

**TENTATIVE RULINGS for CIVIL LAW and MOTION
October 14, 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 Seven: (530) 406-6942

TENTATIVE RULING

Case: Bay Area Coffee, Inc. v. Raley’s Inc.
Case No. CV CV 11-2583
Hearing Date: October 14, 2014 Department Two 9:00 a.m.

Defendant Thomas Lee and defendant and cross-complainant Raley’s, Inc.’s motion to compel production of withheld documents of plaintiff Bay Area Coffee, Inc. (“BACI”) is **GRANTED**. (Code Civ. Proc., § 2025.480, subd. (a).) Plaintiff has failed to support its claim of attorney work-product protection with any evidentiary foundation. (*Citizens for Ceres v. Superior Court* (2013) 217 Cal.App.4th 889, 911.)

BACI’s request for in camera review is **DENIED**. A party seeking to seal documents shall comply with California Rule of Court 2.551(b).

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: Sharma Holdings v. Jones
Case No. CV UD 14-1568
Hearing Date: October 14, 2014 Department Two 9:00 a.m.

Defendant Daisy Taviea’s unopposed motion to quash service of summons is **GRANTED**. (Code Civ. Proc., § 418.10, subd. (a)(1).) Defendant presents undisputed evidence that the three-day notice to pay rent or quit overstates the amount of rent due. (Decl. Taviea.) A notice that overstates that amount of rent due cannot support an unlawful detainer action. (*Levitz Furn. Co. of the Pacific, Inc. v. Wingtip Communications* (2001) 86 Cal.App.4th 1035.)

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: Zochlinski v. City of Davis
Case No. CV PT 09-2287

Hearing Date: October 14, 2014 Department Seven 9:30 a.m.

Respondents City of Davis, William Emlen, Mar Wood, Lorrie Thornton, and Deborah Brusco's motion to dismiss petitioner's petition for writ of mandate is **GRANTED**. (Code Civ. Proc., §§ 583.310 583.360.)

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.