

TENTATIVE RULINGS for CIVIL LAW and MOTION
February 17, 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 on Yolo Court's 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: **Budwal v. Doe**
Case No. CV UD 15-1702
Hearing Date: **February 17, 2016** **Department Eleven** **9:00 a.m.**

Plaintiff Charan Budwal's second amended complaint, filed on January 14, 2016, is **STRICKEN**. Plaintiff did not first obtain leave of court to file a second amended complaint.

Defendant Darlyeen Carpenter's unopposed demurrer to plaintiff's first amended complaint ("FAC") is **SUSTAINED WITH LEAVE TO AMEND**. (Code Civ. Proc., § 430.10, subd. (e).) Plaintiff fails to state facts sufficient to state a cause of action. The three-day notice to pay rent or quit fails to state the correct amount of rent due, based on the allegations contained in the FAC. (Code Civ. Proc., § 1161(2).) The FAC states that on or about October 4, 2015, defendant agreed to rent the premises. (FAC, ¶ 6.) However, the three-day notice attached to the FAC states that defendant owes rent from November 2014 through November 2015.

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: **February 17, 2016** **Department Eleven** **9:00 a.m.**

Defendant Villara Corporation'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: National Collegiate Student Loan Trust 2006-3 v. Hayes
Case No. CV G 15-268

Hearing Date: February 17, 2016 Department Eleven 9:00 a.m.

Plaintiff National Collegiate Student Loan Trust 2006-3's unopposed motion for an order that matters in its requests for admission, set one, be deemed admitted is **GRANTED**. (Code Civ. Proc., § 2033.280.)

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: Stybnarova v. Lindstrom
Case No. CV PM 13-344

Hearing Date: February 17, 2016 Department Eleven 9:00 a.m.

Attorney Stephen Gorski's motion to be relieved as counsel for plaintiff Sabina Stybnarova is **DROPPED FROM CALENDAR**. There is no proof of service filed indicating service has been made on plaintiff and all other parties who have appeared in the case. (Cal. Rules of Court, rule 3.1362(d).)