

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF VENTURA
VENTURA**

MINUTE ORDER

DATE: 10/27/2016

TIME: 08:20:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: Reina Cook

CASE NO: **56-2014-00460814-CU-PA-VTA**

CASE TITLE: **Perez Rulfo vs. Blois**

CASE CATEGORY: Civil - Unlimited CASE TYPE: PI/PD/WD - Auto

EVENT TYPE: Motion - Other (CLM) for Order to Compel Further Responses to Requests for Admissions, Set One Nos 4-8

MOVING PARTY: Steven Blois

CAUSAL DOCUMENT/DATE FILED: Motion - Other for Order to Compel Further Responses to Request for Admissions, Set One, Nos 4-8, and for Monetary Sanctions; Memo of Ps & As; Declarations of John P. Worgul adn David H. Ryan, 10/04/2016

EVENT TYPE: Motion - Other (CLM) for Order to Compel Further Responses to Request for Production of Documents, Set One and Two and For Monetary Sanctions

MOVING PARTY: Steven Blois

CAUSAL DOCUMENT/DATE FILED: Motion - Other for Order to Compel Further Responses to Request for Production of Documents, Set One and Two and for Monetary Sanctions; Memo of Ps & As; Declarations of John P. Worgul adn David H. Ryan, 10/04/2016

EVENT TYPE: Motion - Other (CLM) for Order to Compel Further Responses to Interrogatories re: Form Interrogatories, Set One and Two; and Special Interrogatories, Set One

MOVING PARTY: Steven Blois

CAUSAL DOCUMENT/DATE FILED: Motion - Other for Order to Compel Further Resp to Interrogatories re: Form Rogs, Set One, 4.1; 6.2-6.7; 7.1; 8.4-8.8; 9.1-9.2; Form Rogs Set Two, 17.1; Special Rogs, Set One, 1-5; and for Monetary Sanctions; Memo of Ps & As; Decl of JPW and DHR, 10/04/2016

APPEARANCES

Thomas G Adams, counsel, present for Plaintiff(s).

Peter H. Crossin, counsel for Defendant, is present

At 09:07 a.m., court convenes in this matter with all parties present as previously indicated.

Counsel have received and read the court's written tentative ruling.

Defense request to withdraw Motion for Order to Compel Further Responses to Requests for Admissions, Set 1, Nos 4-8 is granted

Matter submitted to the Court with argument.

The Court finds/orders:

Matters are taken under submission.

After further consideration of the submitted matters, the court rules as follows:

As to Motion to Compel Further Response to the Request for Documents and Request for Sanctions:

Grant Defendant's motion to compel further response to the request for documents. It appears that P has not complied with CCP section 2031.220 by including the proper language. It is also not clear to the Court that all documents were produced.

As to sanctions, a reasonable and good faith attempt at informal resolution requires that the parties present the merits of their respective positions with candor, specificity, and support. (See *Townsend v. Super. Ct.* (1998) 61 Cal.App.4th 1431, 1435, 1439.) The Court is not persuaded that a good faith effort was made to resolve this matter. It appears that the Sept 6th fax did not go through. The fax result seems to show that only one page went through. P sent a letter by fax and email on Sept 28th noting that the Sept 6th fax was not received and indicating he needed a week to respond to the 11 page letter from Ds atty. Ps atty offered to meet with Ds atty to resolve the issues. D filed the motion on Oct 4th. The Court declines to impose sanctions.

Regarding Motion for Order to Compel Further Responses to Interrogatories re: Form Interrogatories:

Form Rogs:

- 4.1: Grant.
- 6.2: Deny.
- 6.3: Deny.
- 6.4: Grant.
- 6.5: Deny.
- 6.6: Deny.
- 6.7: Deny.
- 7.1: Deny.
- 8.4: D withdrew.
- 8.6: Grant.
- 8.7: Grant.
- 8.8: Grant.
- 9.1: Deny.
- 9.2: D withdrew.
- 17.1: P has admitted as to admissions 4, 5, 6, 7, and 8. Deny.

Special Rogs:

- 1: D withdrew.
- 2: Deny.
- 3: Deny.
- 4: Deny
- 5: Deny.

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Notice to be given by the clerk.