

TENTATIVE RULINGS for LAW and MOTION
February 21, 2020

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 Nine (530) 406-6819
Telephone number for the clerk in Department Ten (530) 406-6816

TENTATIVE RULING

Case: Martin v. Singh
Case No. CV CV 18-1346
Hearing Date: February 21, 2020 Department Ten 9:00 a.m.

The parties are **DIRECTED TO APPEAR**. The Court intends to set an evidentiary hearing on whether the parties agreed to arbitrate this dispute. (Code Civ. Proc., § 1281.2.)

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.

TENTATIVE RULING

Case: Meadows-Smith v. Bgotav
Case No. CV PT 19-2268
Hearing Date: February 21, 2020 Department Ten 9:00 a.m.

Petitioners Marcus Meadows-Smith, Jennifer Meadows-Smith, and Meadows-Smith Revocable Trust's unopposed first amended verified petition for release of property from liens is **GRANTED**. (Civ. Code, § 8490.)

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: **Stoneridge Westbridge Shopping v. Sanchez**
Case No. CVCV 19-1727
Hearing Date: **February 21, 2020** **Department Nine** **9:00 a.m.**

Defendant Nicole Curran Sanchez’ motion for order vacating and setting aside default and default judgment is **GRANTED**. Defendant has established that she failed to file a responsive pleading by the required deadline because of excusable neglect. (Code of Civ. Proc., § 473, subd. (b); Defendant’s Declaration, p. 3.)

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TENTATIVE RULING

Case: **Zochlinski v. Blum**
Case No. CV CV 19-315
Hearing Date: **February 21, 2020** **Department Nine** **9:00 a.m.**

Defendants Judith Blum and Scott Ragsdale’s request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

Defendants’ objections to evidence produced by plaintiff in opposition to defendants’ special motion to strike are **SUSTAINED**. (Code Civ. Proc., §§ 425.16, subd. (b)(2), 437c, subd. (c); *Gallant v. City of Carson* (2005) 128 Cal.App.4th 705, 710-711.)

Defendants’ special motion to strike plaintiff Howard Alan Zochlinski’s complaint is **GRANTED**. (Code Civ. Proc., § 425.16.) Defendants have shown that plaintiff’s complaint against them arises out of protected activity, and plaintiff has failed to show a probability of prevailing on the merits. (Code Civ. Proc., § 425.16, subd. (b)(1); *Baral v. Schnitt* (2016) 1 Cal.5th 376, 396.) Along with plaintiff’s state causes of action, plaintiff’s federal causes of action are also subject to the instant motion. (*Vergos v. McNeal* (2007) 146 Cal.App.4th 1387, 1392, fn. 4 [“Federal civil rights claims brought in California state courts are subject to section 425.16 motions.”].) Plaintiff shall pay defendants’ attorney’s fees and costs in the amount of \$3,207.50. (Turville decl., ¶ 4; Code Civ. Proc., § 425.16, subd. (c)(1).)

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.