

TENTATIVE RULINGS for CIVIL LAW and MOTION

September 22, 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

Telephone number for the clerk in Department Ten: (530) 406-6722

TENTATIVE RULING

Case: Tamayo v. Nobel Learning Communities, Inc.

Case No. CV CV 16-871

Hearing Date: September 22, 2016 **Department Eleven** **9:00 a.m.**

Defendant Nobel Learning Communities, Inc.'s demurrer to plaintiff's complaint is **DROPPED FROM CALENDAR**. A first amended complaint has been filed. (Code Civ. Proc., § 472.)

TENTATIVE RULING

Case: Wallis v. PHL Associates, Inc.

Case No. CV CV 06-72352

Hearing Date: September 22, 2016 **Department Ten** **3:00 p.m.**

The Court declines to consider any evidence or legal authority not previously provided to the discovery referee for his consideration in preparing his report and recommended ruling on defendant PHL Associates, Inc.'s motion for a protective order.

Plaintiff Dale M. Wallis's request for judicial notice is **GRANTED** as to request nos. 1-3. (Evid. Code, § 452, subd. (d).) The remaining requests are **DENIED** as these documents were not previously provided to the discovery referee for his consideration on the underlying motion at issue. (Decl. of Mary E. Greene ISO Objection, ¶ 7; Decl. of Mary E. Greene ISO Opposition to Motion, ¶¶ 1-15.)

Having considered plaintiff's objection to the referee's report and recommended ruling, issued on July 29, 2016, defendant's motion for a protective order is **GRANTED** as to the discovery of defendant's financial information from January 1, 2002 to the present. (Code Civ. Proc., § 643, subd. (c).) Plaintiff fails to establish that the financial information requested is reasonably calculated to lead to the discovery of admissible evidence in connection with the retrial of plaintiff's equitable causes of action against defendant. (Code Civ. Proc., § 2017.020; Referee's Report and Recommendation, pp. 10-12.) The motion for a protective order as to the discovery of defendant's financial information pertaining to the period of January 1, 1992 to December 31, 2001 is **DENIED**.

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.