

PARTIES/ATTORNEYS

Plaintiff	Jesus Hernandez	Mark Coffin
Defendants	AAA Design and Construction, LLC and Roberto Adames	No appearance

TENTATIVE RULING

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

Jesus Hernandez petitions this court for an order confirming and correcting the arbitration award pursuant to Code of Civil Procedure section 1285.¹ It was personally served on respondent Roberto Adames on February 5, 2026, and on respondent AAA Design and Construction, LLC on January 7, 2026. Opposition has not been filed.

Once an arbitrator issues an “award” within the meaning of the California Arbitration Act, the “torch of jurisdiction” passes “from the arbitrator to the trial court.” (Code of Civ. Proc.,² § 1283.4 [defining “award”]; *Lonky v. Patel* (2020) 51 Cal.App.5th 831, 843.) Once that torch has passed, the parties to the arbitration can petition the trial court to issue one of two orders with regard to the arbitration award: (1) an order confirming the arbitration award (§ 1285), which converts the arbitrator's unchanged award into an enforceable judgment (§ 1287.4; *Caro v. Smith* (1997) 59 Cal.App.4th 725, 737), or (2) an order vacating or correcting the arbitration award (§§ 1285, 1285.2, 1285.8), which alters the award's substantive findings and may be issued only upon one of the six bases for vacating an award set forth in section 1286.2 or one of the three bases for correcting an award set forth in section 1286.6.³

The Act explicitly prescribes deadlines for filing these petitions. The deadline for filing a petition to confirm an arbitration award is four years (from the date the petitioner was served with the award). (§ 1288.) When a petition to confirm is filed fewer than 90 days after an award is served, a competing request to vacate or

¹ This provision provides: “Any party to an arbitration in which an award has been made may petition the court to confirm, correct or vacate the award. The petition shall name as respondents all parties to the arbitration and may name as respondents any other persons bound by the arbitration award.”

² All future statutory references are to the Code of Civil Procedure.

³ Although petitioner has marked the box indicating this is a petition to “correct” the award, it does not appear that petitioner is seeking any affirmative relief from *this* court pursuant to Code of Civil Procedure section 1286.6, which delineates the bases for correcting an award. Instead, it appears that petitioner wishes the court to confirm the award that has already been corrected by the arbitrator. The court will treat this as a petition to confirm the corrected award.

correct the award—whether styled as a response to the petition to confirm or as a standalone petition—must be filed and served within 10 days of service of the petition to confirm, even if that due date is less than 100 days after service of the award. (*Darby v. Sisyphean, LLC* (2023) 87 Cal.App.5th 1100, 1110 [disapproved by *Law Finance Group, LLC v. Key* (2023) 14 Cal.5th 932, 952 “to the extent that it characterized section 1288.2’s 100-day limitations period as “jurisdictional” in the fundamental sense.”)⁴

Here, the petition appears to have been timely served and no opposition or petition seeking order to vacate or correct the award has been filed. It would thus be untimely at this point.

Pursuant to the statutory scheme, a petition to confirm an arbitration award and enter it as judgment must set forth the substance of the agreement to arbitrate, the name(s) of the arbitrator, and attach a copy of the written arbitration award(s). (§ 1285.4, subd. (a)-(c); *Loeb v. Record* (2008) 162 Cal.App.4th 431, 4650.) If these requirements are satisfied and absent opposition or competing petition, the court must enter the arbitration award as a judgment. (§ 1286 [the court “shall confirm the award as made”]; see *Law Offices of David S. Karton v. Segreto* (2009) 176 Cal.App.4th 1, 9 [the strict limitations of § 1286 are seldom acknowledged in the case law; if the trial court does not dismiss or correct or vacate it must confirm the award, and entry of judgment in conformity therewith is required]; *Valsan Partners Limited Partnership v. Calcor Space Facility, Inc.* (1994) 25 Cal.App.4th 809, 818 [same].) A judgment so entered has the same force and effect as and is subject to the provisions of law relating to, a judgment in a civil action of the same jurisdictional classification and may be enforced like any other judgment. (§ 1287.4.)

On October 30, 2025, the arbitrator issued a final award. (Amended Petition, Exh. 2.) December 16, 2025, the arbitrator made an amended final award against respondents, increasing the amount awarded for costs of suit by \$6,137.20. As noted in footnote 3, it appears petitioner seeks to confirm this corrected award.

All statutory requirements appear to have been satisfied. Petitioner has submitted all documents, including the arbitration agreement, the arbitration award and its modification, and supplied the name of the arbitrator. All submissions, including a notice of hearing, were served on respondents. The hearing is timely, and respondent has not filed a response of any kind. The court grants the petition to enter the amended final award as a judgment.

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

⁴ But if a petition to confirm is filed more than 90 days after an award is served, a competing request to vacate or correct the award—no matter how styled—must still have been filed within 100 days of the service of the award, even if that due date is less than 10 days after service of the petition to confirm. (*Id.*)

Judicial Council form RA-010, Notice of Remote Appearance. (See [Remote Appearance \(Zoom\) Information | Superior Court of California | County of Santa Barbara.](#))