

**TENTATIVE RULINGS for CIVIL LAW and MOTION
September 1, 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 Eight: (530) 406-6941

TENTATIVE RULING

Case: Fernandez v. Zavala
Case No. CV UD 16-1146
Hearing Date: September 1, 2016 Department Eight 9:00 a.m.

Defendant Francisco Zavala's motion for leave to amend his answer to the complaint is **DROPPED FROM CALENDAR**. The motion was not served in accordance with Code of Civil Procedure section 1005(b). Service by mail extended the service period by five calendar days.

TENTATIVE RULING

Case: Gonzalez v. Estler
Case No. CV UD 16-1079
Hearing Date: September 1, 2016 Department Eight 9:00 a.m.

Defendant Matthew Estler's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subs. (c) & (d).)

Defendant's motion for a stay of the instant action is **DENIED**. (Code Civ. Proc., § 526.) He does not submit sufficient evidence to support his claim of irreparable injury or unconscionable hardship. (*Asuncion v. Superior Court* (1980) 108 Cal.App.3d 141, 147.)

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: Marquez v. Arreola
Case No. CV CV 15-342
Hearing Date: September 1, 2016 Department Eight 9:00 a.m.

Plaintiffs Marcelino Marquez, Rigoberto Hernandez, Ignacio Hernandez, and Salvador Duenas's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

Plaintiffs' unopposed motion for terminating sanctions is **GRANTED**. Defendant Abel Arreola's answer is ordered **STRICKEN**. The clerk is directed to enter defendant's default. The request for all other sanctions is **DENIED**. (Code Civ. Proc., § 2023.010, subd. (g), ¶ 2023.030, subd. (d)(1).)

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

Hearing Date: **September 1, 2016** **Department Eight** **9:00 a.m.**

Petitioner Nina Nero's unopposed motion to deposit the minor's money into a blocked account at Travis Credit Union instead of Wells Fargo Bank, is **GRANTED**. (Code Civ. Proc., § 473, subd. (b); Decl. of Jeffrey Stromberg, ¶¶ 1-6; Decl. of Nina Nero, ¶¶1-5.)

The notice of motion does not provide notice of the 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).