

TENTATIVE RULINGS for CIVIL LAW and MOTION
March 18, 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: **Vargas v. VSS International, Inc.**

Case No. CV CV 16-23

Hearing Date: **March 18, 2016** **Department Eleven** **9:00 a.m.**

Defendant VSS International, Inc.'s request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (h).)

Plaintiff Marissa Vargas's evidentiary objections to the declaration of Nicole Carlson are **OVERRULED**. (Evid. Code, § 702.)

Defendant's motion to compel arbitration and stay trial proceedings is **GRANTED**. (Code Civ. Proc., § 1280 et seq.) Defendant establishes that the parties entered into a valid and enforceable arbitration agreement on April 13, 2015. (*Serafin v. Balco Properties Ltd., LLC* (2015) 235 Cal.App.4th 165, 176-177; Decl. of Nicole Carlson, ¶¶ 1-7, Exh. A.) Further, plaintiff fails to demonstrate that the arbitration agreement is procedurally or substantively unconscionable. (Code Civ. Proc., § 1280 et seq.; *Armendariz v. Foundation Health Psychcare Services, Inc.* (2000) 24 Cal. 4th 83, 104-106, 113; *Serafin, supra*, 235 Cal.App.4th at 174-175; *Lane v. Francis Capital Mgmt. LLC* (2014) 224 Cal.App.4th 676, 689-690; *Peng v. First Republic Bank* (2013) 219 Cal.App.4th 1462, 1472; *Roman v. Superior Court* (2009) 172 Cal.App.4th 1462, 1470-1471; Decl. of Carlson, ¶ 7, Exh. A; Decl. of Marissa Vargas, ¶ 7.)