

TENTATIVE RULINGS for CIVIL LAW and MOTION
December 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

TENTATIVE RULING

Case: Mora v. West Riverpark, LLC
Case No. CV CV 12-822
Hearing Date: December 16, 2014 Department Two 9:00 a.m.

Cross-defendant Dave's Design Center, Inc.'s unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

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: Te v. Calandra
Case No. CV G 14-119
Hearing Date: December 16, 2014 Department Two 9:00 a.m.

Plaintiffs Haksing Te and Sophia Te's evidentiary objection to paragraph five of the declaration of Charlene P. Rosack is **SUSTAINED**. (Evid. Code, § 1152.)

Plaintiffs' motion for a preliminary and permanent mandatory injunction is **DENIED**. (Code Civ. Proc., § 526.) Plaintiffs fail to demonstrate, with reasonable probability, that they will prevail on the merits of their claim. (Decl. of Kenneth Menzer, ¶¶ 1-6; Decl. of Ruben M. Green, ¶¶ 1-10; *Fleishman v. Superior Court* (2002) 102 Cal.App.4th 350, 355; *Teachers Ins. & Annuity Ass'n v. Furlotti* (1999) 70 Cal.App.4th 1487, 1493; *Dawson v. East Side Union High School Dist.* (1994) 28 Cal.App.4th 998, 1041; *Booska v. Patel* (1994) 24 Cal.App.4th 1786, 1791.)

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. Discount Gold Brokers, Inc.**
Case No. CV CV 13-1799

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

Plaintiff John Wilson’s unopposed motion to amend the judgment entered on September 24, 2014, to add a “discountmetalbrokers, Inc.” as a judgment debtor, is **GRANTED**. (Code Civ. Proc., § 187.) Plaintiff establishes that “discountmetalbrokers, Inc.” is the alter ego of the Discount Gold Brokers, Inc. and as such, it had control of the litigation and was represented in the lawsuit. (*Misik v. D’Arco* (2011) 197 Cal.App.4th 1065, 1075.)

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.