

1. 23CV370 VELLA v. NORTHSIDE ELEMENTARY SCHOOL, ET AL

Compromise of Minor's Claim

This is a Petition to compromise a minor's claim. The Petition states the minor sustained injury from a snake bite on his hand. Petitioner requests the court authorize a compromise of the minor's claim against defendant/respondent in the gross amount of \$52,000.

The Petition states that outstanding medical bills incurred for treatment of the minor and to be deducted from the total settlement equal \$18,776.63. An invoice from the Department of Health Care Services requesting reimbursement for health care services provided to the minor is attached to the Petition, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(6).

The Petition states that the minor has fully recovered from the injuries allegedly suffered and there are no permanent injuries. A doctor's report concerning the minor's condition and prognosis of recovery is attached, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(3).

The minor's attorney requests attorney's fees in the amount of \$12,517.73, which represents approximately 24% of the gross settlement amount. The court uses a reasonable fee standard when approving and allowing the amount of attorney's fees payable from money or property paid or to be paid for the benefit of a minor or a person with a disability. (Local Rules of the El Dorado County Superior Court, Rule 7.955(a)(1).)

The minor's attorney also requests reimbursement for costs in the amount of \$1,929.10. The Petition specifies that these costs are for filing fees, service of process, medical records, postage, court appearance fees, photocopies and telephone costs. However, there are no copies of bills substantiating the claimed costs attached to the Petition as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(6).

The Petition requests an order to deposit money into a tax-free structured settlement annuity policy in the minor's behalf, in the amount of \$18,776.54. The order is missing the name and address of the depository, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(7).

TENTATIVE RULING #1: THIS MATTER WILL BE CONTINUED TO 8:30 A.M. ON JANUARY 5, 2024, IN DEPARTMENT NINE TO ALLOW PETITIONER AN OPPORTUNITY TO FILE THE INFORMATION REQUIRED BY LOCAL RULES OF THE EL DORADO COUNTY SUPERIOR COURT, RULES 7.10.12A.(6) AND 7.10.12A.(7).

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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2. 23CV1871 IN THE MATTER OF ASSET SECURITY CONSULTING, LLC

Transfer of Payment Rights

Prior to approving a petition for the transfer of payment rights, this court is required to make a number of express written findings pursuant to Cal. Insurance Code § 10139.5, including the following:

1. That the transfer is in the best interests of the Payee, taking into account the welfare and support of Payee's dependents. This finding is supported by the Declaration of the Payee, dated December 8, 2023.
2. That the Payee has been advised in writing by the Petitioner to seek independent professional advice) and has either received that advice or knowingly waived in writing the opportunity to receive that advice. This finding is supported by Exhibit B to the Petition.
3. That the transferee has complied with the notification requirements and does not contravene any applicable statute or the order of any court or government authority. In this case, it appears that the required disclosure statement was not provided at least ten days prior to the execution of the transfer agreement, as required by Cal. Ins. Code § 10136, because both documents were executed on September 27, 2023. See Exhibits A and B.
4. That the transfer does not contravene any applicable statute or the order of any court or government authority. In this case, Payee has filed a Declaration, dated December 8, 2023, stating that they have no court-ordered child support obligations.

In addition to the express written findings required by the applicable statutes, Cal. Ins. Code § 10139.5(b) requires the court to determine whether, based on the totality of the circumstances and considering the Payee's age, mental capacity, legal knowledge, and apparent maturity level, the proposed transfer is fair and reasonable, and in the Payee's best interests. The court may deny or defer ruling on the petition if the court believes that the Payee does not fully understand the proposed transaction, and/or that the Payee should obtain independent legal or financial advice regarding the transaction.

The Petition submitted generally contains the information required by the Insurance Code for court approval of this transaction, except that the requirements of Cal. Ins. Code § 10136 are not met. This court cannot grant this Petition without ensuring compliance with the applicable statutes.

TENTATIVE RULING #2: THIS MATTER WILL BE CONTINUED TO 8:30 A.M. ON JANUARY 12, 2024, IN DEPARTMENT NINE TO ALLOW PETITIONER AN OPPORTUNITY TO FILE A TRANSFER AGREEMENT IN COMPLIANCE WITH CAL. INS. CODE § 10136.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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3. PC20210246 WELLS v. RAMOS, ET AL

Compromise of Minor's Claim

This is a Petition to compromise a minor's claim. The Petition states the minor sustained injury from a motor vehicle collision. Petitioner requests the court authorize a compromise of the minor's claim against defendant/respondent in the gross amount of \$40,000.

The Petition states that outstanding medical bills incurred for treatment of the minor and to be deducted from the total settlement equal \$2,600. There is no invoice for the reimbursement amount for health care services provided to the minor attached to the Petition, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(6).

The Petition states that the minor continues to experience partial paralysis of the lower portion of her face, and it is unknown whether the condition is permanent. A doctor's report concerning the minor's condition and prognosis of recovery is attached, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(3).

The minor's attorney requests attorney's fees in the amount of \$8,991.44, which represents approximately 23% of the gross settlement amount. The court uses a reasonable fee standard when approving and allowing the amount of attorney's fees payable from money or property paid or to be paid for the benefit of a minor or a person with a disability. (Local Rules of the El Dorado County Superior Court, Rule 7.955(a)(1).)

The minor's attorney also requests reimbursement for costs in the amount of \$1,434.21. The Petition specifies that these costs are for filing fees, service of process, mediation fee, court appearance fees, and deposition costs. However, there are no copies of bills substantiating the claimed costs attached to the Petition as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A.(6).

The Petition requests an order to deposit the amount of \$26,974.35 into an insured account subject to withdrawal only with court authorization. The Petition includes the name and address of the depository, as required by Local Rules of the El Dorado County Superior Court, Rule 7.10.12A(7).

Finally, outstanding fees are due to the court clerk according to the court's file.

TENTATIVE RULING # 3: THIS MATTER WILL BE CONTINUED TO 8:30 A.M. ON JANUARY 12, 2024, IN DEPARTMENT NINE TO ALLOW PETITIONER AN OPPORTUNITY TO FILE DOCUMENTATION OF MEDICAL EXPENSES AND COSTS IN COMPLIANCE WITH THE LOCAL RULES OF THE EL DORADO COUNTY SUPERIOR COURT, RULE 7.10.12.A(6). FURTHER, PETITIONER IS REQUIRED TO PAY ALL COURT FEES DUE BEFORE THE COURT CAN APPROVE THE PETITION.

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4. 22CV0329 STIXRUD v. KEY

Motion to Determine Good Faith Settlement

On October 9, 2023, Cross-Defendants Lyon & Associated and Kristi Seccombe applied for an Order determining good faith settlement and request to dismiss Norcal Gold's Cross-Complaint pursuant to Code of Civil Procedure § 877.6 and California Rules of Court, Rule 3.1382.

The dispute originates in the purchase and sale of real estate, following which the buyers sued their own real estate agent, but due to the statute of limitations could not sue the seller's agent. The two-year statute of limitations as to the seller's agent ran from the date of escrow, and the buyers did not discover the alleged defects in the property until the summer of 2021. Declaration of G.J. Beaudoin, dated December 15, 2023, at ¶13. Instead, the seller's agent, Lyon and Seccombe, were brought into the litigation by means of a Cross-Complaint filed by the buyer's agent, Norcal Gold, which was subject to a four-year statute of limitations as the Plaintiff's agent who held a fiduciary obligation to the Plaintiff. Id. at ¶14

Plaintiff's counsel alleges damages on the order of \$170,000, which he considers to be principally (at least two-thirds) attributable to Norcal Gold. Id. at ¶17.

Lyon and Seccombe, the seller's agent, propose to settle with the Plaintiff buyer for the amount of \$23,000 in exchange for Plaintiff's waiver of all claims and dismissal of Norcal Gold's Cross-Complaint, the parties to bear their own costs.

A proof of service of notice of the motion was filed with the court on October 9, 2023, indicating that the parties to the action were served by certified mail, return receipt requested, as required by Code of Civil Procedure § 877.6(a)(2).

NorCal Gold filed an opposition to the good faith settlement application. The party asserting the lack of good faith shall have the burden of proof on that issue. Code of Civil Procedure § 877.6(d).

The appropriate factors in considering an application to determine good faith settlement, include:

a rough approximation of plaintiffs' total recovery and the settlor's proportionate liability, the amount paid in settlement, the allocation of settlement proceeds among plaintiffs, and a recognition that a settlor should pay less in settlement than he would if he were found liable after a trial. Other relevant considerations include the financial conditions and insurance policy limits of settling defendants, as well as the existence of collusion, fraud, or tortious conduct aimed to injure the interests of nonsettling

defendants. [Citations.] Finally, practical considerations obviously require that the evaluation be made on the basis of information available at the time of settlement. “[A] defendant's settlement figure must not be grossly disproportionate to what a reasonable person, at the time of the settlement, would estimate the settling defendant's liability to be.” [Citations.] The party asserting the lack of good faith, who has the burden of proof on that issue (§ 877.6, subd. (d)), should be permitted to demonstrate, if he can, that the settlement is so far “out of the ballpark” in relation to these factors as to be inconsistent with the equitable objectives of the statute.

Tech-Bilt, Inc. v. Woodward-Clyde & Assocs., (1985) 38 Cal. 3d 488, 499–500.

“The issue of the good faith of a settlement may be determined by the court on the basis of affidavits served with the notice of hearing, and any counteraffidavits filed in response, or the court may, in its discretion, receive other evidence at the hearing”. Code of Civil Procedure § 877.6(b).

In this case, both counsel for Plaintiff and counsel for Lyon have filed Declarations in support of the application. Counsel for Lyon represents that the proposed settlement is “a reasoned assessment of the potential liability of the settling defendants considering the law and facts of this case” and that there was no fraud or collusion involved in the settlement. Declaration of Debra Samuels, dated October 9, 2023.

Norcal Gold’s evidentiary opposition consists of the Declaration of Michael Benavides, dated November 3, 2023, which states that the application should be denied because it is not supported an allocation of damages, and that discovery is still ongoing. Declaration of Michael Benavides at ¶15-6, 8. In response, Plaintiff’s counsel declares that Norcal has not sought deposition discovery since it filed its Cross-Complaint two years ago. Declaration of G.J. Beaudoin, dated December 15, 2023, at ¶19. Plaintiff also declares that Plaintiff provided reports of its real estate expert and offered to make that expert available for a deposition, but that Norcal Gold did not take advantage of that offer. Id. at ¶10.

Also responding to Norcal Gold’s opposition, Lyon filed a second Declaration of Debra Samuels, dated December 15, 2023. According to Lyon’s counsel, the discovery that was conducted resulted in a claim for repair damages in the range of \$155,000-\$170,000. Id. at ¶13. According to Lyon’s counsel, potential liability for Lyon in a worst-case scenario would range between \$0 and \$68,000 and the \$23,000 amount was a “fair representation of Lyon’s mid-range exposure.” Id. at ¶14. Counsel declares that the negotiation was conducted at arms-length and there was no fraud or collusion involved in arriving at the settlement proposal. Id. at ¶16.

The court finds that the settlement is reasonable and supported by declarations evidencing satisfaction of the Tech-Bilt factors. Norcal Gold has not met its burden of proving that the settlement is so far “out of the ballpark” in relation to the Tech-Bilt factors as to be inconsistent with the equitable objectives of the statute.

TENTATIVE RULING #4: THE APPLICATION FOR AN ORDER DETERMINING GOOD FAITH SETTLEMENT AND REQUEST TO DISMISS NORCAL GOLD, INC.’S CROSS-COMPLAINT IS GRANTED.

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5. PC20210033 FOULDS v. COLD SPRINGS MOBILE HOME PARK

Motion to Set Aside Dismissal

Following a hearing on April 3, 2023, at which the Plaintiff did not appear, the court dismissed the matter without prejudice. On November 14, 2023, Plaintiff filed a motion to set aside the dismissal.

TENTATIVE RULING #5: THE MOTION TO SET ASIDE THE DISMISSAL IS GRANTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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6. 23CV0781 SOTO v. FAY SERVICING, LLC

Motion to Deem Request for Admissions Admitted

This motion was filed on October 25, 2023, by Defendant Fay Servicing seeking to deem facts admitted based on Plaintiffs' failure to respond to Defendants' September 11, 2023, Requests for Admissions, to which responses were due on October 13, 2023.

Plaintiffs' counsel explains that communication between counsel and the Plaintiffs was compromised for a time, but increased efforts to contact Plaintiffs resulted in discovery responses being submitted on November 9 and November 13, 2023. Counsel requests that the court deny Defendants' request for sanctions.

Code of Civil Procedure § 2033.280 provides:

If a party to whom requests for admission are directed fails to serve a timely response, the following rules apply:

(a) The party to whom the requests for admission are directed waives any objection to the requests, including one based on privilege or on the protection for work product under Chapter 4 (commencing with Section 2018.010). The court, on motion, may relieve that party from this waiver on its determination that both of the following conditions are satisfied:

(1) The party has subsequently served a response that is in substantial compliance with Sections 2033.210, 2033.220, and 2033.230.

(2) The party's failure to serve a timely response was the result of mistake, inadvertence, or excusable neglect.

(b) The requesting party may move for an order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted, as well as for a monetary sanction under Chapter 7 (commencing with Section 2023.010).

(c) The court shall make this order, unless it finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Section 2033.220. It is mandatory that the court impose a monetary sanction under Chapter 7 (commencing with Section 2023.010) on the party or attorney, or both, whose failure to serve a timely response to requests for admission necessitated this motion.

The Plaintiffs' failure to provide a timely response to requests for admission necessitated Defendants' motion to compel, and under these circumstances the imposition of an attorney's fees sanction is mandatory under the statute. Defendants request attorney's fees in the amount of \$2,100 and filing fees of \$60 be imposed jointly and severally against Plaintiffs and their attorney. This claim is supported by the Declaration of Regina McClendon, dated and filed October 25, 2023, which claims 4 hours at the rate of \$525 per hour. This includes one

hour to prepare the motion, and 1.5 hours anticipated to review and respond to Plaintiff's opposition and draft a reply. Plaintiff's response consisted of four paragraphs and Defendant did not file a reply. An additional 1.5 hours is claimed in anticipation of the need to prepare for and attend the hearing on the motion. Accordingly, the court awards the fees actually incurred in preparing the motion, in the amount of \$525 plus \$60 for the cost of filing fees.

TENTATIVE RULING #6: DEFENDANTS REQUEST FOR SANCTIONS IS GRANTED IN THE AMOUNT OF \$585.

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7. 23CV0967 C.G. v. COUNTY OF EL DORADO

Demurrer

This case relates to the sexual assault of a minor in a facility that was within the control of El Dorado County. Plaintiff alleges the County breached a duty of care to the Plaintiff. El Dorado County (“County”) demurs to the Complaint on the basis that the Plaintiff’s failure to comply with the Government Claims Act (Government Code §§ 810, et seq.) bars the action. Although 2020 amendments to the Government Claims Act expressly authorize lawsuits for money damages based on childhood sexual assault to be brought without prior presentation of a claim, the County argues that as a matter of law the 2020 amendments are an unconstitutional gift of public funds and that Plaintiff’s claim is barred.

Request for Judicial Notice

County requests the court to take judicial notice of the following:

1. Plaintiff’s Complaint
2. California Senate Bill 640 (2007)
3. California Assembly Bill 218 (2019)
4. Government Code § 905, as amended pursuant to Assembly Bill 218.

Judicial notice is a mechanism which allows the court to take into consideration matters which are presumed to be indisputably true. California Evidence Code Sections 451, 452, and 453 collectively govern the circumstances in which judicial notice of a matter may be taken. Evidence Code § 452(b) authorizes the court to take judicial notice of “regulations and legislative enactments issued by or under the authority of the of the United States or any public entity in the United States.” Evidence Code § 452(c) allows the court to take judicial notice of “official acts of the legislative, executive and judicial departments of the United States and of any state of the United States.” Evidence Code § 452(d) permits judicial notice of “records of (1) any court in this state or (2) any court of record of the United States.”

The matters of which the County requests the court to take judicial notice are all within these statutory parameters, and the request for judicial notice is granted.

TENTATIVE RULING #7:

- (1) DEFENDANT’S REQUEST FOR JUDICIAL NOTICE IS GRANTED.**
- (2) APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, DECEMBER 29, 2023, IN DEPARTMENT NINE.**

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8. 22CV0175 DASGUPTA v. TUNDAVIA

Discovery Sanctions

Defendant moves for issue, evidence or terminating sanctions against Plaintiff. Specifically, Defendant requests the court to dismiss Plaintiff's Fourth Cause of Action for defamation and the related claim for damages. In the alternative Defendant requests the court to find that the defamatory statements alleged in the Plaintiff's Fourth Cause of Action for defamation were made before September 2, 2020. Defendants seek reimbursement of attorney's fees and costs. In support of this motion Defendant submitted the Declaration of counsel, Dennis M. Wilson in Support of Motion for Discovery Sanctions Against Ria Dasgupta, dated September 5, 2023.

The discovery at issue was the subject of a motion to compel hearing before the court on July 7, 2023. No party having requested oral argument, the court adopted its tentative ruling, which was formally issued and filed on August 4, 2023. The court's Order required the Plaintiff to provide code-compliant responses to Requests for Admissions and Interrogatory No. 17.1 by July 28, 2023 and granted \$2,000 in discovery sanctions to Defendants.

Both the Request for Admissions and Interrogatory No. 17.1 addressed the question of whether any of the defamatory statements alleged by Plaintiff occurred after September 2, 2020. If no actionable statement occurred after that date the Plaintiff's defamation cause of action would be barred by the statute of limitations.

Following the court's Order, Plaintiff filed a Second Amended Response to the Interrogatory on August 25, 2023.

Defendants argue that these responses remain inadequate.

Plaintiff's counsel filed a Declaration of Daryl J. Lander, dated October 27, 2023. The contents of that Declaration that are relevant to the discovery responses states at Paragraph 4 that Plaintiff did provide supplemental responses following the court's July 2023 Order: "Plaintiff searched through all information in her possession and control, and provided the best responses she could to the discovery." And at Paragraph 5: "Plaintiff did properly respond to the outstanding discovery by providing clear and concise responses as ordered, and further gave all information in her possession, access and control."

At the hearing on November 17, 2023, the parties were ordered to meet and confer, and if no resolution was reached, the parties were ordered to provide the court with a full copy of the discovery responses at issue so that the court could evaluate whether they complied with the court's July 7, 2023 Order.

Plaintiff's full amended response to Form Interrogatory No. 17.1, dated August 25, 2023, is as follows:

Plaintiff was informed on or about September 15, 2020, by Detective Mike Roberts of the El Dorado County Sheriff Department, (530) 621-7651, that Defendant, MITUL TUNDAVIA contacted him after the initial incident, telling Detective Roberts that he (Mitul) had found more drugs in the home, and his vehicle, that were either planted by Plaintiff, or someone else.

Detective Roberts further indicated that as a result the continuing claims by MITUL TUNDAVIA, the investigation against Plaintiff could not be completed and was ongoing until March 2021.

Plaintiff has further been made aware of posts on MITUL TUNDAVIA's Face Book Account making claims that Plaintiff was a drug user and criminal. These postings were first discovered by Plaintiff on MITUL's Face Book page in late September 2021. Plaintiff was contacted by friends and associates asking her about the claims by MITUL. Each and every person that saw those posts was a separate act of defamation by Defendant, MITUL TUNDAVIA, against Plaintiff. Plaintiff did not have personal knowledge of these postings by MITUL TUNDAVIA until September 15, 2021. (See attached)

Plaintiff was further contacted by the Medical Board and Plaintiffs employer after August 30, 2020, notifying that Plaintiff had been investigated for claims of taking drugs from the Hospitals where Plaintiff worked. Plaintiff was notified by the Medical Board on September 10, 2020, that as a result of the allegations raised by MITUL TUNDAVIA, that she would be subject to an investigation, and suspended from practice pending that investigation. As a direct and proximate result of the repeated defamatory claims of Defendant, MITUL TUNDAVIA, Plaintiff suffered the loss of work and monies earned.

Defendant, MITUL TUNDAVIA's postings and communications have caused financial harm to Plaintiff. As recently as July 15, 2023, Plaintiff was unable to work on a patient as a direct and proximate result of the lies and false claims made by MITUL TUNDAVIA. This was a direct and proximate result of the false allegations raised by Defendant, MITUL TUNDAVIA. Plaintiff continues to be denied work because of his actions, and suffers repeated damage to her reputation in her work and industry.

It was not until March 2021 that Plaintiff was first able to begin clearing her name because the El Dorado Sheriff Office completed their investigation and found that all of MITUL TUNDAVIA's claims against Plaintiff were false. (See Attached)

Discovery is continuing as to the full nature and extent of all Defamatory Statements made by Plaintiff that have caused, and continue to cause, harm and damages to Plaintiff.

Defendant filed a Statement of Defendant's Interrogatories and Ria Dasgupta's Responses in Dispute on September 6, 2023, which lists the alleged deficiencies in the August 25, 2023 response, including the following: 1) failure to indicate any communication that occurred after September 2, 2020, 2) failure to specify the date that Defendant contacted the Sheriff's investigator; 3) failure to identify any specific communications made by Defendant to the Sheriff's investigator or the dates thereof; 4) failure to identify the dates that social media posts were posted, and failure to identify the names or contact information of people who contacts Plaintiff about having seen those posts; 5) failure to reference any communication involving the Medical Board after September 2, 2020, or even any communication that the Medical Board had with Defendant.

Many of these objections do not necessarily represent unresponsive answers. To some extent, it appears that Plaintiff does not know the specific dates, which is not unresponsive if the responding party lacks sufficient information or knowledge. Code of Civil Procedure § 2033.220(b). The response does say that "discovery is continuing." However, the court's July 7, 2023, Order specifically required the Plaintiff to comply with the requirement of the Code of Civil Procedure § 2033.220(b)(3) ("each answer shall: . . . [s]pecify so much of the matter involved in the request as to the truth of which the responding party lacks sufficient information or knowledge", as well as with the requirements of § 2033.220(c):

If a responding party gives lack of information or knowledge as a reason for a failure to admit all or part of a request for admission, *that party shall state in the answer that a reasonable inquiry concerning the matter in the particular request has been made, and that the information known or readily obtainable is insufficient to enable that party to admit the matter.* (Emphasis added.)

Despite the explicit instruction of the court and the clear language of the statute, Plaintiff has not yet complied with this requirement.

TENTATIVE RULING #8: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, DECEMBER 29, 2023, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO

COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

9. 23FL0357 HARDIN v. POLLO
RFO/OSC Hearing – Reconsideration

TENTATIVE RULING #9: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, DECEMBER 29, 2023, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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10. 23CV1892 NAME CHANGE OF McMILLEN

Petition for Name Change

Petitioner filed a Petition for Change of Name on November 1, 2023.

Proof of publication was filed on November 27, 2023, as required by Code of Civil Procedure § 1277(a).

A background check has been filed with the court as required by Code of Civil Procedure § 1279.5(f).

TENTATIVE RULING #10: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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11. 23CV1745 NAME CHANGE OF POTKAJ

Petition for Name Change

Petitioner filed a Petition for Change of Name on October 12, 2023.

Proof of publication was filed on November 13, 2023, as required by Code of Civil Procedure § 1277(a).

A background check has been filed with the court as required by Code of Civil Procedure § 1279.5(f).

TENTATIVE RULING #11: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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12. 23CV1907 NAME CHANGE OF SINGH

Petition for Name Change

Petitioner filed a Petition for Change of Name on November 3, 2023.

Proof of publication was filed on December 6, 2023, as required by Code of Civil Procedure § 1277(a).

A background check has been filed with the court as required by Code of Civil Procedure § 1279.5(f).

TENTATIVE RULING #12: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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13. 22CV0722 BRYANT v. PIONEER UNION SCHOOL DISTRICT

Compromise Minor's Claim

This is a Petition to compromise a minor's claim.

At the hearing on December 15, 2023, the court continued the matter to allow counsel an opportunity to file receipts for expenses and the address of the financial institution where the funds are proposed to be deposit, in accordance El Dorado County Superior Court, Rules 7.10.12A.(6) and 7.10.12A(7). The matter was continued again on December 22, 2023, because the required documentation had not been filed.

Nothing new having been filed with the court, the matter is continued to allow Petitioner an opportunity to file the required documentation.

TENTATIVE RULING #13: THE MATTER IS CONTINUED TO 8:35 A.M. ON FRIDAY, JANUARY 12, 2023, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

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