

**TENTATIVE RULINGS for CIVIL LAW and MOTION  
December 12, 2014**

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 at the entrance to the courtroom and on the Yolo Courts Website, at [www.yolo.courts.ca.gov](http://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 Two: (530) 406-6843

**TENTATIVE RULING**

**Case:** **Briseno v. Centex Homes**  
**Case No. CV CV 11-623**  
**Hearing Date:** **December 12, 2014** **Department Two** **9:00 a.m.**

Cross-defendants Travelers Property Casualty Company of America and Travelers Indemnity Company of Connecticut's motion for summary judgment, directed to cross-complainants Centex Homes and Centex Real Estate Corporation's ("Centex") first amended complaint, is **DROPPED FROM CALENDAR**. (Cross-defendant's Notice of Motion filed on September 26, 2014.) Pursuant to the October 16, 2014 Court order granting leave to amend, Centex filed a second amended cross-complaint on that same date. As there is but one complaint in a civil action, the filing of an amended complaint moots all motions directed to the prior complaint. (*State Comp. Ins. Fund v. Superior Court* (2010) 184 Cal.App.4th 1124, 1130-1131; *Hejmadi v. Amfac, Inc.* (1988) 202 Cal.App.3d 525, 536; *Perry v. Atkinson* (1987) 195 Cal.App.3d 14, 18; *Ford v. Superior Court* (1973) 34 Cal.App.3d 338, 343.)

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:** **In re J. Harris**  
**Case No. CV PT 14-1759**  
**Hearing Date:** **December 12, 2014** **Department Two** **9:00 a.m.**

J.G. Wentworth Originations, LLC's petition for approval of transfer of structured settlement payment rights is **GRANTED**. (Ins. Code, § 10134 et seq.)

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.