

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**April 11, 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:** Clifford v. Alpha Epsilon Pi  
Case No. CV CV 09-1282  
**Hearing Date:** April 11, 2016 Department Eleven 9:00 a.m.

The Court issues the following ruling on plaintiff Ryan Clifford's motion to disqualify all judges of the superior court pursuant to Code of Civil Procedure section 170.6(a)(2) in its capacity as the Supervising Civil Department:

The motion is **DENIED**. Section 170.6(a)(2) does not apply to the bench as a whole and Judge Daniel Maguire has not been assigned to hear this matter. Insofar as the motion is premised on section 170.1, that section does not apply unless a matter is pending before a particular judge. (Code Civ. Proc., § 170.1.) Should plaintiff wish to move to change venue, he shall do so by a separately noticed motion.

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:** Russell v. Kalar  
Case No. CV UD 16-134  
**Hearing Date:** April 11, 2016 Department Eleven 9:00 a.m.

The Court does not consider the opposition filed by plaintiff without a proof of service.

Defendant Susan Kalar's demurrer to plaintiff James Russell's complaint is **SUSTAINED WITH LEAVE TO AMEND**. (Code Civ. Proc., §430.10, subd. (e).) The three-day notice to pay rent or quit attached to the complaint does not provide an address at which rent can be paid. (Code Civ. Proc., § 1161(2).)

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: Jensen v. Seecon Financial & Const. Co., Inc.**  
**Case No. CV CV 15-1171**  
**Springer v. Seecon Financial & Const. Co., Inc.**  
**Case No. CV 14-1499**

**Hearing Date: April 11, 2016 Department Eleven 9:00 a.m.**

---

Plaintiffs' motion to consolidate these actions is **DROPPED FROM CALENDAR**. The proofs of service filed with the motions do not comply with California Rule of Court 2.251(i).