

TENTATIVE RULINGS for CIVIL LAW and MOTION
March 10, 2015

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: Hart v. Select Portfolio Servicing, Inc.
Case No. CV CV 14-1991
Hearing Date: March 10, 2015 Department Two 9:00 a.m.

JPMorgan Chase Bank, N.A.'s demurrer is **DROPPED FROM CALENDAR**. Plaintiffs filed a first amended complaint on February 11, 2015. (Code Civ. Proc., § 472.)

TENTATIVE RULING

Case: Ponce v. Wells Fargo Bank, N.A.
Case No. CV CV 13-1769
Hearing Date: March 10, 2015 Department Two 9:00 a.m.

Defendant Specialized Loan Servicing LLC's unopposed motion to compel responses from each of plaintiffs Heriberto Ponce, Antonio Aranda, and Imelda Aranda to form interrogatories (set one), special interrogatories (set one), and requests for production (set one) is **GRANTED**. (Code Civ. Proc., §§ 2030.290, subd. (b); 2031.300, subd. (b).) Even though defendant has not opposed the motion, the Court may still grant monetary sanctions. (Cal. Rules of Court, rule 3.1348.) Accordingly, monetary sanctions are granted against each of plaintiffs and their counsel, jointly and severally, in the amount of \$390.00. (Code Civ. Proc., §§ 2030.290, subd. (c); 2031.300, subd. (c).) The Court does not award sanctions for time not yet incurred.

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).

TENTATIVE RULING

Case: Sacramento Floormasters, Inc. v. Sac Profloors, Inc.
Case No. CV CV 13-2165

Hearing Date: March 10, 2015 Department Two 9:00 a.m.

Plaintiffs Sacramento Floormasters, Inc. and DT Floormasters, Inc. move to disqualify defendants' counsel on the basis that counsel has taken, viewed, and refuses to return allegedly attorney-client privileged materials. The parties are ordered to submit the issue of whether the subject materials are protected by the attorney-client privilege to the discovery referee. The discovery referee shall make findings and recommendations as to whether the subject materials are in fact privileged, and shall submit those findings and recommendations to the Court. Upon receipt of those findings and recommendations, the moving party shall notice a hearing before this Court at which the Court shall consider whether counsel should be disqualified in this matter.

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.