

**PLACER COUNTY SUPERIOR COURT
FRIDAY, CIVIL LAW AND MOTION
DEPARTMENT 1
COMMISSIONER CHRISTINE S. DEHR
TENTATIVE RULINGS FOR OCTOBER 9, 2026 AT 8:30 A.M.**

These are the tentative rulings for the **FRIDAY, OCTOBER 9, 2026 at 8:30 A.M.**, civil law and motion calendar. The tentative ruling will be the court's final ruling unless notice of appearance and request for oral argument are given to all parties and the court by **4:00 p.m., THURSDAY, OCTOBER 8, 2026**. Notice of request for argument to the court must be made by calling (916) 408-6481. Requests for oral argument made by any other method will not be accepted. Prevailing parties are required to submit orders after hearing to the court within 10 court days of the scheduled hearing date and approval as to form by opposing counsel. Court reporters are not provided by the court. Parties may provide a court reporter at their own expense.

NOTE: PARTIES MAY REQUEST A REMOTE APPEARANCE FOR ORAL ARGUMENT. (PLACER COURT LOCAL RULE 10.24.) More information is available at the court's website: www.placer.courts.ca.gov.

Except as otherwise noted, these tentative rulings are issued by **COMMISSIONER CHRISTINE S. DEHR**. If oral argument is requested, it shall be heard at **8:30 a.m.** in **DEPARTMENT 1** located at the Historic Auburn Courthouse, 101 Maple Street, Auburn, California.

1. M-CV-0085996 WELLS FARGO BANK v. RODRIGUEZ, CARLOS

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Summary Judgment

The appearances of the parties are required for the hearing.

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2. M-CV-0088899 PORTFOLIO RECOVERY ASSO v. ROUNDTREE, TERESA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Vacate Dismissal and Enter Judgment

Ruling on Request for Judicial Notice

The request for judicial notice is granted pursuant to Evidence Code section 452.

Ruling on Motion

The motion is granted. (Code of Civil Procedure section 664.6.)

The dismissal entered on February 18, 2025 is set aside.

Judgment in the amount of \$5,900.43 is entered against defendant Teresa Roundtree, which includes the principal amount of \$6,254.82 less credits of \$733.00 plus costs of \$378.61.

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3. M-CV-0091527 BANK OF AMERICA v. MURITALA, ASSEM

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Vacate Dismissal and Enter Judgment

Ruling on Request for Judicial Notice

The request for judicial notice is granted pursuant to Evidence Code section 452.

Ruling on Motion

The motion is granted. (Code of Civil Procedure section 664.6.)

The dismissal entered on August 12, 2025 is set aside.

Judgment in the amount of \$2,502.00 is entered against defendant Assem Muritala, which includes the principal amount of \$4,781.19 less credits of \$2,657.80 plus costs of \$378.61.

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4. M-CV-0098619 MOHAJERANI, NILOUFAR v. MARKS, RICHIE

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Defendant's Demurrer to the Complaint

The demurrer is overruled.

A demurrer tests the legal sufficiency of the pleadings, not the truth of the plaintiff's allegations or accuracy of the described conduct. (*Picton v. Anderson Union High School* (1996) 50 Cal.App.4th 726, 733.) As such, all properly pled facts are assumed to be true as well as those that are judicially noticeable. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318; *Gomes v. Countrywide Home Loans, Inc.* (2011) 192 Cal.App.4th 1149, 1153.) The allegations in the complaint, when read as a whole, are sufficient to support the unlawful detainer cause of action.

Defendant shall file and serve the answer or general denial by October 14, 2026. (Code of Civil Procedure section 1167.3.)

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5. M-CV-0098666 MERCY HOUSING CA 99 LP v. JOHNSTON, KATHLEEN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant's Application for Stay of Execution

The request is denied.

There is no proof of service in the file showing plaintiff was served with the current request. Defendant has also not made a sufficient showing to support an extension of the stay.

The stay is dissolved forthwith.

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6. M-CV-0098977 KORENKO, KIRK v. HOOD, DAVE

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Defendants' Demurrer to the Complaint

The demurrer is sustained with leave to amend.

A demurrer is reviewed under well-established principles, it tests the legal sufficiency of the pleading, not the truth of the plaintiff's allegations or accuracy of the described conduct. (*Picton v. Anderson Union High School* (1996) 50 Cal.App.4th 726, 733.) All properly pleaded facts are assumed to be true as well as those that are judicially noticeable. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318.) The court has carefully read the complaint, giving the pleading a reasonable interpretation while reading the documents as a whole and considering each part in their context. (*Speegle v. Board of Fire Underwriters* (1946) 29 Cal.2d 34, 42, superseded by statute on other grounds in *Manufacturers Life Ins. Co. v. Superior Court* (1995) 10 Cal.4th 257, 269.) A review of the unlawful detainer claim shows it is deficiently pleaded, failing to allege sufficient facts to support the single cause of action for unlawful detainer. (Defendant's demurrer pp. 11:10-28, 12:3-22, 12:25-13:17, 13:21-14:13, 17:20-18:10, 18:13-19:7; Code of Civil Procedure section 472d.)

The first amended complaint shall be filed and served by October 17, 2026.

Defendant's Motion to Strike the Complaint

The motion to strike is granted with leave to amend.

A motion to strike challenges language in the pleading that is improper, irrelevant, or are not drawn in conformity with the law. (Code of Civil Procedure sections 436, 437.) A review of the complaint shows that the allegations, even when read as a whole and giving them the most liberal construction, are deficiently pleaded. Plaintiff does not allege sufficient facts to support the requests for damages or attorney's fees.

The first amended complaint shall be filed and served by October 17, 2026.

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7. M-CV-0098987 JAGANMOHAN, JAHAN v. GEORGE, SHIRLEY

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Defendant's Demurrer to the Complaint

The demurrer is overruled.

A demurrer tests the legal sufficiency of the pleadings, not the truth of the plaintiff's allegations or accuracy of the described conduct. (*Picton v. Anderson Union High School* (1996) 50 Cal.App.4th 726, 733.) As such, all properly pled facts are assumed to be true as well as those that are judicially noticeable. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318; *Gomes v. Countrywide Home Loans, Inc.* (2011) 192 Cal.App.4th 1149, 1153.) The allegations in the complaint, when read as a whole, are sufficient to support the unlawful detainer cause of action.

Defendant shall file and serve the answer or general denial by October 14, 2026. (Code of Civil Procedure section 1167.3.)

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8. **S-CV-0046749** **GLOVIN BUILDING VISIONARIES v. NEVADA IRRIGATION DIST**

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Tax Costs

The motion is granted.

The cost memorandum filed on August 5, 2026 is taxed in the amount of \$7,988.74.

Defendant Nevada Irrigation District is awarded \$4,855.43 in costs.

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9. S-CV-0048817 ARREOLA, MILCA v. R&B QUALITY TREE CARE

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Leave to File First Amended Complaint

The motion is granted. (Code of Civil Procedure section 473(a).)

The first amended complaint (FAC) shall be filed and served by October 19, 2026.

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10. S-CV-0049615 VARGAS, ANTHONY v. JESSEN, PAUL

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion to Compel Further Responses to Written Discovery

The motion is denied.

Defendants' objections and responses are well-taken. Plaintiff has not made a sufficient showing to support compelling further responses to the proffered discovery.

Sanctions in this instance are mandatory where a party unsuccessfully makes a motion to compel further responses to written discovery. (Code of Civil Procedure sections 2030.300(d), 2031.310(h), 2033.290(d).

Sanctions in the amount of \$1,850.00 are imposed upon plaintiff Anthony Vargas.

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11. S-CV-0050397 JAMES, DEBBIE v. OSBORN, GLEN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiffs' Motion for Substitution of Personal Representative

The unopposed motion is granted. (Code of Civil Procedure section 377.41.)

Personal representative Baisha Claxton for the Estate of Glen Osborn is substituted in for deceased defendant Glen Osborn.

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12. S-CV-0052434 GALVAN, MARIA v. LAWTON CONST & RESTORATION

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Case Management Conference

The case management conference is continued to **FRIDAY, JANUARY 8, 2027 AT 8:30 A.M. IN DEPARTMENT 1.**

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13. S-CV-0053115 STEPHENS, BROOKE v. FORD MOTOR CO

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Motion for Attorneys' Fees and Costs

Ruling on Request for Judicial Notice

Defendant's request for judicial notice is granted pursuant to Evidence Code section 452.

Ruling on Motion

The motion is granted.

In the current request, plaintiff seeks \$38,310.00 in attorneys' fees and \$1,444.05 in costs as the prevailing party after the parties executed a settlement agreement and release and pursuant to Civil Code section 1794(d). The court has carefully considered the number of hours expended by counsel along with the current hourly rates for comparable work within Placer County in the year 2026 and awards \$33,865.00 broken down as follows:

NAME	RATE	HOURS	TOTAL
Christopher Urner	\$425/hr	8.2	\$ 3,485.00
Jorge Acosta	\$400/hr	60.5	\$24,200.00
Alexandra Sloan	\$350/hr	1.5	\$ 525.00
Paralegal Mary Zazueta	\$150/hr	37.7	\$ 5,655.00
TOTAL		107.9	\$33,865.00

The court has also carefully reviewed the cost memorandum and finds that costs to be reasonable.

In sum, the motion is granted. Plaintiff is awarded \$33,865.00 in attorneys' fees and \$1,444.05 in costs.

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14. S-CV-0053138 WRIGHT, TERRANCE v. PLACER CO SHERIFF'S DEPT

Defendants' motion for protective order is dropped from the calendar. A notice of settlement of entire case was filed on July 30, 2026.

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15. S-CV-0053326 AA FIRE SYSTEMS v. SHILES, AARON

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Defendant Aaron Shiles' Motion to Quash Deposition Subpoena for Production of Business Records and for Protective Order

The motion is granted in part.

The motion to quash is granted. Plaintiff is required to obtain affirmative consent for the release of any of defendant's telephone records. (Code of Civil Procedure section 1985.3(f); Public Utilities Code section 2891.) Plaintiff did not obtain such consent here and the court does not have the authority to order a party to sign a release regarding such records where the Civil Discovery Act does not provide for such relief. (see e.g. *Cruz v. Superior Court* (2004) 121 Cal.App.4th 646, 650.)

The deposition subpoena issued on May 6, 2026 as to third party Verizon Wireless is quashed.

The request for protective order is denied.

The request for costs is denied.

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16. S-CV-0054337 AMEX v. MONTBLEAU, RICHARD

The reserved hearing on plaintiff's motion for judgment on the pleadings is dropped from the calendar as no moving papers were filed with the court.

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17. S-CV-0054698 ROSS, RILEY v. CITY OF LINCOLN

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 8:30 A.M. in DEPARTMENT 1.

Defendant City of Lincoln's Demurrer to the Second Amended Complaint (SAC)

The appearances of the parties are required for the hearing.

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18. S-CV-0054976 PATINO, SABINO v. ERICKSON FRAMING CA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Erickson Framing CA LLC's Motion for Summary Judgment, or in the Alternative, Summary Adjudication

The appearances of the parties are required at the hearing.

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19. S-CV-0055707 IRPO BORTMAS, KELSEY

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Petition for Approval of Minor's Compromise as to Wyatt Bortmas

The appearance of the petitioner is required at the hearing.

The appearance of the minor at the hearing is waived.

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20. S-CV-0056677 RASMUSSEN, CASEY v. BURNS, CHRISTA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Motion to Disqualify James A. Filippi, II and Filippi Law Firm, P.C. as Counsel of Record for Plaintiff and Cross-Defendant Casey Rasmussen

The appearances of the parties are required for the hearing.

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21. S-CV-0056689 PRAHM, NICOLE v. POP MART AMERICAS

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Pop Mart Americas, Inc.'s Motion to Compel Arbitration, Dismiss Class Claims and Stay Proceedings

The appearances of the parties are required at the hearing.

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22. S-CV-0056748 THOMAS, RYAN v. HEIN, AMY

Defendant's demurrer to the complaint is dropped from the calendar. A first amended complaint was filed on September 28, 2026.

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23. S-CV-0057267 JOSEPH, ANN v. BMW OF NA

The reserved hearing on plaintiff's motion to compel is dropped from the calendar as no moving papers were filed with the court.

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24. S-CV-0057268 SCHAFER, MARTIN v. FCA US

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Plaintiff's Demurrer to the Amended Answer

The demurrer is overruled.

A review of the allegations within the amended answer, when read as a whole, are sufficient to allege the denials and affirmative defenses alleged in the pleading.

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**25. S-CV-0057345 L&S FRAMING v. CA OCCUPATIONAL SAFETY &
HEALTH APPEALS BD**

**NOTE: If oral argument is requested or an appearance is required in this case,
it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.**

Petition for Writ of Mandate

The petition is continued to **OCTOBER 30, 2026 at 8:30 A.M. in DEPARTMENT 1 to be heard by COMMISSIONER CHRISTINE S. DEHR** to be heard in conjunction with the pending motion to seal portions of the administrative record.

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26. S-CV-0057459 BRACKIN, MICHAEL v. DWAYNE NASH INDUSTRIES

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant's Motion to Compel Arbitration

The appearances of the parties are required for the hearing.

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27. S-CV-0057824 AWASTHI, ANSHUMAN v. KIA CORP

Defendants Kia America, Inc.; Dr. Family Assets LLC; and California Automotive Retailing Group, Inc's demurrer and motion to strike the complaint are dropped from the calendar.

The first amended complaint was filed on September 28, 2026.

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28. S-CV-0057884 GARCIA, JUAN v. NORMAN, JOSHUA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 20, 2026 AT 2:00 P.M. in DEPARTMENT 1.

Petition for an Order Authorizing Preservation of Evidence

The petition is denied without prejudice.

There is no proof of service in the filing showing the petition, summons, and motion were served on the respondent. (Code of Civil Procedure section 2035.040.)

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29. S-CV-0057907 F, AL v. WALMART

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 1:00 P.M. in DEPARTMENT 1.

Defendant Walmart Inc.'s Demurrer to the Complaint

The appearances of the parties are required for the hearing.

Defendant Walmart Inc.'s Motion to Strike Portions of the Complaint

The appearances of the parties are required for the hearing.

Plaintiff's Motion to Proceed under Pseudonym

The appearances of the parties are required for the hearing.

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30. S-CV-0058328 DUTCH FLAT GRP v. BACCAREZZA, LINDA

NOTE: If oral argument is requested or an appearance is required in this case, it shall be heard on OCTOBER 16, 2026 AT 8:30 A.M. in DEPARTMENT 1.

Defendant's Motion to Quash Service of Summons

The appearances of the parties are required for the hearing.

Plaintiff's OSC re Preliminary Injunction

The appearances of the parties are required for the hearing.

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