer on June 17, 2024, and before the filing of this demurrer and motion to strike. (Code Civ. Proc., § 430.41, 435.5; Rae Decl., ¶¶ 5 - 8; Marshall Decl., ¶¶ 4 – 6, Exs. A – C.) However, the Court cannot overrule the demurrer or deny the motion to strike on this ground. (Code Civ. Proc., §§ 430.41, subd. (a)(4), 435.5, subd. (a)(4); see *Dumas v. Los Angeles County Bd. of Supervisors* (2020) 45 Cal.App.5th 348, 355.)

Plaintiff's request for judicial notice and supplemental request for judicial notice are **DENIED**. (Evid. Code, §§ 452, 453.) The proffered documents are not relevant to the Court's determination of this motion. (*People v. Rowland* (1992) 4 Cal.4th 238, 268, fn. 6; see *Malek Media Group LLC v. AXQG Corp.* (2020) 58 Cal.App.5th 817, 825; *People ex rel. Lockyer v. Shamrock Foods Co.* (2000) 24 Cal.4th 415, 422 [a precondition to the taking of judicial notice in either its mandatory or permissive form must be relevant to a material issue].)

The Court declines to rule on CalSTRS' evidentiary objections to the declaration of plaintiff as the Court did not rely upon the items challenged in determining the demurrer or the motion to strike.

The Court **OVERRULES AS MOOT** CalSTRS' objection to plaintiff's supplemental request for judicial notice.

Plaintiff's demurrer to CalSTRS' first amended answer is **OVERRULED**. (Code Civ. Proc., § 430.20.) Plaintiff failed to distinctly specify each ground(s) upon which his objection(s) to CalSTRS' affirmative defenses, as required. (Cal. Rules of Court, rule 3.1320, subd. (a); Code Civ. Proc., § 430.60; Demurrer, p. 2, ll. 8 – 11.)

Plaintiff's motion to strike CalSTRS' amended answer is **DENIED**. (Code Civ. Proc., § 435, 436.) The Court finds that plaintiff fails to provide any legal authority or argument in support of his motion to strike. (Cal. Rules of Court, rule 3.1113(b); see *Quantum Cooking Concepts, Inc. v. LV Associates, Inc.* (2011) 197 Cal.App.4th 927, 934; citing *Chavez v. Netflix, Inc.* (2008) 162 Cal.App.4th 43, 52 [where a motion is supported by a deficient memorandum, the trial court is justified in denying the motion on procedural grounds].)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

Plaintiff's motion to compel further responses to interrogatories:

While the Court finds that plaintiff has failed to show "a reasonable and good faith attempt at an informal resolution" of the discovery dispute prior to filing the instant motion, the Court does not believe that further meet and confer efforts would be fruitful. (Code Civ. Proc., §§ 2016.040, 2030.300, subd. (b)(1); *Townsend v. Superior Court* (1998) 61 Cal.App.4th 1431, 1438 [mere bickering at does not constitute a reasonable and good faith attempt at informal resolution, there must be a serious effort at negotiation and informal resolution]; *Clement v. Allegre* (2009) 177 Cal.App.4th 1277, 1294; *Obregon v. Superior Court* (1998) 67 Cal.App.4th 424, 431Rae Decl., ¶ 8; Marshall Decl., ¶¶ 4 – 6, Exs. A – C) Thus, the Court rules on plaintiff's motion to compel further responses to form interrogatories, set one, as follows:

- Plaintiff's motion as to interrogatories numbers 1.1 and 4.1 is **DENIED**. (Code Civ. Proc., § 2030.300, subd. (a).) The Court finds that CalSTRS provided full and complete responses to these interrogatories, without objection. (Code Civ. Proc., § 2030.210, subd. (a)(1).)

- Plaintiff's motion as to interrogatories numbers 12.2, 12.4, 12.6, 13.1, 13.2, 14.1, 15.1, 16.2 – 16.6 and 16.10 is **DENIED**. (Code Civ. Proc., § 2030.300, subd. (a).) The Court finds that CalSTRS' objections to these interrogatories are appropriate and valid, and, notwithstanding their objections, based on the information CalSTRS possessed, CalSTRS provided full and complete responses to these interrogatories. (Code Civ. Proc., §§ 2030.210. subd. (a)(1), (3), 2030.220.)
- Plaintiff's motion as to interrogatories numbers 2.12, 12.3, 50.1, 50.3 and 50.6 is **DENIED**. (Code Civ. Proc., § 2030.300, subd. (a).) The Court finds that CalSTRS' responses to these interrogatories, in the form of objections, are appropriate and valid. (Code Civ. Proc., § 2030.210. subd. (a)(3).)
- Plaintiff's motion as to interrogatories numbers 16.1 and 16.9 is **GRANTED**. (Code Civ. Proc., § 2030.300, subd. (a).) While the Court finds that CalSTRS' objections to these interrogatories are appropriate and valid, substantive responses could still have been provided – as CalSTRS did in response to interrogatory numbers 16.2 – 16.6 and 16.10. (Code Civ. Proc., §§ 2030.210. subd. (a)(1), (3), 2030.220, 2030.240.)

By **August 29, 2024**, CalSTRS **SHALL** provide supplemental responses to interrogatory numbers 16.1 and 16.9.

As the Court is only granting the motion as to two interrogatories, and given plaintiff's failure to properly meet and confer, plaintiff's request for sanctions is **DENIED**. (Code Civ. Proc., §§ 2023.030; 2030.300, subd. (d).)

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.2(b). Counsel for moving party, or the moving party if unrepresented by counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: Robles v. City of West Sacramento, et al.
Case No. CV-2022-1047

Hearing Date: August 15, 2024 Department Eleven 9:00 a.m.

The petitioner, Sherise Nicole Ray, and minor, Marciano Robles III, are directed to appear (in person or by Zoom) (Cal. Rules of Court, rule 7.952; YCR 2.4.) If the parties fail to appear at the hearing and the Court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

TENTATIVE RULING

Case: **Sierra Northern Railway v. California Department of Water Resources, et al.**

Case No. CV-2022-0479

Hearing Date: **August 15, 2024** **Department Eleven** **9:00 a.m.**

Defendant State of California by and through Department of Water Resources (“DWR”) motion to compel plaintiff Sierra Northern Railway’s further responses to DWR’s special interrogatories, set one, and defendants State of California by and through Central Valley Flood Protection Board and Sacramento and San Joaquin Drainage District’s (collectively “CVFPB”) motion to compel plaintiff’s further responses to CVFPB’s special interrogatories, set one, are **DROPPED FROM CALENDAR AS MOOT**. (Code Civ. Proc. § 2030.300; see Gasbarro Joint Decl., ¶¶ 3 – 6; Guillen Decl., ¶¶ 2 – 4, Exhibits A – C.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.