

**Judge Benson – Law & Motion – Wednesday, September 28, 2022 @ 9:00 AM
TENTATIVE RULINGS**

1. 21CV01780 Calvillo, Kevin v. Orohealth Corporation et al.

EVENT: Plaintiff's Motion for Leave to File an Amended Complaint

Plaintiff's Motion for Leave to File an Amended Complaint is GRANTED. The Court will sign the proposed Order.

2. 21CV02238 Hall-Goodbar, Debroah v. Lyft, Inc. et al.

EVENT: Plaintiff's Motion to Quash Deposition Subpoena for Production of Business Records Directed to CSAA Insurance Exchange and For Reasonable Attorney Fees in the Amount of \$4,810.00

Plaintiff's Motion to Quash Deposition Subpoena for Production of Business Records Directed to CSAA Insurance Exchange and For Reasonable Attorney Fees in the Amount of \$4,810.00 is DENIED. Plaintiff's Request for Sanctions is DENIED. Defendant's Request for Sanction is DENIED.

This is a personal injury, automobile accident case. Defendant has provided information indicating that in January 2014 Plaintiff was involved in a car accident where she suffered neck, back and knee injuries. Plaintiff's discovery responses indicate a wide variety of injuries sustained as a result of the accident that is the subject of this case. Included in those injuries are neck, back, and knee injuries. The subpoena that is the subject of this motion seeks insurance record information concerning the January 2014 accident.

Preliminarily, it is clear that under general and broad relevance standards, the information sought is relevant. It is also clear that the information sought is generally protected by State privacy laws. In order to balance the competing rights to privacy and rights to discovery, the parties are hereby ordered to meet and confer concerning a protective order. A protective order shall be on file and signed by all parties and counsel prior to the dissemination of records. If the parties cannot agree on the form of a protective order, both parties shall submit a proposed protective order within two weeks and the Court will select one.

Additionally, in the interest of addressing any potential attorney-client privilege concerns, the phrase "communications between Ms. Hal/]Goodbar and her attorneys and the insurer" is modified to "communications between Ms. Hall Goodbar and the insurer as well as communications between Ms. Hall's attorneys and the insurer;"

Defendant shall prepare and submit a form of order consistent with this ruling within 10 days.

3. **22CV01720 In re: Tilley, Kimmy Sue**

EVENT: Change of Name (Adult)

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

4. **21CV01510 Stoddard, Sean R v. Cannon, Sandra**

EVENT: Plaintiff's Combined Motion to Compel Responses to Discovery, Waive Objections Thereof, Deem Admissions Admitted, and Award Sanctions

Plaintiff's Combined Motion to Compel Responses to Discovery, Waive Objections Thereof, Deem Admissions Admitted, and Award Sanctions is continued to October 5, 2022 to comply with CCP § 1005. Plaintiff shall provide notice.

5. **21CV00225 American Express National Bank v. Orozco, Joshua**

EVENT: Plaintiff's Motion to Continue Trial

Plaintiff's Motion to Continue Trial is GRANTED. A new Court Trial date is hereby set for November 28, 2022 with a Trial Readiness Conference scheduled for November 23, 2022 at 10:00am. The Court will sign the proposed order with the noted modification. Plaintiff shall provide notice.

6. **22CV01641 In re: Marshall-Smith, Jody Rae**

EVENT: Change of Name (Adult) (Continued from 9/14/22)

The Petition is Granted. The Court will sign the decree provided.