

TENTATIVE RULINGS for LAW and MOTION
September 1, 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: Gonzales v. Sandeno
Case No. CV PO 17-1517
Hearing Date: September 1, 2020 Department Nine 9:00 a.m.

The Court, on its own motion, **CONTINUES** the matter to September 8, 2020, at 9:00 a.m. in Department Nine.

TENTATIVE RULING

Case: Khan v. Washington Unified School District
Case No. CV PO 19-2126
Hearing Date: September 1, 2020 Department Ten 9:00 a.m.

Plaintiff David Khan, by and through his conservator, Jordana Khan’s motions to compel further responses to special interrogatories, set one, request for admissions, set one, and requests for production, sets one and two, from defendant Washington Unified School District (“WUSD”) are **DENIED**. (Code Civ. Proc., §§ 2030.300, 2031.310, 2033.290.) Defendant WUSD has provided adequate responses and proper objections to these discovery requests.

Plaintiff’s motion to compel further responses to special interrogatories, set two, from defendant WUSD is **GRANTED IN PART**. (Code Civ. Proc., § 2030.300.) While defendant WUSD’s vague and overbroad objections are proper, a responding party must answer an interrogatory to the extent possible. (Code Civ. Proc., § 2030.220, subd. (b).) Accordingly, defendant WUSD must respond to the straightforward portions of special interrogatory no. 102: (1) who draft the letter, (2) when it was created, (3) where it was saved, and (4) where it is stored. In all other respects, plaintiff’s motion is denied. Defendant WUSD shall provide a verified response by no later than **September 23, 2020**.

Plaintiff and defendant WUSD's requests for sanctions are **DENIED**. (Code Civ. Proc., § 2023.010 et seq.) COVID-19 emergency orders made it extremely difficult to complete the subject discovery responses. Further, neither attorney has meaningfully met and conferred in good faith, given the large number of discovery requests. As such, the Court declines to impose any sanction, as it finds that the circumstances make the imposition of any sanction unjust.

The parties are **DIRECTED TO APPEAR**.

TENTATIVE RULING

Case: Labor Commissioner v. Capital Mailing
Case No. CV CV 18-2437
Hearing Date: September 1, 2020 Department Nine 9:00 a.m.

The Court, on its own motion, **CONTINUES** the matter to September 25, 2020, at 9:00 a.m. in Department Nine.

TENTATIVE RULING

Case: Ortiz v. Wright
Case No. CV PM 20-686
Hearing Date: September 1, 2020 Department Ten 9:00 a.m.

Defendants Richard Alan Wright and the City of Woodland's requests for judicial notice nos. 1 and 2 are **GRANTED**. (Evid. Code, §§ 452, 453.) Defendants' request for judicial notice no. 3 is **DENIED**, as the proffered information is not relevant to the Court's determination of defendants' demurrer. (*People v. Rowland* (1992) 4 Cal.4th 238, 268 fn. 6.)

Plaintiffs Edwin and Elena Ortiz's request for judicial notice is **GRANTED**. (Evid. Code, §§ 452, 453.)

Defendants' demurrer to plaintiffs' complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (e).) Plaintiffs' complaint was timely filed under the Government Tort Claims Act, given the applicability of Emergency Rule 9. (Gov. Code, § 945.6, subd. (a)(1); Emergency Rule 9.) Further, plaintiffs have alleged statutory authority establishing liability for the City of Woodland. (Gov. Code, §§ 815, 815.2; Complaint, ¶¶ 5-7, 11, 16, 18.) Finally, plaintiffs have pled every fact material to the existence of the public entity's statutory liability with particularity. (*Lopez v. Southern Cal. Rapid Transit Dist.* (1985) 40 Cal.3d 780, 795; Complaint, ¶¶ 5-7, 11, 16, 18, 29-33.)

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: **Regents of the University of California v. Sundt Construction, Inc.**
Case No. CV CV 18-286

Hearing Date: **September 1, 2020** **Department Ten** **9:00 a.m.**

The Court, on its own motion, **CONTINUES** the matter to September 25, 2020, at 9:00 a.m. in Department Ten.