Tentative Rulings for June 22, 2026
Department 3

To request oral argument, you must notify Judicial Secretary Crystal Marias at (760) 904-5722 and inform all other counsel no later than 4:30 p.m.

This court follows California Rules of Court, Rule 3.1308 (a) (1) for tentative rulings (see Riverside Superior Court Local Rule 3316). Tentative Rulings for each law & motion matter are posted on the Internet by 3:00 p.m. on the court day immediately before the hearing at Riverside Superior Court-Tentative Rulings.. If you do not have Internet access, you may obtain the tentative ruling by telephone at (760) 904-5722.

To request oral argument, no later than 4:30 p.m. on the court day before the hearing you must (1) notify the judicial secretary for Department 3 at (760) 904-5722 and (2) inform all other parties of the request and of their need to appear remotely, as stated below. If no request for oral argument is made by 4:30 p.m., the tentative ruling **will become the final ruling** on the matter effective the date of the hearing. **UNLESS OTHERWISE NOTED, THE PREVAILING PARTY IS TO GIVE NOTICE OF THE RULING.**

For information and instructions on remote appearances via **ZOOM**, visit the court's website at Riverside Superior Court-Remote Appearances

You may also make a Telephonic Appearance: On the day of the hearing, call into one of the below listed phone numbers, and input the meeting number (followed by #):

- Call-in Numbers: 1-833-568-8864 (Toll Free), 1-669-254-5252, 1-669-216-1590, 1-551-285-1373 or 1-646-828-7666
- Meeting Number: 161 692 7358

Please **MUTE** your phone until your case is called and it is your turn to speak. It is important to note that you must call fifteen (15) minutes prior to the scheduled hearing time to check in or there may be a delay in your case being heard.

Riverside Superior Court provides official court reporters for hearings on law and motion matters only for litigants who have been granted fee waivers and only upon their timely request. (See General Administrative Order No. 2021-19-1) Other parties desiring a record of the hearing must retain a reporter pro tempore.

1.

CASE #	CASE NAME	HEARING NAME
CVRI2502298	LILES VS SILENT VALLEY CLUB, INC.	MOTION TO COMPEL FURTHER RESPONSES TO DOCUMENT REQUESTS AND REQUEST FOR RELIEF FROM THE INFORMAL DISCOVERY CONFERENCE REQUIREMENT

Tentative Ruling:

Factual/Procedural Context

First Amended Complaint (FAC) & Allegations.

This is an employment discrimination and retaliation case Plaintiff Robin Liles initiated against her employer, Defendant Silent Valley Club, Inc. The FAC alleges Plaintiff is a gay woman, which Defendant's employees and agents knew, to include Tracy Camacho ("Camacho") in Human Resources and Park Director Cindy Slocum ("Slocum"). Defendant, including Slocum, subjected Plaintiff to retaliatory harassment, unequal treatment, setting Plaintiff up to fail, micromanaging, failing to conduct an appropriate and timely investigation in response to her complaints about harassment, discrimination, and retaliation, failing to take corrective action, preferential treatment to other employees, denying Plaintiff other benefits and privileges of employment, and ultimately terminating Plaintiff's employment in August 2024.

The operative FAC, filed January 20, 2026, asserts causes of action for:

(1) FEHA Sexual Orientation, Sex, Gender and Gender Expression/Sex Stereotype Discrimination
(2) FEHA Retaliation
(3) FEHA Failure to Prevent/Remedy Discrimination and/or Retaliation
(4) Violation of California labor Code § 1102.5

An Informal Discovery Conference ("IDC") was held in chambers on April 24, 2026.

Jury Trial is currently scheduled on July 24, 2026.

Motion

Plaintiff asserts she attempted to set up another IDC, but there was no availability until July. (Escalante Decl., ¶11.) Plaintiff requests relief from the IDC requirement given the impending July trial date. As to the merits, Plaintiff moves to compel further responses to her written discovery propounded on March 26, 2026. Plaintiff explains that at the April IDC, the Court agreed that Plaintiff was entitled to

discovery relating to Nikki Rotter ("Rotter"), who was also mistreated by Slocum, Defendant has refused to produce such discovery, i.e., the investigative report and investigation into Slocum's conduct. Plaintiff argues Defendant's privacy objection lacks merit given Rotter and Defendant's representatives already testified to the misconduct. Plaintiff contends the requested discovery directly establishes discriminatory and retaliatory intent and a basis for punitive damages.

In opposition, Defendant argues the entirety of Plaintiff's complaint alleged issues about Slocum's alleged micromanaging, not about discrimination, harassment, or retaliation, making Plaintiff's discovery irrelevant. Defendant asserts Plaintiff seeks records that are protected by the constitutional right to privacy, and Rotter is not a proper "comparator" employee for comparator evidence.

A reply was due on June 12, 2026, but none was found on eCourt as of June 16, 2026.

Analysis

I. Meet and Confer

A motion to compel further responses to an RFP "shall be accompanied by a meet and confer declaration under Section 2016.040." (Code Civ. Proc. § 2031.310, subd. (b)(2.) A meet and confer declaration "shall state facts showing a reasonable and good faith attempt, **either in person, by telephone, or by videoconference**, to informally resolve each issue presented by the motion." (Code Civ. Proc., § 2016.040, subd. (a), emphasis added.) The meet and confer requirement "is designed to encourage the parties to work out their differences informally so as to avoid the necessity for a formal order." (*Townsend v. Superior court* (1998) 61 Cal.App.4th 1431, 1435.) It requires "a serious effort at negotiation and informal resolution," including attempts by counsel "to talk the matter over, compare their views, consult, and deliberate." (*Id.* at 1438-1439.)

Here, the parties complied. (Escalante Decl., ¶¶8, 10.)

II. Standard

Under Code of Civil Procedure 2031.210, subdivision (a), a party to whom a demand for inspection, copying, testing or sampling has been directed shall respond separately to each item or category of item by: (1) a statement that the party will comply with the particular demand; (2) a representation that the party lacks the ability to comply with the demand; (3) or an objection to the particular demand. Code of Civil Procedure section 2031.220 requires the party responding to a demand for documents to state what will be produced and confirm inclusion of all non-objected documents or items in their possession, custody or control.

Upon receipt of discovery responses, the propounding party may move for an order compelling further responses if it deems the responses to be deficient because of objections that are improper or too general or evasive responses. (Code Civ. Proc., § 2031.310.) A party bringing a motion to compel further responses to an RFP must establish "specific facts showing good cause justifying the discovery sought by the demand." (*Id.* at subd. (b)(1).) Once good cause is shown, the burden shifts to the responding party to justify its objection. (*Kirkland v. Superior Court* (2002) 95 Cal.App.4th 92, 98.)

III. Merits

At issue at RFP Nos. 1 & 6 (Set Two), which seeks documents relating to complaints and investigations about Cindy Slocum.

Here, Plaintiff establishes good cause justifying the discovery sought. Contrary to Defendant's claim, the FAC asserts claims for discrimination (sex, gender, gender expression, sexual orientation), retaliation, and failure to prevent in violation of FEHA. (Compl., ¶¶15-16, 22, 32, 38.) Plaintiff alleges she is a gay woman who was subject to discrimination, harassment, and retaliation by Slocum, a straight woman. Plaintiff was ultimately terminated prior to Defendant's completion of investigation into Plaintiff's adverse treatment. Rotter, a straight woman, was subject to comments about her age. Although Rotter complained about being wrongfully terminated by Slocum, Slocum immediately reinstated Rotter. Plaintiff presents evidence that there is a comprehensive 90-page report of Defendant's investigation into Rotter's complaints of wrongful termination that Defendant refuses to produce in response to the RFPs. (Escalante Decl., Exh. A, Hunter Depo., pg. 30:6-18.) Plaintiff argues the discovery sought reflects Defendant treated Plaintiff less favorably despite the fact Rotter engaged in the same protected activity as Plaintiff. (*Id.*, pg. 25:12-20, pg. 32:17-33:10.) Indeed, an investigation into Rotter's complaint was done. Plaintiff asserts the discovery confirms the discriminatory and retaliatory intent and basis for punitive damages in Plaintiff's case.

Defendant's arguments that Plaintiff's RFPs are irrelevant and fail as comparator evidence are thus meritless. Defendant's privacy objection also fails because the requested information is directly relevant to Defendant's disparate treatment of Plaintiff who engages in the same protected activity as Potter, intent, and potential pattern or practice. Thus, the information falls within the broad scope of discovery. While third-party privacy interests may be implicated, those concerns can be adequately addressed through a protective order and appropriate redactions, which Defendant has not availed itself of. Thus, the Court **OVERRULES** Defendant's privacy objections and **GRANTS** Plaintiff's motion.

2.

CASE #	CASE NAME	HEARING NAME
CVRI2505978	A. VS RIVERSIDE UNIFIED SCHOOL DISTRICT	DEMURRER ON COMPLAINT

Tentative Ruling:

This personal injury action arises from Plaintiff I.A.'s ("Plaintiff") allegations of bullying by classmates, Does 91-94, while attending Martin Luther King High School ("MLK"), which is operated by Defendant Riverside Unified School District ("District"). Plaintiff is a minor and brings this action by and through her mother and guardian ad litem, E.A.

Plaintiff alleges that on October 8, 2024, Doe 91 physically assaulted and battered her on MLK's premises during school hours, while others cheered on. Plaintiff alleges that no school employees intervened despite the length of the beating, which allegedly left Plaintiff severely injured. Plaintiff alleges that the beating only stopped when it was interrupted by another student. Plaintiff further alleges that District and Does 1 through 90 ("School Defendants") suspended and victim-blamed her, but subsequently rescinded the suspension.

On October 22, 2025, Plaintiff filed the Complaint against District and Does 1-150, asserting causes of action for: (1) negligence – breach of mandatory duty (against School Defendants only); (2) negligence – hiring, training, supervision, retention of employees (against District only); and (3) battery (against Does 91 through 150 only).

District demurs to the first and second causes of action for negligent breach of mandatory duty and negligent hiring, training, supervision, or retention. Specifically, District argues that the Complaint fails to state sufficient facts to constitute a cause of action, fails to comply with the Government Tort Claims Act, and is duplicative. District concurrently moves to strike the following statement from the Complaint: "Subsequently, in an attempt to distract from the School Defendants' clear negligent supervision of the students, Plaintiff was improperly suspended and victim-blamed by Defendant RUSD staff for the beating. The suspension was subsequently rescinded."

In opposition, Plaintiff argues her complaint alleges sufficient facts to support both causes of action. Plaintiff further contends that the statement regarding School Defendants' motive for suspending her is directly relevant to her claim for negligent hiring, supervision, and retention of employees who mishandled the situation.

In reply, District repeats the arguments in the underlying moving papers.

Analysis

I. Meet and Confer

Code of Civil Procedure sections 430.41 and 435.5 require a meet and confer in person, by telephone, or by videoconference prior to filing a demurrer or motion to strike.

The parties complied. (Eisenberg Decl., ¶ 11-12.)

II. Demurrer

A general demurrer lies where the pleading does not state facts sufficient to constitute a cause of action. (C.C.P. § 430.10(e).) In evaluating a demurrer, the court gives the pleading a reasonable interpretation by reading it as a whole and all of its parts in their context. (*Moore v. Regents of Univ. of Cal.* (1990) 51 Cal.3d 120, 125.) The court assumes the truth of all material facts which have been properly pleaded and of facts which may be inferred from those expressly pleaded. (*Crowley v. Katleman* (1994) 8 Cal.4th 666, 672.) A demurrer, however, does not admit contentions, deductions, or conclusions of fact or law. (*Daar v. Yellow Cab Co.* (1967) 67 Cal.2d 695, 713.) If the complaint fails to state a cause of action, the court must grant the plaintiff leave to amend if there is a reasonable possibility that the defects can be cured by amendment. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.)

As a preliminary matter, District contends that Plaintiff's first and second causes of action are duplicative because they both sound in negligence. However, a cause of action for negligent hiring, supervision, and retention contains additional elements necessary to establish a duty of care. (*See Phillips v. TLC Plumbing, Inc.* (2009) 172 Cal.App.4th 1133, 1142 [holding that two additional elements are necessary for a duty to arise under a cause of action for negligent hiring, supervision and retention: the existence of an employment relationship and foreseeability of injury].) Thus, District's argument fails because Plaintiffs' causes of action are not duplicative.

A. First Cause of Action for Negligence – Breach of Mandatory Duty

The Government Claims Act ("the Act") is a comprehensive statutory scheme that sets forth the liabilities and immunities of public entities and public employees for torts. (*Aubry v. Tri-City Hospital Dist.* (1992) 2 Cal.4th 962, 969, fn. 5.) The Act declares that except as otherwise provided by statute, a public entity is not liable for an injury whether such injury arises out of an act or omission of the public entity or a public employee or any other person. (Gov. Code, §815(a).) Under the Act, liability of a public entity may be direct or derivative. Direct liability is governed by Government Code section 815.6.

Direct liability of a public entity under Government Code section 815.6 provides that liability can be found for violation of a statute that imposes a mandatory duty. (*Bradford v. State of California* (1973) 36 Cal.App.3d 16, 19.) In order to assert a government entity's liability for injuries resulting from the entity's breach of a mandatory duty, a plaintiff must specifically allege liability in his or her complaint, and the plaintiff

must specifically identify the statute or regulation alleged to create a mandatory duty. (*Cerna v. City of Oakland* (2008) 161 Cal.App.4th 1340, 1349.)

Here, Plaintiff alleged that under Ed. Code § 44807, District and School Defendants had a mandatory duty "to hold all students to strict account while on campus at MLK." (Complaint, ¶ 11.) Plaintiff contends that District and School Defendants breached such mandatory duty to supervise students on the MLK campus when they permitted students to engage in extensive bullying of Plaintiff, including a lengthy beating of Plaintiff on MLK grounds during school hours. (Complaint, ¶ 12.) Plaintiff alleged that District is vicariously liable for breaches by its relevant employees and agents. (Complaint, ¶ 13.)

Although District argues that Plaintiff does not specify what its alleged duty was, section 44807 states, in pertinent part: "Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess." Here, Plaintiff has pleaded the language of section 44807 in the Complaint, and further alleged facts to support her allegation. "Pleading in the language of the statute is not objectionable when sufficient facts are alleged to support the allegation." (*See Perkins v. Superior Court* (1981) 117 Cal.App.3d 1, 6-7.) Further, courts have long recognized that a school district may be vicariously liable under Gov. Code § 815.2 for its employees' failure to properly supervise students under Ed. Code § 44807. (*See Dailey v. Los Angeles Unified Sch. Dist.* (1970) 2 Cal.3d 741, 747 [recognizing duty of supervision]; *C.A. v. William S. Hart Union High Sch. Dist.* (2012) 53 Cal.4th 861, 869 ["Ample case authority establishes that school personnel owe students under their supervision a protective duty of ordinary care, for breach of which the school district may be held vicariously liable."]; *Avila v. Citrus Community Coll. Dist.* (2006) 38 Cal.4th 148, 158 ["Public schools have a duty to supervise students . . . ."] [citing Ed. Code § 44807].)

District then argues that Plaintiff fails to specifically identify the District employee(s) who acted or failed to act. Although material facts must be pleaded with particularity to establish statutory public entity liability, it is not necessary to plead the identity of each government employee. (*C.A., supra*, 53 Cal. 4th at 872.) Nevertheless, the Complaint identifies the Principal and Assistant Principal by name. (Complaint, ¶ 7.)

Given the above, Plaintiff has sufficiently alleged a cause of action for negligent breach of mandatory duty against District and School Defendants. As such, the Court **OVERRULES** the demurrer to the **first cause of action for negligent breach of mandatory duty**.

B. Second Cause of Action for Negligence – Hiring, Supervision, Retention of Employees

An employer can be held liable for the negligent hiring, supervising or retention of an unfit employee if the employer knew or should have known that the employee created a particular risk and that particular harm materializes. (*Doe v. Capital Cities* (1996) 50 Cal.App.4th 1038.) The direct liability of an employer for negligent hiring, supervision and training is distinct from the vicarious liability for the negligence of a

public employee under Govt. Code § 815.2[1] and is generally improperly asserted against a public entity without a statutory basis. (*De Villers v. County of San Diego* (2007) 156 Cal.App.4th 238, 252.)

However, claims against school districts based on their direct negligence in hiring and supervising teachers may be pursued. (*C.A., supra,* 53 Cal.4th at 879; *Virginia G. v. ABC Unified School Dist.* (1993) 15 Cal.App.4th 1848, 1855.) This is because "a school district and its employees have a special relationship with the district's pupils, a relationship arising from the mandatory character of school attendance and the comprehensive control over students exercised by school personnel, analogous in many ways to the relationship between parents and their children." (*C.A., supra*, 53 Cal.4th at 869.) If school district employees, including principals and other supervisors, responsible for hiring and/or supervising teachers know or should have known of a teacher's prior misconduct posing a reasonably foreseeable risk of harm to students under the teacher's supervision, the supervisory employees owe a duty to protect students from such harm. (*Id.* at 870.)

To support a claim for Negligent Supervision, Retention, and Hiring, Plaintiff must allege that: (1) District hired a particular employee; (2) that employee was or became unfit or incompetent to perform his or her work; (3) District knew or should have known that the employee's unfitness or incompetence created a particular risk of harm to others; (4) the employee's unfitness or incompetence harmed Plaintiff; and (5) District's negligence in hiring, supervising, or retaining the employee was a substantial factor in causing Plaintiff's harm. (CACI 426).

A plaintiff must show that a person in a supervisorial position over the actor had prior knowledge of the actor's propensity to do the bad act." (*Z.V. v. County of Riverside* (2015) 238 Cal.App.4th 889, 902.) "Negligence liability will be imposed on an employer if it 'knew or should have known that hiring the employee created a particular risk or hazard and that particular harm materializes.'" (*Phillips, supra*, 172 Cal.App.4th at 1139.)

Here, Plaintiff alleges that District hired certain employees and agents who were responsible for preventing misconduct, including bullying and beating; District should have known they were unfit or incompetent to perform that duty as evidenced by the extensive bullying and numerous physical fights and beatings that occurred on the MLK campus before Plaintiff's attack; and Plaintiff was injured as a proximate result of the employees and agents' unfitness and incompetence. (Complaint, ¶ 17-19.) However, the Complaint contains no facts or allegations to support that District knew of the alleged extensive bullying and numerous physical fights and beatings that occurred on the MLK campus prior to the incident, or that such misconduct was attributable to the specific employees or agents' failure to prevent it. Further, the Complaint is devoid of

[1] Govt. Code § 815.2 expressly makes the doctrine of respondeat superior applicable to public employers. (*State of Calif. ex. Rel. Dept. of California Highway Patrol v. Superior Court* (2015) 60 Cal.4th 861, 868; citing *Mary M. v. City of Los Angeles* (1991) 54 Cal.3d 202, 209].) "'A public entity, as the employer, is generally liable for the torts of an employee committed within the scope of employment if the employee is liable.'" (*Thomas v. City of Richmond* (1995) 9 Cal.4thc 1154, 1157].)

any allegations that District's negligence in hiring, supervising, or retaining the employees or agents was a substantial factor in causing Plaintiff's harm, as required to state a claim against District.

Thus, the Court **SUSTAINS** the demurrer to the **second cause of action for negligent hiring, supervision, and retention** for failure to state sufficient facts to constitute a cause of action.

III. Motion to Strike

"Any party, within the time allowed to respond to a pleading may serve and file a notice of motion to strike [a pleading] or any part thereof[.]" (C.C.P. § 435(b)(1).) The Court may, upon a motion, or at any time in its discretion, and upon terms it deems proper, "[s]trike out any irrelevant, false, or improper matter inserted in any pleading." (C.C.P. § 436(a).) "The grounds for a motion to strike shall appear on the face of the challenged pleading or from any matter of which the court is required to take judicial notice." (C.C.P. § 437(a).)

An immaterial or irrelevant allegation is one that "is not essential to the statement of a claim or defense"; "is neither pertinent to nor supported by an otherwise sufficient claim or defense"; or "[a] demand for judgment requesting relief not supported by the allegations of the complaint[.]" (C.C.P. § 431.10(b).) No extrinsic evidence may be considered to determine whether an allegation is false, as any falsity must appear from the face of the pleadings or from matters judicially noticed. (C.C.P. § 437(a).)

District seeks to strike lines 7 through 9 from paragraph 8 of the Complaint, which reads, "Subsequently, in an attempt to distract from the School Defendants' clear negligent supervision of the students, Plaintiff was improperly suspended and victim-blamed by Defendant RUSD staff for the beating. The suspension was subsequently rescinded." District contends that Plaintiff's suspension, revocation, and alleged victim-blaming are not referenced in the first and second causes of action, which only refer to the "bullying and the beating which caused Plaintiff injury." (Motion, p. 3.) Plaintiff argues that the statement is relevant to establish District's employees' negligence in failing to hold other students to strict account for the bullying and beating, and to support whether District was negligent in hiring, supervising, or retaining employees who would mishandle discipline. On a motion to strike, as with a demurrer, the court reads the allegations of the complaint as a whole, and accepts the facts alleged as true. (*Clauson v. Superior Court* (1998) 67 Cal.App.4th 1253, 1255.) Accordingly, although the allegations of the suspension are not included under the first and second causes of action, the Court may nevertheless incorporate them when reading the Complaint as a whole. Further, a motion to strike is not a "procedural line item veto." (*PH II, Inc. v. Superior Court* (1995) 33 Cal.App.4th 1680, 1683.) As such, the Court **DENIES** the motion to strike because the statement at issue is neither irrelevant nor improper.

RULING:

OVERRULE the demurrer to the first cause of action. **SUSTAIN** the demurrer to the second cause of action, and grant Plaintiff 30 days leave to amend. **DENY** the motion to strike in full.

3.

CASE #	CASE NAME	HEARING NAME
CVRI2505978	A. VS RIVERSIDE UNIFIED SCHOOL DISTRICT	MOTION TO STRIKE COMPLAINT

Tentative Ruling: See above