

TENTATIVE RULINGS for CIVIL LAW and MOTION

May 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. 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 Ten: (530) 406-6722

TENTATIVE RULING

Case: State Farm General Insurance Company v. Watts Regulator Co.
Case No. CV G 15-1268

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

Defendant Watts Regulator Co.'s motion to compel arbitration is **GRANTED**. (Code Civ. Proc., § 1281.2.) Plaintiff's request for monetary sanctions is **DENIED**. (Code Civ. Proc., § 128.5.) Plaintiff State Farm General Insurance Company's claims accrued prior to the rule modification, and defendant has not waived arbitration. (*Avery v. Integrated Healthcare Holdings, Inc.* (2013) 218 Cal.App.4th 50, 62.)

Plaintiff's motion to compel further responses to form and special interrogatories is **GRANTED**. (Code Civ. Proc., § 2030.300, subd. (a).) Sanctions are awarded against defendant in the amount of \$1,860.00. (Code Civ. Proc., § 2030.300, subd. (d).) Defendant cites no legal authority barring discovery before arbitration proceedings are underway. Defendant shall serve verified responses by no later than May 27, 2016.

Plaintiff's motion to compel further responses to requests for production is **GRANTED**. (Code Civ. Proc., § 2031.310, subd. (a).) Sanctions are awarded against defendant in the amount of \$960.00. (Code Civ. Proc., § 2031.310, subd. (h).) Defendant cites no legal authority barring discovery before arbitration proceedings are underway. Defendant shall serve verified responses, together with any responsive documents, by no later than May 27, 2016.

Plaintiff's motion to deem requests for admission admitted is **GRANTED**. (Code Civ. Proc., § 2033.280, subd. (b).) Sanctions are awarded against defendant in the amount of \$660.00. (Code Civ. Proc., § 2033.280, subd. (c).) Defendant cites no legal authority barring discovery before arbitration proceedings are underway.

The notices of motion do 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).

