

Tentative Rulings for July 8, 2026
Department 502

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.

26CECG00272 *Jasmine Scott v. Clovis Unified School District* is continued to Thursday, July 9, 2026, at 3:30 p.m. in Department 502.

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Tentative Rulings for Department 502

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Tentative Ruling

Re: ***Huckabay v. Huckabay***
Superior Court Case No. 24CECG05410

Hearing Date: July 8, 2026 (Dept. 502)

Motion: by Defendants Michael Huckabay and Karen Huckabay for
Terminating Sanctions

Tentative Ruling:

To grant. Defendants Michael Huckabay and Karen Huckabay are directed to submit a proposed judgment within five days of service of the order by the clerk.

Explanation:

Defendants Michael Huckabay and Karen Huckabay ("Defendants") seek imposition of sanctions, up to and including terminating sanctions pursuant to Code of Civil Procedure sections 2023.010 and 2023.030 and California Rules of Court, rule 3.1348.

Code of Civil Procedure section 2023.010, subdivision (g), makes "[d]isobeying a court order to provide discovery" a "misuse of the discovery process," but sanctions are only authorized to the extent permitted by each discovery procedure. For failure to obey the court's discovery orders or to appear at a noticed deposition, the court may:

[M]ake those orders that are just, including the imposition of an issue sanction, an evidence sanction, or a terminating sanction under Chapter 7 (commencing with Section 2023.010). In lieu of or in addition to that sanction, the court may impose a monetary sanction under Chapter 7 (commencing with Section 2023.010).
(Code Civ. Proc., §§ 2030.290, subd. (c) [interrogatories]; and 2031.300, subd. (c) [inspection demands].)

The factors for determining which sanction is relevant are:

1) the time which has elapsed since interrogatories were served, 2) whether the party served was previously given a voluntary extension of time, 3) the number of interrogatories propounded, 4) whether the unanswered questions sought information which was difficult to obtain, 5) whether the answers supplied were evasive and incomplete, 6) the number of questions which remain unanswered, 7) whether the questions which remain unanswered are material to a particular claim or defense, 8) whether the answering party has acted in good faith, and with reasonable diligence, 9) the existence of prior orders compelling discovery and the answering party's response thereto, 10) whether the party was unable to comply with the previous order of the court, 11) whether an order allowing more time to answer would enable the answering party to supply the necessary

information, and, 12) whether a sanction short of dismissal or default would be appropriate to the dereliction.
(*Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 796–797.)

Once a motion to compel discovery is granted, continued failure to comply may support a request for more severe sanctions.

On November 7, 2025, plaintiff Marcee Huckabay ("Plaintiff") was served with discovery. (Livingstone Decl., ¶ 3.) Plaintiff was initially given a time extension to file a response. (*Id.*, ¶ 4.) On March 23, 2026, Defendants sought and obtained a court order directing Plaintiff to respond and pay monetary sanctions. To date, Plaintiff has failed to comply with the court's orders or serve any responses. Plaintiff further failed file a response to this motion. Nothing indicates the discovery sought is burdensome, complex, or that Plaintiff, acting in good faith and reasonable diligence, should not have been able to provide the discovery to Defendants.

Normally, the court would allow the offending party another opportunity to respond and comply with the court's orders. Here however, the discovery has been pending eight months. Plaintiff has given no indication that Plaintiff is interested in continuing to participate in this litigation, or that further monetary sanctions would have different results from the previous monetary sanctions. Therefore, terminating sanctions are appropriate, and the motion is granted.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling

Issued By: img on 7-7-26
(Judge's initials) (Date)