

**Judge Benson – Law & Motion – Wednesday, March 8, 2023 @ 9:00 AM
TENTATIVE RULINGS**

1-2. 18CV01431 Nelms, Kay v. Parker, Helen et al.

EVENT:

1) Defendant Richard A. Madsen Jr.'s Motion to Continue Trial and Reopen Discovery as to Defendant Carol Foster

(2) Case Management Conference

The parties are to appear and be prepared to discuss the setting of a new trial date. As to the request to re-open discovery, the motion is DENIED WITHOUT PREJUDICE for failure to comply with the meet and confer requirements of CCP § 2024.050.

3-4. 19CV02194 Lefevers, Kathleen et al v. Enloe Medical Center et al.

EVENT: Motion for Final Approval of Class and PAGA Settlement

Motion for Final Approval of Class and PAGA Settlement is continued to March 15, 2023 at 9:00am so that it complies with the notice requirements of CCP § 1005.

5. 19CV02414 Covert, Sam v. JC Penney Company, Inc

EVENT: Plaintiff's Amended Motion to Compel Defendant J.C. Penney Company, Inc. to Produce the Person Most Qualified to Testify for Defendant J.C. Penney Company Inc.; Request for Sanctions in the Amount of \$1,285.00

Plaintiff's Amended Motion to Compel Defendant J.C. Penney Company, Inc. to Produce the Person Most Qualified to Testify for Defendant J.C. Penney Company Inc. and Request for Sanctions is GRANTED. Sanctions are awarded against Defendant in the amount of \$935.00. Defendant is ordered to produce its PMK for deposition within 30 days of notice of this order. Plaintiff shall prepare and submit a form of order consistent with this ruling within 2 weeks.

6. 20CV01878 Lui, Judy v. California Insurance Guarantee Association

EVENT: Defendant California Insurance Guarantee Association's Motion for Summary Adjudication (continued from February 1, 2023)

The Court is in receipt of the minute order dated February 6, 2023 indicating that Plaintiff and Defendant California Insurance Guarantee Association ("CIGA") have settled. In light of this development CIGA's Motion for Summary Adjudication is vacated.

7-10. 20CV01514 Haven, Thomas et al v. California Vocations, Inc.

EVENT:

- (1) Motion for Final Approval of Class Action*
- (2) Motion for Class Counsel Award and Class Representative Service Awards*
- (3) Status Conference*
- (4) Case Management Conference*

Motion for Final Approval of Class Action is GRANTED. Motion for Class Counsel Award and Class Representative Service Awards is GRANTED with the following modifications. Class counsel is awarded attorney fees in the amount of \$195,000. Class counsel is awarded costs in the amount of \$15,000. Class Representatives are awarded \$8,000 each for their services. The Court will sign the Proposed Order with the noted modifications.

11. 22CV02781 Mountain Circle Family Services v. Rossington, Shauna

EVENT: Shauna Rossington's Administrative Motion to Reschedule Case Management Conference

The Motion is DENIED. All parties are expected to appear at the Case Management Conference and to file and serve timely Case Management Conference Statements.

12. **23CV00070 In re: Martin, Darrell Warren**

EVENT: Change of Name (Adult) Continued from (3/1/23)

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