

**TENTATIVE RULINGS
LAW & MOTION CALENDAR
Friday, April 10, 2026 3:00 pm
Courtroom 19 –Hon. Oscar A. Pardo
3055 Cleveland Avenue, Santa Rosa**

The tentative rulings will become the ruling of the Court unless a party desires to be heard. If you desire to appear and present oral argument, **YOU MUST NOTIFY** the Judge’s Judicial Assistant by telephone at **(707) 521-6602**, and all other opposing parties of your intent to appear, **and whether that appearance is in person or via Zoom**, no later 4:00 p.m. the court day immediately preceding the day of the hearing.

If the tentative ruling is accepted, no appearance is necessary unless otherwise indicated.

TO JOIN ZOOM ONLINE:

Department 19 Hearings

MeetingID: 160-421-7577

Password: 410765

<https://sonomacourt-org.zoomgov.com/j/1604217577>

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PLEASE NOTE: The Court’s Official Court Reporters are “not available” within the meaning of California Rules of Court, Rule 2.956, for court reporting of civil cases.

1. 25CV00471, Holley v. Yates

Plaintiff Amber Holley’s compound motion to compel further responses to (1) Requests for Production, Special Interrogatories, Form Interrogatories from Defendant United Cerebral Palsy of the North Bay; (2) Requests for Documents and Special Interrogatories from Defendant Cypress School; and (3) Requests for Production from Defendant Nathan Yates is **DENIED**.

I. The Motion is Untimely

C.C.P. sections 2030.300(c) and 2031.310(c) require notice of a motion to compel further responses to interrogatories and requests for production be given within 45 days of the service of the verified response, or any supplemental verified response. Plaintiff provides no information or documents indicating when this discovery was initially served or whether extensions of time were ever provided to Defendants. In turn, Defendants’ counsel argues in their Opposition that they served initial responses to Plaintiff’s discovery on October 20, 2025, via email, making notice of the instant motion to compel further due no later than December 8, 2025, which includes two court days for e-service. (Meredith Decl., Exhibit B.) Plaintiff filed the motion to compel on December 8, 2025, but it was rejected by the Clerk’s Office for failure to pay the

required fees and Plaintiff did not refile the motion to compel further responses until December 16, 2025. (Meredith Decl., Exhibit H.) Upon refiling the motion to compel further, Plaintiff's counsel did not file a new proof of service but instead used the same proof of service initially filed with the December 8th motion as the proof of service reflects a service date of December 8, 2025. (Meredith Decl., Exhibit I.) The Court also notes that this proof of service was not signed by Plaintiffs' counsel. Defendants counsel further claims that she never received notice of the April 10, 2026, hearing date from Plaintiff's counsel. (Meredith Decl., Exhibit I.) The Court does not see an amended proof of service from Plaintiff reflecting the April 10, 2026, hearing date in the case. Plaintiff has also failed to file a Reply to Defendants' Opposition. Nonetheless, the Court finds that the motion to compel further responses from Defendants was untimely pursuant to C.C.P. sections 2030.300(c) and 2031.310(c). (See also *Golf & Tennis Pro Shop, Inc. v. The Sup. Ct.* (2022) 84 Cal.App.5th 127, 139 [requiring a motion to compel interrogatory responses to be filed within 45 days of service of the verifications].) The 45-day time limit is mandatory and "jurisdictional" (court has no authority to grant a late motion). (*Sexton v. Sup.Ct.* [Mullikin Med. Ctr.] (1997) 58 CA.4th 1403, 1410 [late-filed motion to compel must be denied where objection raised at hearing even if omitted in opposition papers].) Plaintiff has provided no proof that the omnibus discovery motion was timely filed and served. Therefore, the omnibus motion is **DENIED**. Both parties' requests for sanctions are also **DENIED**.

II. Counsel's Conduct is Unbecoming to the Profession

The Civil Discovery Act of 1986's central precept is that civil discovery should be essentially self-executing. (*Clement v. Alegre* (2009) 177 Cal.App.4th 1277, 1281.) Counsel has failed to uphold this principle necessitating Court intervention. Defendants' counsel cites meet and confer issues and states that Plaintiff's counsel misrepresented his meet and confer efforts. The Court reviewed the exhibits provided in counsels' declarations as well as counsel Meredith's Declaration dated April 6, 2026, and finds that counsel Terhorst's conduct in emails to opposing counsel is unbecoming to the profession. Name calling and aggressive language from either counsel will not be tolerated. Further conduct of this nature will be sanctioned by the Court.

The Court's minute order shall constitute the order of the Court.

2-3. 25CV05063, Reis v. Magda

Plaintiff Ana Reis moves the Court to compel initial and further responses to discovery from Defendant Paul Magda. The motions are unopposed. However, there is no proof of service in the file reflecting that Plaintiff served the motions on Defendant Magda with the April 10th hearing date. The only proof of service in the file for these motions is dated December 16, 2025. The Court did not assign a hearing date until January 5, 2026. Parties are required to provide notice of a motion, including the hearing date assigned by the Clerk. (See Code of Civil Procedure §§ 1005, 1010; Cal. Rule of Court, Rule 3.1300(a); Sonoma Court Local Rule 5.1 (B).) Proof of service with the hearing date was required to be filed no later than Friday, April 3, 2026, and there is no such proof of service on file. Since the motion was not served in accordance with C.C.P. section 1010, there is no cause to consider the merits.

The motion is dropped from calendar.

****This is the end of the Tentative Rulings.****