

**SUPERIOR COURT, STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA**

**Department 20, Honorable Socrates Peter Manoukian, Presiding**

**Courtroom Clerk: Hien-Trang Tran-Thien**

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"Every case is important" . . . . . "No case is more important than any other." —  
United States District Judge Edward Weinfeld (<https://www.nytimes.com/1988/01/18/obituaries/judge-edward-weinfeld-86-dies-on-us-bench-nearly-4-decades.html>)

"The Opposing Counsel on the Second-Biggest Case of Your Life Will Be the Trial Judge on the  
Biggest Case of Your Life." — Common Wisdom.

As Shakespeare observed, it is not uncommon for legal adversaries to "strive mightily, but eat and  
drink as friends." (Shakespeare, *The Taming of the Shrew*, act I, scene ii.)" (*Gregori v. Bank of  
America* (1989) 207 Cal.App.3d 291, 309.)

Counsel is duty-bound to know the rules of civil procedure. (See *Ten Eyck v. Industrial Forklifts Co.*  
(1989) 216 Cal.App.3d 540, 545.) The rules of civil procedure must apply equally to parties represented  
by counsel and those who forgo attorney representation. (*McClain v. Kissler* (2019) 39 Cal.App.5th 399.)

By Standing Order of this Court, all parties appearing in this Court are expected to comply with the  
Code of Professionalism adopted by the Santa Clara County Bar Association:

<https://www.sccba.com/code-of-professional-conduct/>

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**DATE: Thursday, 01 February 2024**

**TIME: 9:00 A.M.**

**This Department uses Zoom for Law and Motion  
and for Case Management Calendars. Please use the Zoom link below.**

This Court expects all counsel and litigants to comply with the Tentative Rulings Procedures that are  
outlined in Local Civil Rule 8(E) and **California Rules of Court**, rule 3.1308. If the Court has not directed argument,  
oral argument must be permitted only if a party notifies all other parties and the Court at (408) 808-6856 before 4:00  
p.m. on the court day before the hearing of the party's intention to appear. A party must notify all other parties by  
telephone or in person. A failure to timely notify this Court and/or the opposing parties may result in the tentative  
ruling being the final order in the matter.

You may use these links for Case Management Conferences and Trial Setting Conferences without Court permission. Informal  
Discovery Conferences and appearances on Ex Parte applications will be set on Order by the Court.

Join Zoom Meeting  
<https://scu.zoom.us/j/96144427712?pwd=cW1JYmg5dTdsc3NKNFBpSjlEam5xUT09>  
Meeting ID: 961 4442 7712  
[Password: 017350](#)

Join by phone:  
+1 (669) 900-6833  
Meeting ID: 961 4442 7712

One tap mobile  
+16699006833,,961 4442 7712#

## APPEARANCES.

Appearances are usually held on the Zoom virtual platform. However, we are currently allowing in-court appearances as well. If you do intend to appear in person, please advise us when you call to contest the tentative ruling so we can give you current instructions as to how to enter the building. If the doors to the Old Courthouse are locked, please see the deputies at the metal detector next door at 191 North First Street.

Whether appearing in person or on a virtual platform, the usual custom and practices of decorum and attire apply. (See *Jensen v. Superior Court (San Diego)* (1984) 154 Cal.App.3d 533.). Counsel should use good quality equipment and with sufficient bandwidth. Cellphones are very low quality in using a virtual platform. Please use the video function when accessing the Zoom platform. The Court expects to see the faces of the parties appearing on a virtual platform as opposed to listening to a disembodied voice.

For new Rules of Court concerning remote hearings and appearances, please review California **Rules of Court**, rule 3.672.

"A person's name is to him or her the sweetest and most important sound in any language."—Dale Carnegie. All Courts of California celebrate the diversity of the attorneys and the litigants who appear in our Courts. Do not hesitate to correct the Court or Court Staff concerning the pronunciation of any name or how anyone prefers to be addressed. As this Court is fond of saying, "with a name like mine, I try to be careful how I pronounce the names of others." Please inform the Court how you, or if your client is with you, you and your client prefer to be introduced. The Court encourages the use of diacritical marks, multiple surnames and the like for the names of attorneys, litigants and in court papers. You might also try [www.pronouncenames.com](http://www.pronouncenames.com) but that site mispronounces my name.

Please notify this Court immediately if the matter will not be heard on the scheduled date. **California Rules of Court**, rule 3.1304(b). If a party fails to appear at a law and motion hearing without having given notice, this Court may take the matter off calendar, to be reset only upon motion, or may rule on the matter. **California Rules of Court**, rule 3.1304(d). A party may give notice that he or she will not appear at a law and motion hearing and submit the matter without an appearance unless this Court orders otherwise. This Court will rule on the motion as if the party had appeared. California Rules of Court, rule 3.1304(c). Any uncontested matter or matters to which stipulations have been reached can be processed through the Clerk in the usual manner. Please include a proposed order.

**All proposed orders and papers should be submitted to this Department's e-filing queue. Do not send documents to the Department email unless directed to do so.**

While the Court will still allow physical appearances, all litigants are encouraged to use the Zoom platform for Law & Motion appearances and Case Management Conferences. Use of other virtual platform devices will make it difficult for all parties fully to participate in the hearings. Please note the requirement of entering a password (highlighted above.) As for personal appearances, protocols concerning social distancing and facial coverings in compliance with the directives of the Public Health Officer will be enforced. Currently, facemasks are not required in all courthouses. If you appear in person and do wear a mask, it will be helpful if you wear a disposable paper mask while using the courtroom microphones so that your voice will not be muffled.

Individuals who wish to access the Courthouse are advised to bring a plastic bag within which to place any personal items that are to go through the metal detector located at the doorway to the courthouse.

Sign-ins will begin at about 8:30 AM. Court staff will assist you when you sign in. If you are using the Zoom virtual platform, it will be helpful if you "rename" yourself as follows: in the upper right corner of the screen with your name you will see a blue box with three horizontal dots. Click on that and then click on the "rename" feature. You may type your name as: **Line #/name/party**. If you are a member of the public who wishes to view the Zoom session and remain anonymous, you may simply sign in as "Public."

## CIVILITY.

In the 48 years that this Judge has been involved with the legal profession, the discussion of the decline in civility in the legal profession has always been one of the top topics of continuing education classes.

This Court is aware of a study being undertaken led by Justice Brian Currey and involving various lawyer groups to redefine rules of civility. This Judge has told Justice Currey that the lack of civility is due more to the inability or unwillingness of judicial officers to enforce the existing rules.

The parties are forewarned that this Court may consider the imposition of sanctions against the party or attorney who engages in disruptive and discourteous behavior during the pendency of this litigation.

## COURT REPORTERS.

This session will not be recorded. No electronic recordings, video, still photography or audio capture of this live stream is allowed without the expressed, written permission of the Superior Court of California, County of Santa Clara. State and Local Court rules prohibit

photographing or recording of court proceedings whether in the courtroom or while listening on the Public Access Line or other virtual platform, without a Court Order. See Local General Rule 2(A) and 2(B); **California Rules of Court**, rule 1.150.

This Court no longer provides for Court Reporters in civil actions except in limited circumstances. If you wish to arrange for a court reporter, please use Local Form #CV-5100. All reporters are encouraged to work from a remote location. Please inform this Court if any reporter wishes to work in the courtroom. This Court will approve all requests to bring a court reporter. Counsel should meet and confer on the use of a court reporter so that only one reporter appears and serves as the official reporter for that hearing.

#### PROTOCOLS DURING THE HEARINGS.

During the calling of any hearing, this Court has found that the Zoom video platform works very well. But whether using Zoom or any telephone, it is preferable to use a landline if possible. IT IS ABSOLUTELY NECESSARY FOR ALL INDIVIDUALS TO SPEAK SLOWLY. Plaintiff should speak first, followed by any other person. All persons should spell their names for the benefit of Court Staff. Please do not use any hands-free mode if at all possible. Headsets or earbuds of good quality will be of great assistance to minimize feedback and distortion.

The Court will prepare the Final Order unless stated otherwise below or at the hearing. Counsel are to comply with **California Rules of Court**, rule 3.1312.

#### TROUBLESHOOTING TENTATIVE RULINGS.

To access a tentative ruling, move your cursor over the line number, hold down the “Control” key and click. If you see last week’s tentative rulings, you have checked prior to the posting of the current week’s tentative rulings. You will need to either “REFRESH” or “QUIT” your browser and reopen it. Another suggestion is to “clean the cache” of your browser. Finally, you may have to switch browsers. If you fail to do any of these, your browser may pull up old information from old cookies even after the tentative rulings have been posted.

**This Court’s tentative ruling is just that—tentative. Trial courts are not bound by their tentative rulings, which are superseded by the final order. (See *Faulkinbury v. Boyd & Associates, Inc.* (2010) 185 Cal.App.4th 1363, 1374-1375.) The tentative ruling allows a party to focus his or her arguments at a subsequent hearing and to attempt to convince the Court the tentative should or should not become the Court’s final order. (*Cowan v. Krayzman* (2011) 196 Cal.App.4th 907, 917.) If you wish to challenge a tentative ruling, please refer to a specific portion of the tentative ruling to which you disagree.**

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 1	23CV418884	Dung Bui vs Citibank, N.A. et al	<b>Demurrer of Defendant Revestors LLC to Plaintiffs’ First Amended Complaint.</b>  Counsel for plaintiff calendared a motion for leave to withdraw from representing plaintiff but the motion was taken off calendar.  No opposition has been filed.  “Plaintiffs did not oppose the County’s demurrer to this portion of their seventh cause of action and have submitted no argument on the issue in their briefs on appeal. Accordingly, we deem plaintiffs to have abandoned the issue. ([See] <b>Arnold v. Dow Chemical Co.</b> (2001) 91 Cal.App.4th 698, 729.) ( <b>Herzberg v. County of Plumas</b> (2005) 133 Cal.App.4th 1, 20.)”  The demurrer is SUSTAINED with 10 days’ leave to amend.  NO FORMAL TENTATIVE RULING.
LINE 2	23CV418884	Dung Bui vs Citibank, N.A. et al	<b>Demurrer of Defendant Cenlar F.S.B. LLC to Plaintiffs’ First Amended Complaint.</b>  SEE LINE #1
LINE 3	23CV418884	Dung Bui vs Citibank, N.A. et al	<b>Demurrer of Defendant Citibank N.A to Plaintiffs’ First Amended Complaint.</b>  SEE LINE #1

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 4			SEE ATTACHED TENTATIVE RULING.
LINE 5	20CV369138	Chicago Title Company vs 28 Street Villa Apartments, LLC.	<p><b>Motion Of Loida Kirkley And Roygbiv Real Estate Development LLC To Compel The Deposition Subpoenas For Personal Appearance And Production Of Documents And Things Of City Team Ministries And John Scott And Request For Monetary Sanctions.</b></p> <p>This Court has had some concerns about the level of “Meet &amp; Confer” prior to the bringing of this motion.</p> <p>Notwithstanding any concerns that this Court may have, the motion is GRANTED and DENIED as follows: Defendants may take the deposition etc. of Mr. Price’s client. It will constitute the deposition to be utilized in both the Interpleader action and the Roygbiv action.</p> <p>Any request for monetary sanctions is DENIED.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 6	21CV392421	Javier Parra vs General Motors, LLC	<p><b>Motion of Plaintiff to Compel Defendant General Motors LLC to Provide Supplemental Responses to Request for Production of Documents.</b></p> <p>The motion is DENIED based on this Court’s belief that the “Meet &amp; Confer” was insufficient. Additionally, defendant credibly asserts that the previous responses were satisfactory.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 7	21CV392421	Javier Parra vs General Motors, LLC	<p><b>Motion of Plaintiff to Compel Defendant General Motors LLC to Provide Supplemental Responses to Special Interrogatories, No. 14 and 42.</b></p> <p>The motion is DENIED based on this Court’s belief that the “Meet &amp; Confer” was insufficient. Additionally, defendant credibly asserts that the previous responses were satisfactory.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 8	22CV393229	First Street Holdings, LLC; et al. vs Ronald Werner	<p><b>Motion of Plaintiffs to Compel Defendant to Compel Defendant Timothy Bumb to Provide Further Responses to and Compliance with Subpoenas.</b></p> <p>This Court has inquired of counsel about resetting this motion to an Informal Discovery Conference at a 2:00 PM or later time slot on 05 February through 08 February 2024</p> <p>NO FORMAL TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 9	22CV397119	Sutter's Place, Inc. vs Bayshore Development, LLC	<p><b>Motion of Plaintiffs to Compel Defendant to Compel Defendant Timothy Bumb to Provide Further Responses to and Compliance with Subpoenas For Testimony and Documents.</b></p> <p>This Court has inquired of counsel about resetting this motion to an Informal Discovery Conference at a 2:00 PM or later time slot on 05 February through 08 February 2024</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 10	23CV410778	Octavia Green vs Kaiser Foundation Hospitals	<p><b>Motion Of Defendant To Compel Plaintiff To Sign Authorizations For Release Of Medical Records And Request For Monetary Sanctions.</b></p> <p>Plaintiff filed this case alleging that she was suffered discrimination at the hands of defendant for her purported disability. She alleges as a result of said discrimination, she suffered physical pain and emotional suffering, including stress, depression, anxiety, and fatigue.</p> <p>This Court notes that defendant it's withdrawing its motion without prejudice on</p> <p>The Motion is GRANTED and DENIED as follows: Plaintiff has clearly tendered her mental and emotional condition as an issue to this lawsuit. While plaintiff does have a privacy interest in her medical records, defendant also has a right to fully explore the nature and extent of injuries claimed by the plaintiff. Therefore, any physician-patient privilege and psycho-patient privilege has been waived.</p> <p>Within 20 days of the filing and service of this Order, plaintiff is ordered to sign consent forms authorizing her medical providers to release the relevant medical records save for any health care provider as withdrawn by defendant. (<i>Code of Civil Procedure</i>, § 1987.1; <i>Miranda v. 21st Century Ins. Co.</i> (2004) 117 Cal.App.4th 913, 919; <i>Coats v. K-Mart Corp.</i> (1989) 215 Cal.App.3d 961, 965; <i>Little v. Superior Court</i> (1968) 260 Cal. App. 2d 311, 313-314.)</p> <p>Any request for monetary sanctions is DENIED.</p> <p>This Court will set a Trial Setting Conference on 17 September 2024 at 11:00 AM in Department 20.</p> <p>NO FORMAL TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 11	23CV415410	Tillie Good vs Hong's Gourmet, Inc.	<p><b>Motion of Plaintiff To Quash or Modify Defendants Subpoenas.</b></p> <p>The motion is DENIED.</p> <p>Defendant declares that medical records it was able to obtain suggest that plaintiff has a partial medical history of fibromyalgia, back disorder, rheumatology etc. While plaintiff does have a privacy interest in her medical records, defendant also has a right to fully explore the nature and extent of injuries claimed by the plaintiff.</p> <p>The request of plaintiff for monetary sanctions is DENIED.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 12	23CV423786	Holly Ramírez; Roberto Ramírez vs General Motors LLC; Gill Motors Inc.	<p><b>Motion of Plaintiffs to Compel Deposition of Defendants General Motors LLC's Person Most Knowledgeable, Produce Records, and Request for Monetary Sanctions.</b></p> <p>The motion is GRANTED and DENIED as follows: Defendant General Motors LLC is to produce a Person Most Knowledgeable on the topics listed in plaintiffs' deposition notice concerning the specific Chevrolet Silverado in question. Defendant does not need to produce any documents that it has previously produced as long as those documents can be properly identified. The deposition is to take place within 45 days of the filing and service of this order</p> <p>The request of plaintiffs for monetary sanctions is DENIED</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 13	23CV427076	Tricia Mockler, DDS, Inc.; vs Cupertino Dental Group Partnership	<p><b>Motion of Defendants to Compel Arbitration.</b></p> <p>Plaintiffs' action seeks only injunctive relief and specific performance per <b>Code of Civil Procedure</b>, § 1281.8.</p> <p>On 11 December 2023, this Court (Judge Arand) granted plaintiffs' request for a TRO and ordered defendants to show cause why a Preliminary Injunction should not be issued on the same terms as the TRO. In response, defendants contend that a Preliminary Injunction would be moot, that plaintiffs are unlikely to succeed on the merits of their claims, and that plaintiffs will not suffer irreparable harm because the relief she seeks sounds in damages.</p> <p><b>Code of Civil Procedure</b>, § 1281.8 specifically allows for claims of this type to be litigated in a court notwithstanding any arbitration provision. (See <b>Woolley v. Embassy Suites, Inc.</b> (1991) 227 Cal.App.3d 1520, 1527; <b>Jay Bharat Developers, Inc. v. Minidis</b> (2008) 167 Cal.App.4th 437, 446.)</p> <p>This Court does not believe that the motion to compel arbitration is moot, although this Court will not rule out the possibility that this case could end up in arbitration nonetheless.</p> <p>The motion of defendants to compel arbitration is DENIED WITHOUT PREJUDICE following any ruling on plaintiffs' application for preliminary injunction and specific performance.</p> <p>NO FORMAL TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 14	16CV295730	Cyrus Hazari vs Mandy Brady	<p><b>Petition of Dagmar Horvath to Determine Validity of Third-Party Claim.</b></p> <p>The claim is DENIED. This Court places great weight on the declarations provided by the Declarations of Julian Pardo De Zela in Support of Mandy J. Brady's Opposition to Petition to Determine Validity of Third Party Claim.</p> <p>Further, this Court will not consider any papers filed by Mr. Hazari as he is a vexatious litigant subject to a prefiling order with which he has not complied.</p> <p>In connection with this motion, this Court is asked to rule on evidentiary objections. There is no legal basis requiring a court to rule on an evidentiary objection made in connection with a motion other than one for summary judgment or an anti-SLAPP motion. This Court believes there is none, and therefore this Court will decline to do so.</p> <p>In <i>Reid v. Google, Inc.</i> (2010) 50 Cal.4<sup>th</sup> 512, the California Supreme Court recognized that rulings must be made on evidentiary objections in summary judgment motions and on anti-SLAPP motions. That court also recognized that it has become a common practice for litigants to flood trial courts with inconsequential written evidentiary objections, without focusing on those that are critical.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 15	17CV306132	Rosa Landaverde vs Quiznos of Sunnyvale et al.	<p><b>Motion of Southwest Legal Group, Anthony Lopez, Jr., Esq. and Marie Ballon To Withdraw As Counsel for Plaintiff.</b></p> <p>Counsel for plaintiff seek to withdraw as counsel due to a breakdown of the attorney-client relationship. Communication between client and counsel has deteriorated due to an irreconcilable breakdown of the attorney-client relationship (<i>Estate of Falco v. Decker</i> (1987) 188 Cal.App.3d 1004, 1014.) Therefore, counsel is filing this motion to withdraw as counsel. Counsel alleges that his client will not be prejudiced by the withdrawal.</p> <p>The motion to be relieved as counsel is GRANTED. The Order will take effect upon the filing and service of the executed order of this Court and an order that is written on Form MC-053 and that otherwise complies with California <b>Rules of Court</b>, rule 3.1362(e). Counsel should add the next court dates (Further Case Management Conference currently set for 07 May 2024 at 10:00 AM in Department 20 on ¶ 8 pf the proposed order and submit it to this Department via the Clerk's efilg queue.</p> <p>NO FORMAL TENTATIVE RULING.</p>



LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 16	18CV338400	Fanny Ma vs Fernando Ma; Leslie Hoekstra	<p><b>Motion Of Defendants Order To Dismiss This Action Pursuant To Code Of Civil Procedure, § 583.110 et seq.</b></p> <p>Plaintiff did not file opposition to this motion. “A failure to oppose a motion may be deemed a consent to the granting of the motion.” (California <b>Rules of Court</b>, rule 8.54(c)(pertaining to appellate Rules)] and leads to the presumption that there are no meritorious arguments. “Moreover, appellants had ample opportunity to present their arguments and excuses to the trial court. Instead, they failed to file opposition to the motion to compel or the dismissal motion, leading the trial court and us to presume they had no meritorious arguments. (<b>Hammond Packing Co. v. Arkansas</b> (1909) 212 U.S. 322 [53 L.Ed. 530, 29 S.Ct. 370].)” (<b>Laguna Auto Body v. Farmers Ins. Exchange</b> (1991) 231 Cal.App.3d 481, 489.)</p> <p>The Court has reviewed the merits of the motion and has determined that it is well taken.</p> <p>The motion is GRANTED. The action is DISMISSED. Counsel for defendants is to prepare an appropriate judgment and submit it to this Department via the e-filing queue.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 17	19CV344014	Jeffrey Klawiter; Mary Klawiter vs Ford Motor Company.	<p><b>Motion Of Plaintiffs For Reconsideration Of This Court’s Order Of 26 October 2020 Granting The Motion Of Defendant Ford Motor Company To Compel Arbitration And Stay Action.</b></p> <p>The motion is emphatically DENIED.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 18	20CV374808	City of San José vs William Garbett	<p><b>Motion of Receiver to Deposit Remaining Funds with the Court etc.</b></p> <p>The motion is GRANTED. The Receiver is to prepare a formal order and submit it to this Department via the e-filing queue.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 19	21CV376675	Nieves Cadoas vs Arellano and Ibrahim, LLC d.b.a. Ambrosia Home; Helen Ibrahim and related cross-complaint.	<p><b>Motion Of Defendant/Cross-Complainant For A Protective Order.</b></p> <p>This matter should have resolved without the necessity of coming to Court.</p> <p>The request to continue the deposition for 21 days to locate additional documents is GRANTED. However, this Court would have expected that pertinent documents would have been assembled a long time ago as this case is now over two years old.</p> <p>NO FORMAL TENTATIVE RULING.</p>



LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 20	21CV390050	Holt-Pacific Associates vs Subway Real Estate, LLC; Doctor's Associates, Inc.; Letap Group, LLC; Chirayu Patel	<p><b>Motion of Plaintiff for Sanctions against Defendants Letap Group, LLC; Chirayu Patel for Failure to Comply With This Court's Order of 10 October 2023.</b></p> <p>Defendants have failed to comply with this Court's Order of 10 October 2023 by failing to produce Code-compliant responses by the deadline of 06 November 2023. (Graves Dec., ¶ 21.) The Patel Defendants did not produce amended responses to the Discovery Requests until 17 January 2024. This date, as noted by counsel for plaintiff, was more than a month after the current motion was filed, 70 days after the Order's deadline, and over 14 months from when the discovery requests in question were initially propounded upon the defendants.</p> <p>The substitution of counsel took place on 25 October 2023, over three months ago. This Court would have hoped that any confusion about what was intended by this Court's lawful discovery order should have been cleared up by now.</p> <p>The Court is not inclined to grant the request for sanctions beyond monetary sanctions at this point. The motion for sanctions is GRANTED as follows: in addition to the sums awarded in this Court's order, defendants are to pay an additional \$6000.00 in sanctions to counsel for plaintiff and provide code compliant responses to the discovery requests within 20 days of the filing and service of this Order.</p> <p>NO FORMAL TENTATIVE RULING</p>
LINE 21	21CV390996	Aaron Klein vs Matthew Lowell Klein and related cross-complaint	<p><b>Motion of Plaintiff to Bifurcate Trial.</b></p> <p>Plaintiff seeks an order bifurcating equitable issues from legal issues in this case. The single cause of action in the complaint is for partition of certain residential property, an equitable cause of action.</p> <p>Defendant filed a cross-complaint alleging breach of contract, breach of the implied covenant of good faith, quasi-contract, specific performance, and declaratory relief. The first two causes of action are legal in nature. The last three causes of action are equitable in nature.</p> <p>This Court normally defers such a motion to the trial judge. However, given the approaching trial date, this Court determines that the bulk of the actions are equitable in nature and can be tried before and paneling the jury on any legal issues.</p> <p>The motion of plaintiff to bifurcate trial is GRANTED.</p> <p>NO FORMAL TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 22	22CV406437	Seamless Contacts, Inc. vs Daniel DiBlasi	<b>Motion of Plaintiff to Vacate Judgment.</b> The motion is not opposed. Plaintiff indicates that the parties have agreed to settle the sister-state action giving rise to this judgment. The motion is GRANTED. The matter will be given a dismissal review That date of 28 March 2024 at 10:00 AM in Department 20. That date will go off calendar when plaintiff files a dismissal of this action. NO FORMAL TENTATIVE RULING.
LINE 23	23CV410259	John Doe vs Gelareh Homayounfar	<b>Motion of Plaintiff for Reconsideration of Defendant's Special Motion to Strike Portions of the Complaint.</b> Good cause appearing, the matter is CONTINUED to Thursday, 29 February 2024 at 9:00 AM in Department 20. NO FORMAL TENTATIVE RULING.
LINE 24	23CV410259	John Doe vs Gelareh Homayounfar	<b>Motion of Defendant for Attorneys Fees As the Prevailing Party Following a Special Motion to Strike.</b> Good cause appearing, the matter is CONTINUED to Thursday, 29 February 2024 at 9:00 AM in Department 20. NO FORMAL TENTATIVE RULING.
LINE 25	23CV414711	Araceli Galaviz vs José Angel Díaz	<b>Motion of Defendant for Leave to File Cross-Complaint.</b> VACATED by stipulation. The Case Management Conference currently set for 05 March 2024 at 10:00 AM in Department 20 shall REMAIN AS SET. NO FORMAL TENTATIVE RULING.
LINE 26			SEE ATTACHED TENTATIVE RULING.
LINE 27			SEE ATTACHED TENTATIVE RULING.
LINE 28			SEE ATTACHED TENTATIVE RULING.
LINE 29			SEE ATTACHED TENTATIVE RULING.
LINE 30			SEE ATTACHED TENTATIVE RULING.

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