

TENTATIVE RULINGS for CIVIL LAW and MOTION November 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 Eleven: (530) 406-6843

TENTATIVE RULING

Case: **Daveris v. Metro-Place**
Case No. CV CV 13-1502
Hearing Date: **November 2, 2015** **Department Eleven** **9:00 a.m.**

Defendant Regis Homes of Northern California, Inc.'s motion to compel plaintiffs' depositions is **CONTINUED** on the Court's own motion to November 3, 2015, at 9:00 a.m. in Department Eleven, to be heard together with plaintiffs' motion for leave to file a first amended complaint.

TENTATIVE RULING

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

Attorneys Todd A. Jones and Kacie Owen of the law office of Archer Norris's motion to be relieved as counsel for Toliver Plastering, Inc. is **DROPPED FROM CALENDAR**. Mr. Jones and Ms. Owen have failed to afford notice of the motion to their client. According to the proof of service filed with the Court, Toliver Plastering, Inc. was not served with the moving papers. (Cal. Rules of Court, rule 3.1362(d).)

Cross-defendant Toliver Plastering, Inc.'s unopposed motion to withdraw its answer to plaintiff Katherine Grill's second amended complaint and its answer to cross-complainant Meritage Homes of California, Inc.'s cross-complaint is **DENIED**. At the time cross-defendant filed its answers, it was an active corporation. (Decl. of Kacie Owen, ¶¶ 3-4.) Now, as a suspended corporation, cross-defendant fails to provide legal authority which authorizes it to withdraw its answers. (Decl. of Owen, ¶ 6; Rev. & Tax. Code, § 19719, subd. (a).)

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.