

Two Jinn Inc v. Gloria Fernandez Lopez et al (Case No. 25CV02990)

Hearing Date: May 6, 2026

Nature of Proceeding:

Motion to Deem Facts Admitted and Monetary Sanctions as to Defendant
Estela Angelica Banner

Attorneys:

For plaintiff: Melendrez & Sims by Nathan Melendrez

For defendant: Estela Angelica Banner, Pro Se

TENTATIVE RULING

Appearances are required to ascertain if the responding party has served proposed responses to the requests for admission that are in substantial compliance with Code of Civil Procedure section 2033.220. (Code Civ. Proc., § 2033.280, subd. (c).)

MEMORANDUM

This is a collection action. Plaintiff's complaint was filed on May 13, 2025, and asserts breach of a written contract against multiple defendants related to the cost of a bail bond. Defendant Estela Banner generally denied the allegations in an answer filed on July 2, 2025.

According to the declaration of Nathan Melendrez, plaintiff served their first set of Request for Admissions on defendant Banner on or about August 14, 2025. (Melendrez Decl., ¶ 3, Exh. A.) On October 30, 2025, plaintiff made demand upon defendant Banner for responses to the above discovery. (Melendrez Decl., ¶ 4, Exh. B.) No responses were received. Plaintiff now moves the court for an order deeming the requests admitted and for sanctions. The motion was timely served. (See Proof of Service dated 2/13/2026.)

The court must order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted unless it finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Code of Civil Procedure section 2033.220. (Code Civ. Proc., § 2033.280, subd. (c).) In addition, "it is mandatory that the court impose a monetary sanction . . . on a party . . . whose failure to serve a timely response to request for admission necessitated this motion." (*Ibid.*)

No such responses have been provided by the defendant as of the date of plaintiff's motion. (Melendrez Decl., ¶ 5.) The motion will be granted unless defendant has served before the hearing a proposed response that is in substantial compliance with section 2033.220. The court will also award sanctions in the amount of \$310.00 against defendant Banner and in favor of plaintiff in accordance with Code of Civil Procedure, section 2033.280, subdivision (c).

The parties are instructed to appear at the hearing for oral argument. Appearance by Zoom Videoconference is optional and does not require the filing of Judicial Council form RA-010, Notice of Remote Appearance.