

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF VENTURA

Tentative Ruling

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**2023CUBC013611: JOANNA DAVIS, et al. vs GENERAL MOTORS LLC**  
**04/13/2026 in Department 44**  
**Motion to Compel Plaintiff Joanna Davis' Responses to Req for Prod of Docs and for Monetary Sanctions**

Effective **January 5, 2026**, Judge Charmaine H. Buehner and all cases previously assigned to Department J4 at the Juvenile Justice Center in Oxnard transferred to Department 44, located at the Hall of Justice, 800 South Victoria Avenue, Ventura, California 93009.

**Department Rules.** Parties and counsel shall follow the Department 44 rules and Zoom protocols, available at <https://www2.ventura.courts.ca.gov/Courtroom/C44>.

**Remote Appearances.** The Court allows Zoom appearances as a courtesy to parties and counsel. The Court does not accommodate Court Call appearances. **You MUST register by 4:00 p.m. the court day before your hearing or you will be DENIED entry to the hearing:**

**ZOOM Registration Link:**

<https://ventura-courts-ca.zoom.us/meeting/register/iqN7uhQSQMuoqs-9TQXgEQ>

No advance notice is required to appear in person.

**Tentative Rulings.** Oral argument should address the tentative decision. To submit on the tentative decision, email [courtroom44@ventura.courts.ca.gov](mailto:courtroom44@ventura.courts.ca.gov) before 8:00 a.m. on the hearing date, copying all other parties, Use the subject line “SUBMISSION ON TENTATIVE”, [Case Number], [Case Title] and [Party]. If not all parties submit, the hearing will proceed, and the tentative ruling may change.

The Court may adopt, modify or reject the tentative ruling after hearing. The tentative ruling has no legal effect unless and until adopted by the Court.

**Motions:**

- (1) Defendant General Motors LLC’s Motion to Compel Plaintiff Joanna Davis’ Responses to Requests for Production of Documents and for Monetary Sanctions, and
- (2) Defendant General Motors LLC’s Motion to Compel Plaintiff Judith Defirmian’s Responses to Requests for Production of Documents and for Monetary Sanctions

**Tentative Rulings:**

The motions are DENIED.

Discussion

The requests for production at issue were served on June 25, 2024, by electronic service. (Caceres Decls., ¶ 2, Exh A.) Responses were thus due July 29, 2024. (Code Civ. Proc., §§

2031.260, subd. (a), 1010.6, subd. (a)(3)(B).) Although Defendant asserts that Plaintiffs' responses were served on July 26, which would have made them timely, the proofs of service indicate they were served on July 30, 2024, making them one-day late. (*Id.*, ¶ 2, Exh. B.)

Defendant is not entitled to relief, however, because all discovery motions must be heard on or before the fifteenth day before the initial trial date. (Code Civ. Proc., § 2024.020, subd. (a).) Trial was initially set for November 17, 2025, at a CMC heard on April 14, 2025. After the case was reassigned to this Court, trial was continued from November 17, 2025, to December 22, 2025. (Minute Order of Nov. 17, 2025.) On November 18, 2025, trial was continued again, this time to December 29, 2025. (Notice of Continuance of Nov. 18, 2025.) On December 23, 2025, Defendant moved ex parte to continue trial and trial-related dates. Judge Houska heard the ex parte and confirmed the trial date of December 29, 2025. (Minute Order of Dec. 26, 2025.) On December 29, 2025, the case began trailing through January 20, 2026, and the parties were ordered to return on April 20, 2026, if trial was not called. (Minute Order of Dec. 29, 2025; see also Minute Order of Jan. 2, 2026.) On January 22, 2026, trial was rescheduled for April 20, 2026. (Minute Order of Jan. 22, 2026.) None of these orders included an order continuing the discovery cutoff, meaning the original discovery cutoff was the one and only discovery cutoff in this matter. The fifteenth day before the initial November 17, 2025, trial date was Sunday, November 2, 2025. Thus, the next day, Monday, November 3, 2025, was the last day to hear discovery motions. (Code Civ. Proc., § 12a, subd. (a).) Defendant's motions were noticed for hearing on April 13, 2026, well past November 3, 2025. Hence, they are not timely.

Finally, even if the motions could be heard in accordance with the Code on April 13, 2026, insufficient notice was given. The motions were filed and served on March 20, 2026, only fifteen court days before the hearing date. Defendant moved ex parte to shorten time, but the Court denied that application on March 24, 2026. (Minute Order of Mar. 24, 2026.)

For these reasons, Defendant's motions are DENIED.

Counsel for Plaintiffs is ordered to give notice of the Court's ruling.