

Tentative Rulings for April 21, 2026
Department 503

For any matter where an oral argument is requested and any party to the hearing desires a remote appearance, such request must be timely submitted to and approved by the hearing judge. In this department, the remote appearance will be conducted through Zoom. If approved, please provide the department's clerk a correct email address. (CRC 3.672, Fresno Sup.C. Local Rule 1.1.19)

There are no tentative rulings for the following cases. The hearing will go forward on these matters. If a person is under a court order to appear, he/she must do so. Otherwise, parties should appear unless they have notified the court that they will submit the matter without an appearance. (See California Rules of Court, rule 3.1304(c).) *The above rule also applies to cases listed in this "must appear" section.*

The court has continued the following cases. The deadlines for opposition and reply papers will remain the same as for the original hearing date.

25CECG02230 *Izar Najera Vasquez v. Branco Cattle LLC* is continued to Tuesday, May 19, 2026, at 3:30 p.m. in Department 503.

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(03)

Tentative Ruling

Re: **Esqueda v. Maan**
Case No. 25CECG00954

Hearing Date: April 21, 2026 (Dept. 503)

Motion: Defendant's Motions to Compel Initial Responses to Form Interrogatories, Special Interrogatories, and Requests for Production of Documents, and for Sanctions

Tentative Ruling:

To deny defendant's motions to compel initial responses to form interrogatories, special interrogatories, and requests for production of documents as moot in light of plaintiff's belated service of verifications and a response to form interrogatory 2.7. To grant defendant's request for sanctions against plaintiff in the amount of \$900 for her unjustified failure to serve timely verifications. Plaintiff shall pay sanctions to defendant within 30 days of the date of service of this order.

Explanation:

The court intends to deny defendant's motions to compel initial responses to the discovery requests, as plaintiff has now served verifications to the responses. Plaintiff's counsel states in his opposition that he served verifications to the requests on February 13, 2026. (Whelan decl., ¶ 11, and Exhibit E thereto.) Plaintiff also served corrected responses to the form interrogatories as well as supplemental discovery. (*Ibid.*) Defendant concedes in his reply that plaintiff has served verifications and a response to form interrogatory 2.7, which was the only interrogatory to which plaintiff had not served any response at all. Thus, the motions to compel are moot to the extent that they seek verified responses to the discovery requests, as well as the motion to compel an initial response to form interrogatory 2.7. Consequently, the court intends to deny the motions as moot in light of the belatedly served verifications.

On the other hand, the court will grant sanctions in favor of defendant and against plaintiff, as plaintiff failed to serve verifications until after defendant filed his motions. Plaintiff served her responses on October 1, 2025, but she did not serve verifications until February 13, 2026, more than four months after the responses were served and about two weeks after defendant filed his three motions to compel. It appears that plaintiff only served verifications because the motions were filed. Thus, sanctions are warranted due to plaintiff's willful and unjustified failure to promptly serve verified responses to discovery. (*Sinaiko Healthcare Consulting, Inc. v. Pacific Healthcare Consultants* (2007) 148 Cal. App. 4th 390, 408-409 [holding trial court retains jurisdiction to rule on discovery motion and grant sanctions even after the responding party serves valid responses that render the rest of the motion moot].) Here, plaintiff has not offered any explanation or excuse for her failure to serve verifications until months after the responses were served, and after defendant had already gone to the trouble and expense of filing three motions to compel initial responses. Therefore, sanctions against plaintiff are warranted.

