TENTATIVE RULINGS for CIVIL LAW and MOTION
January 20, 2016

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: **Dobic v. Eaton Corporation**
Case No. CV PO 14-723

Hearing Date: January 20, 2016 Department Eleven 9:00 a.m.

The petitioner Galina Fatnik is directed to appear. (Cal. Rules of Court, rule 7.952.) Pursuant to the Court's order dated December 11, 2015, the minors Serghei Dobic, Anastasia Dobic, Kristina Dobic, and Elizabeth Dobic are excused from appearing. However, if the petitioner fails to appear at the hearing and the Court has not excused her personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

TENTATIVE RULING

Case: **Grill v. Meritage Homes of Calif., Inc.**
Case No. CV CV 11-13

Hearing Date: January 20, 2016 Department Eleven 9:00 a.m.

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

Defendant, cross-defendant, cross-complainant Villara Corporation's (formerly known as Beutler Corporation) ("Villara") motion to bifurcate the trial of its cross-complaint against defendant, cross-defendant, and cross-complainant Meritage Homes of California, Inc. is **DENIED**. (Code Civ. Proc., §§ 598, 1048.) Villara fails to make an adequately detailed showing that the interests set forth in sections 598 and 1048 will be served by bifurcation.

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: **Oritz Corp. v. Altex Transportation, Inc.**
Case No. CV CV 15-243

Hearing Date: January 20, 2016 Department Eleven 9:00 a.m.

Cross-defendant Swan Packing, Inc.'s motion to transfer venue of the cross-action by Altex Transportation, Inc. against Swan is **GRANTED**. (Code Civ. Proc., § 396b.) Attorneys' fees are **DENIED**. Ms. Shoemaker's request to Mr. Cass to stipulate to the transfer was not reasonably made. Ms. Shoemaker asked Mr. Cass to stipulate to transferring the "case" to San Mateo County, not the cross-action. This is not the same request that Swan makes in the instant motion. (Reply, p. 4:17-20.) Mr. Cass justifiably refused the legally unsupported request.

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).