

**Judge Mosbarger – Law & Motion – Wednesday, October 15, 2025 @ 9:00 AM
TENTATIVE RULINGS**

1. 22CV00073 DUBUG NO 7, INC, A CALIFORNIA CORPORATION V. SODERLING, JAY ET AL

EVENT: Cross-Complainant Laurie Hansen's Motion to Strike the Answer of Cross-Defendant Aurora Ridge Homes, Inc.

Cross-Complainant Laurie Hansen's Motion to Strike the Answer of Cross-Defendant Aurora Ridge Homes, Inc. is granted, and the Court will sign the form of order submitted by counsel. The Court notes that it has not yet received any Trial Readiness Conference Statements and will hear from the parties as to the status of the Trial Readiness Conference and Jury Trial. However, this is not an invitation to present oral argument in regard to the Motion to Strike. If the parties wish to argue the tentative ruling, they must comply with Butte County Local Rule 2.9 and California Rules of Court Rule 3.1308(a)(1).

2. 25CV00675 KRULDER, WILLIAM D V. GENERAL MOTORS, LLC

EVENT: Defendant General Motors LLC's Demurrer to First Amended Complaint

As discussed in *Dhital v. Nissan North America, Inc.* (2022) 84 Cal.App.5th 828, Plaintiff's fraudulent inducement claim alleges presale conduct by Defendant (concealment) that is distinct from Defendant's alleged subsequent conduct in breaching its warranty obligations. The Court finds that only the latter conduct requires the transactional relationship as discussed in *Rattagan v. Uber Technologies, Inc.* (2024) 17 Cal.5th 1. The Fifth Cause of Action for Fraudulent Inducement – Concealment has been sufficiently pled [see First Amended Complaint at Paragraphs 59-75], and the Demurrer is overruled on this basis. In regard to the Economic Loss Rule, the Court finds that the Economic Loss Rule does not bar a cause of action for fraudulent inducement through concealment, which is what Plaintiff has alleged here. See, *Dhital v. Nissan North America* (2022) 84 Cal.App.5th 828. Thus, the Demurrer is overruled on this basis as well. Defendant is ordered to file and serve its Answer the First Amended Complaint within 20 days. Counsel for the Plaintiff shall prepare and submit a form of order within two weeks. Additionally, the Court vacates the Case Management Conference on November 5, 2025 and sets this matter for a further Case Management Conference on January 14, 2026 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served.

3. 25CV00789 THOMAS, KIMBERLEY ET AL V. SARTAJ MGMT, INC.

EVENT: Motion to Consolidate of Cases

Good cause appearing, the Motion to Consolidate of Cases is granted and the Court orders that *Thomas, Kimberley et al v. Sartaj MGMT, Inc* (Case No. 25CV00789), and *Thomas, Kimberley et al v. Sartaj MGMT, Inc* (Case No. 25CV01979), are consolidated

for all purposes. The consolidated matter shall proceed under the lower-case number, 25CV00789, which shall be the lead case number. The consolidated matter is assigned to Judge Tamara L. Mosbarger for all purposes. The Court will sign the form of order submitted by Defendant, and the clerk is directed to file the Order in both cases.

4. 25CV02105 BISHOP, LILLIAN K ET AL V. GENERAL MOTORS, LLC

EVENT: Defendant General Motors LLC's Demurrer to Plaintiffs' Complaint

As discussed in *Dhital v. Nissan North America, Inc.* (2022) 84 Cal.App.5th 828, Plaintiffs' fraudulent inducement claim alleges presale conduct by Defendant (concealment) that is distinct from Defendant's alleged subsequent conduct in breaching its warranty obligations. The Court finds that only the latter conduct requires the transactional relationship as discussed in *Rattagan v. Uber Technologies, Inc.* (2024) 17 Cal.5th 1. The Fifth Cause of Action for Fraudulent Inducement – Concealment has been sufficiently pled [see Complaint at Paragraphs 1-14], and the Demurrer is overruled on this basis. In regard to the Economic Loss Rule, the Court finds that the Economic Loss Rule does not bar a cause of action for fraudulent inducement through concealment, which is what Plaintiffs have alleged here. See, *Dhital v. Nissan North America* (2022) 84 Cal.App.5th 828. Thus, the Demurrer is overruled on this basis as well. Defendant is ordered to file and serve its Answer the Complaint within 20 days. Counsel for the Plaintiffs shall prepare and submit a form of order within two weeks. Additionally, the Court vacates the Case Management Conference on December 3, 2025 and sets this matter for a further Case Management Conference on January 14, 2026 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served.