



# Superior Court of California County of San Benito

## **Tentative Decisions for June 9, 2025**

**Courtroom #1: Judge J. Omar Rodriguez**

**CU-23-00086          Silva v. Rite Aid Corp.**

The Case Management Conference is continued to July 7, 2025, at 10:30 a.m. to be heard with the Motion to be Relieved as Counsel.

**CU-25-00017          Smolka vs. Espinoza, et al.**

Counsel's Motion to be Relieved is GRANTED as to the representation of Yvonne Espinoza. The Motion was not directed at Ricardo Torres. The Case Management Conference is continued to July 7, 2025, at 10:30 a.m. 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."

Defendant's counsel has complied with the requirements and demonstrated good cause to grant the motion. The attorney-client communication is necessary for proper representation is not possible under the circumstances described. The motion will not prejudice either party, given that no motions or trials are currently pending before the court.

**PR-24-00004      Estate of Leonard Joseph DiVito**

Based on the Status Report, the matter is continued to August 11, 2025 at 10:30 a.m.

**PR-24-00105      Estate of Joseph Herrera**

The Status Conference is continued to July 7, 2025 at 10:30 a.m.

**END OF TENTATIVE DECISIONS**