

Tentative Rulings for May 28, 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.*

25CECG01853 *Kellogg v. Estate of Galpren et al.* (Dept. 503)

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

24CECG02183 *Samuel Rios v. Harris Ranch Beef Company* is continued to Thursday, June 18, 2026, at 3:30 p.m. in Department 503.

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Tentative Ruling

Re: **Torosian v. BMW of North America, LLC**
Superior Court Case No. 24CECG04794

Hearing Date: May 28, 2026 (Dept. 503)

Motion: By Plaintiff Harout Torosian to Compel Attendance of Christopher Skibinski for Deposition and Production of Documents

Tentative Ruling:

To grant the motion and compel Christopher Skibinski to appear for deposition with document production. (Code Civ. Proc., § 2025.450, subd. (a).) The parties are directed to meet and confer on dates for the deposition, which shall occur within two weeks from service of the order by the clerk.

Explanation:

Plaintiff Harout Torosian ("Plaintiff") moves to compel the agent or employee of defendant BMW of North America ("Defendant"), Christopher Skibinski ("Skibinski"), to appear for a deposition with document production.

On October 28, 2025, Plaintiff electronically served Defendant a copy of *Notice of Deposition Christopher Skibinski and Demand to Produce Documents at Deposition*. (Rivero Decl., ¶ 15.) The deposition of Skibinski was scheduled for November 12, 2025. (*Ibid.*) On November 11, 2025, Defendant electronically served objections on Plaintiff. (*Id.*, ¶ 16; Wasson Decl., ¶ 13.) Skibinski did not appear for the November 12, 2025 deposition. (Riveo Decl., Exh. 9.) Plaintiff had a meet and confer via telephone and follow up email correspondence with Defendant about Defendant's opposition to the deposition of Skibinski. (*Id.*, ¶ 21 and Exh. 13.)

Proper service of a notice of deposition compels any deponent who is a party to the action to attend, to testify, and to produce documents if requested. (Code Civ. Proc., § 2025.280, subd. (a).) Where a party deponent fails to appear at a properly noticed deposition, and no timely, valid objection under section 2025.410 has been served, the party giving the notice may move for an order compelling the deponent's attendance and testimony. (*Id.*, § 2025.450, subd. (a).) Unless a party serves a written objection at least three calendar days prior to the scheduled date of a deposition, the party waives any error or irregularity with the deposition notice. (*Id.*, § 2025.410, subd. (a).) "Any document that is served electronically between 12:00 a.m. and 11:59:59 p.m. on a court day shall be deemed served on that court day." (*Id.*, § 1010.6, subd. (a)(4).)

Defendant failed to timely serve objections to the notice of deposition. Plaintiff has met the requirements of Code of Civil Procedure section 2025.450. Accordingly, the motion to compel the deposition of Skibinski is granted. Skibinski is directed to appear for deposition, and respond to the document production.

