

TENTATIVE RULINGS for CIVIL LAW and MOTION
June 18, 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 Fourteen: (530) 406-6888

TENTATIVE RULING

Case: Capital One Bank (USA), N.A. v. Avellar
Case No. CV G 12-510

Hearing Date: June 18, 2015 Department Fourteen 10:00 a.m.

Defendant Loreen Avellar's motion to dismiss this case for delay in prosecution is **DROPPED FROM CALENDAR**. (Cal. Rules of Court, rule 3.1342.) A party seeking dismissal of a case under Code of Civil Procedure section 583.420 must serve and file a notice of motion at least 45 days before the date set for hearing of the motion. The instant motion was filed and served on May 22, 2015.

TENTATIVE RULING

Case: Nelson v. Phariss
Case No. CV CV 13-1739

Hearing Date: June 18, 2015 Department Fourteen 10:00 a.m.

Plaintiff Christopher Nelson's motion to compel defendant Asher Phariss's attendance at deposition is **DENIED**. The declaration of Harry Roth does not detail what efforts were made to meet and confer prior to filing this motion. (Code Civ. Proc., § 2025.280, subd. (b)(2).)

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).