



Superior Court of California County of San Benito

Tentative Decisions for November 17, 2025

Courtroom #1: Judge J. Omar Rodriguez

10:00 a.m.

CU-25-00151 Wash vs. Endemic Environmental Services Inc. et al

The Case Management Conference and Order to Show Cause are continued to January 5, 2026, at 10:30 a.m. to be heard along with Defendants' Demurrer and Motion to Strike.

10:30 a.m.

CU-23-00183 Natmar,L.P., et al. vs. City of Hollister, et al

The Case Management Conference is continued to February 23, 2026, at 10:30 a.m. to be heard along with Defendants' Demurrer.

CU-24-00015 City of Hollister vs. Civil Allendale, LLC, et al.

The Case Management Conference is continued to February 2, 2026, at 10:30 a.m. to be heard along with the Motion to Transfer Venue.

CU-24-00038 Perez vs. Tiffany Motor Company

The Court read and considered the parties' Case Management Conference Statement and continues the Case Management Conference to June 1, 2026 at 10:30 a.m.

The parties are ordered to provide updated Case Management Statements including the status of the arbitration hearing, which is currently scheduled to occur on May 18, 2026.

CU-24-00150 **Mosqueda, et al. vs. K. Hovnanian at Ladd Ranch, LLC, et al.**

The Case Management Conference is continued to February 2, 2026, at 10:30 a.m.

CU-24-00174 **Doe, Jane et al vs. Hollister School District et al.**

The Case Management Conference and Order to Show Cause are continued to January 26, 2026, at 10:30 a.m.

The Court is issuing an Order to Show Cause as to why counsel shall not be sanctioned for failing to comply with California Rules of Court, Rule 3.110. Rule 3.110(b) states the “complaint must be served on all named defendants and proofs of service on those defendants must be filed with the court within 60 days after the filing of the complaint.” Rule 3.110(e) states, “(a)n application for a court order extending the time to serve a pleading must be filed before the time for service has elapsed. The application must be accompanied by a declaration showing why service has not been completed, documenting the efforts that have been made to complete service, and specifying the date by which service is proposed to be completed.”

Defendant Imelda Borja has not been served with the Complaint that was filed on July 25, 2024. Plaintiff’s counsel never filed an application with the court extending the time to serve a pleading. The Court has scheduled four Case Management Conferences, which have been continued in order to have the case at issue for purposes of trial setting.

Pursuant to Rule 3.110(i), responsive papers to the OSC must be filed and served at least 5 calendar days before the hearing. If responsive papers are not filed with the Court, the Court will not approve a remote appearance for Plaintiff’s counsel and Plaintiff’s counsel will be required to personally appear in court on January 26, 2026.

CU-24-00205 **Watson vs. Bright Future Recovery, Inc., et al.**

The Court read and considered the parties’ Case Management Conference Statement and continues the Case Management Conference to February 23, 2026 at 10:30 a.m.

The parties are ordered to provide updated Case Management Statements including the status of arbitration.

CU-24-00254 Zurich American Insurance Co. vs. Saavedra-Santiago, et al.

The Order to Show Cause is dismissed. The Case Management Conference remains on calendar.

CU-24-00297 Jacquez vs. Daneco Electric Inc.

The Court read and considered the parties' Case Management Conference Statement and continues the Case Management Conference to April 20, 2026 at 10:30 a.m.

CU-25-00031 Espinoza vs. Navigator Schools

The Court read and considered the parties' Case Management Conference Statement and continues the Case Management Conference to February 9, 2026 at 10:30 a.m.

CU-25-00042 Espinoza vs. Navigator Schools

The Court read and considered the parties' Case Management Conference Statement and continues the Case Management Conference to February 9, 2026 at 10:30 a.m.

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

Defendant's Motion for Entry of Protective Order, which was attached as Exhibit A to the Motion, is DENIED.

Moving parties have the burden to show good cause for a protective order. (*Emerson Elec. Co. v Superior Court* (1997) 16 Cal.4th 1101, 1110.) "The state has two substantial interests in regulating pretrial discovery. The first is to facilitate the search for truth and promote justice. The second is to protect the legitimate privacy interests of the litigants and third parties." (*Stadish v. Superior Court* (1999) 71 Cal.App.4th 1130, 1145.) "The interest in truth and justice is promoted by allowing liberal discovery of information in the possession of the opposing party. The interest in privacy is promoted by restricting the procurement or dissemination of information from the opposing party upon a showing of 'good cause.'" (*Ibid.*) Protective orders "impair the public's access to discovery records as well as the parties' First Amendment right to disseminate information to the public." (*Westinghouse Electric Corp. v. Newman & Holtzinger* (1995) 39 Cal.App.4th 1194, 1208.)

A party “may promptly move for a protective order” where good cause exists to protect a party from unwarranted annoyance, embarrassment, oppression, or undue burden and expense. (Code Civ. Proc., 2031.060 (a)-(b).) Parties seeking discovery protective orders are generally required to seek relief promptly and before expiration of the time required for a response. (See, e.g., Code Civ. Proc., § 2030.090, subd. (a); Code Civ. Proc., § 2031.060, subd. (a); Code Civ. Proc., § 2025.420, subd. (a); see also *Willis v. Superior Court* (1980) 112 Cal.App.3d 277, 289 n.5) “Where a party must resort to the courts, ‘the burden is on the party seeking the protective order to show good cause for whatever order is sought.’” (*Nativi v. Deutsche Bank National Trust Co.* (2014) 223 Cal.App.4th 261, 318.) A party moving for a protective order must show good cause that the protective order will protect against “unwarranted annoyance, embarrassment, or oppression, or undue burden and expense.” (Code Civ. Proc., § 2031.060, subd. (b); Code Civ. Proc., § 2025.420, subd. (a).)

A court shall preserve the secrecy of an alleged trade secret by reasonable means including protective orders, in camera hearings, sealing records and restricting disclosure. (Civ. Code §3426.5.) A protective order to preserve the secrecy of an alleged trade secret may include orders in connection with discovery proceedings, ordering any person involved in litigation not to disclose alleged trade secrets without court approval, and, most commonly, to limit access to the information by barring the disclosure of the information to competitors. (*Hypertouch, Inc. v. Superior Court* (2005) 128 Cal.App.4th 1527, 1555 n. 16.)

The party asserting trade-secret objections has the burden to establish their existence. (*Bridgestone/Firestone, Inc. v. Sup. Ct.* (1992) 7 Cal.App.4th 1384, 1390.) Evidence Code section 1061(b)(1) requires parties seeking protective orders in criminal and civil cases to submit an affidavit based on personal knowledge listing qualifications to opine, which identifies alleged trade secrets and documents without disclosing trade secrets. (*Stadish*, 71 Cal.App.4th at 1144-1145.)

The Legislature enacted Assembly Bill No. 1755, which amended the Code of Civil Procedure to establish streamlined procedures for Song-Beverly Act cases. (See Code Civ. Proc., § 871.20 et seq.) The statute requires parties to exchange initial disclosures and documents within 60 days of the answer or other responsive pleading, and to participate in a mediation within 150 days. (Code Civ. Proc., § 871.26, subds. (b), (d)–(e).) Until that

mediation is concluded, all other discovery is expressly stayed, aside from a two-hour deposition of the parties and the required disclosures. (*Ibid.*) Code of Civil Procedure section 871.26 provides that the defendant or manufacturer shall provide documents such as the warranty transaction history, owner's manual, warranty policies and procedures, technical service bulletins, and any policies used to evaluate Lemon Law claims. (Code Civ. Proc. §871.26 subd. (h).)

Ford filed its responsive pleading on April 3, 2025, which means its deadline to produce the required documents was June 2, 2025. The statutory scheme does not authorize a manufacturer to seek a protective order as a precondition to producing documents under section 871.26. The statute expressly stays "all other discovery" and makes clear that only after mediation concludes do the regular discovery procedures—including protective order motions under section 2031.060—resume. (Code Civ. Proc. § 871.26 subd. (e).)

Here, the Declaration of Ford employee, G. Keith Barron, only sufficiently describes the following documents: 1) Warranty, Policy & Procedure Manuals; 2) Customer Relations Center Policies and Procedures; and 3) Reacquired Vehicle Policies and Procedures Manuals. (G. Keith Barron Declaration, ¶¶ 6-12.) Defendant's Motion purports to address Code of Civil Procedure § 871.26, subdivision (h), but the declaration only addresses part of the statutory discovery, and omits addressing documents such as invoices, vehicle reports, agreements, service bulletins, dealership communications, service manuals, pre-suit communications and brochures, meaning that not all documents covered by the proposed stipulation are shown to involve trade secrets or confidential information.

Ford also fails to show that the proposed modifications would themselves protect against unwarranted annoyance, embarrassment, or oppression, or undue burden and expense. Ford does not provide good cause showing that the lack of additional modifications would cause any harm or prejudice to Ford.

Moreover, the proposed stipulation would cover any document that the parties designated as "Confidential," and would delay any possible judicial determination of trade secrets. It is error to delegate to parties the task of determining which items contain trade secrets. (*Stadish*, 71 Cal.App.4th at 1144.)

The Court finds that Defendant's evidence does not support findings as to trade secrets or confidential information to the full extent that is covered by the proposed protective order. The Court denies the Motion, without prejudice to later showing sufficiently good cause for a protective order.

The Order to Show Cause is dismissed.

The Case Management Conference remains on calendar.

CU-25-00124 Robles Davidson vs. Simunovich

The Case Management Conference is continued to February 2, 2026, at 10:30 a.m. to be heard along with the Motion for Summons by Publication.

CU-25-00169 In the Matter of Salvador Tinoco Ramos

The Petition is GRANTED as requested.

CU-25-00170 In the Matter of Mariana Tinoco Ramos

The Petition is GRANTED as requested.

CU-25-00180 In the Matter of Katherine Theresa Vais

The Petition is GRANTED as requested.

CU-25-00184 Villa vs. Jones Lang LaSalle Americas, et al.

The Court signed the Request for Early Evaluation Conference. The Court scheduled a status conference to take place February 23, 2026. The Court vacates the November 17, 2025, Case Management Conference.

CU-25-00186 Hazleton vs. Sierra Golf Operations LLC

The Court read and considered the parties' Case Management Conference Statement and continues the Case Management Conference to March 2, 2026 at 10:30 a.m. to allow the parties to address potential early resolution avenues and address potential mediation and/or motion to compel arbitration.

CU-25-00190 **In the Matter of Faith Liliana Torres**

The Matter is continued to January 12, 2026, at 10:30 a.m. to allow time for both parents to sign the Petition for Change of Name.

PR-24-00086 **Guardianship of Nevaeh Marie Headley**

The Court has read and considered the Guardianship Status Report and vacates the annual review. The Court will schedule a review to take place in approximately one year and provide notice of the hearing at a later date.

As to the request for the minor to see her father, there is no order in this matter prohibiting the minor from having contact with her father. However, the Court takes judicial notice of San Benito County Superior Court Case Number CR-24-01063 where the Court issued criminal protective order prohibiting such contact.

END OF TENTATIVE DECISIONS