

Judge Benson – Law & Motion – Wednesday, October 15, 2025 @ 9:00 AM
TENTATIVE RULINGS

1. 23CV01364 Dickson, Amber Bowen et al v. Amber Grove Place, LLC et al.

EVENT: Defendant Amber Grove's Motion to Compel Discovery Responses

Special Interrogatories, Set One

Nos. 1,4,7,10,16, and 20-37

The motion is moot in light of the supplemental responses. The Court is exercising its discretion in not considering the adequacy of the supplemental responses at this time.

Nos. 2,3,5,6,8,9,11,12,13,

The motion is denied.

As the Court has noted in previous rulings, ruling on individual objections when a complete substantive response has been provided is a futile exercise. Here, the Court finds these responses are substantively complete and code complaint.

Although Defendant has in some instances attacked the veracity of the responses, that is not grounds to compel a further response under the code. A discovery motion is not the proper forum to adjudicate factual disputes. The Court's job with respect to a discovery motion is to determine whether the responses are complete on their face. It is not the job of the Court in the context of a discovery motion to evaluate the credibility of the response or to delve into underlying factual disputes.

Employment Interrogatories, Set One

The motion is moot in light of the supplemental responses.

Form Interrogatories, Set Two

Nos. 12.3,12.4,12.5,12.6,14.1,14.2

The motion is moot in light of the supplemental responses.

No. 17.1

The motion is granted. Just because Defendant had no issue with the responses to the requests for admissions is irrelevant. Interrogatory 17.1 serves as a tool to drill down on the responses by seeking facts and other information supporting the response. Unless objection only, non-substantive responses were provided in response to the request for admissions, Plaintiff has an independent obligation to provide responses to 17.1.

Because no objections were made in the initial response, objections are waived, see *Deary v. Superior Court* (2001) 87 Cal.App.4th 1072, 1079. Thus, Plaintiff will need to provide a further response without objection, within 20 days' notice of this order.

Production of Documents, Set One

The motion is moot in light of the supplemental responses.

Sanctions

Both requests for sanctions are denied.

As an aside, the Court intends to appoint a discovery referee unless there is an objection based on an inability to pay. Counsel shall meet and confer and submit a proposed referee within one week. If the parties cannot agree, each shall submit a proposed referee to the Court.

Defendant shall prepare and submit a form of order consistent with this ruling within 20 days.

2-3. 24CV03972 Cummings-Violich, Inc v. Stefanelli, Ryan

EVENT: (1) Defendant's Motion for Leave to File Cross-Complaint

(2) Defendant's Motion to Continue Trial Date

Defendant's Motion for Leave to File Cross-Complaint is GRANTED. The Court will sign the proposed order.

Defendant's Motion to Continue Trial Date is GRANTED. The Court will sign the proposed order. A trial setting conference is scheduled for January 28, 2026 at 9:00am. The parties shall file timely Case Management Conference Statements.

