

Stahl v. Gonzales, 15CV- 0228

Hearing: Defendants' Uncontested Motion to Determine Good Faith Settlement

Date: November 16, 2017

Julie Stahl, as an individual and as Personal Representative of the Estate of Jackson R. Garland, Deceased, and James Garland ("Plaintiffs"), brought this action, as consolidated¹ alleging four causes of action against Defendants Enterprise Rent-A-Car Company of Los Angeles, LLC and EAN Holdings, LLC (collectively "Enterprise"), as well as causes of action against Alexander P. Gonzales, Dr. Kenneth Starr, MD, Ken Starr, Inc., Ken Starr Addiction Medicine Group, Gregory J. Gonzales, Cynthia M. Gonzales, and the County of San Luis Obispo. Plaintiffs' general allegations in regard to Enterprise are that Enterprise negligently entrusted a rental vehicle to and/or breached an oral contract with Defendants Cynthia Gonzales and Alexander Gonzales.

Enterprise alleges that on or about April 18, 2016, Enterprise settled with Plaintiffs ("Settlement"). Enterprise moves here for a determination of good faith settlement under Code of Civil Procedure section 877.6(a)(1) ("Motion"). Counsel for Enterprise declares that the terms of the Settlement are confidential, but that all Defendants have been apprised of the primary terms thereof, including payment terms, and that Enterprise was advised by counsel for each defendant that they had no objections. The Motion is unopposed.

All Defendants have been informed of the terms of the settlement and received notice of the Motion, and no Defendant has objected. Therefore, the Court may grant the Motion without a comprehensive review of the settlement.² (*City of Grand Terrace v. Superior Court* (1987) 192 Cal.App.3d 1251, 1261 [holding that a barebones motion with a declaration setting forth a brief background of the case is sufficient if the motion is unopposed].) Enterprise's Motion is granted. The settlement between Plaintiffs and Enterprise is found to be good faith in nature. The Stahl Complaint filed on April 29, 2015 (15CV-0228) and the Garland Complaint filed on June 19, 2015 (15CV-0322) are dismissed as against Defendants Enterprise Rent-A-Car Company of Los Angeles, LLC and EAN Holdings, LLC only. Any claims for equitable indemnity and/or contribution which may in the future be asserted against any party released as a result of this Settlement are hereby barred.

¹ The two original actions were 15CV-0228, filed by Julie Stahl ("Stahl Complaint"), which is the lead case, and 15CV-0322, filed by James Garland ("Garland Complaint").

² The Stahl Complaint was dismissed with prejudice as against the County of San Luis Obispo ("County") on February 29, 2016, and the Wiens complaint was dismissed with prejudice as against the County on March 4, 2016, therefore the County did not receive notice of the settlement or the Motion. Per the proof of service and declaration of Enterprise's counsel, all other Defendants were informed of the terms of the settlement and received notice of the Motion.