

**Tentative Rulings for March 26, 2025**  
**Department 502**

**For any matter where an oral argument is requested and any party to the hearing desires a remote appearance, such request must be timely submitted to and approved by the hearing judge. In this department, the remote appearance will be conducted through Zoom. If approved, please provide the department's clerk a correct email address. (CRC 3.672, Fresno Sup.C. Local Rule 1.1.19)**

---

---

There are no tentative rulings for the following cases. The hearing will go forward on these matters. If a person is under a court order to appear, he/she must do so. Otherwise, parties should appear unless they have notified the court that they will submit the matter without an appearance. (See California Rules of Court, rule 3.1304(c).) *The above rule also applies to cases listed in this "must appear" section.*

---

---

The court has continued the following cases. The deadlines for opposition and reply papers will remain the same as for the original hearing date.

---

(Tentative Rulings begin at the next page)

# **Tentative Rulings for Department 502**

Begin at the next page

(37)

**Tentative Ruling**

Re: ***Linda Schnell v. Ford Motor Company***  
Superior Court Case No. 23CECG02095

Hearing Date: March 26, 2025 (Dept. 502)

Motion: By Defendant Ford Motor Company for Summary  
Adjudication

**Tentative Ruling:**

To deny.

**Explanation:**

“Summary judgment is granted when there is no triable issue as to any material fact and the moving party is entitled to judgment as a matter of law.” (*Lopez v. Superior Court* (1996) 45 Cal.App.4th 705, 713, quoting Code Civ. Proc. § 437c(c).) Summary judgment is properly directed toward the entire complaint and not portions thereof. (See *Barnick v. Longs Drug Stores, Inc.* (1988) 203 Cal.App.3d 377, 384; *Khan v. Shiley, Inc.* (1990) 217 Cal.App.3d 848, 858-859.)

Summary adjudication is the proper mechanism for challenging a particular, “cause of action, an affirmative defense, a claim for punitive damages, or an issue of duty.” (*Paramount Petroleum Corp. v. Superior Court* (2014) 227 Cal.App.4th 226, 242.) However, “[a] motion for summary adjudication shall be granted only if it completely disposes of a cause of action, an affirmative defense, a claim for damages, or an issue of duty.” (Code Civ. Proc. § 437c(f)(1); see also *Catalano v. Superior Court* (2000) 82 Cal.App.4th 91, 97 [piecemeal adjudication prohibited].)

The ultimate burden of persuasion rests on defendant, as the moving party. The initial burden of production is on defendant to show by a preponderance of the evidence, that it is more likely than not that a given element cannot be established or that a given defense can be established. (*Aguilar v. Atlantic Richfield Co.* (2001) 25 Cal.4th 826, 850.)

If defendant carries this initial burden of production, the burden of production shifts to plaintiff to show that a triable issue of material fact exists. Plaintiff does this if he can show, by a preponderance of the evidence, that it is more likely than not that a given element can be established or that a given defense cannot be established. (*Aguilar, supra*, 25 Cal.4th at pp. 850, 852.)

Here, Defendant Ford Motor Company moves for summary adjudication on the fraudulent concealment cause of action, asserting that Plaintiffs have presented factually devoid discovery responses regarding Defendant's exclusive or superior knowledge.

