

TENTATIVE RULINGS for CIVIL LAW and MOTION
September 2, 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.

Please take note that Yolo Superior Court is now located at 1000 Main Street, in Woodland.

Telephone number for the clerk in Department Four: (530) 406-6942
Telephone number for the clerk in Department Eleven: (530) 406-6843

TENTATIVE RULING

Case: Chischevoy v. Parker
Case No. CV UD 15-1134
Hearing Date: September 2, 2015 Department Four 9:00 a.m.

Defendant Priscilla Parker's motion to quash service of the summons and complaint is **DENIED**. (Code Civ. Proc., § 418.10.) Plaintiff Andrew Chischevoy has established that he effected proper substituted service on defendant. (Code Civ. Proc., § 415.20, subd. (b).)

Plaintiff's request for monetary sanctions is **DENIED**. Plaintiff does not cite the applicable legal authority that supports his request.

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: Grill v. Meritage Homes of California, Inc.
Case No. CV CV 11-13
Hearing Date: September 2, 2015 Department Eleven 9:00 a.m.

The requests for judicial notice are **GRANTED**. (Evid. Code, § 452, subd. (d).)

Cross-defendant Beutler Corporation's motion to continue the trial set for September 8, 2015, is **GRANTED**. (Cal. Rules of Court, rule 3.1332; Code Civ. Proc., § 583.340, subd. (c).) The previous trial date, set for August 17, 2015, was vacated on the Court's own motion due to the court's relocation to a new courthouse. (Plaintiffs' Request for Judicial Notice, Exh. D.) Further, Beutler Corporation has made an affirmative showing of good cause for a continuance of the current trial date based on the unavailability of trial counsel. (Decl. of J. Scott Donald, ¶¶ 3-6.) Therefore, due to causes beyond plaintiffs' control, it is impracticable for plaintiffs to comply with the statutory five-year time period to bring the action to trial. (Code Civ. Proc., §§ 583.310,

583.340, subd. (c); *Bruns v. E-Commerce Exch., Inc.* (2011) 51 Cal.4th 717, 731; *Coe v. City of Los Angeles* (1994) 24 Cal.App.4th 88, 92.)

The trial date of September 8, 2015, is **VACATED**. The parties are **DIRECTED TO APPEAR** for purposes of setting a new trial date.

Defendant Blazona Concrete Construction, Inc.'s unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

Defendant Sondad Industries, Inc.'s unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

Defendant Ike's Landscaping and Maintenance, Inc.'s unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

Defendant Vasilou Construction's unopposed motion for determination of good faith settlement is **GRANTED**. (Code Civ. Proc., § 877.6.)

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: **Ramos Oil, Inc. v. Amiri**
Case No. CV CV 10-1246

Hearing Date: **September 2, 2015** **Department Eleven** **9:00 a.m.**

Plaintiff Ramos Oil, Inc.'s motion for reconsideration is **CONTINUED** to be heard on September 22, 2015, at 11:00 a.m. in Department 3, so that it may be heard by the Honorable Kathleen M. White. (Code Civ. Proc., § 1008, subd. (a).)