

Tentative Rulings for June 22, 2026 Department 7

**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 7 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: **161 766 6465**

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
CVRI2501758	GILBERT VS FCA US LLC	MOTION TO COMPEL DEFENDANT'S FURTHER RESPONSES TO REQUEST FOR PRODUCTION OF DOCUMENTS NOS. 1, 2, 3, 4, 5, 6, 7, 8, 9,11,12,13,14

Tentative Ruling: Plaintiff's Motion to Compel Further Responses are denied, as to #'s 12 and 14, it is moot; as to the remainder, for failing to meet and confer.

A party may file a motion compelling a further response to RFPs if it finds that a response is inadequate, incomplete, or evasive, or an objection in the response is without merit or too general. (CCP § 2031.310(a).) In a motion to compel a further response as to document requests, the moving party must state facts demonstrating good cause justifying the discovery sought by demonstrating relevance and specific facts justifying discovery. (CCP §2031.310(b)(1); *Kirkland v. Superior Court* (2002) 95 Cal.App.4th 92, 98.) The burden to show good cause for production "is met simply by a fact-specific showing of relevance." (*Tbg Ins. Servs. Corp. v. Superior Court* (2002) 96 Cal.App.4th 443, 448.) Once good cause is established, the responding party has the burden to justify any objections. (*Kirkland, supra*, 25 Cal.App.4th at 98.)

However, before filing a motion to compel a further response to RFPs, the moving party must engage in a reasonable and good faith attempt to resolve informally each issue set forth in the motion and must file an appropriate declaration with the motion. (CCP §§ 2016.040 & 2031.310(b).) The purpose of the meet and confer requirement is to force lawyers to reexamine their positions, and to narrow their discovery disputes to the irreducible minimum, before calling upon the court to resolve the matter. (*Stewart v. Colonial W. Agency, Inc.* (2001) 87 Cal.App.4th 1006, 1016–17.)

Here, Plaintiff served Defendant with her first set of Request for Production of Documents on January 21, 2026. (Declaration of Astrid Souto ("Souto Decl."), ¶5, Ex.1.) On February 24, 2026, Plaintiff received Defendant's e-served verified discovery responses. (Id., ¶6, Ex. 2.)

On March 2, 2026, Plaintiff sent Defendant a meet and confer letter with legal authorities detailing various deficiencies with Defendant's discovery responses, including those at issue in this Motion. Plaintiff asked Defendant to provide further responses to select discovery items that were not responsive and/or incomplete within seven days of the date of the letter and to advise Plaintiff if additional time was needed, which would be agreeable to Plaintiff if Defendant provided a reciprocal extension on Plaintiff's motion filing deadline. (Id. ¶7, Ex. 3.) On March 10, 2026, Plaintiff received Defendant's e-served, verified supplemental discovery responses to Plaintiff's Request for Production of Documents, Set One. However, these supplemental responses only attempted to address the issues regarding Request Nos. 14 and 16. Further, only Request No. 16 was resolved with the serving of Defendant's supplemental responses. (Id., ¶8, Ex. 4.)

On March 11, 2026, Plaintiff's counsel thanked Defendant's counsel for providing the supplemental responses, but informed Defendant's counsel that they do not resolve all the issues raised in Plaintiff's original meet and confer correspondence. Additionally, Plaintiff's counsel stated that she had not received availability for a telephonic meet and confer, nor had she received a meet and confer correspondence from Defendant in response to Plaintiff's original letter sent on March 2, 2026. (Id., ¶9 Ex. 5.) On April 1, 2026, Plaintiff's counsel received a meet and confer correspondence from Defendant's counsel stating that all of Defendant's responses to Plaintiff's requests for production were proper, and that it would not supplement any further responses besides Nos. 14 and 16, which were already supplemented.

After Plaintiff's counsel reiterated her position in writing, once again, for Defendant's counsel via email, the parties' counsel's telephonically met and conferred to discuss Defendant's discovery responses on April 14, 2026. Further, the parties agreed to continue Plaintiff's Motion to Compel Further Responses deadlines to April 17, 2026. On April 14, 2026, the parties met and conferred telephonically, and Defendant stated that it would let Plaintiff's counsel know what responses, if any, it would supplement, and that Plaintiff's Motion to Compel Further Responses deadline would be continued until April 24, 2026.

On March 17, 2026, Defendant stated that it would not supplement any of the Requests for Production of Documents at issue but would supplement some of its responses to Plaintiff's Special Interrogatories and Requests for Admission, Set One. That same day, Plaintiff's counsel asked if Defendant could provide any supplemental responses by April 27, 2026, and if the parties could extend Plaintiff's Motion to Compel Further deadlines to May 6, 2026. Despite multiple follow-ups from Plaintiff's counsel, Defendant failed to respond to this correspondence and has failed to provide any further supplemental discovery responses. (Id. ¶11, Ex. 7, 8.)

Here, as noted in the Opposition, the initial March 2, 2026 meet and confer letter only addressed responses to RFP Nos. 14 and 16. Supplemental responses were served. However, as noted in the Opposition, Plaintiff did not meet and confer as to requests Nos. 1-9 and 15.

2.

CASE #	CASE NAME	HEARING NAME
CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION TO COMPEL ANSWERS TO SPECIAL INTERROGATORIES

CASE #	CASE NAME	HEARING NAME
CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION TO COMPEL ANSWERS TO FORM INTERROGATORIES

CASE #	CASE NAME	HEARING NAME
CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION TO COMPEL RESPONSES TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE

CASE #	CASE NAME	HEARING NAME
CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION TO COMPEL ANSWERS TO FORM INTERROGATORIES

CASE #	CASE NAME	HEARING NAME
CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION FOR ORDER ESTABLISHING ADMISSIONS

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CVRI2503822	ESTEVEZ VS ALVAREZ	MOTION TO COMPEL ANSWERS TO SPECIAL INTERROGATORIES

Tentative Ruling: Plaintiff's Motions to compel are granted. Defendants are ordered to comply with this ruling within 20 days.

On 5/15/26, the court ordered Defendants to submit their verifications. The Defendants have failed to do so.

Code of Civil Procedure sections 2030.290(b) and 2031.300(b) allow the propounding party to file a motion to compel responses to interrogatories and document demands if a response has not been received. If responses are untimely, responding party waives objections. (*Id.* at §§ 2030.290(a), 2031.300(a).)

For requests for admissions, failure to respond permits the propounding party to move for an order deeming the admissions admitted. (*Id.* at § 2033.280.) The court shall grant the motion “unless it finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response...in substantial compliance with Section 2033.220.” (*Id.* at § 2033.280(c).) For requests for admission, they are taken in totality of the proposed response, rather than each individual response. (*St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 782.)

Here however, Defendants' responses are not verified. (Code Civ. Proc. §§ 2030.250, 2031.250, 2033.240.) An unverified response is ineffective as it is the equivalent of providing no response at all. (*Appleton v. Superior Court* (1988) 206 Cal.App.3d 632, 636 (applying to requests for admissions).)

3.

CASE #	CASE NAME	HEARING NAME
CVRI2600010	GEISLER VS UHS-CORONA , INC.	MOTION FOR PREFERENTIAL TRIAL SETTING

Tentative Ruling: Plaintiff's Motion for Preferential Setting is denied.

C.C.P., § 36(a) provides that a party who is over 70 years of age may petition the court for preference, "which the court shall grant if the court makes both of the following findings: (1) The party has a substantial interest in the action as a whole. (2) The health of the party is such that a preference is necessary to prevent prejudicing the party's interest in the litigation." (C.C.P., § 36(a)(1)-(2).)

C.C.P., § 36(d) provides that the court may, in its discretion, grant a motion for preference "accompanied by clear and convincing medical documentation that concludes that one of the parties suffers from an illness or condition raising substantial medical doubt of survival of that party beyond six months, and that satisfies the court that the interests of justice will be served by granting the preference." Under section 36(d), the Court has discretion to grant preference when accompanied by "clear and convincing medical documentation" that concludes a party "suffers from an illness or condition raising substantial medical doubt of survival of that party beyond six months." As the *Fox* court noted, this standard is "more specific and more rigorous" than subdivision (a). (*Fox v. Superior Court* (2018) 21 Cal.App.5th 529, 534.)

The Court is also provided discretion to grant a motion for preference that is supported by a showing that satisfies the court that the interests of justice will be served by granting this preference. (C.C.P., § 36(e).) Upon the granting of a motion for trial preference, "the court shall set the matter for trial not more than 120 days from that date." (C.C.P., § 36(f).)

Here, Plaintiff is 57 years old and thus has not established application of C.C.P., § 36(a) [requiring party to be over 70 years of age]. Moreover, Plaintiff has not submitted clear and convincing medical documentation that she suffers from an illness or condition raising substantial medical doubt of survival beyond six months as required for relief under C.C.P., § 36(d).

Plaintiff submits a declaration in support stating she is 57 years old, permanently disabled since December 31, 2016, suffers from "serious chronic and progressive medical conditions, including chronic heart failure, chronic respiratory failure, COPD, pulmonary fibrosis/interstitial lung disease, pulmonary hypertension and atrial fibrillation," requires continuous oxygen 24 hours/day and experiences recurrent episodes of acute encephalopathy and altered mental status requiring hospitalization approximately once per month. (Geisler Decl., 2:4-10.) She attaches a letter from her treating physician, Dr. Jason A. Black, dated December 12, 2025, who declare: "Geisler suffers from a number of serious health conditions which frequently result in hospitalizations. For this reason, we are requesting that her current legal proceedings be expedited, as her status is likely to worsen over time and we never know when her health will take an unexpected turn." (Geisler Decl., Exh. A.) Although sympathetic to

Plaintiff's circumstances, the court finds that the interests of justice will not be served by granting preference at this juncture. Setting this case for trial 120 days from this date, when no discovery has occurred would not serve the interests of any party.

4.

CASE #	CASE NAME	HEARING NAME
CVRI2601231	THOITS VS OREMOR OF RIVERSIDE GM LLC	DEMURRER ON COMPLAINT

Tentative Ruling: Hearing is continued to 8/24/26.

CCP § 430.41 and § 435.5 require a meet and confer process via phone or in person before filing a demurrer or motion to strike five days before the responsive pleading is due. The meet and confer process requires the moving party to identify the causes of action or allegations subject to attack and the plaintiff must provide legal support for its position. (CCP § 430.41(a)(1), 435.5(a)(1).) The demurring party must file a declaration stating the means by which the parties met and conferred, or the responding party failed to respond or meet and confer in good faith. (CCP § 430.41(a)(3).)

Here, Defendant Mark Christopher Chevrolet asserted that it made an attempt to meet and confer on 5/5/26 by telephone and email, and after it did not receive a response, filed the instant motion. (Kay Decl. ¶ 2). This is insufficient.

The hearing is continued to 8/24/26, Defendant Mark Christopher Chevrolet is ordered to satisfy its obligation to meet and confer in person or by telephone with Plaintiff, the opposing party, pursuant to Code of Civil Procedure section 430.41. After meeting and conferring, the demurring Defendant is ordered to do one of the following at least five days before the continued hearing date:

- (1) vacate the hearing on the demurrer;
- (2) file with the court a declaration that the opposing party has agreed to file an amended pleading before the hearing date; or
- (3) file with the court a declaration explaining how the parties met and conferred, what issues they discussed, and why they could not resolve the issues raised.