

October 2, 2026, Civil Law & Motion Tentative Rulings (Kellegrew)

The following tentative ruling is issued by the Hon. Judge Kent Kellegrew.

**1. CU0001723 UMPQUA BANK, as Successor by Merger to Columbia State Bank,
an Oregon State Chartered Bank vs. Joseph A. Miller, DMD, Inc., a
California Corporation et al**

Plaintiff Columbia Bank f/k/a Umpqua Bank, as Successor by Merger to Columbia State Bank's unopposed motion for summary judgment is granted.

The function of a motion for summary judgment or adjudication is to allow a determination as to whether an opposing party cannot show evidentiary support for a pleading or claim and to enable an order of summary dismissal without the need for trial. See *Aguilar v. Atlantic Richfield Co.* (2001) 25 Cal.4th 826, 843. In moving for summary judgment or summary adjudication, a “defendant . . . has met his or her burden of showing that a cause of action has no merit if the party has shown that one or more elements of the cause of action, even if not separately pleaded, cannot be established, or that there is a complete defense to the cause of action.” Code Civ. Proc. § 437c(p)(2).

In analyzing motions for summary judgment, courts must apply a three-step analysis: (1) identify the issues framed by the pleadings to be addressed; (2) determine whether moving party showed facts justifying a judgment in movant's favor; and (3) determine whether the opposing party demonstrated the existence of a triable, material issue of fact. See *Sun v. City of Oakland* (2008) 166 Cal.App.4th 1177, 1182-83; *McGarry v. Sax* (2008) 158 Cal.App.4th 983, 994; *Hinesley v. Oakshade Town Center* (2005) 135 Cal. App. 4th 289, 294.

The court finds that Plaintiff has met his burden of persuasion that all elements of each cause of action can be established and have justified a judgment in his favor. See *Aguilar, supra*, 25 Cal.4th at 850. Defendants have not opposed the motion and have not demonstrated the existence of a triable, material issue of fact. Indeed, “[w]ithout a separate statement of undisputed facts with references to supporting evidence... it is impossible ... to demonstrate the existence of disputed facts.” *Lewis v. County of Sacramento* (2001) 93 Cal.App.4th 107, 115.

Therefore, Plaintiff is entitled to summary judgment.