

TENTATIVE RULINGS for CIVIL LAW and MOTION November 4, 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
Telephone number for the clerk in Department Four: (530) 406-6942

TENTATIVE RULING

Case: **Rose v. Stewart**
Case No. CV PM 14-1226
Hearing Date: **November 4, 2015** **Department Eleven** **9:00 a.m.**

Defendant Robert Franklin Stewart's motion to compel third party Kaiser Permanente Vallejo to comply with a subpoena and for an award of monetary sanctions is **DENIED**. The motion is not accompanied by the required separate statement. (Cal. Rules of Court, rule 3.1345(a)(5).)

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: **Shimada v. Tre Fratelli Investments, LLC**
Case No. CV CV 13-570
Hearing Date: **November 4, 2015** **Department Four** **9:00 a.m.**

Christopher A. Raber, Jonathan W. Raber, and Patrick J. Raber's evidentiary objections to the declaration of Sean M. Patrick are **SUSTAINED**.

Plaintiffs Sean Shimada and Stephanie Shimada's motion to modify the judgment entered on December 24, 2014, is **DENIED**. (Code Civ. Proc., § 187; *NEC Electronics Inc. v. Hurt* (1989) 208 Cal.App.3d 772; *Motores De Mexicali, S. A. v. Superior Court* (1958) 51 Cal.2d 172.) Plaintiffs fail to establish that Christopher A. Raber, Jonathan W. Raber, and Patrick J. Raber had control of the underlying litigation, or that modifying the judgment would be equitable.

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.