

TENTATIVE RULINGS for LAW and MOTION
August 6, 2019

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.

Telephone number for the clerk in Department Eight (530) 406-6927
Telephone number for the clerk in Department Twelve (530) 406-6888

TENTATIVE RULING

Case: MPE Holdings, Inc. v. Berlin
Case No. CV CV 18-66

Hearing Date: August 6, 2019 Department Eight 9:00 a.m.

The Court does not consider the untimely response filed on July 30, 2019 by defendant Wayne Berlin. The response was due within ten (10) days of petitioner's service of the petition, or by July 18, 2019. (Code Civ. Proc., § 1290.6.)

Plaintiff and petitioner MPE Holdings, Inc.'s petition to confirm the arbitration award is **GRANTED IN PART**. (Code Civ. Proc., § 1286.) Plaintiff has agreed to reduce the damages award against defendants in the amount of \$1,197.00. The corrected damages award is \$24,009.70. The remainder of the award is confirmed.

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: RNM Investments, Inc. v. Woltmon
Case No. CV UD 19-1358

Hearing Date: August 6, 2019 Department Twelve 9:00 a.m.

Defendant Tamara Zaragoza's demurrer to the complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Defendant challenges the sufficiency of the complaint on the ground that the notice to vacate did not give her an alternative "of stopping any alleged breach of any agreement." (Demurrer, p. 7.) Defendant was properly given 90 days to vacate the premises after a foreclosure sale. (Code Civ. Proc., § 1161b; Complaint, Exh. B.) The notice to vacate was not based upon the breach of a lease agreement.

The notice of motion does not provide notice of this Court's tentative ruling system as required by Local Rule 11.4(b). Counsel for moving party, or the moving party if unrepresented by

counsel, is ordered to notify the opposing party or parties immediately of the tentative ruling system.

If no hearing is requested, and no party appears at the hearing, this tentative ruling is effective immediately. No formal order pursuant to California Rule of Court 3.1312 or further notice is required.