

TENTATIVE RULINGS for CIVIL LAW and MOTION

April 22, 2015

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. 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: **Costa v. Contreras**
Case No. CV CV 14-745
Hearing Date: **April 22, 2015** **Department Two** **9:00 a.m.**

Defendant Raymond Webster-Contreras's motion to strike is **CONTINUED** to be heard on April 24, 2015, at 9:00 a.m. with the other motion to strike.

TENTATIVE RULING

Case: **Hart v. Select Portfolio Servicing, Inc.**
Case No. CV CV 14-1991
Hearing Date: **April 22, 2015** **Department Two** **9:00 a.m.**

Defendants Select Portfolio Servicing, Inc. and U.S. Bank National Association's demurrer to plaintiffs' first amended complaint is **CONTINUED** on the Court's own motion to May 15, 2015, at 9:00 a.m. in Department Two.

TENTATIVE RULING

Case: **Navarro v. Pacific Basin Milling, LLC**
Case No. CV PO 10-1331
Hearing Date: **April 22, 2015** **Department Two** **9:00 a.m.**

Plaintiff Gilberto Navarro's motion to compel further written discovery responses to special interrogatories, demands for inspection, and requests for admission is **GRANTED**. According to the parties' submissions, the governing trial date at the time the requests were served on February 2, 2015, by mail, was April 6, 2015. Responses were due by March 9, 2015. The discovery cut-off date (the date by which discovery was required to be completed) was therefore March 9, 2015 by operation of Code of Civil Procedure section 2016.050. (Code Civ. Proc., §§ 2016.050, 2024.020.) Section 2016.050 provides that "When the last day to perform or complete any act provided for in this title falls on a Saturday, Sunday, or holiday as specified in Section 10, the time limit is extended until the next court day closer to the trial date." That "next court day" was March 9, 2015, since 30 days before April 6, 2015, fell on March 7, 2015, a Saturday. Responses shall be provided by April 28, 2015.

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: **Song v. May**
 Case No. CV CV 14-1825

Hearing Date: **April 22, 2015** **Department Two** **9:00 a.m.**

Plaintiff Yin Song's motion to appoint Judge Richard Gilbert as arbitrator in this matter is **GRANTED**. (Code Civ. Proc., § 1281.6.) Plaintiff selected Judge Gilbert, and defendant's only objection was the splitting of Judge Gilbert's rate. As plaintiff has now agreed to pay a higher percentage of the cost, the Court will sign the stipulation supplied by plaintiff.

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.