

TENTATIVE RULINGS for LAW and MOTION
May 19, 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 Ten (530) 406-6816

NOTICE: Effective May 4, 2020, all court appearances are by Zoom or Conference call. Yolo Superior Court Dept. 10 Virtual Courtroom is:

<https://us02web.zoom.us/j/5700101000?pwd=ND1Vb1BKUGpMWjhrS211RDkzdzJSdz09>

Meeting ID: 570 010 1000

Password: 897755

Conference Call Number (Alternative to Zoom)

Primary (669) 900-9128 Backup A: (669) 219-2599 Backup B: (213) 338-8477

TENTATIVE RULING

Case: **Patterson v. County of Yolo**
Case No. CV PT 19-1799
Hearing Date: **May 19, 2020** **Department Ten** **9:00 a.m.**

Respondent County of Yolo's Request for Judicial Notice:

The Court **GRANTS** respondent's unopposed requests for judicial notice of Exhibit 1 and Exhibit 2. (Evid. Code, §§ 452, subs. (b) and (d), 453.)

Respondent County of Yolo's Special Demurrer:

Respondent County of Yolo's special demurrer to petitioners Votie Patterson's, Votie MM, Inc.'s, Marcia Foster's, Camp Green, Inc.'s, Kenneth Michael Evans', and MM Specialist Inc.'s first amended verified petition for writ of mandate is **SUSTAINED WITH LEAVE TO AMEND**. A valid petition for writ of mandate relies upon a verified factual basis calling for judicial relief. (*Star Motor Imports, Inc. v. Superior Court* (1979) 88 Cal.App.3d 201, 205.) Petitioners' first amended verified petition is insufficiently verified. (First Amended Verified Petition for Writ of Mandate, p. 14.-15) The defect is correctable, and the Court will permit petitioners to amend their petition. (*See Franchise Tax Bd. v. Municipal Court* (1975) 45 C.A.3d 377, 384.)

The Court does not at this time reach the balance of issues raised in respondent's special demurrer, general demurrer, or motion to strike.

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.