

Friday, February 7, 2020

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TO REQUEST A HEARING ON ANY MATTER ON THIS CALENDAR, YOU MUST CALL THE COURT AT (209) 257-2692 BY 4:00 P.M. ON THE DAY PRECEDING THE HEARING. NOTICE OF THE INTENTION TO APPEAR MUST ALSO BE GIVEN TO ALL OTHER PARTIES.

IF THE CLERK IS NOT NOTIFIED OF A PARTY'S INTENTION TO APPEAR, THERE WILL BE NO HEARING AND THE TENTATIVE RULING WILL BECOME THE ORDER OF THE COURT. NO FURTHER NOTICE OF THE COURT'S RULING WILL BE PROVIDED.

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17-CVC-10162 PRASAD, DEVI VS. CALIFORNIA DEPARTMENT OF TRANSPORTATION A GOVERNME

**CIVIL MISCELLANEOUS MOTION - PLAINTIFF**

TENTATIVE RULING:

No appearances necessary.

Judge Robert F. Moody has been assigned for all purposes. Court shall send formal notice of assignment to parties.

On the courts own motion, the following motions currently scheduled for February 7, 2020 are continued to March 5, 2020 at 8:30 a.m. in Department 3:

- 1) Plaintiff's Motion to Compel Deposition of Defendant California Department of Transportation's Person Most Qualified re History of Centerline Rumble Strips filed December 4, 2019;
- 2) Plaintiff's Motion to Compel Deposition of Defendant California Department of Transportation's Person Most Qualified re Roadway Departure Safety Implementation Program and Centerline Rumble Strips and Further Production of Documents filed December 4, 2019;
- 3) Plaintiff's Motion to Compel Deposition of Defendant California Department of Transportation's Custodian of Records and Production of Documents filed December 6, 2019;
- 4) Plaintiff's Motion to Compel Attendance at Deposition of Eric Rossetter and Production of Documents filed January 10, 2020;
- 5) Plaintiff's Motion to Compel Attendance at Deposition of Ronald Nelson and Production of Documents filed January 10, 2020.

On the court's own motion, the following motions currently scheduled for March 2, 2020 are continued to March 5, 2020 at 8:30 a.m. in Department 3:

- 1) Plaintiff's Motion to Compel Further Responses by California Department of Transportation to Plaintiff's Request for Admissions (Set Two) filed January 28, 2020;
- 2) Plaintiff's Motion to Compel Further Responses and Further Production of Documents by California Department of Transportation to Plaintiff's Request for Production of Documents (Set Two) filed January 28, 2020;
- 3) Plaintiff's Motion to Compel Further Responses by California Department of Transportation to Plaintiff's Form Interrogatories (Set Two) filed January 28, 2020;
- 4) Plaintiff's Motion to Compel Further Responses and Further Production of Documents by California Department of Transportation to Plaintiff's Request for Production of Documents (Set Three) filed January 28, 2020;
- 5) Plaintiff's Motion to Compel Further Responses and Further Production of Documents by California Department of Transportation to Plaintiff's Request for Production of Documents (Set Four) filed January 28, 2020.

The court intends to continue Defendant's Motion for Summary Judgment currently calendared for March 6, 2020 at 11:00 a.m. and Defendant's Motion for Judgment on the Pleadings currently calendared for March 13, 2020 at 11:00 a.m. Parties are to meet and confer, prior to March 5, 2020, regarding scheduling future dates for these hearings

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19-CVC-11080 JUDSON, ERIC VS. SALERNO, GIOVANNI

**CIVIL DISCOVERY MOTION - DEFENDANTS**

TENTATIVE RULING:

Defendant Sutter Amador Hospital's unopposed Motion to Compel Plaintiff's Responses to Form Interrogatories, Set One, and Special Interrogatories, Set One, and to Deem all Objections Waived is GRANTED.

A motion to compel is proper where a party to whom interrogatories are directed fails to timely serve responses to those interrogatories. (CCP § 2030.290(b).) The propounding party may move for an order compelling responses and for monetary sanctions against the non-answering party. (Sinaiko v. Healthcare Consulting, Inc. v. Pacific Healthcare Consultants (2007) 148 Cal.App.4th 390, 404.) Where there has been no response to interrogatories, there is no meet and confer obligation prior to filing a motion to compel responses. The party who fails to respond waives any right to object. (CCP § 2030.290(a).) Plaintiff is ordered to serve verified responses to Form Interrogatories, Set One, and Special Interrogatories, Set One, without objection, within ten (10) days.

Unless a hearing is requested, this ruling is effective immediately. Neither further notice of the ruling nor a formal order per CRC 3.1312 is required.