

SUPERIOR COURT OF CALIFORNIA,

COUNTY OF SAN DIEGO

HALL OF JUSTICE

TENTATIVE RULINGS - November 21, 2019

EVENT DATE: 11/22/2019

EVENT TIME: 09:00:00 AM

DEPT.: C-66

JUDICIAL OFFICER: Kenneth J Medel

CASE NO.: 37-2015-00015685-CU-DF-CTL

CASE TITLE: ROBIN MARIEN VS. ROBERT MICHAEL KUCZEWSKI [IMAGED]

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Defamation

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT/DATE FILED: Ex Parte Application - Other and Supporting Documents, 11/04/2019

Plaintiff's Motion to Compel is GRANTED, in part. Mr. Kuczewski has not complied with a discovery request to produce "Any and all ELECTRONIC DATA ... including Emails, text messages, SMS, iMessage, or other similar data transfer protocol, which RELATE, refer to, or concern and of the parties of this case."

At the ex parte hearing on October 24, 2019, Mr. Kuczewski was ordered to produce the texts requested within 30 days. But the Court indicated that the parties were to meet and confer regarding the mechanics of the production.

The Court reconsiders its order of October 24, 2019 and orders the following to be produced by Mr. Kuczewski within 20 days of this order:

Mr. Kuczewski is to produce all electronic communications (including text messages) between himself and Ms. Holland.

The subpoena to T-Mobile is moot in light of this order. Mr. Kuczewski is to produce the records.

The Court also orders Mr. Kuczewski to pay sanctions in the amount of \$3818 to plaintiff within 20 days of this order.