

Tentative Rulings for May 5, 2026
Department 403

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.*

24CECG03421 *Maria Andrade v. Central Valley Sanitation Inc. (Dept. 403)*

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

24CECG02141 *Athena McCowan v. Remarc Inc. is continued to Wednesday, May 6, 2026, at 3:30 p.m. in Department 403.*

25CECG01290 *Harjeet Tiwana v. Johnny Quick #155 is continued to Tuesday, June 2, 2026, at 3:30 p.m. in Department 403.*

25CECG02550 *Gregory Smith v. Nationwide Mutual Insurance is continued to Tuesday, June 9, 2026, at 3:30 p.m. in Department 403.*

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Tentative Ruling

Re: **Robles v. FCA US LLC**
Superior Court Case No. 24CECG03471

Hearing Date: May 5, 2026 (Dept. 403)

Motion: (1) By Plaintiff Jose Robles for an Order Compelling Responses to Request for Production, Set One, and Request for Sanctions
(2) By Plaintiff Jose Robles for an Order Compelling Responses to Special Interrogatories, Set One, and Request for Sanctions

Tentative Ruling:

To grant each of the motions to compel initial responses. Within ten (10) days of service of the order by the clerk, defendant FCA US LLC shall serve verified responses, without objections, to Special Interrogatories, Set One; and Request for Production of Documents, Set One, and produce all documents responsive to the Request for Production. To deny the request for sanctions.

Explanation:

On December 6, 2024, the discovery at issue was served on defendant FCA US LLC. (E.g., Matera Decl., ¶ 3, and Ex. 1 thereto.) On February 12, 2025, plaintiff Jose Robles ("Plaintiff") received unverified responses. (E.g., *id.*, ¶ 5, and Ex. 3 thereto.) To date, no verification has been served. (*Ibid.*)

Defendant opposes. Defendant submits that fact discovery has closed due to the impending trial date of May 11, 2026. However, on April 29, 2026, the parties submitted a stipulation for an order continuing trial and all related dates. Accordingly, the previously set trial date is now vacated, and the court proceeds.

Here, it remains uncontested that none of the responses served are verified. Discovery responses are to be verified under oath. (Code Civ. Proc. §§ 2030.250, subd. (a), 2031.250, subd. (a); see also *id.*, § 2015.5 [defining how to verify under oath under penalty of perjury and providing exemplar language].) As Plaintiff correctly notes, unsworn discovery responses are tantamount to serving no responses at all. (*Appleton v. Superior Court* (1988) 206 Cal.App.3d 632, 636.)

For the above reasons, the motions to compel initial responses to Special Interrogatories, Set One and Request for Production, Set One are granted.

Sanctions are mandatory unless the court finds that the party acted "with substantial justification" or other circumstances that would render sanctions "unjust." (Code Civ. Proc., §§ 2030.290, subd. (c), 2031.300, subd. (c).) Defendant opposed on what otherwise would have been a meritorious basis at the time the opposition was filed. Accordingly, the court finds that the imposition of sanctions under the circumstances

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Tentative Ruling

Re: **Wiley v. Bulara Express Inc., et al.**
Superior Court Case No. 23CECG03441

Chow v. Bulara Express Inc., et al.
Superior Court Case No. 25CECG05301

Hearing Date: May 5, 2026 (Dept. 403)

Motion: by Defendants to Consolidate Actions, and Request to
Continue Trial

Tentative Ruling:

To grant. Superior Court Case No. 23CECG03441 is consolidated with Superior Court Case No. 25CECG05301 for all purposes, with Superior Court Case No. 23CECG03441 being designated as LEAD. Defendants Bulara Express, Inc. and Baljit Singh are ordered to file and serve a notice of entry of this order in all actions, properly captioned with all case names and numbers. All further documents shall be filed only in the lead case.

To grant defendants Bulara Express, Inc. and Baljit Singh's Request for Judicial Notice.

The parties are directed to meet and confer, and appear, prepared to discuss possible trial setting.

Explanation:

Under Code of Civil Procedure section 1048, subdivision (a):

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

The procedural requirements under California Rules of Court, rule 3.350 require a separate copy of the notice of motion for consolidation must be filed by the moving party in each case that the party seeks to consolidate. (Cal. Rules of Ct., rule 3.350, subd. (a)(1)(C).) However, the supporting memorandum, declarations, and other papers only need to be filed in the lowest numbered case. (*Id.*, rule 3.350, subd. (a)(2)(A).)

Although there is a technical defect in the motion, the court finds that defendants have substantially complied with the requirements for a motion to consolidate. The defect is non-prejudicial because all parties were noticed of the motion. Moreover, a joint stipulation was submitted into evidence, signed by all parties' counsel. (Herman

