

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**February 29, 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](http://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:** **Cody v. Sibley**

**Case No. CV CV 16-112**

**Hearing Date:** **February 29, 2016** **Department Eleven** **9:00 a.m.**

Defendants Perice Sibley, Capital Mailing Services, Inc., APC Holding & Management, Inc., and Hiram Sibley's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subs. (c), (d).)

Defendants' evidentiary objection nos. 2, 5, 10, 12, 16, 17, 21, 30, 37-53, 56, 59, 64, 66, 69, 72, 74-76, 79, 81, 84, 86-88, 91, 93-95, 97, and 98 are **SUSTAINED**. The remainder of the objections are **OVERRULED**.

Defendants' motion to expunge is **GRANTED**. Plaintiff has failed to show the probable validity of the causes of action that allege real property claims. (Code Civ. Proc., § 405.32 et seq.) Defendants' request for attorneys' fees and costs is **GRANTED IN PART**, in the amount of \$15,854.00. The Court disallows time for professionals for whom defendants have not provided declarations. Their time is hearsay as declared by attorney Sherman. Furthermore, the Court allows \$60.00 for the filing fee because this was the amount expended, reduces the courier fee to \$250.00, and awards only 15 hours for attorney Sherman's preparation of the reply brief. The remainder is excessive.

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).

**TENTATIVE RULING**

**Case:** England v. England  
Case No. CV CV 14-1065  
**Hearing Date:** February 29, 2016 Department Eleven 9:00 a.m.

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Plaintiffs' unopposed motion for leave to file a first amended complaint is **GRANTED**. (Code Civ. Proc., § 473, subd. (a).) Plaintiffs are directed to file their first amended complaint by March 2, 2016.

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:** Peterson v. Drouin  
Case No. CV PO 14-1480  
**Hearing Date:** February 29, 2016 Department Eleven 9:00 a.m.

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Plaintiffs Rebecca Peterson and Linda Land's motions for an order that matters in their requests for admissions, set two, be deemed admitted are **DENIED AS MOOT**. Pursuant to plaintiffs' joint reply filed on February 22, 2016, plaintiffs concede that defendant Emil William Drouin, Jr. has already provided verified responses to plaintiffs' requests for admissions.

Plaintiffs' requests for monetary sanctions are **GRANTED IN PART**. Plaintiffs each request sanctions in the amount \$660.00, based on two hours of attorney fees and a \$60.00 filing fee. As plaintiffs' motions are nearly identical, each plaintiff is granted reasonable sanctions in the amount of \$360.00, based on one hour of attorney fees and a \$60.00 filing fee. (Code Civ. Proc., § 2023.030; Decl. of John D. Beals, ¶¶ 2-6.)

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.