

TENTATIVE RULINGS for CIVIL LAW and MOTION
October 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: **Vargas v. Johnson**
Case No. CV PM 14-154
Hearing Date: **October 1, 2014** **Department Two** **9:00 a.m.**

Attorney Peter Fisher's application to file his declaration under seal is **GRANTED**. (Cal. Rules of Court, rule 2.550-2.551.)

Mr. Fisher's unopposed motion to be relieved as counsel for plaintiffs Consuelo Vargas and Rosa Vargas is **GRANTED**. (Cal. Rules of Court, rule 3.1362.) This order is not effective until Mr. Fisher files a proof of service with the court showing service of a copy of the signed order on his clients. (Cal. Rules of Court, rule 3.1362(e).)

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: **Virk v. Juchau**
Case No. CV CV 11-2634
Hearing Date: **October 1, 2014** **Department Two** **9:00 a.m.**

The parties' requests for judicial notice are **GRANTED**. (Evid. Code, § 452, subds (c), (d).) The Court takes judicial notice of the existence of the documents, but does not take notice of the facts contained therein. (*Gould v. Maryland Sound Industries, Inc.* (1995) 31 Cal.App.4th 1137, 1145.)

Defendant Blaine Juchau's motion to lift the stay and set a trial date is **DENIED**. Defendant voluntarily chose to invoke the procedures prescribed by Corporations Code section 2000, rather than to litigate his cross-complaint and defend the action for involuntary dissolution on its merits. Further, the causes of action sought to be severed are derivative of the dissolution and if proved would be property of the corporate entities. (Corp. Code, § 2000; *Go v. Pacific Health Services, Inc.* (2009) 179 Cal.App.4th 522; *Cotton v. Expo Power Sys., Inc.* (2009) 170 Cal. App. 4th 1371, 1380.)

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.