

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
HALL OF JUSTICE
TENTATIVE RULINGS - February 05,2009**

EVENT DATE: 02/20/2009 EVENT TIME: 10:30:00 AM DEPT.: C-68

JUDICIAL OFFICER: Judith F. Hayes

CASE NO.: 37-2007-00076218-CU-DF-CTL

CASE TITLE: STUTZ ARTIANO SHINOFF & HOLTZ APC VS. LARKINS

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Defamation

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT

/DATE FILED:

(1) The Motion of Plaintiff Stutz Artiano Shinoff & Holtz, APC for Summary Adjudication is GRANTED. (CCP section 437c) The Court sustains plaintiff's evidentiary objections in their entirety.

Plaintiff sustained its burden to establish each element of plaintiff's causes of action and that defendant cannot create triable issues thereto. Plaintiff has further established defendant cannot establish a defense to said claims.

Defendant failed to sustain her burden on summary adjudication to create triable issues of material fact or a complete defense to the claims asserted by plaintiff.

This ruling does not dispose of the entire action. The matter will proceed as to damages, punitives, and injunctive relief.

Plaintiff is directed to prepare an order.

(2) The Motion of Plaintiff Stutz Artiano Shinoff & Holtz, APC for a protective order and to quash deposition subpoenas is GRANTED. The information sought and the persons deposed are irrelevant to the instant matter, and not likely to lead to the discovery of admissible evidence.

(3) The Motion of Defendant Maura Larkins to compel the deposition of Daniel Shinoff is DENIED. The motion is untimely and procedurally defective. The request to compel documents is improperly before the Court.