

**TENTATIVE RULINGS for CIVIL LAW and MOTION
October 18, 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: Car Works, Inc. v. M&M Salvage, Inc.
Case No. CV G 15-610

Hearing Date: October 18, 2016 Department Eleven 9:00 a.m.

Plaintiff Car Works, Inc.'s motion for a determination that plaintiff is the prevailing party and for an award of attorney's fees is **DENIED**. (Civ. Code, § 1717.) Based on the evidence presented, there is no prevailing party. (*Nasser v. Superior Court* (1984) 156 Cal.App.3d 52, 59; Decl. of Michael R. Barrette, ¶¶ 4-7, Exh. 3.)

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).