

Tentative Rulings for December 16, 2025
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.

15CECG01274	<i>Sam Ouk v. Pacific Gas & Electric Company</i> is continued to Tuesday, January 13, 2026 at 3:30 p.m. in Department 503.
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Tentative Rulings for Department 503

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(20)

Tentative Ruling

Re: ***Umpqua Bank v. Sran et al.***
Superior Court Case No. 25CECG01144

Hearing Date: December 16, 2025 (Dept. 503)

Motion: By Plaintiff to Compel Deposition of Defendant Navdep Sran

Tentative Ruling:

To take off calendar for failure to comply with Local Rule 2.1.17.

Explanation:

Plaintiff moves to compel defendant Navdep Sran to submit deposition.

No motion under sections 2017.010 through 2036.050, inclusive, of the California Code of Civil Procedure shall be heard in a civil unlimited case unless the moving party has first requested an informal Pretrial Discovery Conference with the Court and such request has either been denied and permission to file the motion is granted via court order or the discovery dispute has not been resolved as a result of the Conference and permission to file the motion is expressly granted. This rule shall not apply the following:

1. Motions to compel the deposition of a duly noticed party or subpoenaed person(s) who have not timely served an objection pursuant to Code of Civil Procedure section 2025.410 ...

Here, Navdep Sran served a timely objection, but plaintiff filed the motion to compel without first having filed a pretrial discovery conference request. Accordingly, the motion was improperly filed and is taken off calendar.

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 12/8/2025.
(Judge's initials) (Date)

(03)

Tentative Ruling

Re: ***MVP Pizza and Catering Company v. TTOCS Trailers, LLC***
Case No. 24CECG04503

Hearing Date: December 16, 2025 (Dept. 503)

Motion: Plaintiffs' Motion to Compel Further Discovery Responses

Tentative Ruling:

To deny plaintiffs' motion to compel further discovery responses. To deny plaintiffs' alternative motion to deem the matters in the request for admissions to be admitted. To deny plaintiffs' request for sanctions against defendant and his attorney.

Explanation:

First, plaintiffs' motion to compel further responses was not timely filed, and therefore the court lacks jurisdiction to hear it. Plaintiffs were required to bring their motions to compel within 45 days of service of the responses to the discovery, or by a later date to which the parties agreed in writing, or they waived their right to compel a further response. (Code Civ. Proc., §§ 2030.300, subd. (c); 2031.310, subd. (c); 2033.290, subd. (c).) If the moving party fails to bring a motion to compel within the 45-day deadline, the court no longer has jurisdiction to consider the merits of the motion to compel further responses. (*Standon Co. v. Superior Court* (1990) 225 Cal.App.3d 898, 902; *Lincolnshire Condominium Ltd. v. Superior Court* (1984) 158 Cal.App.3d 524; *Vidal Sassoon, Inc. v. Superior Court* (1983) 147 Cal.App.3d 681.)

Here, defendant served his responses to the interrogatories, requests for production of documents, and requests for admissions on August 5, 2025. Defendant served the responses by first class mail. The parties never agreed in writing to allow plaintiffs to file their motion beyond the 45-day deadline. Thus, even taking into account the five-day extension of time to bring the motion because the responses were served by mail, plaintiffs still had to file their motion no later than 50 days after the responses were served. However, plaintiffs did not file or serve their motion to compel further responses to the requests until September 25, 2025, which was 51 days after the responses were served. As a result, the motion was not timely filed or served, and the court cannot hear the merits of the motion. Instead, it intends to deny the motion for failure to bring it in a timely manner.

In their reply, plaintiffs argue that they did not have to comply with the 45-deadline because the responses are unverified and thus they are tantamount to no response at all. However, while it is true that unverified responses that contain substantive information are invalid if they are not verified, here the responses contained only objections. Responses that consist solely of objections do not have to be verified. For example, under section 2030.250, subd. (a), "The party to whom the interrogatories are directed shall sign the response under oath *unless the response contains only objections.*" (*Italics added.*)

"The attorney for the responding party shall sign any responses that contain an objection." (Code Civ. Proc., § 2030.250, subd. (c).)

Here, the defendant's responses consisted solely of objections, and his attorney signed the responses. Therefore, the responses were valid, and plaintiffs' argument is without merit. Plaintiff was still required to comply with the rules regarding motions to compel further responses, including filing and serving the motion within the 45-day deadline. Since he did not do so, the court must deny the motion.

The motions are also procedurally defective for other reasons, including that plaintiffs did not file a pretrial discovery conference request or obtain leave of court before filing them. (Fresno Sup. Ct. Local Rules, rule 2.1.17.) In addition, plaintiff has not signed the motion or the supporting declaration, so the motion is not properly before the court, and it is not supported by a sworn statement under penalty of perjury. Furthermore, plaintiff has not submitted a separate statement of disputed responses that complies with Rule of Court 3.1345, including reciting each disputed request, the response to each request, and the reasons why a further response should be compelled. Plaintiffs' separate statement is incomplete, as it does not include each disputed request, the response to each request, or the reasons for compelling a further response.

While plaintiffs again argue that they are not required to follow the rules regarding pretrial discovery conferences and separate statements because the responses were unverified and thus were insufficient as a matter of law, plaintiffs' argument is misplaced. The responses consisted solely of objections, so defendant was not required to verify them. If plaintiffs wish to compel further responses to the requests, they must comply with the rules regarding motions to compel further responses. Indeed, plaintiffs did attempt to comply with some of the rules by filing a motion to compel further responses and a separate statement, although the motion and separate statement are deficient.

Furthermore, to the extent that plaintiffs seek an order deeming the requests for admissions to be admitted, the court intends to deny plaintiffs' motion. A motion to deem matters in RFAs to be admitted will only lie where the responding party has failed to serve timely responses to the RFAs. (Code Civ. Proc., § 2033.280, subd. (b).) Here, defendant did serve timely responses, so there is no basis to grant an order deeming the RFAs admitted.

Thus, since plaintiffs' motion is procedurally defective, the court intends to deny it without reaching the merits of plaintiffs' arguments. The court will also deny plaintiffs' request for sanctions against defendant, as the motion to compel will be denied and thus there is no basis for awarding sanctions against defendant.

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** 12/10/2025.
(Judge's initials) (Date)

(47)

Tentative Ruling

Re: ***In Re: Manveer Kaur***
Superior Court Case No. 25CECG05374

Hearing Date: December 16, 2025 (Dept. 503)

Motion: Petition to Compromise the Claim of Manveer Kaur

Tentative Ruling:

To grant petition. Order signed. No appearance necessary. The court sets a status conference for Tuesday, March 10, 2026, at 3:30 p.m., in Department 503, for confirmation of deposit of the minors' funds into the blocked accounts. If Petitioner files the Acknowledgment of Receipt of Order and Funds for Deposit in Blocked Account (MC-356) at least five court days before the hearing, the status conference will come off calendar.

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** 12/15/2025.
(Judge's initials) (Date)

(27)

Tentative Ruling

Re: **Salina Trujillo v. Rosemarie Sanchez / complex / class**
Superior Court Case No. 25CECG03240

Hearing Date: December 16, 2025 (Dept. 503)

Motion: Compel Arbitration

Tentative Ruling:

This motion is taken off calendar as it does not appear from the court's record that moving papers were 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: JS **on** 12/15/2025.
(Judge's initials) (Date)