PLACER COUNTY SUPERIOR COURT
FRIDAY, CIVIL LAW AND MOTION
DEPARTMENT 1
COMMISSIONER CHRISTINE S. DEHR
TENTATIVE RULINGS FOR OCTOBER 23, 2026 AT 8:30 A.M.

These are the tentative rulings for the **FRIDAY, OCTOBER 23, 2026 at 8:30 A.M.**, civil law and motion calendar. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by **4:00 p.m., THURSDAY, OCTOBER 22, 2026**. Notice of request for argument to the court must be made by calling (916) 408-6481. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date and approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.

NOTE: PARTIES MAY REQUEST A REMOTE APPEARANCE FOR ORAL ARGUMENT. (PLACER COURT LOCAL RULE 10.24.) More information is available at the court's website: www.placer.courts.ca.gov**.**

Except as otherwise noted, these tentative rulings are issued by **COMMISSIONER CHRISTINE S. DEHR**. If oral argument is requested, it shall be heard at **8:30 a.m.** in **DEPARTMENT 1** located at the Historic Auburn Courthouse, 101 Maple Street, Auburn, California.

1. M-CV-0098834 LINCOLN 644, L.P. v. SCHUETTE, RYAN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant's Motion to Set Aside Default and Default Judgment

The motion is denied.

Defendant has not made a sufficient showing of mistake, inadvertence, surprise, and/or excusable neglect to support the request. (Code of Civil Procedure section 473(b).)

The stay is dissolved forthwith.

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2. R-SC-0028961 HERNANDEZ, MARICAR v. ZEE, RICHARD

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiffs' Motion to Vacate Dismissal and Restore Case

The motion is denied.

Plaintiffs' have not made a sufficient showing of mistake, inadvertence, surprise, and/or excusable neglect to support the request. (Code of Civil Procedure section 473(b).)

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3. S-CV-0050236 BRUNO, ANTHONY v. GENERAL MOTORS

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Attorneys' Fees, Costs, and Expenses

Ruling on Request for Judicial Notice

Plaintiff's request for judicial notice is denied.

Ruling on Motion

The motion is granted.

The court finds the motion is timely in light of the joint stipulation entered on March 23, 2026 where the parties agreed and the court retained jurisdiction pursuant to Code of Civil Procedure section 664.6 to hear matters related to attorneys' fees and costs. The court awards attorneys' fees in the amount of $7,500.00 pursuant to the Code of Civil Procedure section 998 offer attached to the joint stipulation entered on March 23, 2026.

The court makes no determination regarding costs and expenses in light of the pending motion to tax costs set for hearing on January 8, 2027.

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4. S-CV-0050637 O'CALLAGHAN, KALEEN v. CROFT, ALETA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Petition for Approval of Minor's Compromise as to Kennedy Sparks

The petition is granted as prayed.

If oral argument is requested, the appearance of the minor at the hearing is waived.

Petition for Approval of Minor's Compromise as to Natalie Sparks

The petition is granted as prayed.

If oral argument is requested, the appearance of the minor at the hearing is waived.

OSC re Settlement

The OSC re settlement is continued to June 25, 2027 at 9:00 a.m. in Department 1.

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5. S-CV-0050766 WILLIAMS, VICTORIA v. PHILLIPS, SEAN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Compel Further Responses to Discovery as to Defendant Norris Electric, Inc. and Monetary Sanctions

The appearances of the parties are required for the hearing.

The court notes this matter was set after an informal discovery conference (IDC), however, there was no scheduling of further briefing identified in the minutes or whether a narrowing of issues occurred at the IDC. The parties shall appear to identify what discovery is still outstanding and whether there is an opposition to the pending motion.

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6. S-CV-0050894 KAUR, JASNEET v. SINGH, MALWINDER

This tentative ruling is issued by the Honorable **Trisha J. Hirashima**. If oral argument is requested, it will be heard on **October 27, 2026 at 8:30 a.m. in Department 32** by the Honorable Trisha J. Hirashima. Department 32 is located at 10820 Justice Center Drive, Roseville, California 95820.

Defendant is advised the notice of motion must include notice of the court's tentative ruling procedures. (Local Rule 20.2.3(C).)

Motion for Order Directing Distribution of Additional Sale Proceeds

Defendant Singh moves for an order (1) directing Orange Coast Title Company of Northern California to distribute $6,877.99 in additional proceeds from the sale of the parties' real property to defendant and (2) entering a corresponding supplemental judgment. Plaintiff opposes the motion.

Defendant argues and a review of the court file confirms the court found defendant was entitled to $197,152.58 for his contributions to the property less an offset of $45,000 for a total of $152,152.58. However, the net proceeds from the sale of the real property only amounted to $122,742.77. The court also awarded plaintiff $35,000 and defendant $20,000 for their respective attorneys' fees to be paid from the net proceeds first with the balance to be paid to defendant. Defendant submits evidence that Orange Coast Title Company of Northern California identified an additional $6,877.99 in net sale proceeds that were not on deposit with the court and not before this court when the court entered judgment.

Preliminarily, this motion is not subject to the stay pending appeal pursuant to Code of Civil Procedure section 916(a) because these monies were not part of the court's judgment currently pending appellate review.

Defendant's motion represents defense counsel tried to obtain a stipulation from plaintiff to avoid motion practice but did not hear back. Together with the opposition, plaintiff presents evidence that initially defendant offered to split the proceeds between the parties, plaintiff's counsel responded; and then the next communication was regarding this motion hearing. It does not appear to the court that defendant made a good faith effort to resolve this issue without court intervention. It also appears that defendant's motion presents incomplete information regarding the meet and confer efforts between counsel.

The court on its own motion continues this motion to **November 24, 2026 at 8:30 a.m. in Department 32**. The parties are directed to meet and confer, in good faith, to determine whether the parties may reach an agreement amenable to each of them without further court involvement. The parties are directed to file a joint stipulation by November 10, 2026 describing these meet and confer efforts. No other briefing is permitted.

7. S-CV-0051334 POMEROY, DANIELA v. VERMA, GAUTAM

Defendant Lennar Homes of California, LLC's (1) motion to compel further responses to form interrogatories, set one; (2) motion to compel further responses to special interrogatories, set one; and (3) motion to compel further responses to requests for production of documents, set one are dropped from the calendar in light of the case being set for an informal discovery conference.

An informal discovery conference has been set for December 2, 2026 at 1:00 p.m. in Department 4.

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8. S-CV-0052516 FISHER, CHANELL v. EFREN R. COTA LTD

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Perkins Everclear Pool Service, Inc.'s Motion for Summary Judgment, or in the Alternative, Summary Adjudication

The appearances of the parties are required for the hearing.

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9. S-CV-0053755 KLEIN, HOWARD v. BOHUS, AGENS

Defendant's reserved hearing is dropped from the calendar as no moving papers were filed with the court.

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10. S-CV-0053860 GASCON, HALEY v. SUTTER MEDICAL FOUNDATION

Civil Trial Conference

The appearances of the parties are required for the hearing.

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11. S-CV-0053865 NOOR, MAHE v. CABRERA, MIGUEL

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendants' Motion to Continue Trial, Reopen Discovery, and Extend Pretrial Deadlines

The motion is denied without prejudice.

Defendants have not made a sufficient good cause showing to support a continuance. It is noted that the declaration of Shelley Kramer does not address the six-month delay in bringing the motion after learning of the trial conflict back in April of 2026; does not address the circumstances regarding the purported need for the withdrawal of counsel and substitution of new counsel; does not identify the circumstances preventing defendants from being prepared for the currently set trial date; or why defendants need an additional six months to prepare for trial.

Moreover, defendants have not sufficiently addressed the factors in Code of Civil Procedure section 2024.050(b) regarding their request to reopen discovery and also do not present a sufficient meet and confer declaration as required pursuant to Code of Civil Procedure sections 2024.050(a) and 2016.040. For these reasons, the motion is denied.

Defendants' Motion to Compel Plaintiffs' Attendance at Orthopedic Examinations

The motion is denied.

The motion is procedurally deficient as it fails to include a sufficient meet and confer declaration as required pursuant to Code of Civil Procedure sections 2032.250(a) and 2016.040. Further, plaintiffs' objections to the examination notices were well taken. In light of these deficiencies, the request is denied.

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11. S-CV-0053865 NOOR, MAHE v. CABRERA, MIGUEL

Defendants' Motion for Protective Order and Monetary Sanctions

The motion is granted.

The court finds plaintiffs have designated an oppressively large number of expert witnesses, which warrants the issuance of a protective order. (Code of Civil Procedure section 2034.250.)

Plaintiffs are limited to two non-retained expert witnesses per plaintiff for a total of twelve non-retained expert witnesses.

Monetary sanctions in the amount of $920.00 are imposed upon plaintiffs.

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12. S-CV-0055104 BONDARENKO, IEVGEN v. NELSON, FOREST

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

James McNairy, Esq.; Michael Hopkins, Esq.; and Boutin Jones Inc.'s Motion to be Relieved as Counsel for Cross-Complainant Nelson-Bondarenko Partnership

The unopposed motion is granted.

James McNairy, Esq.; Michael Hopkins, Esq.; and Boutin Jones Inc. shall be relieved as counsel of record for cross-complainant Nelson-Bondarenko Partnership upon the filing of the proof of service of the signed order after hearing showing service on cross-complainant Nelson-Bondarenko Partnership.

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13. S-CV-0055169 NIJAR, SULINDER v. CENTRAL OREGON TRUCKING

The reserved hearing on plaintiff's motion for sanctions is dropped from calendar as no moving papers were filed with the court.

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14. S-CV-0055737 LAFAVE, ISABELLA v. BISHEL, RYAN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

William Brelsford, Jr., Esq.'s Motion to be Relieved as Counsel for Plaintiff Isabella LaFave

The motion is granted.

William Brelsford, Jr., Esq. shall be relieved as counsel of record for plaintiff Isabella LaFave upon the filing of the proof of service of the signed order after hearing showing service on plaintiff Isabella LaFave.

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15. S-CV-0056213 MORA, MICHAEL v. CAVANAUGH, SHANNON

This tentative ruling is issued by the **Honorable Trisha J. Hirashima**. If oral argument is requested, it will be heard on **October 23, 2026 at 1:00 p.m. in Department 32**.

Motion for Leave to File Amended Complaint

Plaintiff Michael Mora moves for leave to file an amended complaint adding four additional causes of action and also adding an additional plaintiff. Defendants oppose the motion.

As a preliminary matter, plaintiff does not demonstrate compliance with Local Rule 20.2.1. The court finds this is not a basis to deny the current motion and will proceed on the merits. However plaintiff's counsel is admonished to comply with the court's Local Rules for all future motions.

The court may permit a party to amend a pleading in the furtherance of justice and on such terms as may be just. (Code Civ. Proc., §§ 473, subd. (a)(1), 576.) Leave to amend is generally exercised liberally provided there is no showing of prejudice to the opposing party. (*Howard v. County of San Diego* (2010) 184 Cal.App.4th 1422, 1428; *Douglas v. Superior Court* (1989) 215 Cal.App.3d 155, 158.) Despite the policy of liberally allowing amendments, whether to grant or deny an amendment is nonetheless "largely within the sound discretion of the trial court" and "its exercise will not be disturbed in the absence of a showing of gross abuse." (*Jew Fun Him v. Occidental Life Ins. Co.* (1948) 88 Cal.App.2d 246, 249.)

Defendants note the motion is procedurally deficient as it is not accompanied by a declaration which states when the facts giving rise to the proposed allegations were discovered. Further, plaintiff's motion seeks to add a new plaintiff, but the motion contains no explanation or reference to this addition.

The motion is granted in part. The court grants plaintiff leave to file an amended complaint alleging the four new causes of action identified in the motion as stated. The apparent request for leave to add an additional plaintiff as to all causes of action is denied without prejudice. Plaintiff is directed to file his amended complaint forthwith.

16. S-CV-0056763 CASTRO, JIMMY v. JANSEN, WILL
S-CV-0056864 ESTATE OF LEONIDAS CASTRO v. JANSEN, WILL

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiffs' Motion to Consolidate Actions

The motion is granted. (Code of Civil Procedure section 1048.)

Placer Court Case Jimmy Castro v. Will Jansen, case no. SCV-56763, is consolidated with Placer Court Case Estate of Leonidas Castro v. Will Jansen, case no. SCV-56864.

Placer Court Case Castro v. Jansen, SCV-56763, shall be the lead case. All future filings shall be in this case.

All future hearing dates in Placer Court Case No. SCV-56864 are vacated.

The case management conference hearing is set for January 12, 2027 at 9:00 a.m. in Department 1 in Placer Court Case No. SCV-56763 shall remain as set.

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17. S-CV-0056889 WELLS FARGO BANK v. BW AUTO DISMANTLERS

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion Deeming Requests for Admissions Admitted as to Defendant Annemarie Buchanan

The motion is granted.

The matters encompassed in plaintiff's requests for admissions, set one, are deemed admitted as to defendant Annemarie Buchanan.

Sanctions in the amount of $860.00 are imposed upon defendant Annemarie Buchanan. (Code of Civil Procedure section 2033.280(c).)

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18. S-CV-0056928 ATWOOD, JOSH v. WARNER, DAVE

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

The reserved hearing on defendant's motion to compel production of documents is dropped from the calendar as no moving papers were filed with the court.

The reserved hearing on defendant's motion to compel special interrogatories is dropped from the calendar as no moving papers were filed with the court.

Defendant Dave Warner's Motion to Compel Responses to Form Interrogatories, Set One; Special Interrogatories, Set One; Request for Production of Documents, Set One; and Monetary Sanctions as to Plaintiff Josh Atwood

The motion is granted.

Plaintiff Josh Atwood shall provide verified responses, without objections, to form interrogatories, set one, by November 6, 2026.

Plaintiff Josh Atwood shall provide verified responses, without objections, to special interrogatories, set one, by November 6, 2026.

Plaintiff Josh Atwood shall provide verified responses and responsive documents, without objections, to request for production of documents, set one, by November 6, 2026.

Sanctions in the amount of $1,660.00 are imposed upon Plaintiff Josh Atwood.

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19. S-CV-0056935 WOOD, DANIEL v. HANDLEY, SARA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Leave to File First Amended Complaint (FAC)

The motion is granted. (Code of Civil Procedure sections 473(a)(1), 576.)

The FAC shall be filed and served by October 30, 2026.

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20. S-CV-0057276 BMO BANK v. BLACK IRIS PROP

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Receiver David Kieffer's Application for Order Authorizing Employment of Buchalter LLP as Receiver's Counsel

The application is granted.

Receiver David Kieffer is authorized to employ Buchalter LLP as counsel of record in this matter and is authorized to pay retained counsel on a monthly basis subject to final approval by the court.

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21. S-CV-0057299 FALLAHI-MARZOONI, KEYAN v. SPARE TIME INDOOR TENNIS INVEST

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Spare Time Indoor Tennis Investors, LLC's Demurrer to the Complaint

Ruling on Request for Judicial Notice

Plaintiff's request for judicial notice is denied.

Ruling on Demurrer

The demurrer is sustained with leave to amend.

A demurrer is reviewed under well-established principles, it tests the legal sufficiency of the pleading, not the truth of the plaintiff's allegations or accuracy of the described conduct. (*Picton v. Anderson Union High School* (1996) 50 Cal.App.4th 726, 733.) All properly pleaded facts are assumed to be true as well as those that are judicially noticeable. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.) The court has carefully read the complaint, giving the pleading a reasonable interpretation while reading the documents as a whole and considering each part in their context. (*Speegle v. Board of Fire Underwriters* (1946) 29 Cal.2d 34, 42, superseded by statute on other grounds in *Manufacturers Life Ins. Co. v. Superior Court* (1995) 10 Cal.4th 257, 269.) A review of the seven causes of action show that each is deficiently pleaded, failing to allege sufficient facts to support any of the challenged claims. (Defendant's demurrer pp. 5:14-6:18, 6:23-6:27, 7:5-8:15, 8:20-9:13, 9:18-10:9, 10:14-11:14, 11:20-11:23; Code of Civil Procedure section 472d.)

The first amended complaint shall be filed and served by November 6, 2026.

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22. S-CV-0057377 EBNER, GREGORY v. FORD MOTOR CO

Defendant Ford Motor Company's Motion to Compel Arbitration and Stay Action

The appearances of the parties are required at the hearing.

The court notes that no opposition has been filed with the court. However, the reply papers indicate defendant received an opposition from plaintiff. The parties are to appear in order for the court to verify the documentation filed in relation to the pending motion.

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23. S-CV-0057469 BONHAM, KATE v. HYUNDAI MOTOR AMERICA

Defendant Hyundai Motor America's Motion to Compel Binding Arbitration

The appearances of the parties are required at the hearing.

The court notes that no opposition or reply papers have been filed with the court. The parties are to appear in order for the court to verify the documentation filed in relation to the pending motion and whether it is opposed.

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24. S-CV-0057979 CAMACHO, EFRAIN v. MARQUES GENERAL ENGINEERING

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 23, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant's Demurrer to the Complaint

As an initial matter, the demurrer is moot as to the tenth cause of action. A dismissal as to the tenth cause of action was entered on October 8, 2026.

As to the remainder of the demurrer, it is sustained with leave to amend.

A demurrer is reviewed under well-established principles, it tests the legal sufficiency of the pleading, not the truth of the plaintiff's allegations or accuracy of the described conduct. (*Picton v. Anderson Union High School* (1996) 50 Cal.App.4th 726, 733.) All properly pleaded facts are assumed to be true as well as those that are judicially noticeable. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.) The court has carefully read the complaint, giving the pleading a reasonable interpretation while reading the documents as a whole and considering each part in their context. (*Speegle v. Board of Fire Underwriters* (1946) 29 Cal.2d 34, 42, superseded by statute on other grounds in *Manufacturers Life Ins. Co. v. Superior Court* (1995) 10 Cal.4th 257, 269.)

A review of the sixth, seventh, eighth, and ninth causes of action shows that each is deficiently pleaded, failing to allege sufficient facts to support any of the challenged claims. (Defendant's demurrer pp. 7:8-8:27, 9:11-28, 10:11-10:27; Code of Civil Procedure section 472d.)

The first amended complaint shall be filed and served by November 6, 2026.

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25. S-CV-0058338 RYAN, RICHARD v. CITY OF ROSEVILLE

This tentative ruling is issued by the **HONORABLE MICHAEL W. JONES**:

The petition for writ of mandate is continued to **NOVEMBER 5, 2026** at **8:30 A.M. IN DEPARTMENT 3** to be heard by **THE HONORABLE MICHAEL W. JONES.**

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