

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

**MINUTE ORDER**

DATE: 08/10/2016

TIME: 08:20:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: None

CASE NO: **56-2014-00453806-CU-PA-VTA**

CASE TITLE: **Lindsay vs. Christian**

CASE CATEGORY: Civil - Unlimited

CASE TYPE: PI/PD/WD - Auto

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**EVENT TYPE:** Motion to Compel the Deposition of Non Party Infinity Auto Insurance Company & Production of Documents

MOVING PARTY: Marcellis Lindsay

CAUSAL DOCUMENT/DATE FILED: Motion to Compel the Deposition of Non Party Infinity Auto Insurance Company & Production of Documents, Declaration of John P Kristensen, 07/01/2016

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**APPEARANCES**

Matthew T. Hale, specially appearing for counsel John P. Kristensen, present for Plaintiff(s).

Adam C. Hackett, specially appearing for counsel TIMOTHY P. MCDONALD, present for Defendant(s).

Suzanne Badawi, counsel for nonparty Infinity Insurance Co, is present

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At 09:13 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.

Defendant and Nonparty Infinity Insurance Company submit on the Court's tentative ruling.

Matter submitted to the Court with argument.

The Court finds/orders:

The Court's tentative is adopted as the Court's ruling.

**The court' ruling is as follows:**

Deny P's motion to compel deposition of non party Infinity Auto Insurance Co. P cited no legal authority to support its claim that Infinity had to serve a formal objection to the deposition subpoena and thus 'waived' all of its arguments. Infinity is not a CA corporation and as such, its deposition cannot be compelled for California. See CCP 1989, Toyota Motor Corp Superior Court (2011) 197 CA 4th 1107, 1114 and I-CA Enterprises, Inc v Palram Americas, Inc (2015) 235 CA 4th 257, 281.

Notice to be given by Mr. Hale.

