TENTATIVE RULINGS for CIVIL LAW and MOTION
September 8, 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 Eleven: (530) 406-6843

TENTATIVE RULING

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

Hearing Date: September 8, 2015 Department Eleven 9:00 a.m.

Defendant John Scaccia's motion to quash is **DENIED**. (Code Civ. Proc., § 418.10, subd. (a)(1).) Plaintiff has produced sufficient evidence to support the exercise of specific jurisdiction over John Scaccia. (See e.g., First Amended Complaint, ¶¶ 9, 38, 53, 267, 308; *Burger King. v. Rudzewicz* (1985) 471 U.S. 462, 477-78.)

Defendant Lida Scaccia's motion to quash is **GRANTED**. Plaintiff does not provide sufficient evidence to justify the exercise of personal jurisdiction over Lida Scaccia. (*Id*.)

Defendant John Scaccia's motion to vacate the Court's orders entered on July 23, 2015 is **DENIED**. He does not demonstrate that the orders were entered against him through his mistake, inadvertence, surprise, or excusable neglect. (Code Civ. Proc., § 473, subd. (b).) His request for an extension of time in which to appeal is **DENIED**. No legal authority is cited to support the request. Plaintiff Brian Scaccia's request for monetary sanctions against John Scaccia is **DENIED**. Section 473 does not authorize such an award. (Code Civ. Proc., § 473, subds. (b) & (c).)

The notices 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: **State Farm Mutual Automobile Insurance Company v. Lowery**
Case No. CV G 14-879

Hearing Date: **September 8, 2015** **Department Eleven** **9:00 a.m.**

Defendant Jeremy K. Lowery's motion to set aside and vacate the default judgment is **DROPPED FROM CALENDAR** for failure to file a proof of service indicating service of the moving papers on plaintiff State Farm Mutual Automobile Insurance Company. (Code Civ. Proc., § 1013.)