

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA**

Tentative Ruling

2023CUCL009438: OAKS LEARNING CENTER LLC vs SEEMA KWATRA, et al.

06/17/2026 in Department 43

Motion to Set Aside/Vacate Default Judgment by Defendants Seema Kwarta and Saaniya Kwatra

The morning calendar in courtroom 43 will normally begin at 8:45. Please arrive for your hearing no later than 8:30 a.m. The door will be opened before the calendar is called.

The Court allows appearances by CourtCall and Zoom. Refer to the Courtroom 43 webpage for more information about remote appearances. If appearing by CourtCall, call in no later than 8:30 a.m. If you wish to appear by CourtCall, you must make arrangements with CourtCall by 4:00 p.m. the court day before your scheduled hearing. Requests for approval of a CourtCall appearance made on the morning of the hearing will not be granted. No exceptions will be made.

For Zoom appearances, all counsel appearing by Zoom must email the court at Courtroom43@ventura.courts.ca.gov with a simultaneous copy to all other counsel/self-represented parties no later than 3:00 p.m. the court day before the hearing. INCLUDE THE PHRASE "ZOOM APPEARANCE ON (DATE OF HEARING)" IN THE SUBJECT LINE OF YOUR EMAIL. The email must identify the person who will make the appearance. You will receive the login information for your appearance in reply to your email. If appearing by Zoom, log into the hearing no later than 8:30 a.m. The Court will transfer you to the meeting room when your matter is called. Additional instructions can be found on the Courtroom 43 webpage. When you log in to Zoom, be sure that your name and the case name are used as your Zoom name. IF YOU DO NOT FOLLOW ALL OF THESE INSTRUCTIONS, YOU WILL NOT BE PERMITTED TO APPEAR BY ZOOM AT THE HEARING.

With respect to the tentative ruling below, no notice of intent to appear is required. If you wish to submit on the tentative ruling you can fax notice to Judge Coats's secretary, Ms. Brantner at 805-477-8790, stating that you submit on the tentative. Or you may email Courtroom43@ventura.courts.ca.gov with all counsel copied on the email. Do not call in lieu of sending a fax or email. If you submit on the tentative without appearing and the opposing party appears, the hearing will be conducted in your absence. If you are the moving party and do not advise the Court that you submit on the tentative, or you do not appear at the hearing, the Court may deny your motion irrespective of the tentative.

Unless stated otherwise at the hearing, if a formal order is required but not signed at the hearing, the prevailing party shall prepare a proposed order and comply with CRC 3.1312 subdivisions (a), (b), (d) and (e). The signed order shall be served on all parties and a proof of service filed with the court. A "notice of ruling" in lieu of this procedure is not authorized.

Motion: Defendants' Motion to Vacate Judgment

Tentative Ruling: Defendants' Motion to Vacate Judgment is DENIED.

Defendants do not adequately rebut the presumption of service. The corporate Statements of Information filed with the California Secretary of State in 2022 and 2023 establish service at the correct address, and defendants' self-serving statements are insufficient to rebut the presumption of Evidence Code 647.

Moreover, the settlement agreement is enforceable. Admissible evidence establishes that in February of 2024 defendants agreed to resolve the dispute in lieu of enforcement of this judgment. The lengthy delay and circumstances of this motion strongly suggest that Defendants are engaged in procedural tactics intended to now avoid enforcement of the settlement agreement. There is no contention that the settlement agreement is unenforceable. Contrary to counsel's assertion, the Civil Code § 1542 waiver constitutes a waiver of the claims now being advanced. Furthermore, the settlement agreement itself is an acknowledgement of the default judgment and an express submission to the jurisdiction of the Court regarding enforceability of the judgment.

Plaintiff is ordered to serve notice of the Court's ruling