

## **TENTATIVE RULINGS for CIVIL LAW and MOTION July 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](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: Scaccia v. Scaccia  
Case No. CV CV 14-1820**

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

Plaintiff Brian Scaccia has failed to comply with California Rule of Court 3.1350 in his responses to the separate statements filed by defendants Daniel J. Kennedy and Sutter Medical Foundation, and defendant Sutter Health Sacramento Sierra Region dba Sutter Davis Hospital. "An opposing party who contends that a fact is disputed must state, on the right side of the page directly opposite the fact in dispute, the nature of the dispute and describe the evidence that supports the position that the fact is controverted. Citation to the evidence in support of the position that a fact is controverted must include reference to the exhibit, title, page, and line numbers." (Cal. Rules of Court, rule 3.1350(f)(2).)

In the compact disc that plaintiff submitted to the Court on June 17, 2016, plaintiff submitted five declarations of Brian Scaccia. In plaintiff's responses to defendants' separate statements, plaintiff refers to "Pl.'s \_\_\_\_" The Court cannot determine which of the five declarations to which plaintiff is referring, and even if it could, plaintiff's citation to the declaration does not "include reference to the exhibit, title, page, and line numbers" of the declarations, making it impossible for the Court to determine whether disputes of material fact exist.

By no later than July 29, 2016, plaintiff shall:

1. Utilizing only the declarations submitted on compact disc on June 17, 2016, prepare an integrated single declaration of plaintiff, which re-numbers all paragraphs serially, and does not amend or supplement in any manner the language from these declarations. The Court will not consider any declarations from plaintiff submitted on July 7, 2016 which were not already submitted on June 17, 2016.
2. Submit revised responses to defendants' separate statements that strictly comply with California Rule of Court 3.1350.

3. To the extent necessary – and for no other purpose – submit a revised memorandum of points and authorities that references plaintiff’s responses to the separate statements. No new legal arguments may be added.

No additional documents, beyond those which are enumerated above, shall be submitted by plaintiff, or they will be stricken. All filings must be submitted on paper only.

By no later than August 12, 2016, defendants may submit responses to plaintiff’s revised responses to defendants’ separate statements. Plaintiff may not further reply to these responses.

This matter is **CONTINUED** on the Court’s own motion to be heard on August 31, 2016, at 9:00 a.m. in Department 11.

No further leave or extensions shall be granted to plaintiff. Plaintiff is advised to seek the assistance of legal counsel or the assistance of the self-help center to comply with this Court’s order.