

**Judge Benson – Law & Motion – Wednesday, March 5, 2025 @ 9:00 AM
TENTATIVE RULINGS**

1. 22CV01497 Newlane Finance Company v. Phillips, Calder et al.

EVENT: OEX (Calder Phillips)

The Court will swear in the witness.

2. 23CV02221 Dinwiddie-Hines Construction, Inc v. Laswell, Mary Ellen

EVENT: Motion to Compel Mary Ellen Laswell to Provide Responses to Form Interrogatories

Motion to Compel Mary Ellen Laswell to Provide Responses to Form Interrogatories is GRANTED. Sanctions are imposed against Defendant (but not defense counsel) in the amount of \$2,178.95.

Plaintiff shall prepare and submit a form of order within 2 weeks.

3. 24CV00488 Stenberg, Kory v. Save Mart Supermarkets LLC

EVENT: Motion to Compel Plaintiff Kory Stenberg's Deposition and for Sanctions in the Amount of \$6,475.00

The disposition for the Motion to Compel Plaintiff Kory Stenberg's Deposition and for Sanctions in the Amount of \$6,475.00 – the motion is GRANTED in PART.

Defendant is legally entitled to conduct Plaintiff's deposition in person, see CCP § 2025.250(a). Plaintiff shall submit to an in-person deposition in Oroville within 30 days of this

order. Sanctions are imposed against Plaintiff (and not Plaintiff's counsel) in the amount of \$3,775.00.

Defendant shall prepare an order consistent with this ruling.

4. **24CV02390 Vermilion, Nicole v. Clisham Painting et al.**

EVENT: OSC Why an Order for Sale of Dwelling Commonly Known as 5370 Harrison Rd, Paradise, CA 95969 Should not Be Granted

The Court will conduct a hearing. The Court is inclined to grant the application, with a modification to the proposed order. The proposed order should include language concerning the minimum bid requirement (\$480,000) as prescribed in CCP § 704.800.

5. **24CV02517 Wells, Fargo Bank, N.A. v. Wright, Aleasha L**

EVENT: Motion for an Order Deeming the Truth of the Matters Specified in Plaintiff's Request for Admissions as Admitted

Motion for an Order Deeming the Truth of the Matters Specified in Plaintiff's Request for Admissions as Admitted is GRANTED. The Court will sign the proposed order.

6. **24CV02683 Sharma, Suneel et al. v. North State Hulling Cooperative, Incorporated**

EVENT: Motion to Set Aside Default

Motion to Set Aside Default is GRANTED. Defendant shall file an answer within 10 days of this order. Defendant shall prepare and submit a form of order within 2 weeks.

7. **24CV03469 Munoz, Maritza Alejandra v. Pacific Dental Services, LLC**

EVENT: Petition to Compel Arbitration and Stay Action

Petition to Compel Arbitration and Stay Action is GRANTED and is unopposed. The Court will sign the proposed order.

8. **24CV04207 In re: Charles, Holly Noelle**

EVENT: Change of name (adult) (Continued from 2/19/25)

There is no proof of publication on file. If there is no proof of publication submitted by the hearing and there are no appearances, the Petition will be dismissed without prejudice.

9. **24CV04279 In re: Vargas, Catherine Ann**

EVENT: Change of name (Adult)

The Court is in receipt of the proof of publication and will sign the decree provided.

10. **24CV04442 In re: Johnson, Steven Kit**

EVENT: Change of name (adult)

There is no proof of publication on file. Upon the filing of the proof of publication, the Court will sign the decree provided.

11. 24CV04510 In re: Jones Tova

EVENT: Change of name (minor)

The Court will hear from Petitioner.

12. 25CV00050 In re: Faulkenberry, Deborah Carolyn

EVENT: Change of name (adult)

The Court is in receipt of the proof of publication and will sign the decree provided.

13. 25CV00154 In re: Hitchison, Lennie James

EVENT: Change of name (adult)

The Court is in receipt of the proof of publication and will sign the decree provided.

14. 25CV00165 White, Tatton v. Curran, Kenneth

EVENT: First Amended Petition to Compel Arbitration

First Amended Petition to Compel Arbitration is GRANTED and is unopposed. Petitioner shall prepare a form of order within 2 weeks.

15. 18CV03287 In re: Beyhawck, Alex Luciano

EVENT: Motion to Expunge and Seal case# 18CV03287

Motion to expunge and seal case# 18CV03287 is DENIED WITH PREJUDICE. The motion is denied on the grounds no substantial probability exists that the overriding interest will be prejudiced. (CRC 2.550(d)(3)).

Regarding Petitioner's allegations that he is facing work related racism, sealing this petition is not the proper remedy. California law provides remedies concerning workplace discrimination.

Regarding Petitioner's allegations that he is constantly harassed and threatened, sealing this petition is not likely to address that interest one way or another. The public has had access to this Petition for roughly 6.5 years since it was filed in 2018. If Petitioner is receiving threats based on information contained in the petition, sealing the petition will not ameliorate the problem.

This is Petitioner's third successive motion in as many weeks. The Court's ruling is final. No further motion on this matter will be considered.

The Court will prepare the order.