

TENTATIVE RULINGS for CIVIL LAW and MOTION
July 11, 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: Keefer v. Morales

Case No. CV UD 16-883

Hearing Date: July 11, 2016 Department Eleven 9:00 a.m.

Defendant Edward Morales's demurrer to the complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Defendant does not demonstrate that, as a matter of law, the demand for late fees invalidated the notice. (*Canal-Rudolph Anaheim, Inc. v. Wilkowski* (1978) 78 Cal.App.3d 477, 492. The lease does not provide that a Three Day Notice to Perform or Quit is the exclusive means to demand late fees. Because the Court overrules the demurrer, it need not reach whether a demurrer is the appropriate means to challenge the defect argued here.

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.