

TENTATIVE RULINGS

*For this week's calendar only, if requesting oral argument,
please call (530) 532-7153.*

1. 22CV02187 A, C v. COUNTY OF BUTTE

EVENT: Plaintiff's Motion to Consolidate Actions

While Plaintiff A.C. ("Plaintiff" herein) argues that the two related cases present identical factual and legal questions, the Court disagrees and finds instead that the two actions concern distinct legal issues which risk confusing the jury and prejudicing Defendant County of Butte ("Defendant" herein) if the cases are consolidated for trial. Plaintiff's Motion to Consolidate Actions is DENIED. Counsel for the Defendant shall submit a form of order within two weeks and once submitted and executed by the Court, 22CV the clerk is directed to file the Order in both cases.

2. 22CV02594 MOFFITT, DEREK C ET AL v. MOFFITT, TERESA L ET AL

EVENT: Motion to Amend Complaint to Bring in New Party Defendant

Plaintiffs Derek C. Moffitt and Sandi Moffitt's Motion to Amend Complaint to Bring in New Party Defendant is unopposed and is granted. The Court will sign the form of order submitted by counsel.

3. 23CV03194 CHEN, MAOMEI v. TOBUREN, FRANCIS ET AL

EVENT: Motion of M & S Wesley Tree Service, Inc. to Bifurcate the Issues of Liability and Damages

Code of Civil Procedure §§598, 1048(b), and 128(3) provide that the Court possesses broad discretion to bifurcate trial on the issues of liability and damages when the convenience of witnesses, ends of justices, or judicial economy are promoted, as well as when prejudice may be avoided by separate trials. Here, Defendant M&S Wesley has not shown that bifurcation would promote the convenience of witnesses, the ends of justice, or the efficiency of this litigation. The Court finds that liability and damages are intertwined through shared causation and incident evidence, thus bifurcation would be inappropriate. The Motion of M & S Wesley Tree Service, Inc. to Bifurcate the Issues of Liability and Damages is denied.

4-7. 24CV00765 HATZIS, MORGAN RAE v. PRIETO, MARIA NERISSA ET AL

EVENTS: (1) Defendants' Motion to Compel Morgan Rae Hatzis' Further Responses to Requests for Admissions, Set Two and for Sanctions

(2) Defendants' Motion to Compel Morgan Rae Hatzis' Further Responses to Special Interrogatories, Set Two and for Sanctions

(3) Defendants' Motion to Compel Morgan Rae Hatzis' Further Responses to Requests for Production of Documents, Set Two and for Sanctions

(4) Defendants' Motion to Compel Morgan Rae Hatzis' Further Responses to Form Interrogatories, Set Two and for Sanctions

The Court finds that Plaintiff provided supplemental responses to the discovery at issue on July 30, 2026 [See Declarations of Andrew Mahiany]. Consequently, the Court deems the Motions to Compel to be moot and are, for that reason, denied. However, Defendants' requests for sanctions are granted, the Court finding that Defendants were forced to seek this relief prior to Plaintiff providing such supplemental responses without substantial justification. The Court awards sanctions against Plaintiff and her counsel of record Freedom Thru Business APC, in the amount of \$4,000, which are to be paid within 30 days' notice of this ruling. Plaintiff's request for sanctions is denied. Counsel for the Defendants shall submit a revised form of order within two weeks.

8. 24CV02130 HERNANDEZ, MICHELLE ET AL v. GOLDEN ROSLEAF LLC ET AL

EVENT: Plaintiffs' Motion for Preliminary Approval of Class Action Settlement

Plaintiffs' Motion for Preliminary Approval of Class Action Settlement is granted. The Case Management Conference on October 1, 2026 is vacated, and the matter is set for a hearing for final settlement approval on December 30, 2026 at 9:00 a.m. The Court will sign the form of Order submitted by counsel.

9-10. 25CV00373 PRESLEY, LINDA D v. PRESLEY, MICHAEL A

EVENTS: (1) Partition Referee's Motion for Appointment of Elisor

(2) Motion by Partition Referee for Confirmation of Sale of Real Property

The Partition Referee's Motion for Appointment of Elisor is unopposed and is granted, and the Court will sign the form of order submitted. In addition, the Court will make inquiry as to any overbids on the subject real property, if none are received the Court will grant the Motion by Partition Referee for Confirmation of Sale of Real Property, and sign the form of order submitted.

11. 25CV00605 FREISE, RANDAL SCOTT v. FCA US, LLC ET AL

EVENT: Defendant's Motion to Dismiss Plaintiff's Third Cause of Action for Failure to Amend

Defendant's Motion to Dismiss Plaintiff's Third Cause of Action for Failure to Amend is unopposed and is granted. Defendant shall submit a revised form of order consistent with this ruling within two weeks.

12. 25CV00631 SPEROW, BENJAMIN C v. FRITZ, KAI ET AL

EVENT: Motion for Leave to File First Amended Complaint to Reflect the True Name of Doe Defendant No. 1

Plaintiff's Motion for Leave to File First Amended Complaint to Reflect the True Name of Doe Defendant No. 1 is unopposed and is granted, and the Court will sign the form of order submitted by counsel.

13. 25CV04160 CORREA, RICARDO v. GENERAL MOTORS LLC

EVENT: Plaintiff's Motion for Attorneys' Fees, Costs and Expenses

Plaintiff's counsel has the burden of showing that the fees were allowable, reasonably necessary to the conduct of the litigation, and reasonable in amount. See, *Morris v. Hyundai Motor Am.* (2019) 41 Cal.App.5th 24, 34, as modified (Oct. 11, 2019), rev. denied (Jan. 2, 2020) [internal quotations and citations omitted]. The Court finds that Plaintiff has done so here and the Court awards attorney's fees in the amount of \$13,455, which the Court deems reasonable. In regard to the requested costs, the Court finds that Plaintiff has provided a breakdown and explanation as to the requested costs and has provided sufficient substantiation for such costs. As such, costs are awarded to Plaintiff in the amount of \$647.08. Counsel for the Plaintiff shall submit a revised form of order consistent with this ruling within two weeks.

14. 26CV02704 FRANK LEWIS AS DIRECTOR/SECRETARY GOLDEN BEAVER DISTILLERY IN ET AL v. KRIS KOENIG AS CEO GBD INC ET AL

EVENT: Order to Show Cause re: Temporary Restraining Order

The Court finds that Plaintiffs have not established a basis for reversing or modifying the Court's prior July 31, 2026 interim ruling or imposing broader restrictions. The Court confirms its prior order as follows: 1) Defendants are authorized to complete the pending equipment sale totaling \$66,000, including the \$33,000 wire transfer and execution of the related promissory note; 2) Defendants are authorized to complete the pending equipment sale totaling \$4,000; 3) All proceeds are to be deposited into a separate account; and 4) The proceeds are only to be used for payment of secured debt obligations, State and Federal payroll taxes, trade creditors, and ordinary expenses incurred in the ordinary course of business. The Court intends to vacate the Temporary Restraining Order but will hear from counsel and the parties regarding the production of the company's records as ordered on July 27, 2026.

The Court is in receipt of Plaintiffs' late filed reply. (The reply was due by 4:00pm August 7) There appears to be no proof of service indicating the reply was served on Defendants. In any event, because the reply goes well beyond the initially requested relief, the Court is not considering the matters requested in the reply at this time.

Plaintiffs should file a new, regularly noticed motion if they intend to pursue the relief requested in the reply.