
PARTIES/ATTORNEYS

Plaintiff	Wells Fargo Bank NA	Collection at Law, Inc. David Bartley, Esq.
Defendant	Michael Carricaburu	Self-Represented

TENTATIVE RULING

Appearances are required to ascertain if the responding parties have 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 August 29, 2025, and asserts breaches of written and implied in fact contracts against defendant related to his use of a consumer credit card. Defendant generally denied the allegations in an answer filed on October 3, 2025.

According to the declaration of Edgar Lopez, plaintiff served their first set of Request for Admissions on defendant on or about October 7, 2025. (Lopez Decl., ¶ 2.) Responses were due on November 11, 2025, extended by correspondence to November 20, 2025. (Lopez Decl., ¶¶ 4-5, Exh. 2.) No responses were received. Plaintiff now moves the court for an order deeming the requests admitted. The motion was timely served. (See Proof of Service dated 12/18/25.)

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).) No such responses had been provided as of December 16, 2025. (Lopez 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 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.](#))