

TENTATIVE RULINGS for CIVIL LAW and MOTION July 16, 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

Telephone number for the clerk in Department Six: (530) 406-6941

TENTATIVE RULING

Case: Crawford v. Jim Moore Trucking

Case No. CV PM 11-1785

Hearing Date: July 16, 2014 Department Two 9:00 a.m.

Defendants Jim Moore and Jim Moore Trucking's unopposed motion to bifurcate the issues of liability and monetary damages is **GRANTED**. (Code Civ. Proc., § 598.)

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: McDonough v. Tyranen

Case No. CV UD 14-884

Hearing Date: July 16, 2014 Department Six 9:00 a.m.

Please note that this matter will be heard in Department 6.

Defendants Rachael Tyranen, Theresa Schuetz, and Michael Tyranen's unopposed demurrer to the complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) The authorities cited by defendants establish only that a notice to pay rent or quit must not overstate the rent due. They do not establish that including items besides unpaid rent in the notice invalidates it.

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: MHS Corp. v. All American Rentals, Inc.
Case No. CV CV 13-800**

Hearing Date: July 16, 2014 Department Two 9:00 a.m.

Defendant All American Rentals, Inc.'s motion for leave to file a cross-complaint against plaintiff MHS Corporation, is **GRANTED**. (Code Civ. Proc., §§ 426.50, 428.50.) Plaintiff has not shown that defendant acted in bad faith in pursuing the filing of the cross-complaint. (*Silver Organizations, Ltd. v. Frank* (1990) 217 Cal.App.3d 94, 98-99.)

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: Wilson v. City of West Sacramento
Case No. CV PT 14-867**

Hearing Date: July 16, 2014 Department Two 9:00 a.m.

Petitioner Rebecca Wilson's unopposed petition for an order relieving her from the provisions of Government Code section 945.7 is **GRANTED**. (Gov. Code, § 911.6, subd. (b)(3).)

The notice of petition does not provide notice of this Court's tentative ruling system as required by Local Rule 11.4(b). Counsel for moving party is ordered to notify the opposing party or parties immediately of the tentative ruling system and to be available at the hearing, in person or by telephone, in the event the opposing party or parties appear without following the procedures set forth in Local Rule 11.4(a).