

Tentative Rulings for July 16, 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.

21CECG03582	<i>Magallen v. Chandler</i> is continued to Tuesday, July 28, 2026, at 3:30 p.m. in Department 502.
23CECG05021	<i>Gill v. Fresno Community Hospital and Medical Center</i> is continued to Thursday, August 27, 2026, at 3:30 p.m. in Department 502.
24CECG05132	<i>Williams v. Kaiser Foundation Hospitals</i> is continued to Thursday, August 27, 2026, at 3:30 p.m. in Department 502.
25CECG00102	<i>Manning-Hegle v. Amazon Logistics, Inc.</i> is continued to Thursday, July 23, 2026, at 3:30 p.m. in Department 502.

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Tentative Ruling

Re: **Biechler v. FCA US, LLC**
Superior Court Case No. 24CECG04442

Hearing Date: July 16, 2026 (Dept. 502)

Motion: Motion to be Relieved as Counsel

Tentative Ruling:

To deny without prejudice. (Cal. Rules of Court, rule 3.1362(d).)

Explanation:

“The notice of motion and motion, the declaration, and the proposed order must be served on the client **and on all other parties who have appeared in the case.**” (Cal. Rules of Court, rule 3.1362(d), emphasis added.) The proof of service of the motion only shows service on plaintiff. Defendant FCA US LLC must be served as well.

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 7-15-26
(Judge's initials) (Date)

(35)

Tentative Ruling

Re: ***Guzman v. Maravilla et al.***
Superior Court Case No. 23CECG02929

Hearing Date: July 16, 2026 (Dept. 502)

Motion: Petition to Compel Arbitration

Tentative Ruling:

To take off calendar, as no moving papers have been filed.

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 7-15-26
(Judge's initials) (Date)

(34)

Tentative Ruling

Re: **Raymond Ghermezian APLC v. Comprehensive Pain Management Center, Inc., et al.**
Superior Court Case No. 24CECG04001

Hearing Date: July 16, 2026 (Dept. 502)

Motion: by Plaintiff for Stakeholder Discharge, Attorney Fees and Release of Funds

Tentative Ruling:

To deny.

Explanation:

“When a person may be subject to conflicting claims for money or property, the person may bring an interpleader action to compel the claimants to litigate their claims among themselves.” (*City of Morgan Hill v. Brown* (1999) 71 Cal.App.4th 1114, 1122.) “An interpleader action is an equitable proceeding. [Citations.] In an interpleader action, the court initially determines the right of the plaintiff to interplead the funds; if that right is sustained, an interlocutory decree is entered which requires the defendants to interplead and litigate their claims to the funds. Upon an admission of liability and deposit of monies with the court, the plaintiff then may be discharged from liability and dismissed from the interpleader action. [Citations.] The effect of such an order is to preserve the fund, discharge the stakeholder from further liability, and to keep the fund in the court’s custody until the rights of the potential claimants of the monies can be adjudicated. [Citations.]” (*Dial 800 v. Fesbinder* (2004) 118 Cal.App.4th 32, 42–43.)

Thus, the interpleader proceeding is traditionally viewed as two lawsuits in one. The first dispute is between the stakeholder and the claimants to determine the right to interplead the funds. The second dispute to be resolved is who is to receive the interpleaded funds. (*Dial 800, supra*, at p. 43.)

Code of Civil Procedure section 386, subdivision (b), applies to “[a]ny person, firm, corporation, association or other entity against whom double or multiple claims are made, or may be made, by two or more persons which are such that they may give rise to double or multiple liability.” These entities “may either file a verified cross-complaint in interpleader, admitting that it has no interest in the money or property claimed, or in only a portion thereof, and alleging that all or such portion is demanded by parties to such” or “may bring an action against the claimants to compel them to interplead and litigate their several claims.” (*Id.*) In either case the entity may “apply to the court upon notice to such parties for an order to deliver such money or property or such portion thereof to such person as the court shall direct.” (*Id.*) The deposit of the disputed portion of the money with the clerk of the court cuts off the right to further interest or damages for the retention of the funds. (Code Civ. Proc., § 386, subd. (c).)

Plaintiff Raymond Ghermezian, A Professional Law Corporation, has availed itself of section 386, subdivision (b), and complaint in interpleader on September 24, 2024. With this motion Ghermezian seeks an order of discharge following its deposit of \$9,581.27 (the \$14,921.23 settlement balance less \$3,600 in attorneys' fees and \$1,739.96 in costs). In support of the motion, Ghermezian submits his declaration that he is a neutral stakeholder with no personal claim to the disputed funds and that all defendants have been dismissed, defaulted, or answered. (Ghermezian Decl., ¶¶ 11,13.)

Plaintiff also moves under Code of Civil Procedure section 386.5, which authorizes the court to enter an order, upon motion and affidavit discharging the stakeholder "from liability and dismissing him from the action on his depositing with the clerk of the court the amount in dispute." (Code Civ. Proc., § 386.5.)

Although Ghermezian considers himself a neutral stakeholder with respect to the balance of \$14,921.23, this is only due to the law firm having paid itself from the settlement funds before payment to its client or medical liens. (Complaint, ¶¶ 1, 12; Ghermezian Decl., ¶¶ 3-5.) An interpleader may be brought where the person holding the money is not totally disinterested but the stakeholder's claim is one to be adjudicated with the defendants' claims. (*City of Morgan Hill v. Brown* (1999) 71 Cal.App.4th 1114, 1123 ["Partial interpleader, where the obligor admits some liability but makes a partial claim or asserts a partial interest is also allowed."].) Here, the disputed funds are better characterized as the \$60,000 settlement, rather than the balance after plaintiff takes his share.

The court finds Raymond Ghermezian, APLC is an interested stakeholder in the entire \$60,000 settlement and this action, as plead, would give the law firm's claim priority over that of the defendants without the opportunity for defendants to dispute that priority. The motion to order the interpleader and discharge plaintiff from liability for the funds is denied.

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** 7-15-26.
(Judge's initials) (Date)