

1. CAPITAL ONE, N.A. v. McGINNIS, 25CV0267**Motion to Deem Matters Admitted**

On August 29, 2025, plaintiff Capital One, N.A. (“plaintiff”) filed the instant motion to deem matters admitted. Plaintiff’s motion does not include any request for monetary sanctions. Defendant Michael McGinnis (“defendant”) filed no opposition to the motion.

A party served with requests for admission must serve a response within 30 days. (Code Civ. Proc., § 2033.250, subd. (a).) Failure to serve a response entitles the requesting party, on motion, to obtain an order that the genuineness of all documents and the truth of all matters specified in the requests for admission be deemed admitted. (Code Civ. Proc., § 2033.280, subd. (b).) When such a motion is made, the court must grant the motion and deem the requests admitted unless it finds that prior to the hearing, the party to whom the requests for admission were directed has served a proposed response that is in substantial compliance with the provisions governing responses. (Code Civ. Proc., § 2033.280, subd. (c); *St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 776, 778; see also *Demyer v. Costa Mesa Mobile Home Estates* (1995) 36 Cal.App.4th 393, 395–396 [“two strikes and you’re out”].)

In this case, plaintiff’s counsel declares that Request for Admissions (Set One) were propounded upon defendant by mail on June 24, 2025. (D’Anna Decl., ¶ 2 & Ex. 1.) Accordingly, the deadline for defendant to serve his verified response was July 29, 2025 (30 days plus five additional days for mail service). (Code Civ. Proc., §§ 1013, subd. (a), 2033.250, subd. (a).) To date, however, defendant has not served a verified response. (D’Anna Decl., ¶ 3.)

Plaintiff’s motion to deem all matters in its Request for Admissions (Set One) admitted is granted.

TENTATIVE RULING # 1: PLAINTIFF’S MOTION TO DEEM ALL MATTERS IN ITS REQUEST FOR ADMISSIONS (SET ONE) ADMITTED IS GRANTED. NO HEARING ON THIS MATTER

WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

2. SEDANO, ET AL. v. MAND, 23CV0691

Motion for Preliminary Approval of Class Action and PAGA Settlement

TENTATIVE RULING # 2: THE MOTION IS GRANTED. THE COURT SETS A HEARING FOR THE FINAL APPROVAL OF CLASS ACTION AND PAGA SETTLEMENT AT 1:30 P.M., FRIDAY, APRIL 24, 2026, IN DEPARTMENT FOUR. NO HEARING ON THIS MATTER WILL BE HELD (*LEWIS v. SUPERIOR COURT* (1999) 19 CAL.4TH 1232, 1247), UNLESS A NOTICE OF INTENT TO APPEAR AND REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 573-3042 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. NOTICE TO ALL PARTIES OF AN INTENT TO APPEAR MUST BE MADE BY TELEPHONE OR IN PERSON. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

3. MATTER OF FORWARD FINANCING LLC, 25CV2290**Petition to Confirm Arbitration Award**

On September 2, 2025, petitioner Forward Financing LLC (“petitioner”) filed the instant petition to confirm the arbitration award made on July 2, 2024,¹ requiring Flight Deck Bar & Grill and respondent Sheila Benson (“respondent”) to pay petitioner \$99,505.00. The petition also seeks statutory interest and costs of suit.

To date, there is no proof of service in the court’s file showing that the petition or notice of hearing was served upon all parties. (Code Civ. Proc., § 1290.2.) The court also notes that the arbitration award is against both (1) Flight Deck Sports Bar & Grill; and (2) Sheila Benson. Code of Civil Procedure section 1285 provides in pertinent part: “The petition shall name as respondents all parties to the arbitration and may name as respondents any other persons bound by the arbitration award.” (Code Civ. Proc., § 1285.) The instant petition names one respondent only, Sheila Benson.

TENTATIVE RULING # 3: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, OCTOBER 31, 2025, IN DEPARTMENT FOUR.

¹ Code of Civil Procedure section 1288 allows four years within which to petition to confirm an arbitration award.

4. PEOPLE v. FRAGRANICE, INC., 24CV2330

Status Conference

**TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY,
OCTOBER 31, 2025, IN DEPARTMENT FOUR.**