

Tentative Rulings for November 1, 2022
Department 403

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

21CECG03250	<i>Ernesto Orosco v. Aerotek, Inc.</i> is continued to Thursday, November 3, 2022 at 3:30 p.m. in Department 403
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Tentative Ruling

Re: ***Amie Vang v. Jim Anderson***
Superior Court Case No. 21CECG03365

Hearing Date: November 1, 2022 (Dept. 403)

Motion: By Plaintiff Amie Vang to (1) Compel Defendant Jim Anderson's Responses to Form Interrogatories (Set One), Special Interrogatories (Set One), Request for Production of Documents (Set One); (2) to Deem Admissions Admitted; and (3) for Monetary Sanctions

Tentative Ruling:

To grant plaintiff Amie Vang's motions to compel for Form Interrogatories (Set One), Special Interrogatories (Set One), and Request for Production of Documents (Set One).

To grant plaintiff Amie Vang's request to deem Requests for Admissions admitted. The truth of the matters specified in the Requests for Admissions, Set One, are to be deemed admitted unless defendant Jim Anderson serves, before the hearing, a proposed response to the Requests for Admission that is in substantial compliance with Code of Civil Procedure section 2033.220.

To grant monetary sanctions against defendant Jim Anderson in the total amount of \$840. Monetary sanctions are ordered to be paid within 30 calendar days from the date of service of the minute order by the clerk.

Explanation:

Motions to Compel

Defendant has had sufficient time to respond to the discovery propounded by plaintiff, and has not done so. Failing to respond to discovery within the 30-day time limit waives objections to the discovery, including claims of privilege and work product protection. (Code Civ. Proc., § 2030.290, subd. (a) [interrogatories]; Code Civ. Proc., § 2031.300, subd. (a) [production demands]; see *Leach v. Superior Court* (1980) 111 Cal.App.3d 902, 905–906.) Here, defendant was granted an extension and still did not respond to the discovery requests.

Requests for Admissions

Plaintiff served Requests for Admissions on defendant on June 6, 2022. As of August 5, 2022, no responses had been received. The court has no information that any responses have been received as of the date of this ruling.

Sanctions

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: KCK on 10/28/22.
(Judge's initials) (Date)