

Judge Mosbarger – Law & Motion – Wednesday, June 18, 2025 @ 9:00 AM
TENTATIVE RULINGS

☐ Online
☐ Email
Clerk:

*****THIS CALENDAR WILL BE HEARD BY JUDGE BENSON. FOR THE JUNE 18, 2025
LAW & MOTION CALENDAR ONLY, IF YOU WISH TO REQUEST ORAL ARGUMENT,
YOU MUST CONTACT THE COURT AT (530) 532-7153. ******

**1. 24CV04221 CORTINA HULLING & SHELLING, LLC V. INTERNATIONAL FARM
MANAGEMENT, LLC**

☐ Appearances/Argument Requested, By: _____

EVENT: Order of Examination (Rocelia Camarena)

The Court will swear in the Judgment Debtor for examination.

☐ Taken Under Submission ☐ Continued To: ☐ Tentative Adopted ☐ Appearances/Argument
Ruling Drafted: _____

2-3. 24CV04323 MOFFITT, JENNA ET AL V. GENERAL MOTORS, LLC

☐ Appearances/Argument Requested, By: _____

EVENTS: (1) General Motors LLC's Demurrer to Plaintiffs' Complaint

*(2) General Motors LLC's Motion to Strike Punitive Damages from Plaintiffs'
Complaint*

Plaintiffs having filed a First Amended Complaint, the demurrer and motion to strike are
moot and are off calendar.

☐ Taken Under Submission ☐ Continued To: ☐ Tentative Adopted ☐ Appearances/Argument
Ruling Drafted: _____

4. 24CV04338 TORRES, KIMBERLY V. PARK, WILLIAM

☐ Appearances/Argument Requested, By: _____

EVENT: Cross-Defendant's Demurrer to William Park's Cross-Complaint

Cross-Complainant having filed a First Amended Cross-Complaint, the demurrer is moot
and is off calendar.

☐ Taken Under Submission ☐ Continued To: ☐ Tentative Adopted ☐ Appearances/Argument
Ruling Drafted: _____

5. **25CV00991 CHEAL, ROBB V. FAY SERVICING CO.**

☐ Appearances/Argument Requested, By: _____

EVENT: Demurrer to Plaintiff's Complaint

Failure to oppose a demurrer may be construed as having abandoned the claims. See *Herzberg v. County of Plumas* (2005) 133 Cal.App.4th 1, 20 ("Plaintiffs did not oppose the County's demurrer to this portion of their seventh cause of action and have submitted no argument on the issue in their briefs on appeal. Accordingly, we deem plaintiffs to have abandoned the issue."). Here, Plaintiff failed to file an Opposition, and the Court deems that an abandonment of Plaintiff's claims. The Demurrer is sustained in its entirety without leave to amend and the Court will sign the form of order submitted by the Defendant.

☐ Taken Under Submission ☐ Continued To: ☐ Tentative Adopted ☐ Appearances/Argument
Ruling Drafted: _____