

Tentative Rulings for June 4, 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.

24CECG02555	<i>Sherry Cardenas v. Big Fresno Fair</i> is continued to Thursday June 25, 2026 at 3:30 p.m. in Department 501
24CECG03425	<i>Nick Mercado, JR v. County of Fresno</i> is continued to Thursday July 16, 2026 at 3:30 p.m. in Department 501

(Tentative Rulings begin at the next page)

Tentative Rulings for Department 502

Begin at the next page

(47)

Tentative Ruling

Re: **David Valencia Arevalo v. General Motors LLC**
Superior Court Case No. 24CECG03956

Hearing Date: June 4, 2026 (Dept. 502)

Motion: Plaintiff, David Valencia Arevalo's Motion for Payment of Attorney Fees and Reimbursement of Costs and Expenses

Tentative Ruling:

To grant the motion for attorney fees in the amount of \$19,437.50. Payment shall be made by defendant General Motors, LLC to Consumer Law Experts, P.C. within 30 days of the clerk's service of this minute order.

Explanation:

Plaintiff, David Valencia Arevalo's ("plaintiff") counsel Consumer Law Experts, P.C. ("Counsel" or "CLE") seeks \$33,880.50 in fees and costs including (1) \$20,608.50 in lodestar fees; (2) a 1.5 multiplier enhancement in the amount of \$10,304.25; (3) an additional \$2,150.00 in "anticipated fees" for Opposition review, Reply drafting, and a Hearing Attendance; and (4) an additional \$817.75 in incurred costs and expenses.

Right to Recovery

An award of attorney fees is proper when authorized by contract, statute, or law. (Code Civ. Proc. §§ 1032, subd. (b); 1033.5, subd. (a)(10).) Here, the Song-Beverly Act authorizes a buyer "to recover as part of the judgment a sum equal to the aggregate amount of costs and expenses, including attorney's fees based on actual time expended, determined by the court to have been reasonably incurred by the buyer in connection with the commencement and prosecution of such action." (Civ. Code, § 1794, subd. (d).)

Attorney Fees Incurred

A buyer prevailing under the Song-Beverly Act may recover "reasonable" attorney fees and costs as determined by the Court. (Civ. Code § 1794, subd. (d).) "The burden is on the party seeking attorney fees to prove that the fees it seeks are reasonable." (*Gonzalez v. Santa Clara County Dept. of Social Services* (2017) 9 Cal.App.5th 162, 169.) In determining a reasonable fee award, the Court begins with the lodestar method of calculation, i.e., the number of hours reasonably expended multiplied by the reasonable hourly rate. (*Karton v. Ari Design & Construction, Inc.* (2021) 61 Cal.App.5th 734, 744; *PLCM Group, Inc. v. Drexler* (2000) 22 Cal.4th 1084, 1095–1096.)

Here, Plaintiff's counsel seeks to recover \$20,608.50 in in lodestar fees for 53 hours of work, billed at the following rates:

	Title	Rate Per Hour	Total Hours	Total Amount Billed
Carey Wood	Attorney	\$560	2.7	\$1,512.00
Bobby C. Walker	Attorney	\$440	2.6	\$1,144.00
Laura Schwartz	Attorney	\$450	30.1	\$13,545.00
Stephanie Argent	Attorney	\$430	2.9	\$1,247.00
Daisey Hernandez	Paralegal	\$215	0.5	\$107.50
Destiny Olvera	Paralegal	\$215	2.5	\$537.50
Kenneth Lima	Paralegal	\$215	8.1	\$1,741.50
Jasmine Ochoa	Paralegal	\$215	1	\$215.00
Alejandra Seda	Paralegal	\$215	0.5	\$107.50
Jonathan Avalos	Paralegal	\$215	2.1	\$451.50
TOTAL		-	53	\$20,608.50

Reasonable hourly compensation is the "hourly prevailing rate for private attorneys in the community conducting noncontingent litigation of the same type" (*Ketchum v. Moses* (2001) 24 Cal.4th 1122, 1133, "*Ketchum*".) Ordinarily, "the value of an attorney's time . . . is reflected in his normal billing rate." (*Mandel v. Lackner* (1979) 92 Cal.App.3d 747, 761.)

The rates for plaintiff's counsel are higher than Central California's going rates for comparable consumer litigators. Plaintiff's counsel rates are: \$425-430 for Stephanie Argent (2+ year lawyer); \$560 per hour for Carey Wood (13+ year lawyer specializing in plaintiff side civil litigation); \$450 per hour for Laura Schwartz (18+ year lawyer working exclusively Song-Beverly Consumer Warranty Act cases since 2023); and \$440 per hour for Bobby Walker (12+ year lawyer with a extensive experience pertaining to the Song-Beverly Act.) (Argent Decl., ¶¶ 12-15.)

Where a party is seeking out-of-town rates, he or she is required to make a "sufficient showing...that hiring local counsel was impractical." (*Nichols v. City of Taft* (2007) 155 Cal.App.4th 1233, 1244.) Plaintiff has made no showing of any attempt to seek local counsel. There are local counsel who handle similar cases. Local rates are therefore appropriate.

Here, based on relevant experience, and consistent with prevailing rates for attorneys of comparable experience handling routine Song-Beverly matters in Fresno County, the Court finds that the applicable rate for Wood is \$525 per hour; \$450 per hour for Schwartz; \$400 per hour for Walker; and \$300 per hour for Argent. Furthermore, the Court finds that the applicable paralegal rate in Fresno to be \$150/hr.

Hours Expended

“In challenging attorney fees as excessive because too many hours of work are claimed, it is the burden of the challenging party to point to the specific items challenged, with a sufficient argument and citations to the evidence. General arguments that fees claimed are excessive, duplicative, or unrelated do not suffice.’ ” (*Lunada Biomedical v. Nunez* (2014) 230 Cal.App.4th 459, 488, citing *Premier Medical Management Systems, Inc. v. California Ins. Guarantee Assn.* (2008) 163 Cal.App.4th 550, 564.) The court will exercise its discretion in determining if the Plaintiff's attorney fees request is reasonable by considering the following factors: the nature of litigation, its difficulty, the amount involved, the skill required in handling the matter, the attention given, the success or failure, and the resulting judgment. (*Melnyk v. Robledo* (1976) 64 Cal.App.3d 618, 623.)

Plaintiff's counsel recorded 38.3 hours of attorney time as well as time spent by paralegals.

GM points to many activities as being overbilled, noting that plaintiff's counsel relied on templates and forms in preparing the complaint, as well as discovery requests, responses, meet and confer emails and motions (GM Opposition, pgs. 6:17-8:28.)

The court reviewed the entries to which GM objects and finds them within the accepted norm. It takes time to review and draft documents, even if one is starting with a template or form. Furthermore, the time it took plaintiffs' attorneys recorded to draft and prepare documents, motions, including the complaint (which was prepared in just over an hour), was fairly reasonable and conservative. Time entries for paralegals on the disputed motions were separately analyzed below with respect to “Clerical/Administrative Tasks”

Clerical/Administrative Tasks

Paralegal fees may be awarded as attorney fees if the trial court deems it appropriate. (*Roe v. Halbig* (2018) 29 Cal.App.5th 286, 312.) However, purely clerical or secretarial tasks should not be billed at a lawyer or paralegal's usual rate, regardless of who performs them. (*Missouri v. Jenkins* (1989) 491 U.S. 274, 288, fn. 10.) Calendaring, preparing proofs of service, internal filing, preparing binders for a hearing, and scanning are examples of tasks that have been found to be purely clerical and thus noncompensable or compensable at a greatly reduced billing rate. (*Save Our Uniquely Rural Community Environment v. County of San Bernardino* (2015) 235 Cal.App.4th 1179, 1187; *Ridgeway v. Wal-Mart Stores Inc.* (N.D. Cal. 2017) 269 F.Supp.3d 975, 991.)

Plaintiff's counsel initially recorded 14.7 hours of paralegal time. The court reduced the applicable billing time for the paralegals to be 5.1 hours, reducing recoverable time by the paralegals by 9.6 hours. The Court notes that much of the paralegal's recorded time is purely clerical. The Court considers logistical efforts, such as setting up and/or coordinating productions and appearances as clerical.

Anticipated Hours

Additional Time Opposing this Motion

Plaintiff's counsel expects to incur over \$2,150.00 in attorney fees, in connection with (1) reviewing Defendant's Opposition to Plaintiff's Motion (approximately 0.5 hours); (2) preparing the Reply brief to Defendant's Opposition (approximately 4.0 hours); and (3) attending the hearing on Plaintiff's Motion (approximately 0.5 hours). (Argent Decl., ¶ 24.)

Accordingly, the Court reduces additional fees for reply to GM's Opposition at the prevailing rate of \$450 to be \$1,800.

Reasonableness of Multiplier

Relevant factors to determine whether an enhancement is appropriate include (1) the novelty and difficulty of the questions involved, (2) the skill displayed in presenting them, (3) the extent to which the nature of the litigation precluded other employment by the attorneys, (4) the contingent nature of the fee award. (*Ketchum, supra*, 24 Cal.4th at 1132.)

Plaintiff's counsel requests that a multiplier of 0.5 be applied to the combined lodestar. (Plaintiffs' Moving Papers, pg. 15:8-17:12.) Plaintiff argues that the factors that should be looked at in this case are the outcome received by the plaintiff's counsel, risks posed by the litigation, the complexity of the issues and demonstrated skill by plaintiff's counsel.

In opposition, defendant argues that there is no basis to award a multiplier as this case did not present any difficult issues, as this was "a single-vehicle, non-complex lemon law matter such as this, in which neither Plaintiff nor GM were deposed, zero experts were deposed, never went to trial, and settled within the statutory limits, ... (GM's Opposition, pg. 10:23-25.)

The Court finds that the results of this case are not exceptional and awarding a multiplier is not warranted because the time and skill of counsel, as well as the contingent nature of the representation, are compensated with high fees. Plaintiff's counsel also failed to show how this case is different from other lemon law actions or presented new or complex issues that made this case particularly hard to litigate.

Costs

Plaintiff initially sought \$817.75 in costs. However, GM contests this as GM argues it already paid costs sought. (GM's Opposition, pg. 11:25-26.) Plaintiff's Reply confirms that GM paid costs in the amount of \$817.75 on January 9, 2026. (Plaintiff's Reply, pg. 9:1-3.) Accordingly, costs are not granted as none are due.

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

(48)

Tentative Ruling

Re: **Dhaliwal v. Thao**
Superior Court Case No. 26CU00867

Hearing Date: June 4, 2026 (Dept. 502)

Motion: Petition to Compromise Minor's Claim

Tentative Ruling:

The court intends to grant the petition. (Code Civ. Proc., § 372; Prob. Code, § 2504.) Petitioner is directed to file new proposed orders within five days of service of the order by the clerk.

To set a status conference for Thursday, August 27, 2026, at 3:30 p.m. in **Department 501**, for confirmation of deposit of the funds into a blocked account. If the Acknowledgment of Receipt of Order and Funds for Deposit in Blocked Account (MC-356), is filed at least five court days before the hearing, the status conference will come off calendar.

Explanation:

A petition for court approval under Code of Civil Procedure section 372, subdivision (a)(3), must comply with California Rules of Court, rules 7.950-7.955. (Cal. Rules of Ct., rule 3.1384.) The petition must state whether the petitioner was assisted by an attorney and disclose the attorney's information and attorney's fees. (*Id.*, rule 7.951.) If the petition states the attorney has not received attorney's fees, and the attorney expects to receive fees, the amount and the person expected to pay those fees must be listed. (*Id.*, rule 7.951(5).)

Counsel for petitioner Avtar Dhaliwal is requesting reimbursement of costs and attorney's fees, however, the calculated costs as indicated in Attachment 13(b) to the petition is inconsistent with Items 10(c) and 16 in the petition and Item 8(a)(2) in the proposed order. Petitioner is directed to file a new proposed order (MC-351) with corrections at Item 8(a)(2) to reflect the calculated costs in the petition in Attachment 13(b) as \$602.30. Accordingly, the total allowance for fees and expenses in item 8(a)(5) must be corrected to \$12,836.99, and the balance of the proceeds to be disbursed to claimant Amritpal Dhaliwal must be corrected at Item 8(b)(1) and (2) to be \$8,663.01.

Otherwise, the court approves the disposition of proceeds to a blocked account. However, a completed proposed order to deposit funds in a blocked account (MC-355) must be filed consistent with the aforementioned balance.

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

(49)

Tentative Ruling

Re: **Meza v. City of Sanger et al.**
Superior Court Case No. 24CECG03246

Hearing Date: June 4, 2026 (Dept. 502)

Motion: 1) By Defendants to Compel Plaintiff's Response to City of Sanger's Request for Production of Documents to Plaintiff, Set One, and Request for Sanctions;
2) By Defendants to Compel Plaintiff's Response to City of Sanger's Special Interrogatories to Plaintiff, Set One, and Request for Sanctions;
3) By Defendants to Compel Plaintiff's Response to City of Sanger's Form Interrogatories to Plaintiff, Set One, and Request for Sanctions

Tentative Ruling:

To grant defendants' motions to compel plaintiff's responses to City of Sanger's Request for Production of Documents to Plaintiff, Set One, City of Sanger's Special Interrogatories to Plaintiff, Set One, and City of Sanger's Form Interrogatories to Plaintiff, Set One. Plaintiff is ordered to serve verified responses, without objections, and produce all responsive documents, within 30 days of the clerk's service of the minute order.

To impose monetary sanctions in favor of defendants and against plaintiff Pablo Meza. (Code Civ. Proc., §§ 2023.010, subd. (d), 2030.290, subd. (c), 2031.300, subd. (c).) Plaintiff is ordered to pay \$650 in sanctions to Longyear, Lavra & Cahill, LLP, within 30 days of the clerk's service of the minute order.

Explanation:

Compel Responses

Defendants City of Sanger and Daniel Joseph Battenfield ("Defendants") move to compel initial responses from plaintiff Pablo Meza ("Plaintiff") for City of Sanger's Request for Production of Documents to Plaintiff, Set One, City of Sanger's Special Interrogatories to Plaintiff, Set One, and City of Sanger's Form Interrogatories to Plaintiff, Set One (collectively "Set One").

Responses to interrogatories and requests for production are due within 30 days after service. (Code Civ. Proc., §§ 2030.260, subd. (a), 2031.250, subd. (a).) If the party fails to serve responses, that party waives all objections to the interrogatories or request for production. (Code Civ. Proc., §§ 2030.290, subd. (a), 2031.300, subd. (a).)

On December 3, 2025, Defendants served Set One on Plaintiff. (Kern Decl., ¶ 2.) As of April 6, 2026, Plaintiff has not sent responses to Set One. (*Id.*, ¶ 8.) Plaintiff does not

