

TENTATIVE RULINGS for CIVIL LAW and MOTION
July 28, 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: **Nguyen v. Lagattuta**
 Case No. CV PM 15-773
Hearing Date: **July 28, 2016** **Department Eleven** **9:00 a.m.**

Defendant State of California, acting by and through the California Highway Patrol's unopposed motion for an order transferring venue of this action to the Superior Court of the State of California for the County of Los Angeles is **GRANTED**. (Gov. Code, § 955.2.) Based on the face of the complaint, the alleged injury which is the basis for the lawsuit occurred in Los Angeles County. (*Ibid*; Complaint, p. 4.)

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: **Rojas v. Raley's**
 Case No. CV PO 13-2010
Hearing Date: **July 28, 2016** **Department Eleven** **9:00 a.m.**

The petition for approval of the minor's compromise of disputed claim is **DENIED**. The declaration of Joseph A. Androvich, which is attached to the petition as Attachment 14a, fails to address the factors listed in California Rule of Court 7.955(b). (Cal. Rules of Court, rule 7.955(c).)

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: **Zeller v. Marrone**
 Case No. CV CV 15-1423

Hearing Date: **July 28, 2016** **Department Eleven** **9:00 a.m.**

The applications to admit Emily Garnett and John McDermott *pro hac vice* are **GRANTED**. (Cal. Rules of Court, Rule 9.40.)

Specially appearing nominal defendant Marrone Bio Innovations, Inc., and specially appearing defendants Pamela Marrone, James Boyd, Donald Glidewell, Elin Miller, Dr. Pamela Contag, Tim Fogarty, Shaugn Stanley, George Kerckhove, Les Lyman, and Rich Rominger’s (“Defendants”) request for judicial notice is **GRANTED**. (Evid. Code, § 452, subds. (d), (h).)

Defendants’ motion to dismiss is **GRANTED**. (Code Civ. Proc., § 410.30.) The applicable forum selection clause is mandatory, and plaintiff fails to show that enforcement of the clause would be unreasonable. (*Berg v. MTC Elec. Techs. Co.* (1998) 61 Cal. App. 4th 349, 358.)

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.