

**Judge Gingery – Law & Motion – Wednesday, September 24, 2025 @ 10:00 AM
TENTATIVE RULINGS**

1. 21CV00994 Tarman, Thomas v. Parker, Robert F.

EVENT: Plaintiff's motion to reopen discovery and supplement expert witness list

Motion to Reopen Discovery

Plaintiff/Cross-Defendant Tarman's motion to reopen discovery pursuant to California Code of Civil Procedure section 2024.050 is granted.

Expert Witness Augmentation

In light of Defendant/Cross-Complainant Parker's apparent agreement that Mr. Swartz should be permitted to testify, Plaintiff's motion to augment his expert witness list pursuant to California Code of Civil Procedure section 2034.620 is granted to include David Swartz with California Engineering Company, contingent on the following conditions: Plaintiff shall make Mr. Swartz available immediately for a deposition and shall promptly, without further delay, provide all discoverable documents related to Mr. Swartz's survey to all parties.

Issues raised by Defendant Parker with regard to the legitimacy of Mr. Swartz's proposed expert opinion, as well as issues raised by Plaintiff Tarman with regard to the legitimacy of Mr. Johnson's survey are outside the scope of these proceedings. The Court acknowledges Defendant Parker filed his motions in limine on September 17, 2025.

Defendant Parker's request for sanctions is denied.

Plaintiff shall prepare the form of order.