Tentative Ruling:

For all the reasons discussed below, the motion is granted.

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. (See Remote Appearance (Zoom) Information | Superior Court of California | County of Santa Barbara.)

Background:

Plaintiff Sicilia Mendoza filed a complaint against her employer, defendant Fresh Venture Foods, LLC ("Fresh Venture Foods"), for wrongful termination in violation of public policy. At the close of Plaintiff's case in chief, FVF moved for judgment. The Court granted the motion, and its ruling was subsequently upheld on appeal on September 23, 2025. On February 24, 2026, the court denied Ms. Mendoza's motion to tax costs and entered judgment in favor of FVF and against Ms. Mendoza in the amount of $18,304.06.

Ms. Mendoza is now entitled to proceeds from a district court consent decree entered between the EEOC and FVF,[1] in which a fund will be established for distribution to the claimants. Ms. Mendoza is one of those claimants, and she is eligible to receive $25,000 from the fund upon her signing and return a release of claims to the third-party administrator.

FVF seeks an order enforcing its judgment against Ms. Mendoza and assigning her interest in the first $18,304.06 of the $25,0000 payment she is eligible to receive to FVF.

A judgment creditor may apply for an order assigning to the creditor all or part of a judgment debtor's right to payment due or to become due, whether or not the right is conditioned on future developments. (Code Civ. Proc.[2], 708.510, subd. (a).) The statute is intended to provide a broad postjudgment enforcement remedy reaching assignable payment rights, including contingent rights to future payment.

The fact that a payment right is contingent does not necessarily preclude assignment. Section 708.510 expressly authorizes assignment of rights to payment "due or to become due" and applies even when the right is conditioned on future developments. Thus, where a judgment debtor possesses a present contractual or legal entitlement to receive funds in the future upon satisfaction of specified conditions, the court may assign that payment right subject to those conditions. Here, the judgment debtor's interest is contingent on her upon her signing and returning a release of claims to the third-party administrator. The proposed order does not purport to supplant those conditions.

In determining whether to issue an assignment order, the court may consider all relevant factors, such as the reasonable economic needs of a natural person judgment debtor and those supported partly or wholly by the debtor; payments the judgment debtor is required to make or that are deducted in satisfaction of other judgments and wage assignments; the amount remaining due on the money judgment; and the amount

[1] Counsel representing FVF in the action before this Court is also counsel for FVF in the EEOC litigation.
[2] All future citations are to the Code of Civil Procedure unless otherwise indicated.

remaining to be received on the right to payment. The judgment debtor has been served with this motion and has not opposed it, nor has she filed a claim for exemption. (§ 708.550—judgment creditor must be personally served with the motion for exemption at least three days before the hearing on the assignment order application.) Thus, the court has no basis on which to determine that any or all of the requested assigned amount is necessary for the support of the judgment debtor.

Based on the present record, the motion is granted.