TENTATIVE RULINGS for CIVIL LAW and MOTION
June 15, 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: **NP Cesar Associates LP v. Sallee**
Case No. CV UD 16-485

Hearing Date: June 15, 2016 Department Eleven 9:00 a.m.

Defendant Roger Sallee's motion for summary judgment is **STRICKEN**. (Code Civ. Proc., § 128.7, subd. (a).) The motion is not signed. Even if the Court disregarded the unsigned motion, the Court would deny the motion, since defendant has not submitted a declaration authenticating the evidence on which defendant relies to obtain summary judgment. (Evid. Code, § 1400; *The Luckman Partnership v. Superior Court* (2010) 184 Cal.App.4th 30, 34-35.)

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: **Petition of Jones**
Case No. CV P2 16-63

Hearing Date: June 15, 2016 Department Eleven 9:00 a.m.

The petitioner, Nina Nero, and the minor, Paige Jones, are directed to appear. (Cal. Rules of Court, rule 7.952.) If the parties fail to appear at the hearing and the Court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

TENTATIVE RULING

Case: **Singh v. Sangha**
Case No. CV CV 15-1143

Hearing Date: June 15, 2016 Department Eleven 9:00 a.m.

Plaintiff Gurdev Singh's motion to disqualify Hansen, Kohls, Sommer & Jacob, LLP is **DENIED AS MOOT**. Defendants' counsel states in defendants' opposition that they have substituted out as counsel for G&S Gasoline, and that new counsel has been retained. The Court declines to appoint counsel from a list of three other law firms plaintiff states he will provide at the hearing. Plaintiff cites no legal authority for his request.

Defendant Amarjit Sangha's motion for a temporary restraining order, and an order to show cause, or in the alternative, an order appointing a provisional director is **CONTINUED** on the Court's own motion to be heard on June 30, 2016, at 9:00 a.m. in Department Eleven. It appears from plaintiff Gurdev Singh's opposition that plaintiff has misunderstood the Court's ruling denying defendant's ex parte application for this relief. The Court did not deny defendant's request for a temporary restraining order on the merits. Rather, it ruled that the application was an improper subject of ex parte relief. Accordingly, plaintiff shall submit any further opposition to the instant motion by no later than June 24, 2016.

TENTATIVE RULING

Case: **Virk v. Juchau**
Case No. CV CV 11-2634
Hearing Date: June 15, 2016 Department Eleven 9:00 a.m.

Plaintiff and cross-defendant Anthony Virk, Meena Virk, Shawn Virk, Sabrina Virk and Mass Enterprises, Inc.'s ("cross-defendants") request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

Defendant and cross-complainant Blaine Juchau's evidentiary objection nos. 1, 2, and 4 are **SUSTAINED**. (Evid. Code, § 1200.) The remainder of Juchau's objections are **OVERRULED**.

Cross-defendants' evidentiary objections are **OVERRULED**.

Cross-defendants' motion to increase bond is **DENIED**. Cross-defendants do not support their request for a further bond with sufficient admissible evidence.

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.