

TENTATIVE RULINGS for CIVIL LAW and MOTION
August 1, 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: Cavalry SPV I, LLC
Case No. CV G 14-503
Hearing Date: August 1, 2014 Department Two 9:00 a.m.

Defendant Loren Avellar’s motion to quash service of summons is **DENIED**. On July 3, 2014, Russell Duane filed a declaration of mailing that states that he mailed the complaint and associated documents to defendant on July 2, 2014. Defendant’s declaration dated June 25, 2014, does not establish that she did not receive these documents after July 2, 2014, when they were mailed to her.

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: Fry v. Wave Division Holdings, LLC
Case No. CV CV 13-243
Hearing Date: August 1, 2014 Department Two 9:00 a.m.

Anthony J. Poidmore’s unopposed motion to be relieved as counsel for Adam Fry is **GRANTED**. (Cal. Rules of Court, rule 3.1362.) This order is not effective until Mr. Poidmore files a proof of service with the court showing service of a copy of the signed order on his client. (Cal. Rules of Court, rule 3.1362(e).)

TENTATIVE RULING

Case: Hansen v. Forecast Group, L.P.
Case No. CV CV 11-662
Hearing Date: August 1, 2014 Department Two 9:00 a.m.

Cross-defendant Ike’s Landscaping and Maintenance, Inc.’s (“Ike’s Landscaping”) motion for determination of good faith settlement is **DENIED**. (Code Civ. Proc., § 877.6.) The ex parte motion for an order shortening time that was granted by the Court July 28, 2014, was set to address the settlement agreement filed by Ike’s Landscaping on that same date. According to the

additional brief filed by Ike's Landscaping on July 31, 2014, the original settlement agreement has since been modified. (Decl. of Daniel A. Crespo, ¶ 6.) The modified settlement agreement is not within the purview of the order shortening time.

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: Tonmac LLC v. Flores
Case No. CV UD 14-007**

Hearing Date: August 1, 2014 Department Two 9:00 a.m.

Plaintiff Tonmac LLC's motion for a default judgment on a stipulated judgment is **DENIED**. Plaintiff fails to submit a memorandum of points and authorities in support of the motion. (Cal. Rules of Court, rule 3.1113.)

The notice of motion 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).