

**DEPARTMENT SIX
JUDGE D. SCOTT DANIELS
707-207-7306
TENTATIVE RULINGS SCHEDULED FOR
WEDNESDAY, SEPTEMBER 18, 2019**

**LVNV FUNDING, LLC v. HARRIS, ET AL.
Case No. FCM165035**

Motion for Judgment on the Pleadings

TENTATIVE RULING

Plaintiff's unopposed motion for judgment on the pleadings is granted.

Defendant's answer does not deny any material allegations of Plaintiff's complaint regarding the existence, amount, or nonpayment of the debt or Plaintiff's right to payment of the debt and does not assert any new matter that might constitute a viable affirmative defense to Plaintiff's cause of action. Inability to pay is not a defense to a claim of indebtedness. (See, *Ab Group v. Wertin* (1997) 59 Cal.App.4th 1022, 1028 [a borrower is legally obligated to repay her loans].)

Judgment shall be entered for Plaintiff and against Defendant for the principal balance of \$843.99. Prejudgment costs must be claimed and contested in accordance with the rules adopted by the Judicial Council. (Code Civ. Proc. § 1034(a); Cal. Rules of Court, rule 3.1700.)