

# Tentative Rulings for January 27, 2025

## Department 4

**To request oral argument, you must notify Judicial Secretary  
Vanessa Siojo 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 <https://www.riverside.courts.ca.gov/OnlineServices/TentativeRulings/tentative-rulings.php>. 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 4 at (760) 904-5722 and (2) inform all other parties of the request and of their need to appear telephonically, 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.**

**COUNSEL AND SELF-REPRESENTED PARTIES ARE ENCOURAGED TO APPEAR AT ANY LAW AND MOTION DEPARTMENT TELEPHONICALLY WHEN REQUESTING ORAL ARGUMENTS.**

**TELEPHONIC APPEARANCES:** 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: **160 533 0910**

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.

For additional information and instructions on telephonic appearances, visit the court's website at <https://www.riverside.courts.ca.gov/PublicNotices/remote-appearances.php>

**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.

|             |   |  |
|-------------|---|--|
| CVRI2302783 | DOMINGO VS RIVERSIDE SUNRISE MOTEL, LLC | MOTION TO COMPEL DEPOSITION OF DANIEL GODO DOMINGO BY RIVERSIDE SUNRISE MOTEL, LLC, HOLIDAY HOSPITALITY FRANCHISING, LLC |
|-------------|---|--|

**Tentative Ruling:**

GRANT

2.

|             |  |  |
|-------------|--|--|
| CVRI2305148 | HAUGEN VS AMERICAN HONDA MOTOR CO., INC., A CALIFORNIA CORPORATION | MOTION TO COMPEL A FURTHER DEPOSITION OF DEFENDANT AMERICAN HONDA MOTOR CO. INC'S PERSON MOST KNOWLEDGEABLE AND PRODUCTION OF DOCUMENTS AND REQUEST FOR SANCTIONS BY MARIAH HAUGEN, VANESSA HAUGEN |
|-------------|--|--|

**Tentative Ruling:**

DENY the motion to compel a further deposition of Defendant Honda's Person Most Knowledgeable (PMK).

GRANT the motion to compel further responses to RFP Nos. 5, 8, 10, 11, 13-22, and 64, with the limitation that the categories only apply to the Steering Defects actually experienced by Plaintiffs.

The PMK was deposed for over 7 hours and answered every question that was propounded to her. (Decl. of Elizabet Rein, Para.6.) Plaintiffs fail to cite to any questions that were asked and not answered or were improperly objected to. Plaintiffs fail to provide copies of the pertinent deposition excerpts. (CCP § 2025.480(a), (h).) Plaintiffs separate statement does not refer to any of the categories for examination or explain why further testimony on any such category is needed. (CRC Rule 3.1345(a)(4).) Plaintiffs do not establish good cause for a further deposition as there are no grounds for compelling a deposition under CCP § 2025.450(a).

As to the RFP's, the discovery sought in RFP Nos. 5, 8, 10, 11, 13-22 and 64 can support Plaintiffs' claims the Defects existed, when Defendant knew about them, and how Defendant dealt with the Defects. However, the Defects will be limited to only the defects actually experienced by Plaintiffs. With that limitation, the information sought in these categories is discoverable under *Donlen v. Ford Motor Co.* (2013) 217 Cal.App.4<sup>th</sup> at 143-144.)

Further responses are due within 30 days.

No Sanctions.

3.

|             |                         |  |
|-------------|-------------------------|--|
| CVRI2405390 | CLARK VS CITY OF CORONA | MOTION (1) FOR DEEMED ADMISSIONS; (2) TO COMPEL RESPONSES TO REQUESTS FOR PRODUCTION AND INTERROGATORIES; AND (3) FOR MONETARY SANCTIONS |
|-------------|-------------------------|--|

**Tentative Ruling:**

GRANT

Matters are deemed admitted.

Plaintiff is ordered to provide code compliant responsive documents and verified responses to the City of Corona's Form Interrogatories, without objection, within 30 days.

Plaintiff and Plaintiff's counsel to pay Sanctions in the sum of \$800 to Defense counsel, within 30 days.

4.

|            |                       |   |
|------------|-----------------------|---|
| RIC1905656 | DE LA TORRE VS HARLIN | MOTION TO SET ASIDE DEFAULT JUDGMENT ON COMPLAINT OF ANDREW DE LA TORRE BY MIKE HARLIN, AMANDA CORONA |
|------------|-----------------------|---|

**Tentative Ruling:**

GRANT

Defendants Harlin and Corona bring this motion to set aside the default judgment entered against them on November 23, 2022, alleging that the judgment was obtained through "extrinsic fraud or mistake" which was only discovered shortly before the motion was filed. Plaintiffs request that the court set aside the default judgment based on the court's inherent equitable authority to do so.

The court has inherent, equitable power to set aside a judgment on the ground of extrinsic fraud or mistake. (*Bae v. T.D. Service Co. of Arizona* (2016) 245 Cal.App4th. 89, 98 ; *Rappleyea v. Campbell* (1994) 8 Cal.4th 975, 984.) There are three essential requirements to obtain relief. The party in default must show a meritorious defense, a satisfactory excuse for not presenting a defense to the original action, and diligence in seeking to set aside the default once it is discovered. (*Rappleyea* at 982.) Here, although Plaintiff has filed a proof of service showing personal service on at least one of the Defendants, the Defendants are adamant that they were never served with the summons and Complaint. A judgment is void if there has not been valid service of summons and may be set aside at any time. (*Calvert v. Al Binal* (2018) 29 Cal.App.5th 954, 960-961; *Rochin v. Pat Johnson Mfg. Co.* (1998) 67 Cal.App.4th 1228,1239.)

The default judgments of November 23, 2022 are set aside.

Defendants Harlin and Corona are ordered to Answer within 20 days.

No Sanctions.