

1. NAT'L CREDIT ACCEPTANCE v. OWEN, ET AL., SCL20070084**Motion for Assignment Order**

On July 17, 2026, pursuant to Code of Civil Procedure sections 708.510 and 708.520, the assignee of record, Sacor Financial, Inc., (the "assignee of record") filed the instant motion to assign the rights to defendant / judgment-debtor Mike Owen's ("defendant") fees, commissions, tips, and other payments earned from Chase California Real Estate Inc. (989 Tahoe Keys Blvd., South Lake Tahoe, CA 96150) for services rendered as an independent contractor, to the extent that it is necessary to satisfy the money judgment. Additionally, the assignee of record moves to restrain defendant from assigning or otherwise disposing of the right to payment that is sought to be assigned.

Proof of service filed July 17, 2026, shows the assignee of record served the motion upon defendant via mail that same day. (Code Civ. Proc., § 708.510, subd. (b).)

Defendant filed no opposition and no claim of exemption. (See, Code Civ. Proc., § 708.550 [requiring a claim of exemption to be filed no less than three days before the hearing].) On September 8, 2026, the assignee of record filed and served upon defendant via mail a notice of non-opposition.

1. Background

This is a collections case. On June 22, 2007, judgment was entered against defendant and in favor of plaintiff National Credit Acceptance, Inc. in the amount of \$16,475.18. On December 27, 2010, the court assigned the judgment to Sacor Financial, Inc., the assignee of record. On January 30, 2017, the judgment was renewed.

The sum of \$1,303.40 has been paid on the judgment. (Jones Decl., ¶ 4.) The assignee of record declares the current balance due on the judgment is \$34,631.52, including accrued interest and post-judgment costs incurred. (Jones Decl., ¶ 4.)

Defendant is an independent contractor for Chase California Real Estate Inc. (Jones Decl., ¶ 7.) Defendant is not an employee. (Jones Decl., ¶ 6.)

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2. Discussion

Under California law, where a judgment creditor can identify a person or entity obligated to make payment to the judgment debtor, and where the right to payment is assignable, the right to payment may be assigned from the third-party obligor to the judgment creditor. (Code Civ. Proc., § 708.510, subd. (a).)

Code of Civil Procedure section 708.510 sets forth the categories of property that may be assigned. It provides that a court may assign to the judgment creditor “all or part of a right to payment due or to become due, whether or not the right is conditioned on future developments, including *but not limited to* the following types of payments: [¶] (1) Wages due from the federal government that are not subject to withholding under an earnings withholding order. [¶] (2) Rents. [¶] (3) Commissions. [¶] (4) Royalties. [¶] (5) Payments due from a patent or copyright. [¶] (6) Insurance policy loan value.” (Code Civ. Proc., § 708.510, subd. (a), italics added.) The statute provides a procedure for reaching certain forms of property that cannot be reached by levy under a writ of execution. (Code Civ. Proc., § 708.510, Legis. Comm. Cmt. (1982).)

In this case, the assignee of record argues the court should grant the assignment order because, despite extensive investigation, the assignee of record has been unable to locate any assets of defendant that are subject to attachment. (Jones Decl., ¶ 6.)

In determining whether to order an assignment or the amount of the assignment, the court may take into consideration all relevant factors, including the following: “(1) The reasonable requirements of a judgment debtor who is a natural person and of persons supported in whole or in part by the judgment debtor. [¶] (2) Payments the judgment debtor is required to make or that are deducted in satisfaction of other judgments and wage assignments, including earnings assignment orders for support. [¶] (3) The amount remaining due on the money judgment. [¶] (4) The amount being or to be received in satisfaction of the right to payment that may be assigned.” (Code Civ. Proc., § 708.510, subd. (c).)

Here, the court has very limited information to consider under Code of Civil Procedure section 708.510, subdivision (c). The assignee of record declares that the amount remaining due on the money judgment is \$34,631.52, including accrued interest and post-judgment costs incurred. (Jones Decl., ¶ 4.)

Considering the amount remaining due on the judgment, the amount of time that has passed since judgment was entered (nearly 20 years), and the apparent lack of other remedies available to the assignee of record given the defendant's lack of assets, the court exercises its discretion to grant the assignee of record's motion for an assignment order. The court assigns to the assignee of record the rights to defendant's fees, commissions, tips, and other payments earned from Chase California Real Estate Inc. for services rendered as an independent contractor in an amount equal to 40 percent of each payment issued by Chase California Real Estate Inc.

The assignee of record has also moved for an order restraining defendant from assigning or otherwise disposing of the right to such payments. In support of this request, the assignee of record declares that "there is a lack of documentation of [defendant's payments from Chase California Real Estate Inc.], a possibility that cash payments may not be reported and the judgment debtor may spend the payments received." (Jones Decl., ¶ 9.) Good cause appearing, the court grants the assignee of record's request. (Code Civ. Proc., § 708.520, subds. (a), (b).) The court orders that defendant shall not assign, encumber, or otherwise dispose of the right to any payment that the court has assigned herein.

TENTATIVE RULING # 1: THE MOTION IS GRANTED. THE COURT HEREBY ASSIGNS TO SACOR FINANCIAL, INC. THE RIGHTS TO DEFENDANT MIKE OWEN'S FEES, COMMISSIONS, TIPS, AND OTHER PAYMENTS EARNED FROM CHASE CALIFORNIA REAL ESTATE INC. FOR SERVICES RENDERED AS AN INDEPENDENT CONTRACTOR IN AN AMOUNT EQUAL TO 40 PERCENT OF EACH PAYMENT ISSUED BY CHASE CALIFORNIA

REAL ESTATE INC. UNTIL THE REMAINING AMOUNT DUE ON THE JUDGMENT ENTERED IN THIS CASE IS PAID IN FULL. DEFENDANT SHALL BE RESTRAINED FROM ASSIGNING OR OTHERWISE DISPOSING OF THE RIGHT TO PAYMENT THAT THE COURT HAS ASSIGNED HEREIN. UPON PAYMENT TO SACOR FINANCIAL, INC. IN THE TOTAL AMOUNT DUE UNDER THE JUDGMENT PLUS JUDGMENT INTEREST AT 10 PERCENT ANNUM, SACOR FINANCIAL, INC. SHALL FILE A SATISFACTION OF JUDGMENT AND GIVE NOTICE OF THE SAME TO DEFENDANT.

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. RED SANDSTONE LLC v. PISCANO, 25CV1962**(A) OSC Re: Sanctions****(B) Order of Examination Hearing**

On July 17, 2026, having found that the judgment debtor was properly served notice of the Order of Examination hearing, the judgment debtor failed to appear. The court continued the Order of Examination hearing and set an Order to Show Cause regarding why sanctions should not be imposed against judgment debtor for his failure to appear as ordered.

On September 10, 2026, the court denied the request submitted by the judgment debtor's attorney to appear remotely at the instant hearing.

**TENTATIVE RULING # 2: THE JUDGMENT DEBTOR'S PERSONAL APPEARANCE IS
REQUIRED AT 1:30 P.M., FRIDAY, SEPTEMBER 11, 2026, IN DEPARTMENT FOUR.**

3. CHHIM, SR., ET AL. v. VILCHIS, ET AL., 24CV1508**Discovery Motions**

On August 3, 2026, defendant County of El Dorado (“defendant”) filed a total of 15 motions to compel — three separate motions to compel against five plaintiffs: (1) Vantham Chhim, Sr.; (2) Vantham Chhim, Jr.¹; (3) Koy Chhim; (4) Honn Chhim; and (5) Chheunger Leng. Defendant moves to compel each plaintiff’s responses to Form Interrogatories and Request for Production, both Set One. Additionally, defendant moves to deem all matters in its Request for Admissions, Set One, admitted. Defendant seeks a monetary sanction of \$400.00 against each plaintiff, jointly and severally with their attorney, for a total of \$2,000.00. Additionally, with respect to each plaintiff’s alleged failure to respond to Request for Production, Set One, defendant seeks an additional \$1,000 sanction under Code of Civil Procedure section 2023.050, subdivisions (a)(1) and (a)(3).

No opposition was filed.

1. Legal Principles

If a party to whom interrogatories or requests for production were directed fails to serve a timely response, the propounding party may move for an order compelling responses. (Code Civ. Proc., §§ 2030.290, subd. (b) [interrogatories], 2031.300 [request for production]; see *Sinaiko Healthcare Consulting, Inc. v. Pacific Healthcare Consultants* (2007) 148 Cal.App.4th 390, 404.) All that need be shown in the moving papers is that a set of interrogatories or request for production was properly served on the opposing party, that the time to respond has expired, and that no response of any kind has been served. (See, *Leach v. Superior Court* (1980) 111 Cal.App.3d 902, 905–906.)

¹ Vantham Chhim, Jr. is a minor and has settled his claim with all named defendants other than defendants County of El Dorado and State of California. On July 16, 2024, the court appointed the minor’s father, plaintiff Vantham Chhim, Sr., as guardian ad litem. On January 29, 2026, the court approved the minor’s compromise (the amended petition for minor’s compromise was filed September 18, 2025).

Upon granting a motion to compel responses to interrogatories or request for production, the court shall impose a monetary sanction under Code of Civil Procedure section 2033.010, et seq. against any party, person, or attorney who unsuccessfully makes or opposes a motion to compel a response, unless it finds that the one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust. (Code Civ. Proc., §§ 2030.290, subd. (c) [interrogatories], 2031.300, subd. (c) [request for production].)

A party served with requests for admission must serve a response within 30 days. (Code Civ. Proc., § 2033.250.) 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, as well as an order granting a monetary sanction. (Code Civ. Proc., § 2033.280, subd. (b).) When such a motion is made, the court must grant the motion and deem the requests admitted, and must order a monetary sanction, 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”].)

2. Discussion

In this case, defendant propounded the discovery requests at issue upon each responding party, respectively, on January 22 and/or March 16, 2026, via email. (Nott Decl., ¶ 2.) For those discovery requests propounded on January 22, 2026, on February 24, 2026, defense counsel granted each plaintiff a 30-day extension. (Nott Decl., ¶ 3.) Accordingly, the response deadline for the discovery requests propounded on January 22, 2026, was March 24, 2026. (Nott Decl., ¶ 3.)

Plaintiffs did not request any extension for the discovery requests propounded on March 16, 2026. For those requests, the response deadline was April 17, 2026 (30 calendar days, extended by two court days for electronic service).

As of the time of the filing of the motion, no response had been served to any discovery request.

Good cause appearing, each motion to compel is granted. The court also finds a monetary sanction against each plaintiff in the total amount of \$400.00 to be reasonable in this case under the Civil Discovery Act. Each monetary sanction is imposed against each plaintiff and their attorney of record, jointly and severally.

The court declines to impose any additional \$1,000.00 sanction against any plaintiff under Code of Civil Procedure section 2023.050, subdivisions (a)(1) or (a)(3),² considering that: (1) there is no evidence that plaintiff did not respond in good faith to a request for production; and (2) there is no meet and confer requirement for a motion to compel responses (as opposed to a motion to compel further responses).

TENTATIVE RULING # 3: ALL 15 DISCOVERY MOTIONS ARE GRANTED. THE COURT AWARDS MONETARY SANCTIONS AS REQUESTED. WITHIN 30 DAYS OF THE NOTICE OF ENTRY OF ORDER, EACH PLAINTIFF SHALL SERVE THEIR VERIFIED RESPONSE TO DEFENDANT'S FORM INTERROGATORIES AND REQUEST FOR PRODUCTION, BOTH SET ONE, AND PAY DEFENDANT A MONETARY SANCTION OF \$400. EACH MONETARY SANCTION IS IMPOSED AGAINST EACH PLAINTIFF AND THEIR ATTORNEY OF RECORD, JOINTLY AND SEVERALLY. ADDITIONALLY, THE COURT DEEMS EACH OF THE MATTERS

² Code of Civil Procedure section 2023.050 authorizes an additional \$1,000 monetary sanction for any party, person, or attorney who did not respond to a request for production in good faith (Id., subd. (a)(1)) or any party, person, or attorney who fails to meet and confer with the requesting party in a reasonable and good faith attempt to resolve informally any dispute concerning the request (Id., subd. (a)(3)).

IN THE REQUEST FOR ADMISSION (SET ONE) PROPOUNDED UPON EACH PLAINTIFF
ADMITTED.

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NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

4. HAGOBIAN v. DEAR, ET AL., 26CV1988**Petition to Vacate Arbitration Award**

On July 17, 2026, pursuant to Code of Civil Procedure section 1285, petitioner Victoria Hagobian (“petitioner”) filed a timely³ petition to vacate the arbitration award entered April 10, 2026, on the grounds that the arbitrator exceeded her authority and the award cannot be fairly corrected. To date, there is no proof of service of the petition upon respondents in the court’s file.

TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 1:30 P.M., FRIDAY, SEPTEMBER 11, 2026, IN DEPARTMENT FOUR.

³ A petition to vacate an award must be served and filed not later than 100 days after the date of the service of a signed copy of the award on the petitioner. Here, the arbitration award was issued on April 10, 2026. July 20, 2026, is 100 days after April 10, 2026. It is unclear to the court what date the award was served.