

**TENTATIVE RULINGS for CIVIL LAW and MOTION**  
**April 18, 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](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 Seven: (530) 406-6848

**TENTATIVE RULING**

**Case:** Flippo v. Gardner  
Case No. CV PO 14-1787

**Hearing Date:** April 18, 2017 Department Seven 9:00 a.m.

Defendant Ford Motor Company's request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

The Court does not consider the contents of the declaration of attorney Phillip Mastagni. (Code Civ. Proc., § 438, subd. (d).)

Defendant's motion for judgment on the pleadings is **DENIED**. (Code Civ. Proc., § 438.) The Court cannot definitively determine from the face of the complaint or from judicially noticeable facts that plaintiff knew of facts supporting a claim against Ford Motor Company at the time she filed her complaint. (*Marasco v. Wadsworth* (1976) 21 Cal.3d 82, 88.)

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:** Petition of Mouser  
Case No. CV P2 17-70

**Hearing Date:** April 18, 2017 Department Seven 9:00 a.m.

The petitioners, Thomas Loewen and Catherine Loewen, and the claimant, Stephanie A. Mouser, are **DIRECTED TO APPEAR**. (Cal. Rules of Court, rule 7.952.) If the parties fail to appear at the hearing and the Court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

**TENTATIVE RULING**

**Case: Rosales v. Guzman**  
**Case No. CV G 16-328**

**Hearing Date: April 18, 2017 Department Seven 9:00 a.m.**

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Plaintiff Gerardo Rosales's motion to relieve counsel of mistake is **DENIED WITHOUT PREJUDICE**. The motion was not filed 16 court days before the hearing. (Code Civ. Proc., § 1005.)

**TENTATIVE RULING**

**Case: Rosales v. Beltran**  
**Case No. CV G 16-326**

**Hearing Date: April 18, 2017 Department Seven 9:00 a.m.**

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Plaintiff Gerardo Rosales's motion to relieve counsel of mistake is **DENIED WITHOUT PREJUDICE**. The motion was not filed 16 court days before the hearing. (Code Civ. Proc., § 1005.)