

**Tentative Rulings for August 19, 2025**  
**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)**

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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.*

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

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(Tentative Rulings begin at the next page)

## **Tentative Rulings for Department 502**

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(36)

### Tentative Ruling

Re: **S.R. v. County of Fresno**  
Superior Court Case No. 22CECG03969

Hearing Date: August 19, 2025 (Dept. 502)

Motion: by Defendant for Judgment on the Pleadings

### Tentative Ruling:

The court, on its own motion, stays the matter pending the Supreme Court's review of *K.C. v. County of Merced* (2025) 109 Cal.App.5th 606. A status conference is set for Tuesday, October 7, 2025 at 3:30 pm in Department 502. The parties are to file status reports 5 court days before the hearing.

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: KCK on 08/18/25  
(Judge's initials) (Date)

(35)

**Tentative Ruling**

Re: ***Delta Sand, Gravel & Recycling, Inc. v. Advanced General Constructions, Inc. et al.***

Superior Court Case No. 24CECG02135

Hearing Date: August 19, 2025 (Dept. 502)

Motions:

- (1) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order Compelling Initial Responses to Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One From Cross-Defendant Delta Sand, Gravel & Recycling, Inc., and Request for Sanctions
- (2) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order Compelling Initial Responses to Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One From Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc., and Request for Sanctions
- (3) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order Compelling Initial Responses to Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One From Cross-Defendant Abraham Gonzalez, and Request for Sanctions
- (3) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order to Deem Requests for Admissions, Set One, and Set Two, as Admitted by Cross-Defendant Delta Sand, Gravel & Recycling, Inc., and Request for Sanctions
- (4) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order to Deem Requests for Admissions, Set One as Admitted by Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc., and Request for Sanctions
- (5) By Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC for an Order to Deem Requests for Admissions, Set One, and Set Two, as Admitted by Cross-Defendant Abraham Gonzalez, and Request for Sanctions

**Tentative Ruling:**

To grant each of the motions to compel initial responses to form and special interrogatories, and request for production of documents.

Within ten (10) days of service of the order by the clerk, Cross-Defendant Delta Sand, Gravel and Recycling, Inc. shall serve verified responses, without objections, to

Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One, and produce all documents responsive to the Request for Production.

Within ten (10) days of service of the order by the clerk, Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc. shall serve verified responses, without objections, to Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One, and produce all documents responsive to the Request for Production.

Within ten (10) days of service of the order by the clerk, Cross-Defendant Abraham Gonzalez shall serve verified responses, without objections, to Form Interrogatories, Set One; Special Interrogatories, Set One; and Request for Production, Set One, and produce all documents responsive to the Request for Production.

To grant the motion seeking an order deeming the truth of matters specified in the Requests for Admission, Set One established pursuant to Code of Civil Procedure section 2033.280, subdivision (b) against Cross-Defendant Delta Sand, Gravel, and Recycling, Inc. **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

To grant the motion seeking an order deeming the truth of matters specified in the Requests for Admission, Set Two established pursuant to Code of Civil Procedure section 2033.280, subdivision (b) against Cross-Defendant Delta Sand, Gravel, and Recycling, Inc. **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

To grant the motion seeking an order deeming the truth of matters specified in the Requests for Admission, Set One established pursuant to Code of Civil Procedure section 2033.280, subdivision (b) against Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc. **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

To grant the motion seeking an order deeming the truth of matters specified in the Requests for Admission, Set One established pursuant to Code of Civil Procedure section 2033.280, subdivision (b) against Cross-Defendant Abraham Gonzalez **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

To grant the motion seeking an order deeming the truth of matters specified in the Requests for Admission, Set Two established pursuant to Code of Civil Procedure section 2033.280, subdivision (b) against Cross-Defendant Abraham Gonzalez **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

To impose monetary sanctions in the total amount of \$1,612.50 against Cross-Defendant Delta Sand, Gravel, and Recycling, Inc., in favor of Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC. Within thirty (30) days of service of the order by the clerk, Cross-Defendant Delta Sand, Gravel, and Recycling,

Inc. shall pay sanctions to Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC's counsel.

To impose monetary sanctions in the total amount of \$1,290.00 against Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc. in favor of Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC. Within thirty (30) days of service of the order by the clerk, Cross-Defendant Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc. shall pay sanctions to Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC's counsel.

To impose monetary sanctions in the total amount of \$1,612.50 against Cross-Defendant Abraham Gonzalez, in favor of Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC. Within thirty (30) days of service of the order by the clerk, Cross-Defendant Abraham Gonzalez shall pay sanctions to Cross-Complainants Advanced General Constructions, Inc. and Vista Square, LLC's counsel.

#### **Explanation:**

On January 2, 2025, Cross-Complainant Advanced General Constructions, Inc. ("Cross-Complainant") served the discovery at issue on each of Cross-Defendants Delta Sand, Gravel, and Recycling, Inc.; Gonzalez Tire Shop/Towing/Auto/Truck Dismantling, Inc.; and Abraham Gonzalez (together "Cross-Defendants"). (E.g., Rasmussen Decl., ¶ 2.) As of the filing of the motions to compel, no responses have been served. (*Id.*, ¶ 5.) No opposition was filed.

#### *Initial Responses to Interrogatories and Inspection Demand*

Within 30 days of service of interrogatories, the party to whom the interrogatories are propounded shall serve the original of the response to them on the propounding party. (Code Civ. Proc. § 2030.260.) Within 30 days of service of a demand for inspection, the party to whom the interrogatories are propounded shall serve the original of the response to them on the propounding party. (Code Civ. Proc. § 2031.260.) To date, Defendant has received no response to interrogatories and demands for inspection. Accordingly, an order compelling Cross-Defendants to provide initial responses is warranted. (Code Civ. Proc. § 2030.290, subd. (b), 2031.300 subd. (b).) All objections are waived. (*Id.*, §§ 2030.290, subd. (a), 2031.300, subd. (a).)

#### *Deemed Admissions*

On January 2, 2025, Cross-Complainant served the discovery at issue on each of Cross-Defendants. (E.g., Rasmussen Decl., ¶ 2.) As of the filing of the motions to have deemed admissions, no responses have been served. (*Id.*, ¶ 5.) No opposition was filed.

Based on the above, the motion seeking an order deeming the truth of matters specified in Requests for Admissions, Set One as to each of Cross-Defendants deemed established, will be granted pursuant to Code of Civil Procedure section 2033.280, subdivision (b) **unless** responses in substantial conformity with Code of Civil Procedure section 2033.220 are served **prior** to the hearing.

## Sanctions

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.

Issued By: KCK on 08/18/25  
(Judge's initials) (Date)