

TENTATIVE RULINGS

DEPT C11

Judge Andre De La Cruz

Court Reporters: Official court reporters (*i.e.*, court reporters employed by the Court) are not provided for law and motion matters in this Department. If a party desires a record of a law and motion proceeding, it will be the party's responsibility to provide a court reporter. Parties must comply with the Court's policy on the use of privately retained court reporters, which can be found at:

- [Civil Court Reporter Pooling](#); and
- [Court Reporter Interpreter Services](#).

Tentative rulings: The Court endeavors to post tentative rulings on the Court's website no later than Friday afternoon immediately preceding Monday's hearing. However, ongoing proceedings such as jury trials may prevent posting by that time. Moreover, tentative rulings may not be posted in every case.

Please do not call the department for tentative rulings if tentative rulings have not been posted.

The Court will not entertain a request to continue a hearing or the filing of further documents once a tentative ruling has been posted. Further, a motion may not be taken off calendar once a tentative ruling has been posted unless the entire action has been dismissed.

Submitting on tentative rulings: If all counsel intend to submit on the tentative ruling and do not desire oral argument, please advise the Courtroom Clerk by sending an email to: ctownsend@occourts.org and copied to eveloz@occourts.org. Please do not call the Department unless all parties submit on the tentative ruling. If all sides submit on the tentative ruling and so advise the Court, the tentative ruling shall become the Court's final ruling and the prevailing party shall give notice of the ruling and prepare an order for the Court's signature if appropriate under Cal. R. Ct. 3.1312.

When a proposed order is required, even if motion is unopposed, the parties are ordered to submit it in two formats: (1) one draft in MS Word (*.doc or *.docx); and (2) one draft in PDF format with all attachments/exhibits attached thereto in accordance with Cal. R. Ct. 3.1312(c)(1) and (2).

Non-appearances: If nobody appears for a hearing and the Court has not been notified that all parties submit on the tentative ruling, the Court shall determine whether the matter is taken off calendar or the tentative ruling becomes the final ruling. The Court also might make a different order at the hearing. *See Lewis v. Fletcher Jones Motor Cars, Inc.*, 205 Cal. App. 4th 436, 442 (2012), fn. 1.

Appearances: Department C11 conducts non-evidentiary proceedings, such as law and motion, remotely, by Zoom videoconference pursuant to Code of Civil Procedure § 367.75 and Orange County Local Rule (OCLR) 375. All counsel and self-represented parties appearing for such hearings must check-in online through the Court's website at <https://www.occourts.org/media-relations/civil.html> prior to the commencement of their hearing. Once the online check-in is completed, participants will be prompted to join the courtroom's Zoom hearing session. Participants will initially be directed to a virtual waiting room pending the start of their specific video hearing.

Check-in instructions and instructional video are available at <https://www.occourts.org/media-relations/aci.html>. The Court's "Appearance Procedures and Information—Civil Unlimited and Complex" ("Appearance Procedures") and "Guidelines for Remote Appearances" ("Guidelines") will be strictly enforced. It is your responsibility to ensure that your audio and video are functioning properly prior to your hearing.

Parties preferring to appear in-person for law and motion hearings may do so pursuant to Code of Civil Procedure § 367.75 and OCLR 375.

Public Access: The courtroom remains open for all evidentiary and non-evidentiary proceedings.

No filming, broadcasting, photography, or electronic recording is permitted of the video session pursuant to California Rules of Court, rule 1.150 and OCLR 180.

TENTATIVE RULINGS
May 6, 2024

#	Case Name	Tentative
1	Balboa Capital Corporation vs. Olympia Family Medicine LLC 2019-01054110	Motion to Dismiss filed by Inmode Aesthetic Solutions on 12/28/23
2	Byerly vs. Isenhardt 2022-01244715	Motion to Be Relieved as Counsel of Record filed by counsel for Leslie Byerly on 12/18/23
3	Dwyer vs. Vaughan 2022-01295431	Motion to Compel Production filed by John Dwyer on 2/23/24
4	J And J Towing And Transportation vs. Yegenian 2023-01348634	1. Motion to Compel Arbitration filed by Lynne Yegenian and John Yegenian on 12/21/23 2. Case Management Conference
5	Monarch Crest, LLC vs. Sinai Investment, LLC 2023-01319977	Motion for Sanctions filed by Sinai Investment, LLC on 12/21/23
6	Ocean Heart Liquor, Inc. vs. Abboud 2023-01353282	1. Demurrer to Complaint filed by Elias I. Abboud on 12/11/23 2. Motion to Seal filed by Elias I. Abboud on 12/19/23 3. Case Management Conference
7	Ortiz vs. Orange County Transportation Authority 2022-01276134	Motion for Summary Judgment and/or Adjudication filed by Orange County Transportation Authority on 2/16/24
8	Prime Healthcare Services - Garden Grove, LLC vs. OptumCare Management, LLC 2022-01251447	1. Motion to Compel Answers to Form Interrogatories 2. Motion to Compel Answers to Special Interrogatories 3. Motion to Compel Production 4. Motion to Compel Response to Requests for Admissions filed by Prime Healthcare Huntington Beach, LLC, Prime Healthcare Anaheim, LLC, Prime Healthcare Services - Garden Grove, LLC, Prime Healthcare La Palma, LLC on 12/21/23

		Continued to 06/03/2024.
9	QA Group, LLC vs. Excelbis Labs LLC 2023-01363297	1. Application/Request for Writ of Possession filed by QA Group, LLC on 1/3/24 2. Case Management Conference Off Calendar
10	Renesan Software vs. Satellite Healthcare, Inc. 2023-01366799	Motion to Seal filed by Renesan Software on 12/22/23
11	V. vs. Valenzuela 2022-01271939	Motion for Leave to Amend filed by R. V. on 1/3/24
12	Xu vs. Gao 2023-01347602	1. Demurrer to Complaint 2. Motion to Strike filed by Di Wu on 11/27/23 3. Case Management Conference Continued to 07/01/2024.
13	Roth vs. Best Buy Co., Inc. 2023-01348836	1. Motion to Compel Arbitration filed by Magnolia Hi-Fi LLC, and Best Buy Stores LP on 1/29/24 2. Case Management Conference