



Superior Court of California
County of Mendocino

Civil Law & Motion or Probate Tentative Ruling for the following:

Case Name: MARSHALL, PAUL L VS CRIDER, NANCY; CRIDER, MIKAEL;
SPINNEY, GARY; MOTT, LINDA; COX, ELISE; BEDNAR, DARLA
Case Number: 25CV01806
Hearing Date: 11/21/2025

Prior to a Civil Law & Motion or Probate hearing, the Court may issue a tentative ruling (CRC 3.1308). After reviewing the issued tentative ruling, a party may request to present oral argument and must notify both opposing parties and the Court no later than 4:00 p.m. on the court day before the hearing of their intent to appear. Notice to the Court should be sent by e-mail to tr@mendocino.courts.ca.gov. The tentative ruling will become the ruling of the Court if oral argument has not been requested timely. The prevailing party must prepare and submit a proposed order unless an order that is consistent with the tentative decision has been previously lodged (Local Rule 2.6).

Tentative Ruling is as Follows:

1. Motion to Strike Answer of Defendant Nancy Crider. The answer was timely served on 8/11/25 with proof of service by mail on that date. The fact that plaintiff refused to accept the envelope containing the answer due to insufficient postage and instructed the postal service to return the envelope does not render the service untimely or invalid.

The motion to strike the answer of defendant Nancy Crider is denied.

2. Motion to Deem Requests for Admissions Admitted: Plaintiff's motion to Deem Requests for Admissions Admitted filed on 10/6/25 was unsigned. This fact was noted by the court in its 10/6/25 filed order in which the court also excused defendant from any obligation to respond to discovery requests which were not signed by plaintiff. No proof of service of a signed discovery request has been provided to the court.

The motion to Deem Requests for Admission Admitted is denied.

3. Motion to Compel Defendants to Serve Responses to Interrogatories and Requests for Production: Plaintiff's Motion to Compel Defendants to Serve Responses to



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The motion to Compel Defendants to Serve Responses to Interrogatories and Requests for Production is denied.

4. Motion for Leave to Serve Special Interrogatories: By order filed 10/6/25 the court prohibited plaintiff from serving any special interrogatories without a showing of good cause. Where good cause is required the party must show that the information sought is necessary for the preparation of its case and that request may be granted without abuse of the rights of the adversary. (Bolles v Sup. Ct. (1971) 15 CA 3d 962, 963) Plaintiff's purported showing of good cause is conclusory and devoid of facts.

The Motion for Leave to Serve Special Interrogatories will be denied.

5. Motions in Limine Preclusion of evidence

1) Defendant is entitled to the introduction of properly authenticated evidence. The trial court will determine relevance depending on the state of the evidence at the time the document is offered. Motion denied.

2) Nonpayment of rent may be relevant to the defense of retaliatory eviction. Motion is denied.

3) This ruling will be reserved for the trial court to review upon the introduction of evidence. Defendant will not be precluded from introducing information/documents referred to in discovery requests from which the court excused defendant from compliance.

4) This motion is too general and non-specific. Plaintiff will have to raise objections at trial at the time evidence is offered. The motion is denied.

5) Plaintiff has claimed the TPA does not apply. Defendants have the right to offer evidence to contest that claim. The motion is denied.



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6) Plaintiff is apparently claiming that defendant's conduct caused the failure of plaintiff's business. Defendants are entitled to present evidence that the business failure was caused by some non-party or other circumstances. The motion is denied.

6. Motion for Order Shortening Time for Discovery Requests / to Continue Trial:

A. Discovery Requests: In light of the Court's 10/6/25 order and the ruling set forth above (Sec. 4) this motion is moot. Plaintiff's decisional authority (*Biles v Exxon Mobile Corp.* (2004) 124 CA 4th 1315, 1322) is factually inapposite as is his statutory authority. CCP 2024.050(a) gives the court discretion to permit the *completion* of discovery proceedings closer to the *initial* trial date but does not permit the court to curtail the time otherwise allowed a party for discovery responses. Furthermore, the current trial date of December 15, 2025 is not the *initial* trial date. (CMC Order 6/26/2025) Additionally, plaintiff has failed to submit the statutorily required meet and confer declaration.

B. Vacation/Continuation of Trial Date: Plaintiff's required supporting declaration is conclusory, devoid of facts and fails to provide a sufficient showing of the "materiality of the evidence expected to be obtained." (CCP 594.4) Furthermore, the court did not direct or order plaintiff to file the subject motion but only stated the court could not grant the relief *verbally* requested at the 11/6/25 Pretrial Conference.

Plaintiff's Motion for Order Shortening Time for Discovery Requests or, in the Alternative, to Continue Trial is denied.