

1.	22CV0979	CARTER, ET AL vs. PLACER VILLAGE APARTMENTS, ET AL
Judgment on the Pleadings		

In a motion for judgment on the pleadings directed at the original Complaint filed on April 8, 2025, this Defendant failed to comply with Local Rules of the El Dorado County Superior Court, Rule 7.10.05, which requires the movant to inform the noticed party of the Court's Tentative Ruling system. The Tentative Ruling on that motion, dated October 17, 2025, informed the Defendant that the motion did not comply with Local Rule 7.10.05, and that repeated violations will be grounds for sanctions pursuant to Local Rule 7.12.13.

Defendant filed a new motion for judgment on the pleadings directed at the First Amended Complaint, and again failed to comply with Rule 7.10.05.

**TENTATIVE RULING #1: PURSUANT TO LOCAL RULE 7.12.13, THE PLEADING IS STRICKEN, WITHOUT PREJUDICE, AS A SANCTION FOR A REPEATED VIOLATION OF LOCAL RULE 7.10.05.**

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2.	24CV1621	<b>WATERMARK ON THE LAKE HOA vs. BRADLEY</b>
<b>Motion to Dissolve Preliminary Injunction</b>		

This motion follows Defendant’s two motions for reconsideration and/or relief pursuant to Code of Civil Procedure §§ 1008 and 473, both of which were denied.

The instant motion suffers from a variety of defects, including failure to comply with Local Rule § 7.10.05. The Opposition to the motion further cites non-compliance with various formatting requirements of the California Rules of Court (2.104, 2.105, 2.108, 2.109, 3.1110, 3.1113). Even if the Court were to disregard these technical formalities, the motion does not cite any basis for dissolving the preliminary injunction that was granted in an Order dated September 12, 2024, or the February 25, 2026, Order granting Plaintiff’s motion for summary judgment.

Code of Civil Procedure § 533 allows for the dissolution of a preliminary injunction if the movant can show “material change in the facts upon which the injunction or temporary restraining order was granted, that the law upon which the injunction or temporary restraining order was granted has changed, or that the ends of justice would be served by the modification or dissolution of the injunction or temporary restraining order.” No such showing has been made by this motion. Instead, the motion appears to be an attempt to relitigate the issues already determined in prior motions, hearings and Orders.

**TENTATIVE RULING #2: DEENDANT’S MOTION IS DENIED.**

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<b>3.</b>	<b>25CV2916</b>	<b>EL DORADO COUNTY ANIMAL SERVICES vs. CHANDLER</b>
<b>Motion to Enforce Order</b>		

Following a hearing on December 15, 2025, Respondent's dog "Sophia" was found to be a potentially dangerous dog pursuant to Food and Agricultural Code §3.1602(a). The resulting Order required Respondent to take certain specified measures detailed in the Order, dated December 15, 2025.

Petitioner's motion claims that Respondent has not complied with the Order and requests authority from the Court to enforce the terms of the Order. The motion is supported by a Declaration of K. Lusby, Animal Services Officer. No Opposition to the Petition has been filed.

**TENTATIVE RULING #3: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, APRIL 3, 2026, IN DEPARTMENT NINE.**

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<b>4.</b>	<b>25CV3235</b>	<b>SYNCHRONY BANK vs. CRAMER</b>
<b>Motion to Quash</b>		

Code of Civil Procedure § 418.10(a) provides:

(a) A defendant, on or before the last day of his or her time to plead or within any further time that the court may for good cause allow, may serve and file a notice of motion for one or more of the following purposes:

(1) To quash service of summons on the ground of lack of jurisdiction of the court over him or her.

(2) To stay or dismiss the action on the ground of inconvenient forum.

(3) To dismiss the action pursuant to the applicable provisions of Chapter 1.5 (commencing with Section 583.110) of Title 8.

Defendant's motion claims 1) lack of service, 2) lack of a proof of service and 3) inconvenient forum.

Defendant's motion states that "El Dorado Superior Court is an inconvenient forum," but makes no further argument and provides no further evidence on this issue. Plaintiff has filed a Statement of Venue listing Defendant's address as being within El Dorado County, at the same address listed on Defendant's motion.

Defendant argues that there is no proof of service, but a proof of service of the Summons and Complaint was filed with the Court on December 17, 2025, showing service on Defendant at his address.

Finally, Defendant takes issue with the veracity of the affidavit of the process server, claiming that he left his home before service was made and didn't return until that evening. To substantiate this claim he submits photographs provided by his HOA showing a vehicle leaving the HOA at approximately 10:00 a.m. and another image of a vehicle entering the HOA at approximately 6:00 p.m. However, the statement from the HOA transmitting the images notes that there is no image of the driver of the vehicle(s) pictured in the images, and that the license plate of the vehicle leaving the HOA in the morning is not visible. While the license plate of the vehicle entering the HOA in the evening was captured, there is no evidence provided that Defendant's vehicle bears that license plate number. Nor do these images provide evidence that Defendant did not return home between those hours. In short, none of these images establish that Defendant was not present when the process server served the Summons and Complaint.

The Proof of Service of Summons on file with the Court declares that personal service of the Summons and Complaint was made by a registered California process server on Defendant

at 11:35 a.m. on December 14, 2025, and that his identity was confirmed by “nodding when named”. The process server stated that Defendant was a white male “55-65 years of age, 5'8"-5'10" tall and weighing 160-180 lbs.” Defendant does not take issue with this physical description.

Code of Civil Procedure § 415.10 governs the service of a Summons and Complaint by personal service: “A summons may be served by personal delivery of a copy of the summons and of the complaint to the person to be served. Service of a summons in this manner is deemed complete at the time of such delivery.”

Code of Civil Procedure § 417.10 states: “Proof that a summons was served on a person within this state shall be made: (a) If served under Section 415.10 . . . , by the affidavit of the person making the service showing the time, place, and manner of service and facts showing that the service was made in accordance with this chapter. The affidavit shall recite or in other manner show the name of the person to whom a copy of the summons and of the complaint were delivered, . . .”

Evidence Code § 647 establishes a presumption affecting the burden of producing evidence, of the facts stated in the proof of service when the process server is registered with the State of California under Division 8 of the Business and Professions Code (Business and Professions Code §§ 22350, et seq.). *See also, Floveyor Internat., Ltd. v. Superior Court* 59 Cal.App.4th 789, 795 (1997).

Defendant has not submitted sufficient evidence to overcome this presumption.

**TENTATIVE RULING #4: DEFENDANT’S MOTION TO QUASH IS DENIED.**

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**CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED.  
PARTIES MAY PERSONALLY APPEAR AT THE HEARING.**

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5.	PC20210281	U.S. BANK EQUIPMENT vs. VON HILL DO PA
Attorney Withdrawal		

This matter was heard and continued at the hearing on March 13, 2026, in order to allow counsel an opportunity to file a proposed Order that includes upcoming hearing dates. That proposed Order was filed on March 20, 2026.

**TENTATIVE RULING #5: ABSENT OBJECTION, THE MOTION IS GRANTED. COUNSEL IS DIRECTED TO SERVE A COPY OF THE SIGNED ORDER (FORM MC-053) ON THE CLIENT AND ALL PARTIES THAT HAVE APPEARED IN THE CASE IN ACCORDANCE WITH CALIFORNIA RULES OF COURT, RULE 3.1362(e).**

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<b>6.</b>	<b>25CV3416</b>	<b>GONZALEZ vs. MILLER ET AL</b>
<b>Deem Requests for Admission Admitted</b>		

**TENTATIVE RULING #6: PLAINTIFF HAVING WITHDRAWN THE MOTION, THE MATTER IS TAKEN OFF CALENDAR.**

7.	25CV1827	EL DORADO COUNTY ANIMAL SERVICES vs. WEBB, ET AL
Motion to Enforce Order		

A Petition was filed on July 15, 2025, accompanied by a Stipulation and Order executed by Petitioner and Respondents establishing that Respondents' dog "Rio" is a potentially dangerous dog as defined in El Dorado County Ordinance 6.12.050(B). The Stipulation and Order required Respondent to take certain specified measures detailed in the Order, dated July 18, 2025.

Petitioner's motion claims that Respondent has not complied with the Stipulation and Order and requests authority from the Court to enforce the terms of the Order. No Opposition to the Petition has been filed.

**TENTATIVE RULING #7: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, APRIL 3, 2026, IN DEPARTMENT NINE.**

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<b>8.</b>	<b>25CV1835</b>	<b>EL DORADO COUNTY ANIMAL SERVICES vs. WEBB</b>
<b>Motion to Enforce Order</b>		

A Petition was filed, accompanied by a Stipulation and Order executed by Petitioner and Respondents, establishing that Respondents' dog "Whisky" is a potentially dangerous dog as defined in El Dorado County Ordinance 6.12.050(B). The Stipulation and Order required Respondent to take certain specified measures detailed in the Order, dated July 18, 2025.

Petitioner's motion claims that Respondent has not complied with the Stipulation and Order and requests authority from the Court to enforce the terms of the Order. No Opposition to the Petition has been filed.

**TENTATIVE RULING #8: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, APRIL 3, 2026, IN DEPARTMENT NINE.**

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9.	25CV1857	EL DORADO COUNTY ANIMAL SERVICES vs. WEBB
Motion to Enforce Order		

A Petition was filed, accompanied by a Stipulation and Order executed by Petitioner and Respondents, establishing that Respondents' dog "Harlow" is a potentially dangerous dog as defined in El Dorado County Ordinance 6.12.050(B). The Stipulation and Order required Respondent to take certain specified measures detailed in the Order, dated August 18, 2025.

Petitioner's motion claims that Respondent has not complied with the Stipulation and Order and requests authority from the Court to enforce the terms of the Order. No Opposition to the Petition has been filed.

**TENTATIVE RULING #9: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON FRIDAY, APRIL 3, 2026, IN DEPARTMENT NINE.**

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<b>10.</b>	<b>25CV1068</b>	<b>MAUSS ET AL vs. KOLOTYUK</b>
<b>Demurrer</b>		

**TENTATIVE RULING #10: THIS MATTER IS CONTINUED TO 8:30 A.M. ON FRIDAY, MAY 22, 2026, IN DEPARTMENT NINE TO ALLOW CROSS-DEFENDANT AN OPPORTUNITY TO FILE AN AMENDED MOTION THAT IS IN COMPLIANCE WITH LOCAL RULE 7.10.05(C).**

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