

**Judge Benson – Law & Motion – Wednesday, July 30, 2025 @ 9:00 AM
TENTATIVE RULINGS**

**FOR THE JULY 30, 2025 LAW & MOTION CALENDAR ONLY, IF YOU WISH TO
REQUEST ORAL ARGUMENT, YOU MUST CONTACT THE COURT AT
(530) 532-7125.**

1. 20CV00290 KBR, Inc v. Dealba, Ernesto

EVENT: OEX of Ernesto Dealba

The Court will swear in the witness.

2-3. 20CV01510 Ortega, Ruben et al. v. Puig-Palomar, Miguel, MD

EVENTS: (1) Defendant Liva Nova Inc.'s Motion to File Documents Under Seal; Motion to Confirm Stipulation for Determination of Good Faith Settlement

(2) Case Management Conference

Defendant Liva Nova USA Inc.'s Motion to Seal Confidential Records and to Determine Good Faith Settlement is GRANTED. The Court will sign the proposed order. The Court continues the Case Management Conference to August 13, 2025 at 10:30 a.m.

4-6. 21CV02255 Haliburton, Lauren v. Hunsdorfer, Barbara

EVENTS: Petition for Approval of Minor's Compromise (Brandon Buckland)

Petition for Approval of Minor's Compromise (Kacey Haliburton)

Petition for Approval of Minor's Compromise (Miley Haliburton)

The Court will hear from counsel. The Court is inclined to grant the Petitions. However, the Petitions appear to be missing Attachment 18b(2) setting forth the details of the blocked account.

7. 22CV01513 Owens, Don v. Sanderson, Stuart et al.

EVENT: Defendants' Motion to Compel Discovery Responses (Continued from 7/2/25)

The Court, in its discretion, is considering the late opposition filed by Plaintiff. Contrary to Plaintiff's contention, he was bound by the stipulation to continue the discovery deadlines. An attorney may bind his or her client with respect to procedural

matters, see *Stewart v. Preston Pipeline Inc.* (2005) 134 Cal.App.4th 1565, 1581. Thus, the instant motion is timely with respect to the new trial date in 2026.

Defendants' Motion to Compel Discovery Responses is GRANTED. The admissions are deemed admitted. Plaintiff is ordered to provide code complaint responses without objection to Form Interrogatories Set Two and Production of Documents Set Two within 10 days' notice of this order. Defendants shall prepare the order.

8. 23CV02654 Feng, Zhu v. Xie, John et al.

*EVENT: Objection to Defendants' Memorandum of Costs and Judgment Language
(Continued for 7/16/25)*

The Court will hear from Plaintiff and counsel. The Court is inclined to grant this motion (which it deems a motion to strike and/or tax costs) in part and reduce the filing fee costs to \$20.00. Both Defendants received fee waivers. Court records indicate neither Defendant paid the first appearance fee (because it was waived). Defendants did incur a \$20.00 fee on March 7, 2024 regarding a stipulation that was filed. The Court is inclined to deny the motion in all other respects.

9. 24CV01268 Lauton, Jennifer v. Petersen, Mark

EVENT: Motion to Be Relieved as Counsel (Plaintiff)

Although the motion includes a proof of service demonstrating Plaintiff was served, the motion does not include a proof of service demonstrating opposing counsel was served with the moving papers. Accordingly, the motion is continued to September 10, 2025 at 9:00am for counsel to file a proof of service.

10. 23CV02979 Heredia's Familia, Inc et al v. Cruz, Francisco

EVENT: Cross Defendants' Motion for Judgment on the Pleadings

Counsel is ordered to appear. According to the Court's file, Mr. Pearson is still attorney of record for Defendant/Cross-Complainants. Although the Court signed an order in December 2024 relieving Mr. Pearson, the order was only effective "upon a proof of service demonstrating that the order was served." To date, there is no proof of service in the file indicating Defendant/Cross-Complainants were served with the order relieving Mr. Pearson.

The Court is inclined to continue this motion to provide Mr. Pearson an opportunity to file a proof of service. The instant motion contains a proof of service indicating Cross-Defendants were served personally. Depending on if, and when they were

served with the order, this motion may be properly noticed. If they were not served, then the proof of service would be inadequate as it should have been directed to the attorney of record.

Additionally, upon further review, the writ of attachment papers were served on Defendant in pro per. Depending on when (and if) Defendant was served with the order relieving Mr. Pearson, the writ of attachment order may need to be vacated.

11. 24CV02374 Wells Fargo Bank, N.A. v. Coulon, Shelby E.

EVENT: Motion to Vacate Judgment

Motion to Vacate Judgment is GRANTED. The Court will sign the proposed order.

12-13. 24CV03919 Citibank NA v. Adams, Michael

EVENTS: (1) Plaintiff's Motion for Order that Matters in Request for Admission of Truth of Facts be Deemed Admitted

(2) Case Management Conference

Plaintiff's Motion for Order that Matters in Request for Admission of Truth of Facts be Deemed Admitted is GRANTED. The Court will sign the proposed order.

14. 25CV01923 In re: Brewer, Michelle Jean

EVENT: Change of name (adult) (Continued from 7/16/25)

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.

15. 25CV01980 In re: Denlay, Kortney Eden

EVENT: Change of name (minor)

The Court will hear from Petitioner.

16. 25CV02047 In re: Hawkins, Samantha Christina

EVENT: Change of name (minor)

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

17. 25CV02183 In re: Lee-Murphy, Shawn

EVENT: Change of name

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

18. 25CV02190 In re: Watkins, Jaden Harris

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.