

TENTATIVE RULINGS for LAW and MOTION
August 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

NOTICE: Effective May 4, 2020, all court appearances are by Zoom or Conference call. Yolo Superior Court Virtual Courtroom and conference call information is posted on the Yolo Court's Website at www.yolo.courts.ca.gov.

TENTATIVE RULING

Case: Sah v. Singh
Case No. CV CV 17-1494
Hearing Date: August 21, 2020 Department Ten 9:00 a.m.

Amanda M. Hutchins of Knox, Lemmon & Anapolsky, LLP's unopposed motion to be relieved as counsel for plaintiffs Ramawater Sah and Manorama Sah is **GRANTED**. (Cal. Rules of Court, rule 3.1362.) This order is not effective until Ms. Hutchins files a proof of service with the Court showing service of a copy of the signed order on her client. (Cal. Rules of Court, rule 3.1362(e).)

TENTATIVE RULING

Case: Regents of the University of California v. Cummings
Case No. CV CV 20-942
Hearing Date: August 21, 2020 Department Ten 9:00 a.m.

The Court, on its own motion, **CONTINUES** the motion to September 11, 2020, at 9:00 a.m. in Department Ten.

TENTATIVE RULING

Case: Timothy, Stewart & Lekos Seed Co. v. Bornt & Sons, Inc.
Case No. CV CV 19-2439
Hearing Date: August 21, 2020 Department Nine 9:00 a.m.

Plaintiff Timothy, Stewart & Lekos Seed Company's motion to compel depositions of defendants is **DENIED AS MOOT**. (Code Civ. Proc., § 2025.450, subd. (a).) The parties have agreed to mutually convenient deposition dates for defendants Mary Bornt, Alan L. Bornt, and Alan J. Bornt. (Marticello decl., ¶¶ 3-5.) Plaintiff has failed to cite authority to support its request for an order compelling defendants to appear for their scheduled depositions.

Plaintiff's request for sanctions is **DENIED**. Plaintiff was unsuccessful in bringing the instant motion. (Code Civ. Proc., § 2025.450, subd. (g)(1).) Further, defendants acted with substantial justification. (Code Civ. Proc., § 2023.030, subd. (a); Lott decl., ¶¶ 3-7.)

Defendants Alan L. Bornt and Mary Bornt's request for sanctions is **DENIED**. (Code Civ. Proc., §§ 2023.020, 2025.480.) Plaintiff did not fail to meaningfully meet and confer. (Code Civ. Proc., § 2023.020; Brint decl. ISO reply, ¶¶ 3-4, Exhibits A-B.) Further, Code of Civil Procedure section 2025.480 does not govern motions to compel depositions.

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.

Plaintiff Timothy, Stewart & Lekos Seed Company's motion for right to attach order and order for issuance of writ of attachment or, in the alternative, for a temporary protective order against defendants is **DENIED**. Plaintiff failed to file an application, executed under oath, containing the required statements. (Code Civ. Proc., § 484.020.) Further, plaintiff did not file and serve on defendant a "notice of application and hearing," complying with all requirements. (Code Civ. Proc., §§ 484.040, 484.050.)

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.