

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

2260 N Street, Merced
627 W. 21st Street, Merced
1159 G Street, Los Banos

Friday, May 3, 2024

NOTE: Merced Superior Court will no longer be consolidating Courtroom 8 and Courtroom 10.

Tentative Rulings are provided for the following Courtrooms and assigned Judicial Officers with scheduled civil matters:

Courtroom 8 – Hon. James LaPorte

Courtroom 7 – Hon. Shelly Seymour

Courtroom 9 – Judge Pro Tem Alexandria Carl

Courtroom 12 – Hon. Jennifer O. Trimble

Courtroom 10 will continue to post separate Probate Notes that are not included in these tentative rulings.

IMPORTANT: Court Reporters will NOT be provided; parties must make their own arrangements. Electronic recording is available in certain courtrooms and will only be activated upon request.

The specific tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion
Hon. James La Porte
Courtroom 8
627 W. 21st Street, Merced

Friday, May 3, 2024
8:15 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.

Case No.	Title / Description
19CV-04303	Joseph Saucedo, et al. v. Stonefield Home, Inc. Case Management Conference Continued on the Court's Own Motion to May 7, 2024 at 8:15 A.M. in Courtroom 8 to be heard concurrently with the pending Motion for Leave to Dismiss.
20CV-03387	People v. \$1,108,400 U.S. Currency Status Conference Continued on the Court's Own Motion to July 12, 2024 at 8:15 A.M. in Courtroom 8 to be heard following the disposition of the pending Motion to Suppress filed in Case 21CR-02494.

22CV-01465

Valeria Arredendo v. Adjoin

Case Management Conference

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Appear to address the status of discovery and a potential private mediation.

23CV-03415

Jesus Lopez v. Raul Garcia

Case Management Conference

Continued on the Court's Own Motion to May 9, 2024 at 8:15 A.M. in Courtroom 8 to be heard concurrently with the pending Motion to Consolidate.

24CV-01056

Carla Villasenor v. Mauricio Carretero Kamesh

Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. The Court notes that proof of service was filed April 18, 2024 showing service on respondent and a Response has been filed by Respondent indicating that Respondent does not agree with the Request for Civil Harassment Restraining Order.

24CV-01384

Kayla Herrera v. James George IV

Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. The Court notes that Respondent has filed a cross-petition seeking a restraining order.

Order to Show Cause re: Cross-Petition for Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. The Court notes that there is no proof of service on file regarding the cross-petition seeking a restraining order filed by Respondent..

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Family Law
Hon. Shelly Seymour
Courtroom 7
627 W. 21st Street, Merced

Friday, May 3, 2024
8:45 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.

Case No.	Title / Description
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20FL-00804	Maya Garcia v. Jose Garcia, Junior
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Petitioner's Motion for Order Compelling Further Response to Petitioner's Request for Production of Documents, Set One, and for Monetary Sanctions of \$4,284.00 pursuant Code of Civil Procedure § 2023.030(a).

Request No. 1: [Checking account, any and all check registers, check stubs, cancelled checks, deposit receipts, bank statements, or other reconciliation statements relating to any checking account that has been in the name of Jose Garcia, individually or jointly with any other person or persons, or on which Jose Garcia Jr. had the right to make withdrawals or write checks, and all transactions in any such account or account from January 1, 2019 to the date of production]

Respondent's objection that the terms "check registers, check stubs, cancelled checks, deposit receipts, bank statements, or other reconciliation statements" are overly broad, or vague and ambiguous are OVERRULED. The terms "check registers, check stubs, cancelled checks, deposit receipts, bank statements, or other reconciliation statements" are commonly used accounting and banking terms describing specific types of documents, although the precise formats of such documents may vary from case to case. The term "check registers" refers to a listing of checks, naming, including but not limited to, the payee, the date the check was written, the amount of the check, and the reason the payment is being made. The term "check stubs" refers to a portion of some

types of checks that contained spaces to note information about the check being written, including but not limited to, the payee, the date the check was written, the amount of the check, and the reason the payment is being made that was separated from the check itself by a perforation so that when the check was removed, the “check stub” remained to provide a record of the transaction. The term “cancelled checks” refers to originals or copies of checks that the payee or payee’s bank presented to the payor’s bank to payment, were paid by such bank, and then marked by the bank with some form of cancellation stamp denoting that the check had been paid and was no longer a negotiable document. The term “deposit receipts” refer to a document provided by a bank as a receipt or statement acknowledging that a specific amount of money was paid to the bank and deposited in the account identified on the face of the receipt on the date set forth in the receipt. The term “bank statements” refers to documents prepared by a bank, usually on a monthly basis, listing the amounts debited or credited to the bank account identified on the statement on a specific date during the time period covered by the statement and the balance in such account at the beginning and ending of the period covered by the statement. The term “other reconciliation statements” refers to an accounting document that analyzes and accounts for the differences in the transactions depicted on a given bank statement as having been debited or credited to a given account by the bank or other financial institution, and the transactions listed in the check register or accounting ledger maintained by the account owner as part of the account owner’s personal records. Typical reconciling items listed on a bank reconciliation are “deposit in transit”, i.e. deposits shown in the check register but not yet processed by the bank; “outstanding checks”, i.e. checks that have been written and presented to the payee but have not yet been presented to and processed by the bank; and bank fees and charges, i.e. amounts credited or debited to the account by the bank as compensation or penalty incurred pursuant to the agreement between the account owner and the bank. To the extent that Respondent has bank records that Respondent’s counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner’s counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent’s objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 1 that is within Respondent’s custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent’s objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 2: [Bank Records, Savings/Credit Union Account. Any and all passbooks, certificates of deposit, bank statements or other documents relating to any savings account in a bank or savings and loan institution, credit union, or other depository in which Jose Garcia, individually or jointly with any other person or persons, or on which Jose Garcia Jr. had monies on deposit for any portion of the time from January 1, 2019 to the date of production. In addition to the current passbooks, you should produce all passbooks and other records reflecting all transactions in any such accounts from January 1, 2019 to the date of production]

Respondent's objection that the terms "Bank Records, Savings/Credit Union Account, passbooks, certificates of deposit, bank statements or other documents relating to any savings account in a bank or savings and loan institution, credit union, or other depository" are overly broad, or vague and ambiguous are OVERRULED. The terms "Bank Records, Savings/Credit Union Account, passbooks, certificates of deposit, bank statements or other documents relating to any savings account in a bank or savings and loan institution, credit union, or other depository" are commonly used accounting and banking terms describing specific types of documents, although the precise formats of such documents may vary from case to case. The terms "Bank Records" and "Savings/Credit Union Account" refer to customer accounts provided by banks, credit unions, and other financial institutions to their customers for the purposes of storing and protecting the customer's money. The terms "passbooks" and "certificates of deposit" are examples of types of accounts offered by financial institutions. A passbook account was once a type of interest bearing savings account for which a bank would issue a "passbook", i.e. a ledger depicting the amounts debited and credited to the passbook account by the bank, and the balance of funds in such account, though many banks no longer issue passbooks for their savings accounts. Certificates of Deposit are another type of interest bearing savings account that typically provide higher interest than a passbook account but place restrictions on the withdrawal of funds for certain periods of time. The term "other documents relating to any savings account in a bank or savings and loan institution, credit union, or other depository" refer to statements issued by a bank to its customers showing the debits and credits during the period covered by the statement and the balance in such account. To the extent that Respondent has bank records that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 2 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not

change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 3: [Income and Spendable Funds from All Sources. Any and all documents reflecting income or money received by Joe Garcia Jr. from January 1, 2019 to the date of production from any source including trust distributions, partnerships distributions, interest dividends, interest dividends, rental income, gifts loan proceeds, other receipts]

Respondent's objection that the terms "income or money received by Joe Garcia Jr. from January 1, 2019 to the date of production from any source including trust distributions, partnerships distributions, interest dividends, interest dividends, rental income, gifts loan proceeds, other receipts" are overly broad, or vague and ambiguous are **OVERRULED**. The terms "income or money received by Joe Garcia Jr. from January 1, 2019 to the date of production from any source including trust distributions, partnerships distributions, interest dividends, interest dividends, rental income, gifts loan proceeds, other receipts" are commonly used accounting and banking terms describing general categories of "income and spendable funds." To the extent that Respondent has received a classification of income that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 3 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 4: [Salary/Earnings. Any and all records, documents, notes, memoranda, and the like relating or referring to earnings, earned income, commissions, bonus(es), stock options, salary, or the like of Joe Garcia Jr. from January 1, 2019 to the date of production]

Respondent's objection that the terms "Salary, earnings, earned income, notes, memoranda, bonuses, stock options, salary and commissions" are overly broad, or vague and ambiguous are **OVERRULED**. The terms "Salary, earnings, earned income, notes, memoranda, bonuses, stock options, salary and commissions" are commonly used accounting and banking terms describing general categories of "salary/earnings." To the extent that Respondent has received a classification of income or earnings that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 4 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 5: [Verification of Expenditures for Community (Credit/Reimbursement Claims) Any and all records, documents, accountings, receipts, invoices, billings, canceled checks, or other types of verification of any and all expenditures made by Jose Garcia Jr. for the benefit of the community for which Jose Garcia Jr. expects or anticipates reimbursement from the community estate or credits in the division of property]

Respondent's objection that the terms "Salary, earnings, earned income, notes, memoranda, bonuses, stock options, salary and commissions" are overly broad, or vague and ambiguous are **OVERRULED**. First of all, the objection appears to have been cut and pasted from Request 4 and has no relevance to Request 5. In any case, the terms "Salary, earnings, earned income, notes, memoranda, bonuses, stock options, salary and commissions" are commonly used accounting and banking terms describing general categories of "salary/earnings." To the extent that Respondent has received a classification of income or earnings that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 5 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 6: [Pension/Retirement Identification. The name of any pension or retirement benefit plan and the name, title, address of any pension or retirement plan or plans' trustee(s), administrator(s), or agents(s) for service of process]

Respondent's objection that the terms "any pension or retirement benefit plan" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing funds held in trust for an individual. To the extent that Respondent has possession of documents concerning pensions or retirement benefits that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 6 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to

provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 7: [Statements re Pension/Retirement Plan(s). A statement of the present interest of in any pension plan, retirement plan, stock purchase plan, profit-sharing plan, stock option plan, or other similar plan obtained through Jose Garcia Jr.'s employment or self-employment. Include all documents and the latest annual statement explaining Jose Garcia Jr.'s retirement pension, profit-sharing, or other similar plan]

Respondent's objection that the terms "pension plan, retirement plan, stock purchase plan, profit-sharing plan, stock option plan," are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used accounting and banking terms describing funds held in trust for an individual. To the extent that Respondent has possession of documents relating to a pension plan, retirement plan, stock purchase plan, profit sharing plan or stock option plan that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 7 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 8: [Income Tax Returns. All federal and state income ta returns filed by you or any entity in which you have an interest for the years 2019 to present]

Respondent's objection that the request is compound in nature is **OVERRULED**.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 8 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 9: [Stocks/Bonds/Securities. Any and all investment account statements, stock certificates, bonds, puts, calls, rights, or other securities standing in the name of Jose Garcia Jr. individually, or jointly with any other person or persons, or standing in the name of some other person or persons but held for the benefit of either from July 1, 2019 through the date of production]

Respondent's objection that the terms "Stocks/bonds/Securities, investment account statements, stock certificates, bonds, puts, calls, rights, or other securities", are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing securities held in the name or on behalf of members of the public. To the extent that Respondent has possession of documents relating to stocks, bonds or securities that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 10: [Purchase or Sale of Securities. Any and all security transaction slips, or other stock brokerage records reflecting transactions for the purchase or sale of securities by Jose Garcia, Jr. of for the join account of Jose Garcia Jr. with any other person or persons, or for any trustee or custodianship account on which the name of Jose Garcia Jr. or any child of the parties appears from January 1, 2019 to the date of production]

Respondent's objection that the terms "sale of securities, security transaction slips, or other stock brokerage records reflecting transactions for the purchase or sale of securities by Jose Garcia, Jr. of for the join account of Jose Garcia Jr. with any other person or persons, or for any trustee or custodianship account", are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting the sale of securities. To the extent that Respondent has possession of documents relating to sales or securities transactions that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account

for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 11: [Mutual Funds, Limited Partnerships, investments. All documents, records and writings pertaining to any mutual funds, limited partnerships, investment accounts, or other such similar investment or investment funds, not otherwise included within the scope of requested information concerning securities, bank accounts, and the like; records shall include but not be limited to verification of original investment amounts, present status of each said investment, and any statements, notices, or other verification of the value, transfer or disposition of each said investment or funds during the period January 1, 2019 to the date of production]

Respondent's objection that the terms "Mutual Funds, Limited Partnerships, investments, securities and bank accounts", are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting the sale of securities. To the extent that Respondent has possession of documents concerning mutual funds, limited partnership or investment that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 12: [Promissory Notes, Notes Receivable. Any and all promissory notes or other notes receivable or payable in which Jose Garcia Jr. individually, or jointly with any other person or persons, as the maker, payee or endorsee]

Respondent's objection that the terms "Promissory Notes, Notes Receivable", are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting the sale of securities. To the extent that Respondent has possession of documents concerning notes that

Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 13: [Trusts. Any and all trust agreements, amendments thereto, accountings, income tax returns, asset listings, monthly statements, title documents for assets held by trust(s), correspondence with trustees, and other documents regarding any trust in which Jose Garcia Jr. currently appears or formerly appeared as trustor, trustee, or beneficiary, for the entire period of time from the inception of any such trust until the present date]

Respondent's objection that the terms "trust agreements, amendments,, accountings, income tax returns, asset listings, monthly statements, title documents", are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting transactions involving trusts. To the extent that Respondent has received documents involving trust transactions that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 14: [Deeds. Any and all deeds and deeds of trust relating to real property in which Jose Garcia Jr., individually or jointly with any other person or persons, appears as grantor, grantee, trustor, or beneficiary, and specifically including, but not limited to

any and all such deeds and deeds of trust that are held for the benefit of Jose Garcia Jr. by some other person or persons from January 1, 2019 to the date of production]

Respondent's objection that the terms "deeds and deeds of trust" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting transactions involving trusts. To the extent that Respondent has possession of documents involving deeds or deed of trust that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 15: [Real Property Information. Any and all deposit receipts, escrow instructions, escrow closing statements, title insurance policies, agreements of purchase, and option agreements respecting any real property in which Jose Garcia Jr. individual or jointly with any other person or persons, or as the beneficial or equitable owner, has or had an interest at any time from January 1, 2019 to the date of production]

Respondent's objection that the terms "deposit receipts, escrow instructions, escrow closing statements, title insurance policies, agreements of purchase, and option agreements" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used real estate and banking terms describing documents depicting transactions involving real property interests. To the extent that Respondent has possession of documents involving real property interests that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the

care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 16: [Leases of Real Property. Any and all leases of real property now in effect regarding which Jose Garcia Jr., individually or jointly with any other person or persons or any other corporate or business entity owned by either party is the lessor or lessee]

Respondent's objection that the terms "Leases of Real Property" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used real estate and banking terms describing documents depicting transactions involving real property interests. To the extent that Respondent has possession of documents involving real property interests that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 17: [Life Insurance. Any and all life insurance policies in which Jose Garcia Jr. appears as the owner, the insured, or the beneficiary, and all documents reflecting the cash surrender value, accumulated dividends, outstanding loan balances, beneficiary changes, and policy cancellations respecting any such policy that have been purchased and placed in effect since February 22, 2003 through the date of production]

Respondent's objection that the terms "beneficiary, cash surrender value, accumulated dividends, outstanding loan balances, beneficiary changes, and policy cancellations" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used insurance industry terms describing documents affecting life insurance policies. To the extent that Respondent has possession of documents involving life insurance policies that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential

ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge.

Request No. 18: [Medical/Dental/Health Insurance. A copy of the insurance policy, and all documents explaining the benefits available with respect to any existing policy for medical, hospital, dental or health insurance under which Jose Garcia Jr. is insured]

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 18 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to. Respondent's objection that the request is compound is **OVERRULED**.

Request No. 19: [Financial Statements. Any and all financial statements, loan applications, applications for residential rentals, statements of personal net worth, or similar documents given or prepared by Jose Garcia Jr., individually or jointly with any other person or persons, for any financial institution, credit, or otherwise from January 1, 2019 to the date of production]

Respondent's objection that the terms "financial statements, loan applications, applications for residential rentals, statements of personal net worth" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used accounting and banking terms describing documents depicting financial condition. To the extent that Respondent has possession of documents involving financial condition that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is **OVERRULED**.

Request No. 20: [Debts and Obligations. Any and all documents relating to or reflecting all debts or obligations claimed to be owing to creditors by Jose Garcia Jr. individual, or jointly with any other person or persons]

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 20 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to. Respondent's objection that the request is compound is OVERRULED. Respondent's objection as to time is OVERRULED as to documents existing any time between January 1, 2019 to the date of production.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 21: [Credit Transactions. Any and all records of credit transactions by Jose Garcia, Jr. individual, and jointly with any other person or persons from January 1, 2019 to the date of production, including any and all credit card receipts, bills, or invoices, and any other commercial charge account statements, bills and invoices]

Respondent's objection that the terms "credit transactions, credit card receipts, bills, invoices, commercial charge account statements, bills and invoices" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting and banking terms describing documents depicting credit transactions. To the extent that Respondent has possession of documents involving credit transactions that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 21 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 22: [Interest in Estate(s). Any and all documents that relate in any way to any interest of any kind that Jose Garcia Jr. has or claims to have or had in any estate at any time from January 1, 2019 to the present]

Respondent's objection that the terms "interest in estates" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used real estate and probate terms describing documents delating to rights in any matter of estate. To the extent that Respondent has possession of documents involving estates that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 22 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 23: [Estate Distributions. Any documents including the Decree of Final Distribution, that relate in any way to any property transferred to Jose Garcia Jr. from any estate from January 1, 2023 to the date of production]

Respondent's objection that the terms "decree of final distribution" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used probate terms describing documents relating to rights in any probated estate. To the extent that Respondent has possession of documents involving estate distributions that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 23 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 24: [Pending Lawsuits. Any and all pleadings and correspondence in any pending lawsuit in which Jose Garcia Jr. is the plaintiff, defendant, cross-complainant, cross-defendant, including any such lawsuits in which any business entity operated by the parties or in which the parties have an interest is named as a party]

Respondent's objection that the terms "pleadings and pending lawsuits" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used legal terms describing documents relating to litigation. To the extent that Respondent has possession of documents involving litigation that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document

responsive to Request No. 24 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is **OVERRULED**.

Request No. 25: [Gifts. Any and all documents, including gift tax returns, that reflect any gift in excess of \$1,000 made or received by Jose Garcia Jr. individually, or jointly with any other person or persons, from January 1, 2019 to the date of production]

Respondent's objection that the terms "gifts and gift tax returns" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used legal and tax terms describing transfers for less than equivalent remuneration. To the extent that Respondent has possession of documents involving gifts that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 25 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is **OVERRULED**.

Request No. 26: [Partnership, Joint Venture, Business Agreements. Any and all partnership agreements, joint venture agreements, shareholder agreements, or other business venture agreements reflecting any business in which Jose Garcia, Jr. is or has been involved as a partner, joint venturer, sole proprietor, or otherwise for any portion of the time from January 1, 2019 to the date of production, and any contracts or papers reflecting the purchase or sale of all or part of any business ventures]

Respondent's objection that the terms "partnership, joint venture, business agreements, joint venturer, sole proprietor, contracts and papers" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used business and tax terms describing various forms of business entity. To the extent that Respondent has possession of documents involving a business entity that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 26 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 27: [Partnership Financial Information. Any and all partnership tax returns, profit and loss statements, balance sheets, and other financial statements from January 1, 2019 to the date of production respecting any partnership, joint venture, sole proprietorship, or other business operation in which Jose Garcia Jr. individually or jointly with any other person or persons is or has been involved as an owner or participant for any portion of the time from January 1, 2019 to the date of production]

Respondent's objection that the terms "partnership tax returns, profit and loss statements, balance sheets, and other financial statements, joint venture, partnership, sole proprietorship, business operations and participant" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting, business and tax terms describing various forms of business entity and records of their business operations. To the extent that Respondent has possession of documents involving a

business entity that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 27 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is **OVERRULED**. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is **OVERRULED**.

Request No. 28: [Corporate Financial Information. Any and all financial statements including operating statements, profit and loss statements, balance sheets and corporate tax returns from January 1, 2019 to the date of production respecting any corporate entity in which Jose Garcia Jr. individually or jointly with any other person or persons is the majority or controlling shareholder or in which Jose Garcia Jr. individually or jointly with any other person or persons is an officer or director]

Respondent's objection that the terms "financial statements including operating statements, profit and loss statements, balance sheets and corporate tax returns, shareholder, officer, and director" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used accounting, business and tax terms describing various forms of financial reporting commonly used by those involved in the management of corporate entities. To the extent that Respondent has possession of documents involving a corporate finances that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 28 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 29: [Employment Compensation Agreements. Any and all employment agreements or other agreements for compensation to Jose Garcia Jr. individually or jointly with any other person or persons from January 1, 2019 to the date of production]

Respondent's objection that the terms "employment agreement/compensation agreements" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting, business and tax terms describing various forms of agreements establishing compensation for services rendered. To the extent that Respondent has possession of documents involving a compensation that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 29 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 30: [Offshore Assets. All records, documents, or writings verifying and detailing the nature and extent of any deposits, investment trusts, or other funds or assets held by Jose Garcia Jr. or held for the benefit of Jose Garcia Jr. outside of the United States. Shaid records shall include but not be limited to any account records, trust documents, records of deposit or transfer, holding agreements, receipts or similar records regarding such accounts or deposits]

Respondent's objection that the terms "offshore assets, deposits, investment trusts, or other funds or assets, trust documents account records, holding agreements, receipts or similar records regard such accounts or deposits" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used accounting, business and tax terms describing various forms of documents reflecting transaction and ownership of offshore assets. To the extent that Respondent has possession of documents involving a compensation that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 30 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Respondent's objection to the discovery request on the grounds that it is burdensome or oppressive is OVERRULED. Respondent owes a fiduciary duty to Petitioner to account for all assets in which Petitioner has a potential ownership interest and to such fiduciary duty requires Respondent to demonstrate how all funds Petitioner may have a potential ownership interest in were handled. The fact that a full and complete response to the Request may be difficult because Respondent may not have maintained complete and accurate records of the information Respondent has a duty to account for does not change the fact that such duty to account continues to be owed by Respondent to Petitioner. Note also that a request for documents concerning the status of assets in the care of a fiduciary could be construed as a request for an account and that a failure to provide responsive documents requested could be construed a refusal to account that could give rise to a surcharge. Respondent's objection that the request is compound is OVERRULED.

Request No. 31: [Seller's Final Settlement Statement for the sale of the family residence]

No timely objections were made so any undisclosed objections are deemed waived and therefore OVERRULED. Respondent shall provide a verified supplemental response without objections, but need not produce documents already produced a second time.

Request No. 32: [Veterinary records for all dogs owned by either of the parties from January 1, 2023 to date of production of records]

Respondent's objection that the terms "veterinary records" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used terms used for records that veterinarians who provide care to pets provide to the pet owners. To the extent that

Respondent has possession of documents involving the care of a dog owned by either of the parties that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 32 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 33: [All records regarding any personal loans regarding the dogs owned by either of the parties from January 1, 2023 to the date of production]

Respondent's objection that the terms "personal loans" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used terms used for funds borrowed by an individual for which the individual remains personally obligated to pay. To the extent that Respondent has possession of documents involving loans incurred in connection with a dog owned by either of the parties that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 33 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 34: [Proof of all loan payments on any personal loans from January 1, 2023 to the date of production of records]

Respondent's objection that the terms "loan payments and personal loans" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used terms used for repayment of funds borrowed by an individual for which the individual remains personally obligated to pay. To the extent that Respondent has possession of documents involving payment of loans by either of the parties that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 34 that is within Respondent's custody or control without

regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 35: [Bill of Sale for the purchase of the dogs owned by the parties]

Respondent's objection that the terms "bill of sale" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used commercial terms used to describe documents acknowledging the transfer of ownership of personal property. To the extent that Respondent has possession of documents involving the transfer of ownership of the dogs owned by the party that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 35 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 36: [All records relating to sale of puppies from the dogs owned by either of the parties since date of January 1, 2019]

Respondent's objection that the terms "sale of puppies" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used commercial terms used to describe documents acknowledging the transfer of ownership of personal property and documents acknowledging the receipt of payment for such personal property. To the extent that Respondent has possession of documents involving the transfer of ownership of puppies of the dogs owned by the party that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is **OVERRULED**. Respondent is ordered to provide a copy of every document responsive to Request No. 36 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 37: [All records showing that the solar lease was not paid off through the sale of the home]

Respondent's objection that the terms "solar lease" are overly broad, or vague and ambiguous are **OVERRULED**. The terms are commonly used commercial terms used to describe documents acknowledging the existence and terms of a lease of solar equipment to a homeowner. To the extent that Respondent has possession of documents involving any solar leases or the status of such solar leases following the

sale of the residence that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 37 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 38: [Photographs of the 1962 Chevy Impala]

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 38 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

Request No. 39: [Photographs of the two dump trailers in the possession of your client]

Respondent's objection that the terms "2 dump trailers" are overly broad, or vague and ambiguous are OVERRULED. The terms are commonly used commercial terms and motor vehicle terms used to describe a type of trailer that has a dumping capability. To the extent that Respondent has possession of photographs of dump type trailers that Respondent's counsel is unable to classify as responsive or non-responsive to the request, Respondent is ordered to meet and confer with Petitioner's counsel concerning whether or not that category of documents should be produced or require a more specific request before being produced.

Request No. 40: [All documents supporting your claim that you have separate property, itemized by asset]

Respondent's objection to the discovery request on the grounds that some or all of the requested information has previously been supplied to Petitioner or is available to Petitioner is OVERRULED. Respondent is ordered to provide a copy of every document responsive to Request No. 40 that is within Respondent's custody or control without regard to what may or may not have previously been supplied to Petitioner and without regard to what documents Petitioner may or may not have access to.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. James La Porte
Courtroom 8
627 W. 21st Street, Merced

Friday, May 3, 2024
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.

Case No.	Title / Description
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There are no Ex Parte matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Judge Pro Tem Alexandria Carl
Courtroom 9
627 W. 21st Street, Merced

Friday, May 3, 2024
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.

Case No.	Title / Description
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24CV-00693	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Review of Case Status

Appear to address the status of compliance with the terms of the Stipulated Judgment entered herein. If there is no appearance the matter will be dropped from calendar.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Friday, May 3, 2024
1:15 p.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4111 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

IMPORTANT: Court Reporters will NOT be provided; parties wanting a hearing transcript must make their own arrangements.

Case No. Title / Description

There are no Ex Parte matters scheduled.
