

Judge Benson – Law & Motion – Wednesday, August 2, 2023 @ 9:00 AM
TENTATIVE RULINGS

1. 23CV00528 Rosinski, Melinda et al v. Klopfenstein, Gary et al.

EVENT: Plaintiffs' Motion to Compel Further Responses to Requests For Production Propounded on Rodney H. Piercey and Request for Sanctions in the Amount of \$3,825.00

The parties are ordered to meet and confer concerning a protective order. The parties shall submit a stipulated protective order to the Court within 2 weeks. If the parties cannot agree as to the content of the protective order, each party shall submit an order and the Court will select one.

Regarding Defendant's argument that client identities are protected under the attorney-client privilege, that argument is incorrect, see *Hooser v. Superior Court* (2000) 84 Cal.App.4th 997, 1005, disapproved with on other grounds by *Williams v. Superior Court* (2017) 3 Cal.5th 531, 557. Thus, to the extent the requests implicate client identification, relevant documents must be provided. However, such information is limited to clients who are located or have an address in California.

To the extent such documents include not just client identifying information but also communication that would be protected by the privilege, and Defendant redacts or otherwise withholds such documents on that basis, a privilege log will be required for the asserted privileged material. If a privilege log is not provided the conditional "non-privilege" language must be removed from the response.

To the extent the motion is granted, Defendant shall serve amended responses within 20 days. Sanctions are Denied.

The motion is granted as to the following requests: 1-4, 6,9, 12-15, 17-23, 25, 27-36, 38.

The motion is denied as to the following requests: 7,24,26, 41.

The motion is granted in part as to request nos. 15 and 42. As to request no. 15, the phrase "other transaction or potential transaction" is vague and ambiguous and may be disregarded. The remainder of the request is proper.

As to request no. 42, the request is to be limited in time to the last 10 years.

Plaintiff shall prepare and submit a form of order consistent with this ruling within 2 weeks.

2. **23CV00821 In re: Ramos, Ivan Gustavo**

EVENT: Change of name (adult) (continued from 5/31 and 6/21)

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

3. **23CV01381 Krvavica, James v. Novak, Larissa**

EVENT: Defendant's Demurrer to Complaint

Defendant's Demurrer to Complaint is Continued to August 16, 2023 at 9:00am. The motion fails to comply with CCP § 1005, et seq. which requires a minimum of 16 court days notice plus an additional 5 days for mailing. Here, the moving papers were mailed on July 17, only 12 court days before the hearing. Defendant shall provide notice to Plaintiff of the new hearing date and time.

4. **23CV00769 In re: McMahon, Jacob Thomas**

EVENT: Change of Name (Adult) (Continued from 7/19)

There is no proof of publication on file. If there are no appearances at the hearing and no proof of publication, the Petition will be dismissed without prejudice.