

TENTATIVE RULINGS for CIVIL LAW and MOTION
March 20, 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: Fox v. Winnebago Industries, Inc.
Case No. CV CV 14-1855
Hearing Date: March 20, 2015 Department Two 9:00 a.m.

Plaintiff Damon Fox's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

Plaintiff's demurrer to the first, third through tenth, twelfth, fifteenth, seventeenth, nineteenth, and twentieth affirmative defenses is **SUSTAINED WITH LEAVE TO AMEND**, and **OVERRULED** as to the remainder of the defenses. (Code Civ. Proc., § 430.20, subd. (a).)

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: Upton v. Huffine
Case No. CV PO 13-1702
Hearing Date: March 20, 2015 Department Two 9:00 a.m.

Plaintiff Jessica Upton's motion for leave to file an amended complaint is **DENIED**. The motion does not comply with California Rule of Court 3.1324(a)(3), and (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: Valadez v. Contreras
Case No. CV PO 14-689
Hearing Date: March 20, 2015 Department Two 9:00 a.m.

Defendant The Romeo Berrettoni Trust's motion to strike allegations relating to plaintiff's prayer for punitive damages is **DENIED**. (Code Civ. Proc., § 436.) The facts alleged in the third amended complaint adequately support an inference of oppression under Civil Code section 294.

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.