

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

Department 20, Honorable Socrates Peter Manoukian, Presiding

Courtroom Clerk: Hien-Trang Tran-Thien

191 North First Street, San Jose, CA 95113

Telephone: 408.882.2320

Department20@scscourt.org

"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, 26 October 2023

TIME: 9:00 A.M.

**Please note that for the indefinite future, all hearings will be conducted remotely as the Old
Courthouse will be closed. This Department prefers that litigants use Zoom for Law and
Motion and for Case Management Calendars. Please use the Zoom link below.**

"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 but that site mispronounces my name.

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.

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.

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.

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	23CV410545	David Martin vs. Google, LLC; City of Sacramento; City of West Sacramento; José A. Ramírez; Emalee Ousley.	Motion of Defendant City of West Sacramento for Change of Venue. The motion of City of West Sacramento for change of venue is GRANTED. ATTACHED TENTATIVE RULING.
LINE 2	23CV410545	David Martin vs. Google, LLC; City of Sacramento; City of West Sacramento; José A. Ramírez; Emalee Ousley.	Demurrer of Defendant Emalee Ousley To Plaintiff’s Complaint. The demurrer of Emalee Ousely is SUSTAINED with 20 days leave to amend beginning on the date that the transfer to Yolo County is completed. SEE ATTACHED TENTATIVE RULING.
LINE 3	23CV410545	David Martin vs. Google, LLC; City of Sacramento; City of West Sacramento; José A. Ramírez; Emalee Ousley.	Case Management Conference. The case will be placed on this Department’s Dismissal Review Calendar on 14 March 2024 at 10:00 in this Department. SEE ATTACHED TENTATIVE RULING.

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 4	21CV391459	Donald Hubman v. General Motors LLC	<p>Continued from 24 August 2023. The tentative ruling for the hearing was posted as follows: "This Court has some concerns about the way the "meet and confer" was conducted in this case.</p> <p>Did plaintiff make a pre-suit repurchase to General Motors regarding the subject vehicle?</p> <p>Should this matter go to trial, what witnesses will defendant produce to testify that that there was or was not a "defect" in the automobile?</p> <p>Should this matter go to trial what witnesses will defendant produce to testify that it met its obligations under the lemon law statutes?</p> <p>NO TENTATIVE RULING. The parties are to use the Tentative Ruling Protocol to advise this Court if they wish to appear to argue the merits or submit on the papers presented."</p> <p>The parties were to meet and confer and agree on a couple of afternoons three weeks from that date for an Informal Discovery Conference.</p> <p>NO TENTATIVE RULING.</p>
LINE 5	22CV401195	Silverio Tamayo Camaal v. Ford Motor Co.	<p>Motion of Plaintiff to Compel Defendant to Produce Further Responses to Plaintiff's Request for Production of Documents, Set Two.</p> <p>A conditional notice of settlement was filed on 04 October 2023. The matter is currently set for dismissal review on 14 December 2023 at 10:00 AM in this Department.</p> <p>OFF CALENDAR WITHOUT PREJUDICE.</p>
LINE 6	22CV401535	Andres Echeverri v. Scott Randall Lee; et al.	<p>Motion of Plaintiff to Compel County of Santa Clara to Produce the Person Most Knowledgeable etc. and Request for Monetary Sanctions.</p> <p>NO TENTATIVE RULING. The parties should use the Tentative Ruling Protocol to advise this Court if they wish to submit on the papers presented or appear and argue the merits of the motion.SEE ATTACHED TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 7	23CV412725	Demetrius Smith v, Volkswagen Group of America, Inc.	<p>Motion of Defendant to Compel Plaintiff to Provide Further Responses to Special Interrogatories, Set One, and for Monetary Sanctions.</p> <p>The motion of defendant to compel plaintiff to provide further responses to the request for admissions, special interrogatories, and request for production of documents, sets one, is GRANTED in its entirety. Plaintiff is to provide code-compliant responses without objection except as to previous assertions of work product and attorney-client privilege, and as to those matters support the objection with an appropriate privilege log. Further responses are due within 20 days of the filing and service of this order.</p> <p>The Court will award to the defendant the sum of \$3000.00 for costs and fees incurred in making all three motions. Sanctions are payable within 20 days of the filing and service of this order.</p> <p>SEE ATTACHED TENTATIVE RULING.</p>
LINE 8	23CV412725	Demetrius Smith v, Volkswagen Group of America, Inc.	<p>Motion of Defendant to Compel Plaintiff to Provide Further Responses to Requests for Admissions, Set One, and for Monetary Sanctions.</p> <p>SEE LINE #7.</p>
LINE 9	23CV412725	Demetrius Smith v, Volkswagen Group of America, Inc.	<p>Motion of Defendant to Compel Plaintiff to Provide Further Responses to Requests for Production of Documents, Set One, and for Monetary Sanctions.</p> <p>SEE LINE #7.</p>
LINE 10	21CV390614	JPMorgan Chase Bank N.A. v. Debbie Avalos	<p>Motion of Cody R. Lejeune, Esq. to Withdraw As Counsel for Defendant Debbie Avalos.</p> <p>Counsel declares that the client made the decision to discontinue services. Therefore, defense counsel is filing this motion to withdraw as counsel. Mr. Lejeune alleges that defendant will not be prejudiced by the withdrawing of defense counsel.</p> <p>The motion to be relieved as counsel for defendant 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 Rules of Court, rule 3.1362(e). Counsel should add the next court dates on ¶ 8 pf the proposed order and submit it to this Department via the Clerk's efilng queue.</p> <p>NO FORMAL TENTATIVE RULING.</p>

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 11	22CV393337	Tamela Helms v. Michael Bettencourt, et al. and related cross-complaint	<p>Motion of Timothy Pupach, Esq. to Withdraw As Counsel for Plaintiff Tamela Helms.</p> <p>Counsel declares that the client has failed to maintain communication with his office. Therefore, counsel for plaintiff is filing this motion to withdraw as counsel. Mr. Pupach alleges that defendant will not be prejudiced by the withdrawing of defense counsel.</p> <p>The motion to be relieved as counsel for plaintiff 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 Rules of Court, rule 3.1362(e). Counsel should add the next court dates on ¶ 8 pf the proposed order and submit it to this Department via the Clerk's efilng queue.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 12	23CV410545	David Martin vs. Google, LLC; City of Sacramento; City of West Sacramento; José A. Ramírez; Emalee Ousley.	<p>Further Case Management Conference.</p> <p>The case will be placed on this Department's Dismissal Review Calendar on 14 March 2024 at 10:00 in this Department.</p> <p>SEE ATTACHED TENTATIVE RULING.</p>
LINE 13	22CV397079	Kadie Robertson v. County Of Santa Clara	<p>Motion of Plaintiff to Compel Defendant to Provide Further Responses to Special Interrogatories.</p> <p>The motion of plaintiff to compel defendant to provide further responses to special interrogatory number one is DENIED. The request of defendant County of Santa Clara for monetary sanctions is DENIED as plaintiff acted with substantial justification</p> <p>SEE ATTACHED TENTATIVE RULING.</p>
LINE 14	22CV397079	Kadie Robertson v. County Of Santa Clara	<p>Case Management Conference.</p> <p>The matter will be set for a trial setting conference on 27 February 2024 at 11:00 AM in Department 20. The parties should meet and confer and agree upon a trial date 6 to 7 months after that date.</p> <p>NO FORMAL TENTATIVE RULING.</p>
LINE 15			SEE ATTACHED TENTATIVE RULING.
LINE 16	21CV387110	Michael Meredith v. Donald Williams	<p>Motion to Annul the Illegal Removal of Defendant; Annul the Election of the Del Medio HOA Directors and Officers; Appointment of Receiver.</p> <p>NO TENTATIVE RULING. The parties are to appear at 3:00 PM via the Zoom virtual platform and argue the matter on the merits.</p>
LINE 17			SEE ATTACHED TENTATIVE RULING.
LINE 18			SEE ATTACHED TENTATIVE RULING.
LINE 19			SEE ATTACHED TENTATIVE RULING.

LINE #	CASE #	CASE TITLE	TENTATIVE RULING
LINE 20			SEE ATTACHED TENTATIVE RULING.
LINE 21			SEE ATTACHED TENTATIVE RULING.
LINE 22			SEE ATTACHED TENTATIVE RULING.
LINE 23			SEE ATTACHED TENTATIVE RULING.
LINE 24			SEE ATTACHED TENTATIVE RULING.
LINE 25			SEE ATTACHED 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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**SUPERIOR COURT, STATE OF CALIFORNIA
COUNTY OF SANTA CLARA
DEPARTMENT 20**

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smanoukian@scscourt.org
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(For Clerk's Use Only)

CASE NO.: 22CV397079

Kadie Robertson v. County Of Santa Clara

DATE: 26 October 2023

TIME: 9:00 am

LINE NUMBER: 13, 14

This matter will be heard by the Honorable Judge Socrates Peter Manoukian in Department 20 in the Old Courthouse, 2nd Floor, 161 North First Street, San Jose. Any party opposing the tentative ruling must call Department 20 at 408.808.6856 and the opposing party no later than 4:00 PM on 26 October 2023. Please specify the issue to be contested when calling the Court and Counsel.

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**Order on Motion of Plaintiff to Compel Defendant to
Provide Further Responses to Special Interrogatories;
Case Management Conference.**

I. Statement of Facts.

The complaint in this action was filed on 12 April 2022.

Plaintiff is an employee of Defendant County of 16 years duration. She claims that she was placed on long-term leaves and not provided accommodations during her employment and due to her disability. Accommodations were available, but not provided. Plaintiff was discriminated against and retaliated against for her disability and her accommodations requests.

She asserts claims for failure to provide reasonable accommodations, failure to engage in the good-faith interactive process, discrimination based on disability, retaliation and failure to prevent discrimination and retaliation from occurring, all in violation of the Fair Employment and Housing Act, by failing to look at literally thousands of accommodation options, many of which would have been appropriate.

She claims that the county took too long on two occasions to provide her with a reassignment to a new position as an accommodation, even though suitable positions were available.

Plaintiff seeks general damages for emotional distress and economic damages in the amount of approximately \$125,000.00.

II. Motion to Compel Further Responses to Interrogatories.

Plaintiff concedes that she has the burden of proving that an accommodating position was available for which she was qualified and could perform the essential functions of the position. (See, e.g., **Green v. State of California** (2007) 42 Cal.4th 254: the burden of proving that a reasonable accommodation was available is on Plaintiff.) She must show that there were positions within her "transfer band" for which she met minimum qualifications and for which she could perform the essential functions, with or without accommodation.

Special Interrogatory number one asks: "IDENTIFY all County positions that were vacant during the period August 2019 through December 2021 that Plaintiff was qualified to perform and that met Plaintiff's work restrictions. (In this context, IDENTIFY means to state the job title, department, and date the position was open.)"

Defendant answered the special interrogatory as follows:

"Plaintiff was qualified to perform the following positions and they met her work restrictions:

- Eligibility Worker III, Continuing Benefits Unit, Social Services Agency: As of December 9, 2019, the position was open. Plaintiff rejected this position.

- Paralegal, Office of the Public Defender: As of March 2, 2020, the position was open. This position was offered to Plaintiff, and she accepted it. However, she was unable to pass her probationary period.

- Associate Management Analyst: As of February 13, 2020, the position was open. This position was eliminated due to a contract with the California Department of Corrections and Rehabilitation being eliminated.

Paralegal, Office of the County Counsel: As of May 18, 2021, the position was open. Plaintiff rejected this position.

- Eligibility Worker II, Social Services Agency: As of May 25, 2021, the position was open. Plaintiff rejected this position.

- Paralegal, Office of the District Attorney: As of July 16, 2021, the position was open. Plaintiff was offered this position, and she accepted it. However, she did not pass her background check.

- Eligibility Worker II, Social Services Agency: As of September 29, 2021, the position was open. Plaintiff rejected this position.

- Associate Management Analyst, Probation Department: As of October 7, 2021, the position was open. Plaintiff rejected this position.

- Eligibility Worker III (Intake), Social Services Agency: As of November 16, 2021, the position was open. Plaintiff was offered this position and accepted it.

III. Analysis.

Interrogatories may be propounded upon an adverse party in an attempt to seek relevant information. (**Code of Civil Procedure**, § 2017.010.) Absent an extension granted by counsel, a party must respond to interrogatories within 30 days. (**Code of Civil Procedure**, § 2030.260.)

An objection can constitute a response. (See **Korea Data Systems Co. v. Superior Court** (1997) 51 Cal.App.4th 1513, 1516.) A party who fails to timely respond to form interrogatories waives any objections unless the Court determines that the party substantially complied or the failure to serve responses was the result of mistake, inadvertence or excusable neglect. (**Code of Civil Procedure**, § 2030.290(a).)

A party may seek a motion to compel when the adverse party fails to respond to the interrogatories in a timely fashion. (**Code of Civil Procedure**, § 2030.290(b).)

Code of Civil Procedure, § 2030.210(a) requires a responding party to respond "separately to each interrogatory." This section requires a party responding to interrogatories to provide either an answer containing the information sought [**Code of Civil Procedure**, § 2030.210(a)(1)], an exercise of the party's option to produce writings from which the answer can be ascertained [**Code of Civil Procedure**, § 2030.210(a)(2)]; or an objection to the particular interrogatory [**Code of Civil Procedure**, § 2030.210(a)(3).]

Accordingly, a party generally may not respond to interrogatories simply by asserting its inability to respond (**Sinaiko Healthcare Consulting, Inc. v. Pacific Healthcare Consultants** (2007) 148 Cal. App. 4th 390, 406.)

The responding party must give an answer to each interrogatory that is as complete and straightforward as possible. (***Scheidig v. Dinwiddie Constr. Co.***(1999) 69 Cal.App.4th 64, 76.)

The responding party must state it made a reasonable and good-faith effort to obtain the requested information from other individuals and organizations. (***Code of Civil Procedure***, § 2030.220(c).) The response should describe the party's good faith attempts to obtain the information.

The response of the County to special interrogatory number one was preceded by a full-page of objections and qualifications of various flavors. The County alleges that plaintiff's objection lacked merit. Plaintiff's objection does not lack merit.

Objections must be tailored to each discovery request. (***Scottsdale Ins. Co. v. Superior Court*** (1997) 59 Cal.App.4th 263, 275; ***Standon Co. v. Superior Court*** (1990) 225 Cal.App.3d 898, 901 (construing the objection of "vague, ambiguous, and unintelligible" as a "nuisance" objection, and not as an attempt to justify a complete failure to comply; refusing to produce on this ground would be subject to sanction); ***Korea Data Systems Co. v. Superior Court*** (4th Dist. 1997) 51 Cal.App.4th 1513, 1516 (boilerplate objections are sanctionable where the code calls for more specific responses).)

Notwithstanding the unnecessary objections, the response by the County seems to be full and complete. Plaintiff offers no reason to the contrary.

The motion of plaintiff to compel defendant to provide further responses to special interrogatory number one is DENIED. The request of defendant County of Santa Clara for monetary sanctions is DENIED as plaintiff acted with substantial justification.

IV. Tentative Ruling.

The tentative ruling was duly posted.

V. Case Management.

Does the County of Santa Clara take issue with this court advancing the case management conference to this date? (Memorandum of Points & Authorities in Opposition, lines 12-17.)

The matter will be set for a trial setting conference on 27 February 2024 at 11:00 AM in Department 20. The parties should meet and confer and agree upon a trial date 6 to 7 months after that date.

VI. Order.

The motion of plaintiff to compel defendant to provide further responses to special interrogatory number one is DENIED. The request of defendant County of Santa Clara for monetary sanctions is DENIED as plaintiff acted with substantial justification.

DATED:

HON. SOCRATES PETER MANOUKIAN
Judge of the Superior Court
County of Santa Clara

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