

Tentative Rulings for July 21, 2026 Department 5

**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 5 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: **161 782 8254**

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
CVRI2504066	HEREDIA vs WINGLER	MOTION FOR LEAVE TO AMEND

Tentative Ruling:

The cross-complainants' motion for leave to amend their cross-complaint is denied.

Analysis:

A motion for leave to amend must be accompanied by a declaration and must specify: (1) the effect of the amendment; (2) why the amendment is proper and necessary; (3) when the facts giving rise to the amended allegations were discovered; and (4) the reasons why the amendment was not made earlier. (C.R.C. rule 3.1324(b)(1)-(4).)

The motion is accompanied by the "declaration" of Attorney Michael V. Hesse. That document does not include a signature under penalty of perjury. Only one page of the declaration is provided and, without a signature, it is not a declaration at all.

Even if the declaration had been properly signed, it does not comply with CRC Rule 3.1324. Specifically, the declaration does not explain why the amendment is proper and necessary, when the facts giving rise to the amended allegations were discovered, and why the motion was not filed earlier.

2.

CASE #	CASE NAME	HEARING NAME
CVRI2506478	RIVERA vs MCC PIPELINE, INC.	MOTION TO COMPEL PLAINTIFF ROGELIO RIVERA'S INITIAL RESPONSES TO DEFENDANT'S FORM INTERROGATORIES, SET ONE

Tentative Ruling:

The defendant's unopposed motion to compel initial responses to form interrogatories is granted. Sanctions are imposed in the reduced sum of \$410. The proposed order is signed as modified.

3.

CASE #	CASE NAME	HEARING NAME
CVRI2506478	RIVERA vs MCC PIPELINE, INC.	MOTION TO COMPEL PLAINTIFF ROGELIO RIVERA'S RESPONSES TO DEFENDANT'S SPECIAL INTERROGATORIES, SET ONE

Tentative Ruling:

The Court does not consider the declaration filed with the defendant's reply.

The defendant's motion to compel plaintiff's responses to special interrogatories is granted in part and denied in part. Specifically, the request for an order compelling plaintiff's responses is denied. The request for sanctions is granted in the reduced sum of \$760.

Analysis:

All evidence on which a moving party relies should be submitted with the moving papers. Evidence submitted with a reply is not considered because the opposing party is deprived of the opportunity to respond to it.

The defendant concedes that it has received the plaintiff's responses. Therefore, no order compelling responses is necessary. The only issue is whether sanctions should be imposed.

The plaintiff does not deny that the defendant did not receive responses until after the motion was filed. Therefore, sanctions are appropriate. However, the Court declines to award the amount sought by the defendant. Few motions are as simple to draft as a motion to compel initial discovery responses. Sanctions are reduced to two hours and the filing fee, for a total of \$760.

4.

CASE #	CASE NAME	HEARING NAME
CVRI2506478	RIVERA vs MCC PIPELINE, INC.	MOTION TO COMPEL PLAINTIFF ROGELIO RIVERA'S RESPONSES TO DEFENDANT'S REQUEST FOR PRODUCTION, SET ONE

Tentative Ruling:

The defendant's unopposed motion to compel initial responses to a request for production of documents is granted. Sanctions are imposed in the reduced sum of \$410. The proposed order is signed as modified.