

1. 21CV03075 Hall, Chantelle v. City of Chico

EVENT: Plaintiff's Motion for Sanctions Against the City of Chico

Plaintiff's Motion for Sanctions Against the City of Chico is GRANTED in PART.

Preliminarily, the Court's interpretation of CCP 1010.6(a)(3)(B) is that it is limited to deadlines set by statute or rule of court; court orders requiring further responses do not fall into either one of those categories. Consequently, the City's responses were not technically timely. Under normal circumstances 2 days is not egregious, but under the circumstances of this case and considering the upcoming trial date is firm, any late discovery response at this stage is harmful to the parties.

As to Plaintiff's contention that the responses served remain inadequate, under normal circumstances our policy is to have the propounding party file a new motion challenging the supplemental responses served while a motion is pending. As noted, these are not normal circumstances. As a result, the Court will consider whether the supplemental responses are code compliant.

The Court acknowledges the supplemental responses include a substantive response. In our 7/29 order we did not, technically, order the City to remove objections. However, we noted in our ruling "... It has been this Court's policy not to address the merits of objections provided the substantive response is complete and the responding party is not withholding information based on objection." [Emphasis Added]

The problem with the substantive responses is that they seem to suggest that information is being withheld potentially because of the language "Without waiving and subject to said objections ..." The word "subject" is problematic because it makes unclear whether or not the responding party is withholding information based on objection. Consequently, our policy of not addressing the merits of objections when a substantive response is complete does not apply here because it is unclear whether or not the City has made a complete response or whether it is withholding information subject to the objection.

Thus, we are forced to consider the objections. As we noted in the July 29 ruling, this is a fundamental discovery request. It seeks basic information as to whom the party intends to call as a witness at trial in support of their affirmative defenses. Simply put, there is no legitimate objection to these requests.

Accordingly, the City is ordered to serve further responses removing all objections no later than October 5, 2026.

Plaintiff shall prepare the form of order.

2. 23CV01923 Greenberg, Stuart et al. v. Jacques, Michael et al.

EVENT: Defendant William Jacques' Motion to Continue Trial

Defendant William Jacques' Motion to Continue Trial is GRANTED. The jury trial scheduled for November 16, 2026, as well as the trial readiness conference and mandatory settlement conference dates are vacated. A Case Management Conference is scheduled for November 4, 2026 at 9:00am.

3-4. 23CV02958 Lomeli, Baneli et al v. Environmental Alternatives

*EVENT: (1) Motion for Final Approval of Class Action and PAGA Settlement
(2) Status Conference*

Motion for Final Approval of Class Action and PAGA Settlement is GRANTED. Pursuant to CCP 384 a compliance hearing is scheduled for September 15, 2027 at 9:00am. The Court will sign the proposed order.

5-6. 23CV02979 Heredia's Familia, Inc et al v. Cruz, Francisco

*EVENT: (1) Francisco Cruz and La Perla Services, Inc.'s Motion for a Protective Order
(2) Francisco Cruz and La Perla Services, Inc.'s Motion to Discharge Right to Attach Order, Recall Writ of Attachment; and Release Property from Levy*

DEFENDANTS' MOTION FOR A PROTECTIVE ORDER

On the Court's motion, this motion is continued to October 14, 2026 at 9:00am. The Court intends to refer this discovery dispute and all future discovery disputes to a discovery referee. Counsel is ordered to meet and confer to select a discovery referee. If counsel cannot agree, each shall submit a list of (3) candidates and the Court will select one.

A status report shall be filed no later than October 7, 2026.

**MOTION TO DISCHARGE RIGHT TO ATTACH ORDER, RECALL WRIT OF
ATTACHMENT, AND RELEASE PROPERTY FROM LEVY**

The motion is DENIED. Defendants have failed to identify a procedural mechanism under the Code permitting them to relitigate an order issued roughly 16 months ago. Additionally, the motion is untimely under CCP 1005.

Plaintiff shall prepare a form of order within 2 weeks.

7. 24CV00454 Edington, Alyssa et al v. CMH Manufacturing West, Inc et al

EVENT: Motion to Enforce Arbitration Agreements

On the Court's motion, in light of the pending mediation, the hearing is continued to January 27, 2027 9:00am.

8. 24CV02390 Vermilion, Nicole v. Clisham Painting

*EVENT: Order to Show Cause Why an Order for Sale of Dwelling Should Not Issue
(Continued from 4/1/26)*

In reviewing the file, there is a proof of service indicating Defendants were served with notice of the September 30 hearing. However, that proof of service does not indicate third party Stephanie Levine was provided notice of the September 30 hearing, nor is the Court finding any other indication from the file that she was served with the continued hearing date. Consequently, the hearing is continued to November 18, 2026 at 9:00am. Plaintiff shall provide notice to Defendants and Ms. Levine and file a proof of service indicating the same.

9-10. 24CV03276 Dommer, Jeanne v. Bushman, Katherine

EVENT: (1) Application for Interlocutory Judgment Approving Partition by Sale of Real Property and Appointment of Real Estate Broker (Continued from 9/30/26)

(2) Case Management Conference

Application for Interlocutory Judgment Approving Partition by Sale of Real Property and Appointment of Real Estate Broker is GRANTED. Hightower Real Estate Group is appointed broker. The Court will sign the proposed order with this modification.

11. 25CV01550 CRS Mechanical of Nebraska, Inc v. ACDC Equipment, LLC et al.

EVENT: OEX (Donald Cook, managing member of ACDC Equipment, LLC) (Continued from 8/19/26)

The Court will swear in the witness.

12-13. 25CV02589 Smith, Gary v. Halimi, David et al

EVENT: Motion to be Relieved as Counsel (Defense counsel) (Continued from 8/19/26)

Motion to be Relieved as Counsel is GRANTED. The Court will sign the proposed order.

14. 25CV04058 Ngyuen, Darren v. SunStrong Capital Holdings, LLC

EVENT: Motion to Compel Compliance with Deposition Subpoena for Production of Business Records Against Infinite Sunshine 2015-1, LLC (Continued from 8/19/26)

On Friday 9/25/26, Plaintiff filed a supplemental declaration indicating that despite responding party's (Infinite Sunshine 2015-1 LLC) production of records on August 18, 2026, records are still missing. Customarily it is this Court's policy to require a new motion when responses are provided while a motion is pending. Plaintiff appears to argue that he might be time barred from filing a new motion at this juncture. The Court's research indicates Plaintiff has 60 days to file a motion from the time the responses are completed, see CCP 2025.480. Sixty days from August 19, 2026 is October 19, 2026. Thus, Plaintiff has time to file a new motion. Accordingly, the instant motion is moot.

15-16. 26CV01059 Fridrich, Kayla v. Fridrich, Ehern

EVENT: (1) Demurrer to Plaintiff's First Amended Complaint

(2) Motion to Strike Portions of Plaintiff's First Amended Complaint

The Demurrer is SUSTAINED WITH LEAVE TO AMEND as to all causes of action.

The Court takes judicial notice of the family law proceedings involving these parties, case nos. 24FL01164, and 26FL00687. Despite Plaintiff's attempt to qualify the allegations in the First Amended Complaint as "non-litigation acts", the allegations concern conduct related to judicial

proceedings in the above referenced family law matters. Such allegations are barred by the litigation privilege.

The Motion to Strike is GRANTED WITH LEAVE TO AMEND for the same reasons. (Note: Contrary to Defendant's contention, CCP 472 allows Plaintiff to amend once as a matter of right before a responsive pleading was filed. Thus, there was no procedural issue with the First Amended Complaint)

Plaintiff, if she so chooses, shall amend within 10 days' notice of this order. Defendant shall prepare and submit a form of order within two weeks.

17. 26CV01461 In re: Fairbanks, Maribel

EVENT: Change of name (adult) (Continued from 8/12/26)

There is no proof of publication on file. The Court will hear from Petitioner.

18. 26CV01777 In re: Hawthorne, Jamie

EVENT: Change of name (minor) (Continued from 9/2/26)

There is no proof of publication on file. Additionally, there is no proof of service concerning the non-consenting parent. If there are no appearances the petition will be dismissed without prejudice.

19. 26CV01960 Al-Nasrawi, Saleh v. Sugui, Clarita M et al

EVENT: Cross Defendant Saleh Al-Nasrawi's Demurrer to Cross Complaint

Cross-Defendant's Request for Judicial Notice is GRANTED.

Common Counts and Restitution Causes of Action

The demurrer is SUSTAINED WITH LEAVE TO AMEND on standing grounds. Because Cross-Complainants are not the personal representative of the estate, Cross-Complainants must plead the "limited circumstances" exception as articulated in *Ring v. Harmon* (2021) 72 Cal.App.5th 844, 850.

Abuse of Process Cause of Action

The Demurrer is SUSTAINED WITHOUT LEAVE TO AMEND. Cross-Complainants concede the claim is barred by the litigation privilege as pled. An abuse of process cause of action cannot circumvent the elements of a malicious prosecution claim, and a malicious prosecution claim requires a disposition in the opposing parties favor. (See *Oren Royal Oaks Venture v. Greenberg, Bernhard, Weiss & Karma, Inc.* (1986) 42 Cal.3d 1157, 1169-1170) Here, Cross-Complainants cannot amend until they have obtained a dispositive ruling in there favor.

To the extent leave to amend is granted, Cross-Complainants shall amend within 10 days' notice of this order. Cross Defendants shall prepare a form of order within two weeks.

20. 26CV02404 Rodriguez, Bianca v. VIP Limousine, LLC

EVENT: Defendants VIP Limousine Services, Muhammad Khan sued as VIP Limousine LLC, Muhammad Yahya Khan Motion to Set Aside Entry of Default

Defendants VIP Limousine Services, Muhammad Khan sued as VIP Limousine LLC, Muhammad Yahya Khan Motion to Set Aside Entry of Default is GRANTED. Defendants

are ordered to separately file their answer within 10 days. (Because the answer was rejected by the clerk it is not in the court's file) the Court will sign the proposed order with this modification.

21. 26CV02507 In re: Alimujiang, Shawuti

EVENT: Change of name (minor)

The Court is in receipt of the proof of publication. As of this writing the Court is awaiting the results of the background checks.

22. 26CV02783 In re: Coutts, Wendy Bernadette

EVENT: Change of name (adult)

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

23. 26CV02881 In re: Gergory, Shelby Jane

EVENT: Change of name (minor)

The Court is in receipt of the proof of publication. However, there is no proof of service on the non-consenting parent as required by CCP 1277.

24. 26CV03308 In re: Cunha, Kelsey Rae

EVENT: Change of name (minor)

There is no proof of publication on file. Additionally, there is no proof of service on the non-consenting parent as required by CCP 1277. Also, as of this writing the Court is awaiting the results of the background check.