

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

1. 19CV02963 Taylor, Ellen v. Enloe Medical Center

EVENT: Enloe Medical Center’s Motion to Withdraw or Amend Admissions

Enloe Medical Center’s Motion to Withdraw or Amend Admissions is GRANTED and is unopposed. Enloe is granted leave to amend admissions 62,63,64,69, and 70. Enloe shall prepare and submit a form of order within 2 weeks.

2-8. 21CV01421 Garibay, Miguel v. Bianchi, Jim et al.

EVENT: (1) Motion to Compel Further Responses from Defendant Bianchi Partnership (Form Interrogatories Employment)

(2) Motion to Compel Further Responses from Bianchi Partnership (Form Interrogatories General)

(3) Motion to Compel Further Responses from Defendant Bianchi Partnership (Special Interrogatories)

(4) Motion to Compel Further Responses from Defendant Stacey Bianchi (Form Interrogatories Employment)

(5) Motion to Compel Further Responses from Defendant Jim Bianchi (Form Interrogatories – Employment)

(6) Motion to Compel Further Responses from Defendant Stacey Bianchi (Form Interrogatories General)

(7) Motion to Compel Further Responses from Defendant Jim Bianchi (Form Interrogatories General)

All of Plaintiff’s Discovery Motions (Motion to Compel Further Responses from Defendant Bianchi Partnership (Form Interrogatories Employment); Motion to Compel Further Responses from Bianchi Partnership (Form Interrogatories General); Motion to Compel Further Responses from Defendant Bianchi Partnership (Special Interrogatories); Motion to Compel Further Responses from Defendant Stacey Bianchi (Form Interrogatories Employment); Motion to Compel Further Responses from Defendant Jim Bianchi (Form Interrogatories – Employment); Motion to Compel Further Responses from Defendant Stacey Bianchi (Form Interrogatories General); Motion to Compel Further Responses from Defendant Jim Bianchi (Form Interrogatories General) are DENIED as moot in light of the supplemental responses provided. Both requests for sanctions are DENIED.

9. **23CV01480 In re: Gardner, Crystal**

EVENT: Change of Name (minor)

The Court will hear from Petitioner. The Court is in receipt of the proof of publication, however, there is no proof of service on the non-consenting parent pursuant to CCP § 1277(a)(1).

10. **23CV01587 In re: Zasada, Alex Stephen**

EVENT: Change of name (adult)

There is no proof of publication on file. Upon the filing of the proof of publication, the Court will sign the decree provided.

11. **21CV00181 Jumper Rochelle et al v. Bullet Express Line, Inc. et al.**

EVENT: Defendant Bolt Carrier's Inc. and Jaskaran Singh's Motion for Determination of Good Faith Settlement

Defendant Bolt Carrier's Inc. and Jaskaran Singh's Motion for Determination of Good Faith Settlement is GRANTED. The Court will sign the Proposed Order. In light of H & J Logistics' settlement in its capacity as a Defendant in these cases, it appears for practical purposes that H & J is objecting in its capacity as a non-settling claimant. The Court notes H & J Logistics does not cite any legal authority supporting its contention that a non-settling claimant may object on the grounds collection of their claim will be more difficult as a result of the settlement. Nor is the Court aware of any such authority.

12-14. 23CV00698 Cream of the Crop Ag Service, Inc. v. Peterson Pistachio

EVENT: (1) OEX of Petersen Pistachio Development Inc.

(2) OEX of David Petersen

(3) OEX of Barbara Lynn Petersen aka Lynn Petersen

The Court will swear in the witnesses.

15. 21CV01030 Anguiano, Rogelio v. Bains, Jaswant et al.

EVENT: Plaintiff's Motion for Leave to File Doe Amendments to Plaintiff's Complaint

Plaintiff's Motion for Leave to File Doe Amendments to Plaintiff's Complaint is Granted.
The Court will sign the proposed order.

16. 22CV02119 Terstegge, Heather v. Kia America, Inc.

EVENT: Plaintiff's Motion to Compel the Deposition of the Person Most Qualified and Production of Documents

The Court is in receipt of defense counsel's declaration pursuant to CCP § 473 and the opposition included therein. The motion is continued to September 6, 2023 at 9:00am. Plaintiff's reply brief is due no later than August 22, 2023.

17. **23CV00989 Belyew, Lisa v. Belyew, Tait**

EVENT: Motion to Consolidate Cases

Plaintiff's Motion to Consolidate Cases is DENIED. However, on the Court's own motion and pursuant to *Wantuch v. Davis* (1995) 32 Cal.App.4th 786, 792-793, this case is stayed until Plaintiff is released from custody. Plaintiff is ordered to notify the Court immediately upon her release, at which time the stay will be lifted. A Case Management Conference is hereby set for December 27, 2023 at 10:30am. All other dates are vacated. The Court will prepare the form of order and give notice.