

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

Law and Motion Calendar
HONORABLE SUSAN GREENBERG
Department 3

400 County Center, Redwood City
Courtroom 2B

Thursday, July 12, 2018

NOTICE TO ALL COUNSEL

Until further order of the Court, no endorsed-filed "courtesy copy" of pleadings is required to be provided to the Law and Motion Department.

IF YOU **INTEND TO APPEAR** ON ANY CASE ON THIS CALENDAR, YOU MUST DO THE FOLLOWING:

1. YOU MUST CALL (650) 261-5019 BEFORE 4:00 P.M. TO INFORM THE COURT OF YOUR INTENT TO APPEAR.
2. You must give notice before 4:00 P.M. to all parties of your intent to appear pursuant to California Rules of Court 3.1308(a)(1).

Failure to do both items 1 and 2 will result in no oral presentation.

Notifying CourtCall with your intent to appear is not an alternative to notifying the court.

All Counsel are reminded to comply with California Rule of Court 3.1110. The Court will expect all exhibits to be tabbed accordingly.

Case

Title / Nature of Case

9:00

LINE: 1

17-CIV-02304 ALISON JAGHAB VS. IRLANDA N. FUENTES-PEREZ, ET AL.

ALISON JAGHAB
IRLANDA N. FUENTES-PEREZ

DAVID M. MCKIM
STEPHEN B. HEATH

MOTION TO QUASH
TENTATIVE RULING:

The Motion of Plaintiff Alison Jaghab (“Plaintiff”) to Quash or Limit Subpoena of Plaintiff’s Medical Records is GRANTED. It is not clear that this motion is moot as claimed by Defendant Irlanda N. Fuentes-Perez (“Defendant”) since Defendant’s counsel’s office asked the subpoena service to “hold off on this order until the court rules on the motion to quash....” (See Reply Decl. of David M. McKim, Exh. A.) Accordingly, the court ORDERS that the subpoenas for Plaintiff’s Kaiser records seeking production on March 6, 2018 are hereby QUASHED.

Plaintiff’s request for monetary sanctions is GRANTED in the amount of \$1,470, payable by Defendant and Defendant’s counsel on or before August 13, 2018.

Defendant’s request for monetary sanctions is DENIED.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.

9:00

LINE: 2

17-CIV-02304 ALISON JAGHAB VS. IRLANDA N. FUENTES-PEREZ, ET AL.

ALISON JAGHAB
IRLANDA N. FUENTES-PEREZ

DAVID M. MCKIM
STEPHEN B. HEATH

MOTION FOR ORDER

TENTATIVE RULING:

The Motion of Plaintiff Alison Jaghab (“Plaintiff”) for Order Compelling Defendant Irlanda Fuentes-Perez (“Defendant”) to Attend Deposition is GRANTED. Defendant is ordered to appear for deposition on or before August 17, 2018.

Both Plaintiff’s and Defendant’s Requests for Monetary Sanctions are DENIED.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.

9:00

LINE: 3

17-CIV-02953 JOSE MORENO, ET AL. VS. ESTELA MORENO, ET AL.

JOSE MORENO
ESTELA MORENO

RENE ALEJANDRO ORTEGA

MOTION FOR ISSUE AND MONETARY SANCTION

TENTATIVE RULING:

Plaintiffs' request for sanctions is denied.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.

9:00

LINE: 4

17-CIV-04633 MARIELLEN BAKER, TRUSTEE OF THE BLACK OAK TRUST DATED
MARCH 11, 1995 VS. KRAIG R. KAST, ET AL.

MARIELLEN BAKER
KRAIG R. KAST

RICHARD W. LUND

HEARING ON DEMURRER
TENTATIVE RULING:

This hearing is continued to July 30, 2018 at 9 am in the Law and Motion Department.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.

9:00

LINE: 5

18-CIV-00846 MATTHEW SQUIRES, ET AL. VS. R.C. WEHMEYER CONSTRUCTION, INC., ET
AL.

MATTHEW SQUIRES
R.C. WEHMEYER CONSTRUCTION, INC.

MICHAEL MENGARELLI
BRIAN W. NEWCOMB

MOTION TO COMPEL

TENTATIVE RULING:

The parties are to appear July 19, 2018 at 10:30 am in Dept. 3 for a Discovery Conference.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.

9:00

LINE: 6

18-CIV-00846 MATTHEW SQUIRES, ET AL. VS. R.C. WEHMEYER CONSTRUCTION, INC., ET
AL.

MATTHEW SQUIRES
R.C. WEHMEYER CONSTRUCTION, INC.

MICHAEL MENGARELLI
BRIAN W. NEWCOMB

MOTION TO COMPEL

TENTATIVE RULING:

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LINE: 7

18-CIV-00846 MATTHEW SQUIRES, ET AL. VS. R.C. WEHMEYER CONSTRUCTION,
INC., ET AL.

MATTHEW SQUIRES
R.C. WEHMEYER CONSTRUCTION, INC.

MICHAEL MENGARELLI
BRIAN W. NEWCOMB

MOTION TO COMPEL

TENTATIVE RULING:

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9:00

LINE: 8

18-CIV-01456 ETI LEVI-BARKAI VS. LEWIS BREAD COMPANY, LLC, ET AL.

ETI LEVI-BARKAI
LEWIS BREAD COMPANY, LLC

HEE J. KIM
RAVIV NETZAH

HEARING ON DEMURRER

TENTATIVE RULING:

The demurring party failed to file a declaration, as required by CCP §430.41(a)(3), showing that the parties met and conferred, in person or by telephone, for the purpose of determining whether an agreement could be reached to resolve the objections to be raised in the demurrer. The declaration of Raviv Netzah states only that he wrote a meet and confer letter to plaintiff's counsel. Consequently, the hearing on the demurrer is continued to August 10, 2018 at 9:00 a.m. in the Law and Motion Department so that the parties may meet and confer. The demurring party is required to file, no later than 7 days prior to the new hearing date, a code-compliant declaration stating either (1) the parties have met and conferred and (a) the parties have resolved the objections raised in the demurrer, which shall be taken off calendar or (b) the parties did not reach an agreement resolving the objections raised in the demurrer or (2) the party who filed the pleading subject to demurrer failed to respond to the meet and confer request or otherwise failed to meet and confer in good faith. If the parties fail to file and serve the declaration demonstrating compliance with the requirements of Section 430.41, the demurrer will be stricken as procedurally improper.

9:00

LINE: 9

18-UDL-00533 MP SOUTH CITY, LP VS. VELVET JEAN CHANEY, ET AL.

MP SOUTH CITY, LP
VELVET JEAN CHANEY

LAURIE LI
JENNIFER LANTZ

HEARING ON DEMURRER

TENTATIVE RULING:

This hearing is dropped from calendar. A First Amended Complaint was filed 6-29-18.

If the tentative ruling is uncontested, it shall become the order of the Court, pursuant to Rule 3.1308(a)(1), adopted by Local Rule 3.10, effective immediately, and no formal order pursuant to Rule 3.1312 or any other notice is required as the tentative ruling affords sufficient notice to the parties.



POSTED: 3:00 PM