

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA DIVISION**

**TENTATIVE RULINGS**

EVENT DATE: 02/10/2020                      EVENT TIME: 08:20:00 AM                      DEPT.: 20  
JUDICIAL OFFICER: Matthew P. Guasco

CASE NUM: 56-2018-00513957-CU-MM-VTA  
CASE TITLE: BRAZIER VS. FREY MD

CASE CATEGORY:    Civil - Unlimited                                      CASE TYPE:    Medical Malpractice

EVENT TYPE:    Motion for Leave to Amend (CLM) - to file first amended complaint  
CAUSAL DOCUMENT/DATE FILED:    Motion for Leave to File, 01/10/2020

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Notice Regarding Courtroom 20 Law & Motion Procedures: The law and motion calendar in Courtroom 20 before Judge Matthew P. Guasco starts promptly at 8:30 a.m. Ex parte applications will be heard at the same time as matters on the law and motion calendar. Parties appearing by Court Call must check in with the Judicial Assistant by 8:20 a.m. No notice of intent to appear is required. Parties wishing to submit on the tentative decision must so notify the Court by e-mail at [Courtroom20@ventura.courts.ca.gov](mailto:Courtroom20@ventura.courts.ca.gov) or by fax to Judge Guasco's secretary, Denise Arreola at (805) 289-8807. **Do not call in lieu of sending an e-mail or fax.** If a party submits on the tentative decision without appearing, but another party appears, the hearing will be conducted in the absence of the non-appearing party. Effective February 13, 2018, all cases assigned to Courtroom 20 are assigned for all purposes (including trial) to Judge Guasco.

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The following is the Court's tentative decision concerning the motion of plaintiff, Nicole Brazier ("Brazier"), for leave to file a First-Amended Complaint against defendants, Robert Douglas Frey, M.D., ("Frey"), Pacific Pain Management, A.P.C., and Pacific Pain Management, Inc. ("PPM"):

The Court intends to continue the hearing on this motion to permit plaintiff's counsel to submit a supplemental declaration which complies with California Rules of Court, rule 3.1324, subdivision (b). That rule requires the declaration of the moving party's counsel to "specify: (1) The effect of the amendment; (2) Why the amendment is necessary and proper; (3) When the facts giving rise to the amended allegations were discovered; and (4) the reasons why the request for amendment was not made earlier." Counsel's two declarations simply do not provide this necessary detail.

The Court will discuss with counsel a mutually convenient date for the further hearing.