

TENTATIVE RULINGS for CIVIL LAW and MOTION

April 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: **Citizens for Avian Resource and Environmental Sustainability v. County of Yolo**
Case No. CV PT 14-716
Hearing Date: **April 10, 2015** **Department Two** **9:00 a.m.**

The hearing on the petition for writ of mandate is **CONTINUED** on the Court's own motion to May 8, 2015, at 9:00 a.m. in Department Two, so that the Court may more thoroughly consider the petition.

TENTATIVE RULING

Case: **Fowler v. Nugget Market, Inc.**
Case No. CV CV 14-2073
Hearing Date: **April 10, 2015** **Department Two** **9:00 a.m.**

Defendant Nugget Market, Inc.'s evidentiary objection nos. 1-15 to the declaration of Jill Telfer are **SUSTAINED**. (Evid. Code, §§ 350, 403, 702, & 1200.)

Defendant's motion to transfer the instant action to Placer County is **GRANTED**. (Code Civ. Proc., § 397, subd. (c).) This order is not effective unless and until defendant complies with Code of Civil Procedure section 399(a) by paying the required fees and costs of transfer.

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: **Hughes v. Hartmann**
Case No. CV G 14-1105
Hearing Date: **April 10, 2015** **Department Two** **9:00 a.m.**

Plaintiff Peter W. Hughes's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (c).)

Defendant Scott Hartmann's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (c).)

Plaintiff's motion for summary judgment is **GRANTED**, against defendants Scott Hartmann and Associated Surface Prep, Inc. ("ASP"). Plaintiff has "proved each element of the cause of action entitling the party to judgment on that cause of action." Defendant ASP has not opposed the motion and defendant Scott Hartmann has not proved that "the original parties did not intend the representative to be liable on the instrument." (Com. Code, § 3402, subd. (b)(2).)

If no hearing is requested, plaintiff is directed to prepare a formal order consistent with this ruling and in accordance with Code of Civil Procedure section 437c(g) and California Rule of Court 3.1312.