

TENTATIVE RULINGS for CIVIL LAW and MOTION
June 24, 2014

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Two: (530) 406-6843

TENTATIVE RULING

Case: Hansen v. The Forecast Group, LP
Case No. CV CV 11-662
Hearing Date: June 24, 2014 Department Two 9:00 a.m.

The hearing is **CONTINUED** on the Court's own motion to be heard with the motions to quash plaintiffs' doe amendment on June 25, 2014, at 9:00 a.m. in Department 2.

TENTATIVE RULING

Case: National EWP, Inc. v. Mineral Ridge Gold, LLC
Case No. CV CV 14-510
Hearing Date: June 24, 2014 Department Two 9:00 a.m.

Defendant Mineral Ridge Gold, LLC's unopposed motion to quash service of summons for lack of personal jurisdiction is **GRANTED**. Plaintiff National EWP, Inc. fails to meet its initial burden of demonstrating facts to justify the exercise of jurisdiction over defendant. (Code Civ. Proc., § 418.10, subd. (a)(1); *Vons Companies, Inc. v. Seabest Foods, Inc.* (1996) 14 Cal.4th 434, 449.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.

TENTATIVE RULING

Case: Washington v. Syntrol Plumbing, Heating and Air, Inc.
Case No. CV PO 14-70
Hearing Date: June 24, 2014 Department Two 9:00 a.m.

Defendant Syntrol Plumbing, Heating and Air, Inc.'s demurrer to the first cause of action for negligence, second cause of action for fraud, and third cause of action for negligent misrepresentation in plaintiff Cheryl Washington's first amended complaint ("FAC") borders on the frivolous and is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Plaintiff states facts sufficient to state each cause of action as alleged. (*Lazar v. Superior Court of Los Angeles County* (1996) 12 Cal.4th 631, 645; *Tarmann v. State Farm Mut. Auto. Ins. Co.* (1991) 2

Cal.App.4th 153, 157; FAC, ¶¶ 1-53.) Further, the complaint is properly verified pursuant to Code of Civil Procedure section 446. (Code Civ. Proc., § 430.10, subd. (d).) Finally, the Court declines to consider any arguments based on Code of Civil Procedure section 430.10, which are not distinctly specified in defendant's demurrer. (Code Civ. Proc., § 430.60.)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312, or further notice is required.