

TENTATIVE RULINGS for CIVIL LAW and MOTION
April 6, 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: Leber v. General Motors Company
Case No. CV CV 09-2201
Hearing Date: April 6, 2016 Department Eleven 9:00 a.m.

Plaintiffs Justin Lieber and Katherine Neumann's unopposed motion to terminate the stay and issue a new trial date is **GRANTED**. The parties shall appear for a trial setting conference in Department 11 at 9:00 a.m. on April 25, 2016.

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: Nunez v. Omni Healthcare Services, Inc.
Case No. CV PO 15-1096
Hearing Date: April 6, 2016 Department Eleven 9:00 a.m.

Plaintiffs' ex parte application to approve plaintiffs' proposed version of the opt-in letter, which includes the contact information of the parties' attorneys, is **DENIED**. The purpose of the opt-in letter procedure approved by the Court on March 3, 2016, was to determine whether the receiving individuals wished their contact information released to counsel. The purpose of utilizing a third party administrator was to safeguard these individuals' privacy. The inclusion of attorney contact information in the opt-in letters does not serve this purpose. Because plaintiffs fail to establish good cause to include attorney contact information, the request is denied.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: Piro v. Cox
Case No. CV PT 15-1313
Hearing Date: April 6, 2016 Department Eleven 9:00 a.m.

Petitioner Ralph Piro's motion for attorneys' fees and costs is **GRANTED IN PART**, in the amount of \$4,296.50. (Code Civ. Proc., § 527.6, subd. (s).) The Court has reduced the fees requested by four hours of attorney time, as the amount claimed is excessive based on the tasks performed by counsel.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: Petition of Sanders
Case No. CV P2 16-30
Hearing Date: April 6, 2016 Department Eleven 9:00 a.m.

The petition for approval of the minor's compromise of disputed claim is **DENIED**. The attorney declaration attached as Attachment 14a is not verified. (Petition, ¶ 14(a); Code Civ. Proc., § 2015.5; Cal Rules of Court, rule 7.955.) Further, petitioner fails to provide evidence that "UCDMC" agreed to accept \$29,949.80, from Anthem Blue Cross as full payment for the medical services rendered to the minor. (*Howell v. Hamilton Meats & Provisions, Inc.* (2011) 52 Cal.4th 541, 558.)

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: Sanders v. Lawson
Case No. CV PM 15-1425
Hearing Date: April 6, 2016 Department Eleven 9:00 a.m.

The petition for approval of the minor's compromise of disputed claim is **DENIED**. The attorney declaration attached as Attachment 14a is not verified. (Petition, ¶ 14(a); Code Civ. Proc., § 2015.5; Cal Rules of Court, rule 7.955.) Further, petitioner fails to provide evidence that "UCDMC" agreed to accept \$13,496.26, from Anthem Blue Cross as full payment for the medical services rendered to the minor. (*Howell v. Hamilton Meats & Provisions, Inc.* (2011) 52 Cal.4th 541, 558.)

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.