

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**August 13, 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](http://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: **California Clean Energy Committee v. City of Woodland**  
**Case No. CV PT 11-2146**

**Hearing Date: August 13, 2014 Department Two 9:00 a.m.**

The Court declines to consider the declaration of Bobby Harris in support of the motion for attorneys' fees because it was untimely filed and served. (Code Civ. Proc., § 1005.) Accordingly, the Court need not consider and so does not reach Petrovich Development Company, LLC's evidentiary objections to this document.

Petitioner California Clean Energy Committee's evidentiary objections are **SUSTAINED**.

Petitioner's motion for attorneys' fees pursuant to Code of Civil Procedure section 1021.5 is **GRANTED IN PART**, in the amount of \$340,800, based on an hourly rate of \$400/hour. The Court does not: (1) apply a multiplier to the lodestar amount; (2) award time for paralegal fees because they are not substantiated by competent evidence; (3) award attorneys' fees for time spent in preparing the reply brief because the request is not supported by any evidence; and (4) does not award any attorneys' fees for 129.7 hours in billed attorney time because attorney Wilson does not substantiate all of this time. (*Children's Hosp. & Med. Ctr. v. Bonta* (2002) 97 Cal.App.4<sup>th</sup> 740, 779.)

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: **Northern Calif. Collection Service v. One Step Enters., Inc.**  
**Case No. CV CV 13-2080**

**Hearing Date: August 13, 2014 Department Two 9:00 a.m.**

Defendant One Step Enterprises, Inc.'s motion to compel further responses to special interrogatories and requests for production from plaintiff Northern California Collection Service, Inc. is **GRANTED**. (Code Civ. Proc., §§ 2030.300, 2031.310.) Plaintiff's reference to writings

from which the answers may be derived is improper, and plaintiff failed to properly file a protective order to challenge defendant's declaration of necessity. (Code Civ. Proc., § 2030.040.)

Plaintiff shall provide verified responses, together with any responsive documents, by no later than August 25, 2014.

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

**TENTATIVE RULING**

Case: **Ramirez v. Querner**  
**Case No. CV PM 13-1857**

**Hearing Date: August 13, 2014 Department Two 9:00 a.m.**

Defendants Mark Querner and Susan Querner's motion to compel is **DROPPED FROM CALENDAR**. It was not filed at least 16 court days in advance of the hearing date. (Code Civ. Proc., § 1005.)