

TENTATIVE RULINGS for CIVIL LAW and MOTION
June 5, 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
Telephone number for the clerk in Department Nine: (530) 406-6787

TENTATIVE RULING

Case: **Fields v. City of Davis**
Case No. CV CV 14-32
Hearing Date: June 5, 2015 Department Two 9:00 a.m.

Defendant City of Davis's motion for an order directing Stivers Construction to comply with defendant's deposition subpoena is **DENIED**. (Code Civ. Proc., § 1987.1) Defendant fails to establish that the custodian of records for Stivers Construction was served with the deposition subpoena. (Code Civ. Proc., § 1987, subd. (a); *Chapman v. Superior Court for Los Angeles County* (1968) 261 Cal.App.2d 194, 198; Decl. of Mike Twomey, ¶¶ 1-3, Exhs. A-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: **Phan v. Alba**
Case No. CV UD 15-113
Hearing Date: June 5, 2015 Department Nine 9:00 a.m.

Defendant Philip Alba's motion to seal the entirety of the court file is **DENIED**. (Cal. Rules of Court, rules 2.550-51.) Code of Civil Procedure section 1161.2(a)(5) sets forth the conditions under which the Court may deny access to the file, and those conditions are not met here. Defendant does not otherwise provide any evidence to meet the conditions set forth in California Rule of Court 2.550(d).

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: Scaccia v. Scaccia
Case No. CV CV 14-1820**

Hearing Date: June 5, 2015 Department Two 9:00 a.m.

Plaintiff Brian Scaccia's motions to compel responses to special interrogatories, requests for production, and motion to deem requests for admission admitted are **DROPPED FROM CALENDAR**. They were not filed within 16 court days of the hearing. (Code Civ. Proc., § 1005.)