

Tentative Rulings for August 27, 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.*

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

22CECG03000 *Marlene Torres v. Robert L. Jensen & Associates* is continued to Thursday, October 1, 2026, at 3:30 p.m. in Department 503.

24CECG05504 *Ivan Espino v. FCA US, LLC* is continued to Thursday, September 17, 2026, at 3:30 p.m. in Department 503.

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Tentative Rulings for Department 503

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Tentative Ruling

Re: **Jesus Navarro v. Jacobo Farm Services, Inc.**
Superior Court Case No. 24CECG04061

Hearing Date: August 27, 2026 (Dept. 503)

Motion: by Plaintiff for Preliminary Approval of Class Action

Tentative Ruling:

To continue to Thursday, September 24, 2026 at 3:30 p.m. in Department 503. Plaintiff must file proof of the correction by Friday, September 11, 2026 at 5:00 p.m.

Explanation:

The Notice of Motion is Unsigned

"Every pleading, petition, written notice of motion, or other similar paper shall be signed by at least one attorney of record in the attorney's individual name[.] [...] An unsigned paper shall be stricken unless omission of the signature is corrected promptly after being called to the attention of the attorney or party." (Code Civ. Proc., § 128.7, subd. (a), emphasis added.)

Plaintiff's Notice of Motion is unsigned. There has been no waiver of the defect. Plaintiff must promptly correct the omission or the court will strike the unsigned Notice of Motion.

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: JS on 8/25/2026.
(Judge's initials) (Date)

(35)

Tentative Ruling

Re: ***MW Manufacturers, Inc. v. DS Glass & Windows, Inc. et al.***
Superior Court Case No. 24CECG4334

Hearing Date: August 27, 2026 (Dept. 503)

Motion: By Plaintiff for Entry of Default Judgment

Tentative Ruling:

Plaintiff MW Manufacturers, Inc. and its counsel of record are directed to personally appear.

Explanation:

Plaintiff MW Manufacturers, Inc. ("Plaintiff") submits on that which the court has already rejected twice.

On this, the third occasion, Plaintiff seeks entry of default judgment. On this, the third occasion, Plaintiff once again submits on the declaration of Travis Newkirk, dated February 4, 2025. On this, the third occasion, Newkirk's declaration fails to explain the naked ledger submitted, at Exhibit 2. Nothing in the application addresses the court's prior denial orders, which directed Plaintiff to explain the entry dated March 13, 2024 as "Interest Expense" for \$72,239.22.

As the prior denial orders expressly enumerated, the Complaint, which was conceded by default, alleged that a breach occurred on December 3, 2022. As the prior denial orders expressly enumerated, the ledger submitted in support of the application appears to begin with due dates of December 3, 2022. Thus, as the court previously concluded, a line-item indicating "Interest Expense" is seeking prejudgment interest as a function of Plaintiff's principal damages, from the date of breach to, as this ledger concludes, March 13, 2024. An original balance owed, prior to the imposition of interest would seem to be at \$265,840.41. Interest charged against the gross amount of \$72,239.22 would therefore seem to calculate to a rate of 27.17 percent. This rate is grossly above the contract rate of 1.5 percent per month, 18 percent per annum. Thus, the court previously directed Plaintiff to explain the imposition of this interest expense, which is also a required filing where interest is sought. (Cal. Rules of Ct., rule 3.1800(a)(3).) Counsel's declaration of disinterest in interest recovery on behalf of his client is in actual conflict with the amount sought in judgment.

For the above reasons, the court again intends to deny the application for default judgment, which is not materially changed from the prior two attempts. Plaintiff and its counsel of record are directed to appear and explain why sanctions should not be imposed.

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

