

**Judge Mosbarger – Law & Motion – Wednesday, January 18, 2023 @ 9:00 AM  
TENTATIVE RULINGS**

**1. 21CV00762 DOE, JANE V. CHICO UNIFIED SCHOOL DISTRICT**

*EVENT: Plaintiff's Motion to Consolidate for All Purposes Cases 21CV00762 and 22CV01014*

Plaintiff's Request for Judicial Notice is granted. The Court finds that Plaintiff has satisfied their burden under Code of Civil Procedure §1048(a) to show that the two actions involve a common question of law or fact. The Motion is granted and the Court will consolidate Case No. 22CV01014 with Case No. 21CV00762 for all purposes, including trial, with Case No. 21CV00762 being the lead case. The Court will sign the proposed Order with modification to the trial date language on Pg. 2 as discussed here, and the clerk is directed to file the Order in both cases. Pursuant to California Rules of Court, Rule 3.350(c) and (d), any subsequent document must be filed only in the lead case, and all documents filed in the consolidated case must include the caption and case number of the lead case, followed by the case number of the consolidated case. The Court vacates the following dates in Case No. 21CV00762: Mandatory Settlement Conference on February 22, 2023; Trial Readiness Conference on March 23, 2023; and Jury Trial on March 27, 2023; and vacates the following dates in Case No. 22CV01014: Mandatory Settlement Conference on November 1, 2023; Trial Readiness Conference on November 30, 2023; and Jury Trial on December 4, 2023. The Court sets this matter for a Case Management Conference for resetting of the trial date on February 22, 2023 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served. This Ruling does not prevent Defendant from seeking to bifurcate the matters for trial.

**2. 21CV02257 NORLUND, SANDRA ET AL V. NORLUND, RICHARD ET AL**

*EVENT: Motion for Leave to Intervene in Action*

Motion for Leave to Intervene in Action is GRANTED. The Court will sign the proposed order.

**3. 22CV00727 SCOTT, KORENA V. VINCENT, CHANTE ET AL**

*EVENT: Plaintiff's Motion to Amend Her Original Complaint*

There is no proof of service in the Court's file and as such, notice does not comply with Code of Civil Procedure §1005. However, even if the Court were to consider the Motion in light of the failure to provide proper notice, the Court notes that there are numerous procedural errors that would require denial, including failure to include a copy of the proposed amended pleading, failure to set forth the allegations proposed to be changed with the required specificity, and failure to provide a declaration that sufficiently states the effect of the amendment, why the amendment is necessary

and proper, when the facts giving rise to the amended allegations were discovered, and the reasons the request for amendment was not made earlier. California Rules of Court Rule 3.1324(a), (b). The Motion is denied.

**4. 22CV01014 JANE DOE 2 V. CHICO UNIFIED SCHOOL DISTRICT**

*EVENT: Plaintiff's Motion to Consolidate for All Purposes Cases 21CV00762 and 22CV01014*

Plaintiff's Request for Judicial Notice is granted. The Court finds that Plaintiff has satisfied their burden under Code of Civil Procedure §1048(a) to show that the two actions involve a common question of law or fact. The Motion is granted and the Court will consolidate Case No. 22CV01014 with Case No. 21CV00762 for all purposes, including trial, with Case No. 21CV00762 being the lead case. The Court will sign the proposed Order with modification to the trial date language on Pg. 2 as discussed here, and the clerk is directed to file the Order in both cases. Pursuant to California Rules of Court, Rule 3.350(c) and (d), any subsequent document must be filed only in the lead case, and all documents filed in the consolidated case must include the caption and case number of the lead case, followed by the case number of the consolidated case. The Court vacates the following dates in Case No. 21CV00762: Mandatory Settlement Conference on February 22, 2023; Trial Readiness Conference on March 23, 2023; and Jury Trial on March 27, 2023; and vacates the following dates in Case No. 22CV01014: Mandatory Settlement Conference on November 1, 2023; Trial Readiness Conference on November 30, 2023; and Jury Trial on December 4, 2023. The Court sets this matter for a Case Management Conference for resetting of the trial date on February 22, 2023 at 10:30 a.m. Case Management Conference Statements are to be timely filed and served. This Ruling does not prevent Defendant from seeking to bifurcate the matters for trial.