

**DEPARTMENT THREE
JUDGE STEPHEN GIZZI
707-207-7303
TENTATIVE RULINGS SCHEDULED FOR
TUESDAY, JUNE 28, 2022**

The parties may appear via Zoom with the exception of trials, trial management conferences, order for examinations and mandatory settlement conferences. The information for the Zoom meeting is set forth below.

The tentative ruling shall become the ruling of the court unless a party desiring to be heard contacts the judicial assistant of the department hearing the matter by 4:30 p.m. on the court day preceding the hearing, and further advises that such party has notified the other side of its intention to request a hearing. A party requesting a hearing must notify all parties of the request to be heard by 4:30.

**PORTFOLIO RECOVERY ASSOCIATES, LLC v. TANYA ZENO
Case No. FCM176949**

Motion for Entry of Judgment

TENTATIVE RULING

Plaintiff's motion for entry of judgment is granted. Judgment will be entered for Plaintiff and against Defendant in the amount of \$1,480.31.

**POTTER v. HTL, INC., ET AL.
Case No. FCS054012**

Motion to Quash

TENTATIVE RULING

Plaintiff's motion to quash is denied.

Plaintiff's meet and confer declaration fails to demonstrate that Plaintiff made "a reasonable and good faith attempt at an informal resolution of each issue presented by the motion." (Code Civ. Proc. §§ 2016.040, 2025.410(c).) Plaintiff has also failed to file a separate statement. (Cal. Rules of Court, rule 3.1345(a)(5); see, *Mills v. U.S. Bank*

(2008) 166 Cal.App.4th 871, 893 [motion may be denied for noncompliance with requirement of separate statement].)

Even if the court considered the merits of the motion, it would be denied. Plaintiff has not demonstrated that the records sought from Deponent Cayton are “personal records” of a “consumer” as defined by Code of Civil Procedure section 1985.3(a) and therefore has not established that the deposition notice was untimely when served more than 10 days prior to the scheduled deposition. (Code Civ. Proc. § 2025.270(a).) And, to the extent that production of any of the documents sought from Deponent Cayton may be a serious invasion of Plaintiff’s privacy rights, disclosure is justified because the documents are directly relevant to the causes and extent of the injuries Plaintiff claims to have suffered as a result of the accident with Defendant. (See, *Harding Lawson Assocs. v. Superior Court* (1992) 10 Cal.App.4th 7, 10 [showing of relevance may be enough to balance the compelling need for discovery against the right of privacy].)

CITY OF VALLEJO v. THE TESTATE AND INTESTATE SUCCESSORS OF VINCENT BARMA, ET AL.
Case No. FCS058091

Petition to Abate Substandard Building and Appoint Receiver

TENTATIVE RULING

The petition is denied.

Petitioner has not filed any proofs of service demonstrating proper service of the summons and the petition on all parties with a recorded interest in the real property as required. Those include: Vincent Barma, Jr., Solano County, Vallejo Flood and Wastewater District, Quicken Loans, Inc., and Point Digital Finance, Inc.

**THE PARTIES MAY JOIN THIS COURT CALENDAR REMOTELY UTILIZING THE
FOLLOWING INFORMATION:**

Join ZoomGov Meeting

<https://www.zoomgov.com/j/1602210102?pwd=emlhR29SczExam56NFFqWHFvSitmZz09>

Meeting ID: 160 221 0102

Passcode: 650928

One tap mobile

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