

**Judge Mosbarger – Law & Motion – Wednesday, March 18, 2026 @ 9:00 AM
TENTATIVE RULINGS**

1. 22CV01639 C D V. COUNTY OF BUTTE

EVENT: Defendant County of Butte’s Motion to Seal Defendant’s Motion for Summary Judgment, or the Alternative, Motion for Summary Adjudication, and Attached Exhibits

The Motion is unopposed and is granted. The Court will sign the form of order submitted by Defendant.

2. 22CV01862 D, M v. COUNTY OF BUTTE

EVENT: Defendant County of Butte’s Motion to Seal Defendant’s Motion for Summary Judgment, or the Alternative, Motion for Summary Adjudication, and Attached Exhibits

The Motion is unopposed and is granted. The Court will sign the form of order submitted by Defendant.

3. 22CV02762 PRYDE, DONALD C V. PRYDE, GARY A ET AL

EVENT: Defendant’s Motion to Determine Value

Plaintiff Donald C. Pryde’s (“Plaintiff” herein) Request for Judicial Notice is granted pursuant to *Evidence Code* §§452(c) and 452(g) as official acts of a public entity or records that cannot be reasonably disputed.

The Uniform Partition of Heirs Property Act (UPHPA) was a law that was enacted on January 1, 2022. However, after just one year, its application was expanded by the Partition of Real Property Act effective January 1, 2023. The Uniform Partition of Heirs Property Act having been replaced by the Partition of Real Property Act, it now only applies to partition actions filed between January 1, 2022 and December 31, 2022. That is the case here, where the action was filed on November 22, 2022. Thus, the Court finds that the UPHPA applies.

However, in addition to the requirement that the partition action must have been filed in the 2022 calendar year, the UPHPA only applies to: 1) heirs property 2) in which there is no written agreement governing partition among the owners. Here, the Court finds that the real property located at 14360 Skyway, Magalia, CA 95954 (“the Property” herein) was not acquired by the Plaintiff and Defendant Gary A. Pryde (“Defendant” herein) from a relative. The Grant Deed attached to Plaintiff’s Request for Judicial Notice indicates that Plaintiff and Defendant acquired the property together as Trustees of the 14360 Skyway Family Trust from Roy Tewsley, a non-relative. Defendant suggests that when family acquires the property together as tenants in common that qualifies under the UPHPA, but the Court does not agree. To accept such a conclusion would necessarily negate subsections of the Statute, and thus Defendant’s proposed broad interpretation of

“Heirs Property” is incorrect. Thus, the Plaintiff’s partition action for the Skyway Property is not subject to the UHPA because it is not “Heirs Property”.

Defendant’s Motion to Determine Value is denied.

4. 24CV02590 GOODLIN, SCOTT ET AL V. WILLIAMS AG SERVICES, INC ET AL

EVENT: Defendant’s Motion for Continuance of Trial

Defendants’ Motion for Continuance of Trial is unopposed and is granted, the Court finding good cause for the requested continuance. The Court vacates the trial date of April 27, 2026, the trial readiness conference set for April 23, 2026, and the mandatory settlement conference set for March 25, 2026. This matter is set for a Case Management Conference on April 29, 2026 at 10:30 a.m. for resetting of trial dates. The Court will sign the form of order submitted by Defendants.

5. 24CV02790 RIGGINS, KAITLYN V. TRES CHICO LLC

EVENT: Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Conditional Certification, Approval of Class Notice, Setting of Final Approval Hearing Date

Plaintiff’s Motion for Preliminary Approval of Class Action Settlement, Conditional Certification, Approval of Class Notice, Setting of Final Approval Hearing Date is granted. The Case Management Conference on April 1, 2026 is vacated, and the matter is set for a hearing for final settlement approval on July 16, 2026 at 9:00 a.m. The Court will sign the form of Order submitted by counsel.

6-7. 25CV00208 TAYLOR, CAROL SUE V. POWELL, SHANE M ET AL

EVENTS: (1) Petition for Order Relieving Petitioner from Provisions of Government Code §945.4 (re: Town of Paradise)

(2) Petition for Order Relieving Petitioner from Provisions of Government Code §945.4 (re: CalTrans)

The Petitions for Order Relieving Petitioner from Provisions of *Government Code* §945.4 are granted. Counsel shall submit forms of order within two weeks.

8. 25CV02285 GUTIERREZ, PEDRO V. CALIFORNIA DEPARTMENT OF WATER RESOURCES ET AL

EVENT: Defendant County of Butte’s Demurrer to Plaintiffs Zulema Herrera and Pedro Gutierrez’ Complaint

Plaintiffs having filed a First Amended Complaint, the demurrer is moot and is off calendar.

9-10. 25CV03183 AARON KEMPER, TRUSTEE OF THE EUGENE KEMPER, JR AND JOYCE MARIE KEMPER TRUST DATED SEPTEMBER 10, 2019 V. MIA KEMPER, TRUSTEE OF THE EUGENE KEMPER AND MIA KEMPER FAMILY TRUST U/A DATED JUNE 29, 2024 ET AL

EVENTS: (1) Defendant's Motion for Order Compelling Aaron Kemper, Trustee to Serve Further Answers to Mia Kemper, Trustee's Special Interrogatories, Set One, and for Sanctions

(2) Defendant's Motion for Order Compelling Aaron Kemper, Trustee to Serve Further Answers to Mia Kemper, Trustee's Special Interrogatories, Set Two, and for Sanctions

The Court finds that Plaintiff has provided a separate response to each Interrogatory, in both Set One and Set Two, with an answer in the body of that response and/or then references specific portions of the supplement (Exhibit A) that further summarize those facts and documents. The Court finds that such a response is different from the situations where courts have found the form of the answer evasive. While it appears that Defendant is arguing that he believes that Plaintiff's answers do not provide sufficient facts to support certain claims, a motion to compel is not the proper mechanism to challenge the legal sufficiency of a party's facts. The Court concludes that the use of and reference to the Exhibit A in this specific instance and given the volume of the facts upon which Plaintiff relies in this case, is not inappropriate and Plaintiff's responses are not evasive. As such, Defendant's Motion for Order Compelling Aaron Kemper, Trustee to Serve Further Answers to Mia Kemper, Trustee's Special Interrogatories, Set One, and for Sanctions and Defendant's Motion for Order Compelling Aaron Kemper, Trustee to Serve Further Answers to Mia Kemper, Trustee's Special Interrogatories, Set Two, and for Sanctions, are denied. The parties' respective requests for sanctions are denied.

11. 25CV03854 LEWIS, GEORGE W, IV ET AL V. GENERAL MOTORS LLC

EVENT: Motion for Sanctions Cal. Civ. Proc. Code §871.26; Order for Compliance

The Court finds that Defendants have sufficiently shown good cause for the delay in complying with the disclosure requirements of *Code of Civil Procedure* §871.26, and the Motion is denied.