

1.	23CV1225	RICH V. CAMERON PARK COUNTRY CLUB, INC.
Preliminary Approval of Class and Representative Action Settlement		

This motion is unopposed.

Plaintiff Cierra Rich (“Named Plaintiff” or “Plaintiff”) seeks preliminary approval of a proposed wage and hour class and representative action settlement with Defendant Cameron Park Country Club, Inc. (“Defendant”). Plaintiff further seeks conditional certification of the proposed class for purposes of settlement. Subject to final approval of this Court, the parties agreed to settle this action on all-inclusive basis for \$250,000.00.

The substance of the Joint Stipulation and Settlement and Release of Claims (“Settlement”) is attached as Exhibit B to the Declaration of Roman Otkupman, dated September 8, 2025, which is submitted in support of the motion.

This Settlement resulted after Plaintiff filed a class action complaint alleging a variety of Labor Code and Business and Professions Code violations. The parties have agreed to certification of the following class, for settlement purposes: all current and former non-exempt employees employed by Defendant in the State of California from July 21, 2019 through December 31, 2024. (Settlement Agreement, ¶ 5). Defendant estimates approximately 240 putative Class Members who collectively worked a total of 14,317 workweeks. (Settlement Agreement, ¶ 19).

The Settlement Agreement provides that Defendant shall pay an aggregate sum of \$250,000.00 (the “Gross Settlement Amount”). (Settlement Agreement, ¶ 18) \$25,000.00 will be paid in the form of vacation pay to current non-exempt employees of Defendant. The remaining \$225,000.00 is to be allocated as follows:

1. Reasonable Expenses of the Settlement Administrator in an amount up to \$10,000.00. (Settlement Agreement, ¶ 62(A)(iv)) The Parties have received a not-to-exceed bid from Apex for administration of this settlement in the amount of \$9,000.00.
2. Reasonable Service Payment to Named Plaintiff of up to \$15,000.00 to Named Plaintiff as an enhancement payment for her services as Class Representative. (Settlement Agreement, ¶ 62(A)(i))
3. Reasonable Attorney’s Fees and Litigation Expenses not to exceed thirty-five percent (35%) of the Gross Settlement Amount, or \$87,500.00 for all work previously performed with regards to the present case and all remaining work to be performed, and litigation costs in an amount not to exceed \$20,000.00. (Settlement Agreement, ¶ 62(A)(ii))
4. Private Attorney General Act (“PAGA”) Penalties in the amount of \$10,000.00 in consideration for a full and complete release of any claim of penalties that may be owed pursuant to PAGA. Seventy-five percent (75%) of this amount, \$7,500.00, will be paid to California Labor & Workforce Development Agency (“LWDA”) in satisfaction of any claim for penalties that may be owed to that agency under PAGA. Twenty-five percent (25%) of

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this amount, \$2,500.00, will be included in the amount to be distributed to all Aggrieved Employees. (Settlement Agreement, ¶ 25)

5. Each Participating Class Member will receive a proportionate share of the Net Settlement Amount that is equal to (i) the number of weeks he or she worked for Defendant during the Class Period in California based on the Class data provided by Defendant, divided by (ii) the total number of weeks worked by all Participating Class Members during the Class Period based on the same Class data, which is then multiplied by the NSA. One day worked in a given week will be credited as a week for purposes of this calculation. Therefore, the value of each Class Member's Individual Settlement Share ties directly to the amount of weeks that he or she worked. (Settlement Agreement, ¶ 50(A)(i)) Payments to Settlement Class Members will be allocated as follows: 15% to the satisfaction of wage claims and 85% to the satisfaction of penalties and interest. (Settlement Agreement, ¶ 50(B)(i)) The payment for reimbursement claims, interest, and penalties will be issued through a Form 1099 and will not be subject to tax withholdings or deductions. (Id.) Furthermore, \$25,000.00 will be paid in the form of vacation pay to current non-exempt employees of Defendant. (Settlement Agreement, ¶ 18)

According to Plaintiff's pleadings: "A unique feature to this class action settlement is that all currently employed and formerly employed settlement class members will recover a monetary benefit without having to submit a claim form." Memorandum of Points and Authorities in support of Plaintiff's Motion for Preliminary Approval at 2:7-9.

The proposed Order is as follows:

1. The Court grants preliminary approval and conditional certification of the Class;
2. The Court grants preliminary approval of Plaintiff Cierra Rich as Class Representative;
3. The Court grants preliminary approval of Otkupman Law Firm, A Law Corporation, as Class Counsel;
4. The Court grants preliminary approval of Settlement of claims as set forth in the Settlement Agreement;
5. The Court approves the proposed Class Notice and Exclusion Form;
6. The Court grants preliminary approval of the Gross Settlement Amount of \$250,000.00;
7. The Court grants preliminary approval of Apex Class Action, LLC ("Apex") as Settlement Administrator and payment of service in an amount up to \$10,000.00;
8. The Court grants preliminary approval of a Class Representative Enhancement Payment to Plaintiff Cierra Rich in an amount up to \$15,000.00;
9. The Court grants preliminary approval of the payment to Class Counsel of reasonable attorney's fees of \$87,500.00 and costs up to \$20,000.00;
10. The Court grants preliminary approval of the PAGA Payment in the amount of \$10,000.00. Seventy-five percent (75%) of this amount will be paid to the LWDA and twenty-five percent (25%) of this amount will be paid to the Aggrieved Employees on a pro rata basis.

11. The Court grants the schedule for implementation of the terms of the Settlement Agreement

California Rule of Court 3.769(c) governs the settlement of class actions:

(a) Court approval after hearing

A settlement or compromise of an entire class action, or of a cause of action in a class action, or as to a party, requires the approval of the court after hearing.

(b) Attorney's fees

Any agreement, express or implied, that has been entered into with respect to the payment of attorney's fees or the submission of an application for the approval of attorney's fees must be set forth in full in any application for approval of the dismissal or settlement of an action that has been certified as a class action.

(c) Preliminary approval of settlement

Any party to a settlement agreement may serve and file a written notice of motion for preliminary approval of the settlement. The settlement agreement and proposed notice to class members must be filed with the motion, and the proposed order must be lodged with the motion.

(d) Order certifying provisional settlement class

The court may make an order approving or denying certification of a provisional settlement class after the preliminary settlement hearing.

(e) Order for final approval hearing

If the court grants preliminary approval, its order must include the time, date, and place of the final approval hearing; the notice to be given to the class; and any other matters deemed necessary for the proper conduct of a settlement hearing.

(f) Notice to class of final approval hearing

If the court has certified the action as a class action, notice of the final approval hearing must be given to the class members in the manner specified by the court. The notice must contain an explanation of the proposed settlement and procedures for class members to follow in filing written objections to it and in arranging to appear at the settlement hearing and state any objections to the proposed settlement.

(g) Conduct of final approval hearing

Before final approval, the court must conduct an inquiry into the fairness of the proposed settlement.

(h) Judgment and retention of jurisdiction to enforce

If the court approves the settlement agreement after the final approval hearing, the court must make and enter judgment. The judgment must include a provision for the retention of the court's jurisdiction over the parties to enforce the terms of the judgment. The court may not enter an order dismissing the action at the same time as, or after, entry of judgment.

TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, NOVEMBER 7, 2025, IN DEPARTMENT NINE. THE HEARING DATE FOR FINAL APPROVAL OF THE SETTLEMENT AGREEMENT WILL SCHEDULED AT THE HEARING.

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2.	25CV0353	CLEANRITE, INC. V. CASNER
Set Aside Default		

This case originated as a claim or unpaid property maintenance services and includes claims for breach of contract, unjust enrichment, quantum meruit, account stated, “money had and received” and declaratory relief. Plaintiff requested default judgment when Defendant failed to answer the Complaint. The claim for damages stated on the request for default judgment is zero and the claimed costs are zero. Judgment was entered on September 17, 2025.

Defendant’s Answer, attached to her request to set aside the default judgment, claims that she understood the disputed amounts to have been paid by insurance, and that she informed Defendant of that when she received a bill two years after the services were performed. Defendant said that when she went to inquire at the courthouse she was informed that the case had been dismissed.

As of November 4, 2025, Defendant has filed no objection to the Motion.

Standard of Review

Code, Code of Civil Procedure § 473(b) provides:

(b) The court may, upon any terms as may be just, relieve a party or his or her legal representative from a judgment, dismissal, order, or other proceeding taken against him or her through his or her mistake, inadvertence, surprise, or excusable neglect. Application for this relief shall be accompanied by a copy of the answer or other pleading proposed to be filed therein, otherwise the application shall not be granted, and shall be made within a reasonable time, in no case exceeding six months, after the judgment, dismissal, order, or proceeding was taken.

In this case, the motion was brought within the six-month window, it includes Defendant’s proposed Answer, and it represents Defendant’s mistake, surprise and/or excusable neglect if she both understood the bill to be paid and the case to have been dismissed.

[B]ecause the law strongly favors trial and disposition on the merits, any doubts in applying section 473 must be resolved in favor of the party seeking relief from default (*Waite v. Southern Pacific Co.* (1923) 192 Cal. 467, 470-471 [221 P. 204]; *Carli v. Superior Court* (1984) 152 Cal.App.3d 1095, 1099 [199 Cal.Rptr. 583] [in the context of deemed admissions § 473 should be applied liberally “so cases can be tried on the merits”]; *Flores v. Board of Supervisors, supra*, 13 Cal.App.3d at p. 483.) . . . A motion seeking such relief lies within the sound discretion of the trial court, and the trial court’s decision will not be overturned absent an abuse of discretion. (*Weitz v. Yankosky* (1966) 63 Cal.2d 849, 854 [48 Cal.Rptr. 620, 409 P.2d 700]; *Martin v. Cook* (1977) 68 Cal.App.3d 799, 807 [137 Cal.Rptr. 434].)

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Elston v. City of Turlock, 38 Cal. 3d 227, 233, 695 P.2d 713 (1985).

TENTATIVE RULING #2: ABSENT OBJECTION, THE MOTION IS GRANTED AS REQUESTED. DEFENDANT SHALL FILE AN ANSWER NO LATER THAN FRIDAY, NOVEMBER 14, 2025.

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.

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3.	22CV1598	EUGENE BROWN v. JEFF BROWN ET AL
Motion to be Relieved as Counsel		

Counsel for the Defendants has filed a motion to be relieved as counsel pursuant to Code of Civil Procedure § 284(2) and California Rules of Court, Rule 3.1362.

A declaration on Judicial Council Form MC-052 accompanies the motion, as required by California Rules of Court, Rule 3.1362, stating that the client has failed to communicate with counsel on important issues in the case, is not current in his bills, and has failed to sign a substitution of attorney.

Code of Civil Procedure § 284(2) and California Rules of Court, Rule 3.1362 allow an attorney to withdraw after notice to the client. Proof of service of the motion on the Defendants at their last known address and on counsel for Plaintiff was filed on September 23, 2025.

A Trial Confirming Conference is currently scheduled on January 9, 2026, and trial is set for January 13, 2026. These dates must be listed in the Order as required by California Rules of Court, Rule 3.1362(e). There is no proposed Order of file with the Court.

TENTATIVE RULING #3: ABSENT OBJECTION, THE MOTION IS GRANTED. COUNSEL IS DIRECTED TO SERVE A COPY OF THE SIGNED ORDER (FORM MC-053) ON THE CLIENT AND ALL PARTIES THAT HAVE APPEARED IN THE CASE IN ACCORDANCE WITH CALIFORNIA RULES OF COURT, RULE 3.1362(e).

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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PARTIES MAY PERSONALLY APPEAR AT THE HEARING.**

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4.	24CV1598	LOWREY ET AL v. NORTH RANCH BUILDERS, INC.
Motion to be Relieved as Counsel		

Counsel for the Defendants has filed a motion to be relieved as counsel pursuant to Code of Civil Procedure § 284(2) and California Rules of Court, Rule 3.1362.

A declaration on Judicial Council Form MC-052 accompanies the motion, as required by California Rules of Court, Rule 3.1362, stating that California Rules of Professional Conduct, Rule 1.16(b)(4) provides the basis for permissive withdrawal in this case: “the client by other conduct renders it unreasonably difficult for the lawyer to carry out the representation effectively.”

Code of Civil Procedure § 284(2) and California Rules of Court, Rule 3.1362 allow an attorney to withdraw after notice to the client. Proof of service of the motion on the Defendants at their last known address and on counsel for Plaintiff was filed on September 24, 2025.

A Case Management Conference is currently scheduled on March 10, 2026. The proposed Order needs to be revised to include this date before it can be signed, in order to comply with California Rules of Court, Rule 3.1362(e).

TENTATIVE RULING #4: ABSENT OBJECTION, THE MOTION IS GRANTED. COUNSEL IS DIRECTED TO SERVE A COPY OF THE SIGNED ORDER (FORM MC-053) ON THE CLIENT AND ALL PARTIES THAT HAVE APPEARED IN THE CASE IN ACCORDANCE WITH CALIFORNIA RULES OF COURT, RULE 3.1362(e).

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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5.	23CV1856	NAME CHANGE OF RUBEN
OSC - Dismiss		

The application lacks proof of publication and background check.

There were no appearances at hearings held on December 15, 2023, February 9, 2024, April 12, 2024, May 24, 2024, July 12, 2024, and October 4, 2024.

TENTATIVE RULING #5: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, NOVEMBER 7, 2025, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

6.	22CV0884	SANCHEZ v. GENERAL MOTORS, LLC
Motion for Attorney Fees		

This is a Lemon Law action. On October 2, 2024, the parties settled the case for approximately \$140,000.00. (Walker Decl., ¶ 85.) One of the terms of the settlement agreement is that plaintiff shall be deemed the “prevailing party” in this action for purposes of an attorney fee motion. (Walker Decl., ¶ 86.)

On August 27, 2025, pursuant to Civil Code section 1794, subdivision (d), plaintiff filed a motion for an award of “prevailing party” attorney fees against defendant General Motors, LLC (“defendant”) in the total amount of \$66,405.25, to include: (1) \$41,603.50 of actual attorney fees incurred, plus a 1.5 times multiplier, for a total of \$62,405.25; and (2) an additional \$4,000.00 for plaintiff’s counsel to review defendant’s anticipated opposition papers, prepare plaintiff’s reply, and attend the hearing on the instant motion.

On October 3, 2025, defendant filed a timely opposition, arguing that the court should deny the motion; alternatively, plaintiff should recover no more than \$13,250.00 in attorney fees. On October 10, 2025, plaintiff filed a timely reply.

The hearing on the instant motion was originally set for October 17, 2025, but the court continued the matter on its own motion to November 7, 2025.

1. Legal Principles

The Song-Beverly Act is “ ‘manifestly a remedial measure, intended for the protection of the consumer.’ ” (*Murillo v. Fleetwood Enterprises, Inc.* (1998) 17 Cal.4th 985, 990.) To this end, Civil Code section 1794, subdivision (d) provides that a prevailing buyer in an action arising under the Song-Beverly Act “shall be allowed by the court to recover as part of the judgment a sum equal to the aggregate amount of costs and expenses, including attorney’s fees *based on actual time expended*, determined by the court to have been reasonably incurred by the buyer in connection with the commencement and prosecution of such action.” (Civ. Code, § 1794, subd. (d) [emphasis added].) In enacting this provision, the “Legislature has provided injured consumers *strong encouragement* to seek legal redress in a situation in which a lawsuit might not otherwise have been economically feasible.” (*Murillo v. Fleetwood Enterprises, Inc.*, *supra*, at p. 994, italics added.)

The “plain wording” of Civil Code section 1794, subdivision (d) requires the trial court to “base” the prevailing buyer’s attorney fee award “upon actual time expended on the case, as long as such fees are *reasonably* incurred—both from the standpoint of time spent and the amount charged.” (*Robertson v. Fleetwood Travel Trailers of California, Inc.* (2006) 144 Cal.App.4th 785, 817.) Likewise, when the prevailing buyer has a contingency fee arrangement, he or she is entitled to recover “reasonable attorney fees for time reasonably expended.” (See *Nightingale v. Hyundai Motor America* (1994) 31 Cal.App.4th 99, 105, fn. 6.) This is consistent with California’s approach to determining a reasonable attorney fee in various statutory and

contractual contexts, which approach “ordinarily begins with the ‘lodestar,’ i.e., the number of hours *reasonably* expended multiplied by the *reasonable* hourly rate.” (*PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1095 [emphasis added].)

The lodestar figure may then be adjusted based on factors specific to the case, in order to fix the fee at the fair market value of the legal services provided. (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132, [“The lodestar is the basic fee for comparable legal services in the community.”]; *Serrano v. Priest* (1977) 20 Cal.3d 25, 49.) These case-specific, lodestar adjustment factors may include, without limitation: “(1) the novelty and difficulty of the questions involved, (2) the skill displayed in presenting them, (3) the extent to which the nature of the litigation precluded other employment by the attorneys, (4) the contingent nature of the fee award. [Citation.]” (*Ketchum v. Moses, supra*, at p. 1132.) The “procedural demands” of the case may also be considered. (*Nightingale v. Hyundai Motor America, supra*, 31 Cal.App.4th at p. 104.) The lodestar adjustment method “anchors the trial court’s analysis to an objective determination of the value of the attorney’s services,” and thus ensures that the amount awarded is not arbitrary. (*PLCM Group, Inc. v. Drexler, supra*, 22 Cal.4th at p. 1095.) A prevailing buyer in an action arising under the Song-Beverly Act has the burden of establishing that his or her requested attorney fees were “ ‘allowable,’ ” “ ‘reasonable in amount,’ ” and “ ‘reasonably necessary to the conduct of the litigation.’ ” (*Goglin v. BMW of North America, LLC* (2016) 4 Cal.App.5th 462, 470.)

2. Timeliness of Motion

As an initial matter, defendant argues that plaintiff’s motion is untimely. Under California Rule of Court 3.1702, “[a] notice of motion to claim attorney’s fees for services up to and including the rendition of judgment in the trial court ... must be served and filed within the time for filing a notice of appeal under rules 8.104 and 8.108 in an unlimited civil case....” (Cal. Rules Ct., R. 3.1702, subd. (b)(1).) California Rule of Court 8.108 concerns extending the time to appeal and does not apply here.

California Rule of Court 8.104 provides “a notice of appeal must be filed on or before the earliest of: [¶] (A) 60 days after the superior court clerk serves on the party filing the notice of appeal a document entitled ‘Notice of Entry’ of judgment or a filed-endorsed copy of the judgment, showing the date either was served; [¶] (B) 60 days after the party filing the notice of appeal serves or is served by a party with a document entitled ‘Notice of Entry’ of judgment or a filed-endorsed copy of the judgment, accompanied by proof of service; or [¶] (C) 180 days after entry of judgment.” (Cal. Rules Ct., R. 8.104, subd. (a)(1)(A)–(C).) A “judgment” within the meaning of this rule includes “an appealable order if the appeal is from an appealable order.” (Cal. Rules Ct., R. 8.104, subd. (e).)

Plaintiff’s position is that none of these time limits have been triggered because there has been no entry of judgment in this case.

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Defendant argues the court should disallow at least 77.9 hours of the claimed time (see Opp. at 10:17–19), reasoning that plaintiff’s counsel largely used template letters, motions, etc., from other cases against defendant as part of counsel’s “playbook for every case against [defendant]” in an effort to maximize counsel’s fee recovery. (See Opp. at 1:25–4:5.) From August 2024 through August 2025, outside of the instant case, plaintiff’s counsel allegedly filed at least 121 fee motions against defendant. (Dobson Decl., ¶ 24 & Ex. V.)

“A trial court may not rubber stamp a request for attorney fees, but must determine the number of hours reasonably expended.” (*Donahue v. Donahue* (2010) 182 Cal.App.4th 259, 271, italics omitted.) In evaluating whether the attorney fee request is reasonable, the trial court should consider “ ‘whether the case was overstaffed, how much time the attorneys spent on particular claims, and whether the hours were reasonably expended.’ ” (*Ibid.*) “Reasonable compensation does not include compensation for “ ‘padding’ in the form of inefficient or duplicative efforts....” [Citations.] ‘A reduced award might be fully justified by a general observation that an attorney overlitigated a case or submitted a padded bill or that the opposing party has stated valid objections.’ ” (*Ibid.*; see *Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1132 [“trial courts must carefully review attorney documentation of hours expended; ‘padding’ in the form of inefficient or duplicative efforts is not subject to compensation”].)

Defendant challenges the following fees claimed by plaintiff:

1. “Templated Discovery Requests” – fees incurred on June 23-24, 2022; August 3, 2022; June 29, 2023; October 25, 2023; November 2, 22, and 29, 2023; December 1, 11, and 19, 2023; and January 18, 2024.
2. “Review of GM’s Discovery Requests and Prepare Templated Discovery Responses” – fees incurred on September 28–29, 2022; April 4, 2024; July 11 and 31, 2024; and August 7, 2024.
3. “Review of GM’s Discovery Responses & Preparation of Templated Meet-and-Confer Correspondence” – fees incurred on September 19, 21, 28, and 29, 2022; October 18, 19, and 24, 2022; April 19, 2023; May 9, 2023; June 23 and 29, 2023; January 29 and 30, 2024; and February 2, 5–7, 13, 15, 19, and 21, 2024; and August 27, 2024.
4. “Templated Motion to Compel Further RFP Responses” – fees incurred on October 12, 2022; November 1, 3, 18, and 21, 2022; December 12, 19 and 27–28, 2022; January 23 and 27, 2023; February 9, 2023; March 23, 24, and 27, 2023.
5. “Supplemental Briefing Templated Motion to Compel Further RFP Responses” – fees incurred on March 30, 2023; April 5, and 19–20, 2023; and May 4, 5, 18, and 19, 2023.
6. “Templated Motion to Compel PMQ” – fees incurred on March 28, 2024; April 2, 2024; July 22, 2024; and August 15, 16, 18, and 19, 2024.
7. “Continued Motion to Compel PMQ” – fees incurred on August 28 and 29, 2024; and September 3 and 5, 2024.
8. “Templated Fee Motion” – fees incurred on February 11, 19, and 20, 2025; March 13, 19, and 24–26, 2025; April 1, 8, and 16, 2025; May 8 and 19, 2025; June 5, 6, 11, 12,

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18–20, and 25, 2025; July 2, 3, and 17, 2025; August 20, 21, and 26, 2025; and “anticipated.”

9. “Paralegal Time–Throughout” – 19.6 hours billed by paralegals for clerical work.
10. “Administrative Tasks & Communications–Throughout” – 10.4 hours billed for administrative tasks.
11. “Preparation for and in Appearance in Case Management Conferences, Drafting MSA Statement” – fees incurred on October 21 and 24, 2022; November 1, 2022; January 23, 2023; May 22, 2023; September 7, 11, and 12, 2023; December 6, 13, and 14, 2023; and August 12, 2024.
12. “Unknown or Nonsensical Time Entries” – fees incurred on January 4 and 6, 2023; November 2 and 8, 2023; August 19, 29, and 30, 2024; September 4, 2024; and January 10 and 21, 2025.
13. “Reviewing Plaintiff’s Documents” – fees incurred on May 11, 2022; June 23, 2022; November 2, 2023; and December 11, 2023.

The court has reviewed each of the billing entries submitted by plaintiff’s counsel. (See Walker Decl., Ex. 5.)

The court rejects defense counsel’s arguments based on “template” work. Even if plaintiff’s counsel used templates, it still takes time to prepare the filings, and in this case, the amount of time spent on these tasks was not unreasonable. For example, when plaintiff’s attorney Lara Rogers prepared initial discovery on June 23 and 24, 2022, she billed: (1) 0.2 hours to draft plaintiff’s Request for Production; (2) 0.2 hours to draft plaintiff’s Request for Admission; (3) 0.2 hours to draft plaintiff’s notice of deposition to defendant’s person most qualified; and (4) 0.2 hours to draft plaintiff’s Special Interrogatories. These amounts are not unreasonable. Similarly, the court finds that the actual time expended by plaintiff’s counsel on the discovery motions was not unreasonable.

The court agrees with defendant that several of the paralegal billing entries are for purely administrative tasks, such as filing and serving documents, and calendaring deadlines. Furthermore, a number of billing entries (from both paralegals and attorneys) concern remote appearances (i.e., preparing notice of remote appearance, emailing counsel regarding remote appearances, reviewing an email reminder from the court on June 19, 2025, regarding plaintiff’s telephonic appearance, etc.); or review of conformed copies of plaintiff’s own filings. The court disallows these entries, which amount to **\$2,418.50** in claimed fees, because they were not reasonably necessary to prosecute the action.

The court also notices several billing entries from the handling attorney and the supervising attorney for semi-weekly case status reviews. In some instances, they are labelled, “Calendar Review with handling attorney” (see billing entries from Carey Wood and Lara Rogers on December 30, 2022; January 6, 13, and 19, 2023; March 24, 2023; etc.). Without any additional information, the court concludes that these amounts of time expended were unreasonable. The court disallows **\$3,050.00** of claimed fees for unspecified case review meetings between the handling and supervising attorneys.

The court notes there are numerous billing entries related to attorney fees and costs that were incurred after October 2, 2024, when the parties executed the settlement agreement. Defendant does not explicitly challenge fees incurred after October 2, 2024, on the ground that they were not reasonably incurred to prosecute the action. Rather, defendant challenges many of the post-settlement fees on the ground that plaintiff's counsel used templates, which the court already addressed above. Indeed, there is case authority supporting the award of attorney fees incurred post-settlement. (See *Hanna v. Mercedes-Benz USA, LLC* (2019) 26 Cal.App.5th 493 [post-settlement attorney fees may be recoverable if they are reasonable and contribute to achieving a favorable resolution for the buyer.]) "Where a party continues to litigate after receiving a settlement offer, absent a finding that failure to resolve the case through negotiation was unreasonable or solely attributable to counsel's desire to generate more fees, additional fees incurred to establish liability or damages, including evidence of willfulness necessary to recover civil penalties, are properly included in an award of fees under Civil Code section 1794, subdivision (d). [Citations.]" (*Id.*, at p. 508.)

In this case, there are numerous billing entries on different dates post-settlement for 0.1 and 0.2 hours related to email correspondence between counsel. On May 8, 2025, Mr. Walker billed 2.3 hours to draft a memorandum of costs. The defense filed a motion to tax costs, and on June 5 and 6, 2025, Mr. Walker billed approximately 1.8 hours to draft plaintiff's opposition to the motion. The final four billing entries (a total of 2.8 hours incurred on July 17, August 20, 21, and 27, 2025) each relate to the instant motion for attorney fees. Considering that the Song Beverly Act provides for the recovery of fees, the amount of time expended, and the fact that the claimed fees do not appear to be solely attributable to counsel's desire to generate more fees, the court finds that plaintiff's counsel's claimed post-settlement fees are reasonable.

The court disallows plaintiff's claimed fees of \$4,000.00 for time "anticipated" to be spent on the instant motion because it does not reflect time actually incurred. (Civ. Code, § 1794, subd. (d).)

3.2. Hourly Rate

The reasonable value of attorney services is variously defined as the " 'hourly amount to which attorneys of like skill in the area would typically be entitled.' " (See *Serrano v. Unruh* (1982) 32 Cal.3d 621, 640, fn. 31.)

Here, plaintiff claims the following hourly rates for the attorneys and paralegals who worked on the case:

- **Lara Rogers (initial handling attorney)**
 - At all relevant times: \$350.00
- **Bobby C. Walker (subsequent handling attorney)**
 - From June 2023 to January 3, 2024: \$400.00
 - From January 4, 2024, to February 2, 2025: \$415.00
 - From February 3, 2025, through present: \$430.00

- **Carey B. Wood (Senior Partner and Mr. Walker's supervising attorney)**
 - From August 2022 to January 3, 2024: \$500.00
 - From January 4, 2024, to July 9, 2024: \$520.00
 - From July 10, 2024, to February 2, 2025: \$525.00
 - From February 3, 2025, through present: \$540.00
- **Jessica Anvar (Managing Partner)**
 - At all relevant times: \$525.00
- **Paralegals (Elaine Astorga, Clarence Serrano, David Gomez, Robert Aguilar, Daisey Hernandez, Richard Ruiz, and Jessica Caro)**
 - At all relevant times: \$200.00 - \$250.00

Defendant argues that plaintiff has failed to substantiate the requested rates. Additionally, defendant argues the court should cap Ms. Rogers's rate at \$300.00 per hour; and Mr. Walker's rate at \$400.00 per hour. While plaintiff did submit a 2025 court order from San Diego County approving Mr. Walker's hourly rate of \$430.00 per hour, plaintiff provided no justification for Ms. Rogers's hourly rate of \$350.00. Considering Ms. Rogers's limited experience when she began performing work on the case in May 2022 (at the time, Ms. Rogers had three months of experience as an attorney), the court agrees with defendant that Ms. Rogers's hourly rate should be capped at \$300.00.

According to the billing entries, the total number of hours Ms. Rogers expended on the case is 36.2 hours. The court has stricken 1.8 of those hours for reasons discussed in the previous section (representing \$630.00 of the total claimed fees (\$350.00 claimed rate x 1.8 hours) that the court will disallow). The court is allowing 34.4 hours claimed by Ms. Rogers. 34.4 hours at Ms. Rogers's claimed hourly rate of \$350.00 amounts to \$12,040.00. However, the court is reducing Ms. Roger's hourly rate by \$50.00. Thus, the total amount of Ms. Roger's \$12,040.00 that needs to be reduced is \$1,720.00.

3.3. Requested Multiplier

The court agrees with defendant that the moving papers fail to show entitlement to a multiplier in this particular case. This was a routine Lemon Law action without any novel or particularly complex legal issues. There is no evidence that the nature of the litigation prevented plaintiff's counsel from employment on other cases. And, the risk to plaintiff's counsel posed by its contingent fee agreement with plaintiff is covered by the amount of the reasonable hourly rate.

4. Conclusion

Plaintiff's motion for attorney fees is granted in part and denied in part. The court denies the requested multiplier and the alleged \$4,000.00 for anticipated time spent on the case. That

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leaves plaintiff's claim of \$41,603.50. For all of the foregoing reasons, the court finds that plaintiff is entitled to an award of attorney fees under Civil Code section 1794, subdivision (d), in the total amount of **\$33,785.00** (\$41,603.50 - \$2,418.50 - \$3,050.00 - \$630.00 - \$1,720.00 = \$33,785.00).

TENTATIVE RULING #6: PLAINTIFF'S MOTION FOR ATTORNEY FEES IS GRANTED IN PART AND DENIED IN PART. THE COURT DENIES THE REQUESTED MULTIPLIER AND THE ALLEGED \$4,000.00 FOR ANTICIPATED TIME SPENT ON THE CASE. THE COURT FINDS THAT PLAINTIFF IS ENTITLED TO AN AWARD OF ATTORNEY FEES UNDER CIVIL CODE SECTION 1794, SUBDIVISION (d), IN THE TOTAL AMOUNT OF \$33,785.00.

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.

7.	24CV0223	SITEONE LANDSCAPE SUPPLY v. JVM LANDSCAPE CONSTRUCTION, INC.
Motion to Strike/Terminating Sanctions		

This commercial collection action for \$14,641.02 was filed on February 2, 2024. A default judgment was entered on April 30, 2024, when Defendant failed to file an Answer. On June 7, 2024, Defendant requested relief from default judgment and filed a general denial.

On March 28, 2025, Plaintiff filed a Motion to Compel responses to discovery that was due on January 10, 2025, to which Defendant had not responded. Defendant did not appear at the May 30, 2025, hearing. The Court granted Plaintiff's Motion to Compel Answers to Interrogatories and that Plaintiff's Request for Admissions be deemed admitted. Defendant was ordered to provide complete responses without objection by June 30, 2025, and to pay sanctions in the amount of \$510.00 by August 1, 2025.

Defendant has not complied with the Court's May 30, 2025, Order. Plaintiff has attempted to meet and confer with Defendant as of July 24, 2025, but there has been no response. See Declaration of Dominique S. Angelo, dated August 8, 2025, para. 8.

Plaintiff requests terminating sanctions by striking Defendant's Answer and entering default judgment. The Motion is unopposed.

Standard of Review

Code of Civil Procedure § 2023.010(g) provides that disobeying a court order to provide discovery is a misuse of the discovery process. If a party fails to obey an order compelling answers, "the court may make those orders that are just, including the imposition of an issue sanction, an evidence sanction, or a terminating sanction" Code of Civil Procedure § 2030.290(c). The alternatives for a court to issue terminating sanctions are described in Code of Civil Procedure § 2023.030(d) as follows:

- (1) An order striking out the pleadings or parts of the pleadings of any party engaging in the misuse of the discovery process.
- (2) An order staying further proceedings by that party until an order for discovery is obeyed.
- (3) An order dismissing the action, or any part of the action, of that party.
- (4) An order rendering a judgment by default against that party.

In this case, the Defendant has not complied with the Court's May 30, 2025, Order. Defendant has not responded to Plaintiff's meet and confer attempts and has not filed any opposition to this Motion.

TENTATIVE RULING #7: ABSENT OBJECTION, THE MOTION 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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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.

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8.	25CV2367	NAME CHANGE OF BARTLE
Petition for Name Change		

Petitioner filed a Petition for Change of Name on September 10, 2025.

Proof of publication was filed on October 9, 2025, 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 #8: 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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IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

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09.	25CV1365	NAME CHANGE OF DOUGLAS
Petition for Name Change		

Petitioner filed a Petition for Change of Name on May 27, 2025.

There is nothing in the court's records indicating that the OSC has been published in a newspaper of general circulation for four consecutive weeks as required by Code of Civil Procedure § 1277(a). Petitioner is ordered to file the OSC in a newspaper of general circulation in El Dorado County for four consecutive weeks. Proof of publication is to be filed with the court prior to the next hearing date.

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

TENTATIVE RULING #09: THE HEARING ON THIS MATTER IS CONTINUED TO 8:30 A.M. ON FRIDAY, DECEMBER 19, 2025, TO ALLOW PETITIONER TIME TO FILE PROOF OF PUBLICATION WITH THE COURT.

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.	23CV1878	NAME CHANGE OF GILES
OSC - Dismissal		

This Petition was filed on October 30, 2023, and at the March 8, 2024, hearing the Court determined that Proof of Publication had not been filed.

There were no appearances at hearings on April 12, 2024, May 24, 2024, July 12, 2024, or October 4, 2025, and there have been no additional filings.

TENTATIVE RULING #10: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, NOVEMBER 7, 2025, IN DEPARTMENT NINE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.