

TENTATIVE RULINGS for CIVIL LAW and MOTION
April 6, 2017

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 Seven: (530) 406-6848

TENTATIVE RULING

Case: Earnest v. Crow
Case No. CV PM 16-550
Hearing Date: April 6, 2017 Department Seven 9:00 a.m.

Defendants Wayne Goodell and Jessica Goodell's unopposed motion for summary judgment is **GRANTED**. (Code Civ. Proc., § 437c.) Defendants have produced admissible evidence that they did not own or possess or have control over the vehicle in question at the time of the accident. (*Perez v. G. & W. Chevrolet, Inc.* (1969) 274 Cal.App.2d 766; CACI 724.) Ownership or control over the vehicle is an element of negligent entrustment claim. In failing to oppose the motion, the plaintiff has not raised a triable issue of material fact as to why the seller of the vehicle (with no ownership or possessory interest) should be liable for the acts of the buyer and owner of the vehicle.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.