



Superior Court of California County of San Benito

Tentative Decisions for April 20, 2026

Courtroom #1: Judge J. Omar Rodriguez

CU-22-00238 Legit Ship LLC vs. Moore

The unopposed Motion to Amend Judgement is GRANTED as requested. Judgment shall be amended to reflect the current outstanding principal balance owed of \$316,000.00.

CU-24-00223 Nunez vs. Canter

Counsel's Motion to be Relieved is GRANTED. The Order is effective upon the filing of the proof of service of this order upon the client.

An attorney in an action may be changed at any time before or after judgment or final determination "(u)pon the order of the court, upon the application of either client or attorney, after notice from one to the other." (Cal. Code Civ. Proc. §284.) The motion must be accompanied by a declaration stating in general terms and without compromising the confidentiality of the attorney-client relationship why a motion under Code of Civil Procedure section 284(2) is brought. Plaintiff's counsel has complied with the requirements and demonstrated good cause to grant the motion.

CU-25-00048 Martinez vs. Ford Motor Company, et al.

Plaintiff's Motion to Compel Further Responses and Documents to Plaintiff's Request for Production of Documents, Nos. 16, 17, 18, 20-30, 50-59 is GRANTED. Defendant is ordered to produce code compliant responses, no later than 30 days after service of this order the following: supplemental responses to Plaintiff's Request for Production of Documents, Set

Page 1 of 4

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any objections or concerns.**

One, Nos. 16, 17, 18, 20-30, 50-59. As to any objections raised based on the attorney-client privilege or work product doctrine, Defendant may prepare a privilege log and provide it to Plaintiff. The court grants the Plaintiff's request for attorney's fees and costs of \$2,000.00

Plaintiff's Motion to Compel Further Responses to Plaintiff's Special Interrogatories Nos. 10, 26, 47, 55-58 is GRANTED. Defendant is ordered to produce code compliant responses, no later than 30 days after service of this order. As to any objections raised based on the attorney-client privilege or work product doctrine, Defendant may prepare a privilege log and provide it to Plaintiff. The court grants the Plaintiff's request for attorney's fees and costs of \$2,000.00

Relevancy in the context of discovery is broadly construed, but to counterbalance the broad definition of relevancy found at California Code of Civil Procedure section 2017.010, the court has broad discretion to limit the scope of discovery. The legislature sought to remove the gamesmanship from trial preparation by assisting the parties in obtaining the facts and evidence necessary to reach an expeditious resolution to their disputes. (*Greyhound Corp. v. Sup. Ct.* (1961) 56 Cal. 3rd 355, 376.) While admissibility is not the benchmark for discoverability, the information sought must have a reasonable possibility to lead to the discovery of admissible evidence or be helpful in preparing for trial. (*Digital Music News, LLC. v. Sup. Ct.* (2014) 226 Cal. App. 4th 216, 224.) In determining relevance, the court must look to the allegations of the pleadings. (*John B. v. Sup. Ct.* (2006) 38 Cal. 4th 1177, 1185.) The rules posed by the legislature thus favor discoverability, and conflicts should generally be resolved in favor of permitting discovery (*Williams v. Sup. Ct.* (2017) 3 Cal. 5th 531, 542.)

The scope of permissible discovery at issue includes documents concerning similar defects experienced by other customers. (*Donlen v. Ford Motor Co.* (2013) 217 Cal.App.4th 138, 143-144, 153 (evidence of special service bulletins issued before Plaintiff bought his truck and evidence of similar transmission problems in other trucks were relevant and admissible); *Doppes v. Bentley Motors, Inc.* (2009) 174 Cal.App.4th 967, 973, 978-979, 986 (documents of warranty complaints, service histories, and employee records concerning the subject defect in all affected vehicles and the company's responses and instructions re: cure were discoverable and relevant to issue of Defendant's good faith treatment of the problem).)

As to the Motion to Compel Further Responses for Production of Documents, Defendant's objections are sustained as to Requests 45 and 46 as these requests are overbroad, but Plaintiff retains the right to reframe the requests to narrow their scope, in particular as it relates to geography. As to the remaining Requests at issue, the requests include requests seeking Defendant's policies and procedures related to its compliance with the Song-Beverly Act. Courts have long recognized that a manufacturer's policies—or lack of policies—related to how it deals with consumer complaints and its decision on whether to replace or repurchase are important in determining whether a manufacturer has committed a willful violation of the Act. (*Jensen v. BMW of North America, Inc.*(1995) 35 Cal.App.4th 112, 136.) Plaintiff also seeks documents concerning the backup procedures for critical business as well as Defendant's retention policies and procedures, as well as the databases where it stores those policies and procedures. These documents are directly relevant to evaluating how Defendant handles such requests and whether there are patterns, changes, or omissions in its internal policies data, such as customer call logs,

As to Requests for Production of Documents Nos. 50-59, California law recognizes that where the adequacy or completeness of a party's production is at issue, discovery into retention, preservation, and search practices is proper. (*County of San Benito v. Superior Court* (2023) 96 Cal.App.5th 243, 251–52.)

As to Special Interrogatories 10 and 26, Defendant has not complied with the requirements of Code of Civil Procedure section 2030.230, and its responses remain incomplete. Section 2030.230 permits a responding party to refer to business records only where the burden of deriving the answer would be substantially the same for both parties, and only if the responding party specifies the records in sufficient detail to permit the propounding party to locate and identify the responsive information as readily as the responding party. Defendant has done neither. Interrogatory No. 10 seeks facts supporting Defendant's contention that the Subject Vehicle does not qualify for repurchase or replacement under the Song-Beverly Consumer Warrant Act, which is relevant to this matter. Responding to this request does not require making an audit or abstract of the referenced documents. Interrogatory No. 26 seeks information regarding training provided by Defendant. Defendant fails to provide a substantive response. Instead of describing training, Defendant merely refers

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Plaintiff to warranty manuals and certain policies and procedures, without identifying whether those documents constitute “training,” how they are used, who receives such training, how often it occurs, or what criteria are taught.

As to Special Interrogatories Nos. 47 and 55 through 58, seeks a description of Ford’s preservation efforts and responses regarding Defendant’s retention policies and procedures. The adequacy of Defendant’s search is relevant to whether responsive information has been withheld. (*County of San Benito v. Superior Court* (2023) 96 Cal.App.5th 243). Boilerplate objections are insufficient. (*Coy v. Superior Court* (1962) 58 Cal.2d 210, 220.) Here, Defendant’s original responses failed to provide Code-compliant responses because they failed to provide a straightforward answer. Defendant argues that the interrogatories seek information that is not proportional to the needs of the case, but Plaintiff only seeks responses to interrogatories and is not asking Ford to compile or produce anything.

CU-26-00010 Stewart Raizer, et al. vs. Brigantino, et al.

In light of Plaintiff’s Case Management Conference Statement, the Case Management Conference is continued to Thursday, August 13, 2026 at 1:30 p.m.

CU-26-00011 Enz, et al. vs. Enz Vineyards, Inc.

The Case Management Conference is continued to May 4, 2026, at 10:30 a.m. to be heard along with the hearing on the demurrer and motion to strike.

CU-26-00023 Chavarria vs. Hollister SD

In light of the recently filed amended complaint, the Case Management Conference is continued to June 22, 2026 at 10:30 a.m. Plaintiff to provide notice of the hearing.

PR-24-00004 Estate of Leonard Joseph DiVito

Petitioner’s Request for Payment of Statutory Attorney Fees and Costs is APPROVED as requested.

END OF TENTATIVE DECISIONS

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