

Tentative Rulings for October 29, 2025
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.*

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

25CECG02331	<i>Christopher Rivera v. Netafim Irrigation, Inc.</i> is continued to Wednesday, November 19, 2025, at 3:30 p.m. in Department 403.
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Tentative Rulings for Department 403

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(03)

Tentative Ruling

Re: **Ramos v. General Motors, LLC**
Case No. 23CECG03851

Hearing Date: October 29, 2025 (Dept. 403)

Motion: Defendant's Motions to Compel Plaintiffs' Depositions

**If oral argument is timely requested, it will be entertained on
Thursday, October 30, 2025, at 3:30 p.m. in Department 403.**

Tentative Ruling:

To deny defendant's motions to compel the depositions of plaintiffs Lisandro Solorio and Isabel Ramos.

Explanation:

Under Code of Civil Procedure section 2025.450, subdivision (a), "If, after service of a deposition notice, a party to the action ..., without having served a valid objection under Section 2025.410, fails to appear for examination, or to proceed with it, or to produce for inspection any document, electronically stored information, or tangible thing described in the deposition notice, the party giving the notice may move for an order compelling the deponent's attendance and testimony, and the production for inspection of any document, electronically stored information, or tangible thing described in the deposition notice."

"The motion shall be accompanied by a meet and confer declaration under Section 2016.040, or, when the deponent fails to attend the deposition and produce the documents, electronically stored information, or things described in the deposition notice, by a declaration stating that the petitioner has contacted the deponent to inquire about the nonappearance." (Code Civ. Proc., § 2025.450, subd. (b)(2).)

Here, defendant served deposition notices on plaintiffs on February 21, 2025, setting deposition dates of April 16, 2025. (Quezada decl., ¶ 3.) Plaintiffs' counsel objected to the deposition notices, but did not provide any alternative dates for the depositions. (*Ibid.*) Defense counsel does not state that he attempted to take plaintiffs' depositions on April 16, 2025, or that plaintiffs did not appear on that date. Instead, defense counsel sent plaintiffs' counsel an email on July 11, 2025, asking for new deposition dates for plaintiffs. (*Id.* at ¶ 4.) Apparently, plaintiffs' counsel did not respond to the email, although defense counsel does not expressly state whether he received a response or not. (*Ibid.*)

Defense counsel apparently never sent another deposition notice or attempted to take plaintiffs' depositions on the newly noticed date. Nor does defense counsel state that plaintiffs failed to appear for their deposition on the noticed date, or that they appeared but refused to offer testimony or produce the documents listed in the deposition notice. Also, defense counsel does not state that he attempted to contact

Thus, defendant has failed to meet its burden of showing that it is entitled to compel plaintiffs' depositions. Defense counsel apparently made no effort to meet and confer with plaintiffs' counsel to set the depositions, other than sending one email in July asking about setting dates. Sending a single email is insufficient to satisfy the meet and confer requirement, especially where the email contains no substantive discussion of the issues. Here, defense counsel has not provided a copy of the July 11, 2025 email that he sent to plaintiffs' counsel, so it is impossible to know exactly what the email said, but it appears that he simply asked for new deposition dates. Therefore, defendant has not shown that it engaged in a good faith discussion of the issues before filing the motions to compel.

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.

Issued By: img on 10-28-25
(Judge's initials) (Date)

Tentative Ruling

David Douglas v John Doe 1
Superior Court Case No. 24CECG02831

October 29, 2025 (Dept. 403)

By Defendant to Compel Responses to Form Interrogatories,
Set One and Request for Production of Documents, Set One

If oral argument is timely requested, it will be entertained on Thursday, October 30, 2025, at 3:30 p.m. in Department 403.

Tentative Ruling:

To continue the hearing to December 3, 2025.

Explanation:

Defendants filed their motions on September 19, 2025. Defendants filed a "Reply to Opposition" on October 22, 2025 requesting a continuance.

The court intends to grant continuance.

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 10-28-25
(Judge's initials) (Date)