

1. BERNADETTE ARNAUT v. SARAH THORNE, ET. AL.

PC20170230

On July 31, 2020, the court made orders approving the compromises of the minor plaintiffs. The orders instructed Defendants to deposit settlement funds into the specified bank account. However, due to the COVID-19 pandemic and Plaintiffs' relocation, the funds could not be deposited. The matter has been continued several times to allow the parties to reach a resolution.

TENTATIVE RULING #1: THE PARTIES ARE ORDERED TO APPEAR TO UPDATE THE COURT ON THE STATUS OF THE SETTLEMENT FUNDS.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

2. DONALD OLDS DAVIES v. CSAA INSURANCE GROUP

22CV1145

Defendants move for an order striking the prayer for punitive damages from Plaintiff's First Amended Complaint ("FAC"). Defendants filed and served their moving papers on January 9, 2023. Plaintiff has not opposed the motion.

According to the FAC, this matter stems from an automobile collision wherein Defendant Jacob Loureiro was the driver of the vehicle involved in the collision and Defendants Elisa and Mark Loureiro were the registered owners. The FAC alleges Defendant Jacob Loureiro was "distracted, disabled, and/or impaired in such a manner and to such an extent that Loureiro could not safely operate the automobile." FAC ¶ 17. Further, the FAC claims Defendant Jacob Loureiro "knew of such distraction, disability, and/or impairment and was aware of the probable dangerous consequences of driving an automobile, but disregarded those dangers and chose to drive nonetheless, in conscious disregard of the safety of Plaintiff and others." FAC ¶ 18.

"The court may, upon a motion made pursuant to Section 435, or at any time in its discretion, and upon terms it deems proper: ¶ (a) Strike out any irrelevant, false, or improper matter inserted in any pleading. ¶ (b) Strike out all or any part of any pleading not drawn or filed in conformity with the laws of this state, a court rule, or an order of the court." Cal. Civ. Pro. § 436. "The grounds for a motion to strike shall appear on the face of the challenged pleading or from any matter of which the court is required to take judicial notice." Cal. Civ. Pro. § 437(a).

"A motion to strike, like a demurrer, challenges the legal sufficiency of the complaint's allegations, which are assumed to be true. [Citation]." Blakemore v. Sup. Ct., 129 Cal.App.4th 36, 53 (2005). Thus, "[i]n order to survive a motion to strike an allegation of punitive damages, the ultimate facts showing an entitlement to such relief must be pled by [the] plaintiff. [Citations]." Clauson v. Sup. Ct., 67 Cal.App.4th 1253, 1255 (1998).

"Punitive damages are 'available to a party who can plead and prove the facts and circumstances set forth in Civil Code section 3294.' [Citations omitted]. 'To support punitive damages, the complaint ... must allege ultimate facts of the defendant's oppression, fraud, or malice.' [Citations omitted]." Altman v. PNC Mortg. 850 F.Supp.2d 1057, 1085 (E.D. Cal. 2012); *See also* Cal. Civ. Code § 3294(a). As used in Section 3294, "'Malice' means conduct which is intended by the defendant to cause injury to the plaintiff or despicable conduct which is carried on by the defendant with a willful and conscious disregard for the rights or safety of others. ¶ 'Oppression' means despicable conduct that subjects a person to cruel and unjust hardship in conscious disregard of that person's rights. ¶ 'Fraud' means an intentional misrepresentation, deceit, or concealment of a material fact known to the defendant with the intention on the part of the defendant of thereby depriving a person of property or legal rights or otherwise causing injury." Cal. Civ. Code § 3294(c).

3-3-23
Department 9
Tentative Rulings

After reviewing the moving papers as well as the FAC, the court finds the allegations of the complaint are not sufficient to support a claim for punitive damages. Plaintiff simply makes blanket, conclusory assertion that Defendant Jacob Loureiro was distracted, disabled or impaired, he knew of such distraction, disability or impairment and he chose to drive, thereby putting others at risk of injury. These statements are completely devoid of facts. There is no indication what the distraction, disability or impairment was, nor is there any indication that Defendant Jacob Loureiro either knew of the unspecified condition or acted with willful and conscious disregard for others in choosing to drive while under the influence of the unspecified condition.

As with Defendant Jacob Loureiro, the punitive damage claims against Lisa and Mark Loureiro are woefully deficient; in fact, these claims are even more deficient than that of the claim against Defendant Jacob Loureiro. The complaint states only that Defendants Lisa and Mark Loureiro were the owners of the vehicle involved in the collision. Nothing more.

In light of the foregoing, Defendants' Motion to Strike the punitive damages claim is granted.

Leave to Amend

"Where the defect raised by a motion to strike or by demurrer is reasonably capable of cure, 'leave to amend is routinely and liberally granted to give the plaintiff a chance to cure the defect in question.' [Citations omitted]. A pleading may be stricken only upon terms the court deems proper (§ 436, subd. (b)), that is, terms that are just. [Citations omitted]. It is generally an abuse of discretion to deny leave to amend, because the drastic step of denial of the opportunity to correct the curable defect effectively terminates the pleader's action. [Citations omitted]." CLD Const., Inc. v. City of San Ramon, 120 Cal.App.4th 1141, 1146-1147(2004).

In an abundance of caution, the court grants plaintiff fourteen days leave to amend. Plaintiff's amended pleading is to be filed and served no later than March 17, 2023.

TENTATIVE RULING #2: DEFENDANTS' MOTION TO STRIKE THE PUNITIVE DAMAGES CLAIM IS GRANTED. THE COURT GRANTS PLAINTIFF FOURTEEN DAYS LEAVE TO AMEND. PLAINTIFF'S AMENDED PLEADING IS TO BE FILED AND SERVED NO LATER THAN MARCH 17, 2023.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE

3-3-23
Department 9
Tentative Rulings

FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

3. ENSWIDA ROFLOX MUSCI v. BANK OF AMERICA, N.A., ET. AL.

22CV1028

Defendants Rushmore Loan Management Services, LLC. (“Rushmore”) and Quality Loan Service Corporation (“QLS”) (collectively “Defendants”), move for an order striking the First Amended Complaint (“FAC”) filed by Plaintiff. Defendant QLS moves for an additional order dismissing it from the action pursuant to Civil Procedure Section 581. Plaintiff has not opposed either motion.

On December 9, 2022, the court adopted its tentative ruling sustaining the demurrer of Defendants as to all causes of action against QLS and as to the first six of eight causes of action against Rushmore. Plaintiff was granted leave to amend and ordered to file her amended pleading no later than December 23, 2022. Plaintiff filed the FAC on January 1, 2023, according to the court’s records. Defendants argue that Plaintiff failed to timely file the FAC, and represent that Plaintiff made no attempt to request an extension of time to file. Defendants state that this is not the first time Plaintiff has caused delay in the present action.

Motion to Strike

“The court may, upon a motion made pursuant to Section 435, or at any time in its discretion, and upon terms it deems proper: (a) Strike out any irrelevant, false, or improper matter inserted in any pleading. (b) Strike out all or any part of any pleading not drawn or filed in conformity with the laws of this state, a court rule, or an order of the court.” Cal. Civ. Pro. § 436. One common use for such a motion is “to challenge pleadings filed in violation of a deadline, court order, or requirement of prior leave of court.” Ferraro v. Camarlinghi, 161 Cal. App. 4th 509, 528 (2008) *citing* Accord Leader v. Health Indus. Of Am., Inc., 89 Cal. App. 4th 603, 613 (2001) (“plaintiffs’ failure to file an amended complaint within the time allowed by the court subjected any subsequently filed pleading to a motion to strike, either by defendants or on the court’s own motion.”); *See also* Cal. Rule Ct., 3.1320(i) (“If an amended pleading is filed after the time allowed, an order striking the amended pleading must be obtained by noticed motion.”).

“A motion to strike, like a demurrer, challenges the legal sufficiency of the complaint’s allegations, which are assumed to be true.” Blakemore v. Superior Court, (2005) 129 Cal.App.4th 36, 53. Also like a demurrer, “[t]he grounds for a motion to strike shall appear on the face of the challenged pleading or from any matter of which the court is required to take judicial notice.” Cal. Civ. Pro. § 437(a).

Plaintiff has not filed an opposition to Defendant’s motion. The facts are clear: Plaintiff was given a date certain to file her FAC. She did not file the FAC within the time specified, nor did she request an extension of time to file.. Because the tardiness of the filing could not be cured if Plaintiff were given an opportunity to amend, the court sees no grounds for granting Plaintiff leave to amend. Thus, given that the FAC was late filed in violation of a court order Defendants’ Motion to Strike the FAC is granted without leave to amend.

Request for Dismissal of QLS

A party may move for dismissal where, “after a demurrer to the complaint is sustained with leave to amend, the plaintiff fails to amend it within the timeline allowed by the court...” Cal. Civ. Pro. § 581(f)(2). In instances where the amended pleading was filed after the date allowed, the party seeking dismissal must first seek an order striking the late filed pleading. Once the order striking a late filed pleading has been obtained, the court may thereafter dismiss a defendant whose demurrer was sustained. Cal. Civ. Pro. § 581(f)(2)-(3); *See also Gitmed v. General Motors Corp.*, 26 Cal. App. 4th 824, 828 (1994).

As required by Civil Procedure Section 581(f)(2), Defendants’ demurrer to the complaint was sustained as to all causes of action against Defendant QLS. Defendants have provided indisputable evidence that the FAC was filed and served after the date set by the court and Defendants’ Motion to Strike has been granted. As such, Defendants’ Motion to Dismiss QLS is granted with prejudice.

TENTATIVE RULING #3: DEFENDANTS’ MOTION TO STRIKE THE FAC IS GRANTED WITHOUT LEAVE TO AMEND. DEFENDANTS’ MOTION TO DISMISS QLS IS GRANTED WITH PREJUDICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG 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. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

3-3-23
Department 9
Tentative Rulings

4. GEORGIA WANLAND v. BEST LEGAL SUPPORT TEAM, LLC.

21CV0383

TENTATIVE RULING #4: THE PARTIES ARE ORDERED TO APPEAR ON ALL PENDING MATTERS ON MARCH 3RD AT 2:30 P.M. IN DEPARTMENT 9. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

3-3-23
Department 9
Tentative Rulings

5. JANE DOE ET. AL. v. ANDREW KAM LEE ET. AL.

PC20160359

Plaintiffs filed an Application and Order to Appear for Examination which was signed by the court on January 13, 2023. The Application and Order direct Defendant Andrew Kam Lee to appear for examination. There is no Proof of Service on file.

TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR. PLAINTIFF IS ORDERED TO PROVIDED THE COURT WITH PROOF THAT THE DEBTOR WAS PERSONALLY SERVED NO LATER THAN TEN DAYS PRIOR TO THE HEARING DATE AS REQUIRED BY CIVIL PROCEDURE SECTION 708.110(d). IF THE COURT DOES NOT RECEIVE THE APPROPRIATE PROOF OF SERVICE, THE EXAMINATION WILL NOT TAKE PLACE.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

6. JOSHUA RODRIGUEZ ET. AL. v. VIJAY KUMAR ET. AL.

22CV1202

Defendants Vijay Kumar and Stop & Shop Food Mart, LLC, seek an order sustaining their Demurrer to the first, second, third, fifth, seventh and ninth causes of action as listed in the First Amended Complaint (“FAC”). The Demurrer was filed on December 23, 2022, but there is no Proof of Service as required by Civil Procedure Section 1013b and California Rule of Court 3.1300(c). Nonetheless, Plaintiffs filed and served their opposition on January 14th and February 10th respectively. In doing so, Plaintiff has waived any lack of proper service objection. On February 23rd Defendants filed and served their reply entitled “Closing Argument for Demurrers to Plaintiffs Rodriguezes’ Various Causes of Action of Their First Amended Complaint.”

The Demurrer states that it is based on the “Notice of Hearing on Demurrer, Supporting Points and Authorities, Declaration of Attorney Steven R. Matulich submitted herewith...” Demurrer, Dec. 23, 2022, p.3:20-22. However, the court is not in receipt of any of the enumerated documents, most notably the memorandum of points and authorities and a meet and confer declaration.

“Before filing a demurrer...the demurring party shall meet and confer in person or by telephone with the party who filed the pleading that is subject to the demurrer for the purpose of determining whether an agreement can be reached that would resolve the objections to be raised in the demurrer.” Cal. Civ. Pro. § 430.41(a). The party filing the demurrer is required to file therewith a declaration stating either that meet and confer efforts took place, but the parties were unable to resolve the issues, or, that the party demurring attempted to meet and confer but the opposing party did not respond. *Id.*

In addition to a meet and confer declaration, the demurring party “*must* serve and file a supporting memorandum” with its moving papers. Cal. Rule Ct. 3.1113(a) (emphasis added). “The memorandum must contain a statement of facts, a concise statement of the law, evidence and arguments relied on, and a discussion of the statutes, cases and textbooks cited in support of the position advanced.” *Id.* at subsection (b).

The Demurrer filed by Defendants appears to consist only of the notice of the demurrer. There is no declaration that Defendants attempted to resolve the matters informally before filing their motion. Further, there is no memorandum of points and authorities. The notice filed does not contain any discussion of applicable law nor does it set forth Defendants’ arguments regarding why the Demurrer should be granted. Without this, it is impossible for Plaintiffs to adequately respond in defense of their pleading.

For the reasons stated above, Defendants’ Demurrer is overruled.

TENTATIVE RULING #6: DEFENDANTS’ DEMURRER IS OVERRULED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE

3-3-23
Department 9
Tentative Rulings

COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

7. PENNYMAC LOAN SERVICES, LLC v. MARVIN TAPPAN

22UD0158

The matter before the court is an unlawful detainer action against holdover tenants who are the named defendants. Defendant James Fuqua filed his answer on June 15, 2022. On November 22, 2022, Plaintiff served Defendant with Requests for Admission, Set One. Responses were due on or before November 29, 2022. As of the date of the motion, Plaintiff had not received any responses.

On February 15, 2023, Plaintiff filed a Motion to Establish Admissions and Proof of Service (dated February 14, 2023), requesting an order establishing the truth of each matter specified, and the genuineness of each document specified, in the Requests for Admission, Set One which were served on Defendant James Fuqua .. Defendant Fuqua has not opposed the motion.

The Civil Discovery Act authorizes a party to an action to send written requests “that any other party to the action admit the genuineness of specified documents, or the truth of specified matters of fact, opinion relating to fact, or application of law to fact.” Cal. Civ. Pro. §2033.010. Within 30 days after the service of such requests, the responding party shall provide full and complete responses thereto. Cal. Civ. Pro. § 2033.250. Failure to timely respond results in a waiver of all objections to the requests, including objections based on privilege or work product. Cal. Civ. Pro. § 2033.280(a). Additionally, “[t]he requesting party may move for an order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted, as well as for a monetary sanction...” Cal. Civ. Pro. §2033.280(b). An order under Section 2033.280(b) is compulsory unless the court “finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Section 2033.220.” Cal. Civ. Pro. § 2033.280(c); *See also Demyer v. Costa Mesa Mobile Home Estates*, 36 Cal.App.4th 393, 395 (1995) (Disapproved of on other grounds by *Wilcox v. Birthwhistle*, 21 Cal. 4th 973 (1999)).

The moving papers and supporting documentation appear to support granting the motion. As of the date of Plaintiff’s filing of the motion, Defendant had not served responses to the subject Requests for Admission, nor is there any indication that Defendant has since served statutorily compliant responses. Thus, Plaintiff’s Motion to Establish Admissions is granted. The truth of each matter specified, and the genuineness of each document specified in the Requests for Admission, Set One, served on Defendant on November 22, 2022, are hereby deemed admitted.

TENTATIVE RULING #7: PLAINTIFF’S MOTION TO ESTABLISH ADMISSIONS IS GRANTED. THE TRUTH OF EACH MATTER SPECIFIED, AND THE GENUINENESS OF EACH DOCUMENT SPECIFIED IN THE REQUESTS FOR ADMISSION, SET ONE, SERVED ON DEFENDANT ON NOVEMBER 22, 2022, ARE HEREBY DEEMED ADMITTED.

3-3-23
Department 9
Tentative Rulings

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG 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. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

8. PEOPLE OF THE STATE OF CA v. DAVID BETAMEN

21CV0088

On October 28, 2021, Claimant David Betamen filed a Claim Opposing Forfeiture of \$13,400 in response to a Notice of Administrative Proceedings. On February 3, 2022, the People filed a Petition for Forfeiture of Currency that was seized by the El Dorado County Sheriff's Department as a thing of value that was furnished, or intended to be furnished, in exchange for a controlled substance. The People pray for judgment declaring the money forfeited to the State of California.

The following are subject to forfeiture: ...(f) All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, or securities used...if the exchange, violation, or other conduct which is the basis for the forfeiture occurred within five years of the seizure of the property, or the filing of a petition under this chapter, or the issuance of an order of forfeiture of the property, whichever comes first.

Health and Safety Code, § 11470(f).

Any person claiming an interest in the property seized pursuant to Section 11488 may... within 30 days after receipt of actual notice, file with the superior court of the county in which the defendant has been charged with the underlying or related criminal offense or in which the property was seized ... a claim, verified in accordance with Section 446 of the Code of Civil Procedure, stating his or her interest in the property.

Health and Safety Code, § 11488.5(a)(1).

The Health and Safety Code requires a forfeiture proceeding to be set for hearing on a day not less than 30 days from the date of the filing of a verified claim; however, “[t]he forfeiture hearing shall be continued upon motion of the prosecution or the defendant until after a verdict of guilty on any criminal charges specified in this chapter and pending against the defendant have been decided.” Health and Safety Code §§11488.5(c), 11488.5(e).

Here, the matter was set to be heard on August 26, 2022. The People appeared at the August hearing date. At that time the court continued the hearing pending the outcome of the related criminal case. A new hearing date was set for October 14th. At the October hearing the court once again continued the matter due to the ongoing criminal case. Thereafter the hearing was once again continued by stipulation of the parties.

TENTATIVE RULING #8: THE PARTIES ARE ORDERED TO APPEAR TO UPDATE THE COURT ON THEIR READINESS TO PROCEED.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

9. PORTFOLIO RECOVERY ASSOCIATES, LLC v. STEPHEN HOWARD

22CV1344

Plaintiff moves for an order establishing the truth of all facts specified in the Requests for Admission, Set One, which were served on Defendant Stephen Howard on November 17, 2022. Plaintiff's motion was filed on February 1, 2023. Defendant has not opposed the motion.

On November 17, 2022, Plaintiff served Defendant with Requests for Admission, Set One. Responses were due on or before December 22, 2022. As of the date of the motion, Plaintiff had not received any responses.

The Civil Discovery Act authorizes a party to an action to send written requests "that any other party to the action admit the genuineness of specified documents, or the truth of specified matters of fact, opinion relating to fact, or application of law to fact." Cal. Civ. Pro. § 2033.010. Within 30 days after the service of such requests, the responding party shall provide full and complete responses thereto. Cal. Civ. Pro. § 2033.250. Failure to timely respond results in a waiver of all objections to the requests, including objections based on privilege or work product. Cal. Civ. Pro. § 2033.280(a). Additionally, "[t]he requesting party may move for an order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted, as well as for a monetary sanction..." Cal. Civ. Pro. § 2033.280(b). An order under Section 2033.280(b) is compulsory unless the court "finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Section 2033.220." Cal. Civ. Pro. § 2033.280(c); *See also Demyer v. Costa Mesa Mobile Home Estates*, 36 Cal.App.4th 393, 395 (1995) (Disapproved of on other grounds by *Wilcox v. Birthwhistle*, 21 Cal. 4th 973 (1999)).

The moving papers and supporting documentation appear to support granting the motion. As of the time of filing the moving papers, Defendant had not served responses to the subject requests. Further, as of this writing, the court has no indication that Defendant has since served statutorily compliant responses. Thus, Plaintiff's Motion to Establish Admissions is granted. The truth of all facts specified in the Requests for Admission, Set One, served on Defendant on November 17, 2022, are hereby deemed admitted.

TENTATIVE RULING #9: PLAINTIFF'S MOTION TO ESTABLISH ADMISSIONS IS GRANTED. THE TRUTH OF ALL FACTS SPECIFIED IN THE REQUESTS FOR ADMISSION, SET ONE, SERVED ON DEFENDANT ON NOVEMBER 17, 2022, ARE HEREBY DEEMED ADMITTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE

3-3-23
Department 9
Tentative Rulings

GROUND UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG 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. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

**10. PROGRESSIVE WEST INSURANCE v. ANTHONY MORRIS, ET. AL.
PCL20210394**

The above referenced matter was dismissed without prejudice on October 26, 2021, pending the compliance of each of the parties with the obligations of their stipulated Settlement Agreement. The court retained jurisdiction to enforce the settlement.

On December 12, 2022, Plaintiff moved ex parte to have the dismissal set aside and judgment entered in the amount of \$17,630.40. Plaintiff noted that pursuant to the terms of the Settlement Agreement, Defendant had agreed to make an initial payment of \$2,000 and thereafter pay \$250 per month until the entire amount of the settlement, \$21,380.40, had been paid. According to Plaintiff, Defendant paid \$3,750, and then stopped making payments. Accordingly, Plaintiff requests the dismissal be set aside and judgment be entered in the amount of \$17,630.40.

At the hearing on the ex parte motion, the court noted several deficiencies in the request and set the matter for hearing on the present date. Plaintiff was ordered to file a Declaration addressing the court's concerns. Plaintiff was further ordered to notify Defendant of the hearing on the motion at least 16 court days in advance of the hearing date.

Plaintiff has not filed a Declaration as ordered. Nor has Plaintiff filed proof that Defendant has been notified of the hearing.

The request is denied without prejudice.

TENTATIVE RULING #10: THE REQUEST IS DENIED WITHOUT PREJUDICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG

3-3-23
Department 9
Tentative Rulings

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. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

11. PEOPLE OF THE STATE OF CA v. PATRICK KELLY

PCL20210332

Claimant Patrick Kelly filed a Claim Opposing Forfeiture of \$13,914 in response to a Notice of Administrative Proceedings. The People responded by filing a Petition for Forfeiture of currency that was seized by the El Dorado County Sheriff's Department as a thing of value that was furnished, or intended to be furnished, in exchange for a controlled substance. The People pray for judgment declaring the money forfeited to the State of California.

The following are subject to forfeiture: ...(f) All moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance, all proceeds traceable to such an exchange, and all moneys, negotiable instruments, or securities used...if the exchange, violation, or other conduct which is the basis for the forfeiture occurred within five years of the seizure of the property, or the filing of a petition under this chapter, or the issuance of an order of forfeiture of the property, whichever comes first.

Health and Safety Code, § 11470(f).

Any person claiming an interest in the property seized pursuant to Section 11488 may... within 30 days after receipt of actual notice, file with the superior court of the county in which the defendant has been charged with the underlying or related criminal offense or in which the property was seized ... a claim, verified in accordance with Section 446 of the Code of Civil Procedure, stating his or her interest in the property.

Health and Safety Code, § 11488.5(a)(1).

The matter has come before the court several times. As of the August 26, 2022, hearing, the court was informed that a resolution had been reached. The hearing was continued to October 7th and then once again to December 2nd. At the December 2nd hearing Deputy District Attorney Fransham requested a continuance. The continuance was granted, and the matter was set for February 2, 2023. Due to a clerical error on the part of the court, the matter was once again continued to the present date.

TENTATIVE RULING #11: THE PARTIES ARE ORDERED TO APPEAR TO UPDATE THE COURT ON THE POTENTIAL RESOLUTION OF THE MATTER.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

12. GEORGE FOSTER v. LYON REAL ESTATE ET AL.

PC20200155

Defendant Fidelity National Title Insurance Company moves for summary adjudication of Plaintiffs' third cause of action for breach of contract. Defendant filed its moving papers on November 4, 2022. Plaintiffs filed their opposition papers on January 12, 2023. Defendant filed its response thereafter on January 20, 2023.

Request for Judicial Notice

In support of its Motion for Summary Adjudication, Defendant requests judicial notice of (1) the Grant Deed recorded on August 26, 2009, filed as Doc 2009-0043611-00 with the El Dorado County Recorder's office; and (2) Plaintiffs' First Amended Complaint. Plaintiffs have not opposed the request for judicial notice.

Judicial notice is a mechanism which allows the court to take into consideration matters which are presumed to be indisputably true. California Evidence Code Sections 451, 452, and 453 govern the circumstances in which judicial notice of a matter may be taken. While Section 451 provides a comprehensive list of matters that *must* be judicially noticed, Section 452 sets forth matters which *may* be judicially noticed, including "[r]ecords of (1) any court of this state or (2) any court of record of the United States or of any state of the United States" and "[f]acts and propositions that are not reasonably subject to dispute and are capable of immediate and accurate determination by resort to sources of reasonably indisputable accuracy." Cal. Ev. Code § 452 (d) & (h).

Section 452 provides that the court "may" take judicial notice of the matters listed therein, while Section 453 provides a caveat that the court "shall" take judicial notice of any matter "specified in Section 452 if a party requests it and: (a) [g]ives each adverse party sufficient notice of the request...to enable such adverse party to prepare to meet the request; and (b) [f]urnishes the court with sufficient information to enable it to take judicial notice of the matter." Cal. Evid. Code § 453.

The documents which are the subject of this request fall well within the confines of Section 452. Defendant complied with the requirements of Section 453, giving each party enough notice of the requests and giving the court sufficient information, including copies of the documents, to enable the court to take judicial notice thereof. Accordingly, Defendant's Request for Judicial Notice is granted.

Motion for Summary Adjudication

The dispute at hand arises from Plaintiffs' purchase of real property located at 1071 Champagne Lane in Placerville. At the time of purchase, Defendant issued a title insurance policy in the amount of \$745,000. Soon after closing on the property, Plaintiffs discovered that their neighbors to the north had an access easement running through Plaintiffs' property. This

3-3-23
Department 9
Tentative Rulings

easement was not listed as an exclusion to the title insurance policy so when Plaintiffs submitted it to Defendant, Defendant accepted the claim. Defendant had an appraisal of the property done and issued Plaintiffs a check in the amount of \$75,000, which is the amount the appraiser deemed to be the diminution in value of the property as a result of the easement. Plaintiffs cashed the check. Plaintiffs now seek additional payment from Defendant to cover the cost of constructing a new easement over the eastern portion of the property. Defendant has refused to make any additional payments.

Plaintiffs' third cause of action alleges Defendant has breached its contractual obligations established by the title insurance policy. Defendant bases the present motion on its argument that Plaintiff lacks evidence and legal authority to support its positions that (1) a new easement is necessary and payment for the easement is required under the policy, and (2) the appraisal done on behalf of Defendant underestimates the diminution of value caused by the easement.

According to Defendant, the policy in question provides Defendant with the ability to choose from several enumerated options for handling an insured's claim. One of which, is to pay for the property owner's actual loss. Defendant relies on *Overholtzer v. Northern Counties Title Ins. Co.*, 116 Cal. App. 2d 113 (1953), wherein the court found that the liability of the title insurance company should be the diminution in the value of the property. Defendant further argues that Plaintiffs have not, and cannot, provide any evidence to support their claim that the appraisal done was insufficient and therefore they have not, and cannot, establish their claim for breach of contract.

Plaintiffs argue the diminution in value to their property is well over \$75,000 and they would not have purchased the property had they known of the subject easement. Plaintiffs rely on Evidence Code Section 813 which allows the owner of the property to provide his or her opinion as to the value thereof. According to Plaintiffs, their statements alone create a question of fact as to the diminished value of the property. The weight of their testimony as compared to that of Defendant's expert is a question of fact for the jury to decide. Additionally, Plaintiffs argue the motion is premature as expert witnesses have not been disclosed and depositions not yet conducted.

Defendant argues the timeliness of its motion as it was filed almost three years after the filing of the complaint as opposed to 60 days after as permitted by law. Further, Defendant opposes the admissibility of Plaintiff's opinion regarding the property's diminution in value because Evidence Code Section 813 only allows for the admissibility of an owner's opinion regarding the market value of property, not the diminution in value. Further, Defendant argues Plaintiff's declaration is inadmissible as it lacks foundation.

"A party may move for summary adjudication as to one or more causes of action within an action...if the party contends that the cause of action has no merit." Cal. Civ. Pro. §437c(f)(1).

3-3-23
Department 9
Tentative Rulings

Similar to a motion for summary judgment, a motion for summary adjudication shall be granted if there is no triable issue as to any material fact and the papers submitted show that the moving party is entitled to judgment as a matter of law. Cal. Civ. Pro. §437c. A defendant moving for summary judgment need only show that one or more elements of the cause of action cannot be established. Aguilar v. Atlantic Richfield Co., (2001) 25 Cal.4th 826, 849. This can be done in one of two ways, either by affirmatively presenting evidence that would require a trier of fact *not* to find any underlying material fact more likely than not; or by simply pointing out “that the plaintiff does not possess and cannot reasonably obtain, evidence that *would* allow such a trier of fact to find any underlying material fact more likely than not.” *Id.* at 845; Brantly v. Pisaro, 42 Cal. App. 4th 1591, 1601 (1996). Because of the drastic nature of a motion for summary judgment, the moving party’s evidence is to be strictly construed, while the opposing party’s evidence is to be liberally construed. A-H Plating, Inc. v. American National Fire Ins. Co., 57 Cal. App. 4th 427, 433-434 (1997).

The moving party bears the burden of making a prima facie case for summary judgment. White v. Smule, Inc., 75 Cal. App. 5th 346 (2022). Where that party makes the required showing, the burden then shifts to the opposing party to make a prima facie showing that there exists a triable issue of material fact. Zoran Corp. v. Chen, 185 Cal. App. 4th 799, 805 (2010).

The motion before the court seeks summary adjudication on Plaintiffs’ breach of contract claim. The elements for a breach of contract claim are “(1) the existence of a contract, (2) plaintiff’s performance or excuse for nonperformance, (3) defendant’s breach, and (4) the resulting damages to plaintiff. [Citations omitted]” Oasis West Realty, LLC v. Goldman, 51 Cal. 4th 811, 821 (2011). Defendant opines that Plaintiffs cannot establish the third and crucial element that a breach of the contract actually occurred. Defendant argues two main positions. First, that the contract did not require Defendant to pay the cost of moving the easement. And second, that the amount paid adequately represented the diminution in value which is what they were required to pay pursuant to the terms of the contract.

Plaintiff does not provide any evidence that the contract would require Defendant to pay for the relocation of the easement. Thus, the issue becomes, whether or not Plaintiff’s declaration alone is sufficient to establish a triable issue of material fact. To do so, it must constitute admissible evidence of the value of the property. See LaChapelle v. Toyota Motor Credit Corp., 102 Cal. App. 4th 977, 981 (2002) (“A party cannot avoid summary judgment by asserting facts based on mere speculation and conjecture, but instead must produce admissible evidence raising a triable issue of fact.”).

“The same rules of evidence that apply at trial also apply to the declarations submitted in support of and in opposition to motions for summary judgment. Declarations must show the declarant’s personal knowledge and competency to testify, state facts and not just conclusions, and not include inadmissible hearsay or opinion.” Bozzi v. Nordstrom, Inc., 186 Cal. App. 4th 755, 761 (2010). California Evidence Code section 813 states, in pertinent part, “[t]he value of property may be shown only by the opinions of any of the following: ¶ (2) The owner or the spouse of the owner of the property or property interest being valued.” Cal. Evid. Code §

3-3-23
Department 9
Tentative Rulings

813(2). While Section 813 generally allows for a property owner to set forth his or her opinion regarding the value of the property, such an opinion is still bound by the confines of the rules of evidence. See Jones v. Wachovia Bank, 230 Cal. App. 4th 935, 950-951 (2014) (“Contrary to plaintiffs’ assertion that ownership itself supplies foundation under Evidence Code section 813, a property owner is bound by the same rules of admissibility as any other witness regarding the value of real property.”).

Defendant maintains, and Plaintiffs do not dispute, that an appraiser did appraise the property. While the appraisal itself is not included in the moving papers, both parties agree that the \$75,000 was paid in response to the appraisal’s report. Plaintiffs have not submitted a declaration from an expert of their own. Instead, they rely solely on their opinion as the homeowners which, under Evidence Code Section 813 they are generally allowed to do, but not without still abiding by the rules of admissibility.

Plaintiffs’ declaration states only “...as owners we are of the opinion that the easement over our land diminishes the value by substantially more...” Dec’l Theresa Foster, Jan. 12, 2023, p. 2:2-3. In other words, Plaintiff relies only on her status as the property owner as the foundation for her opinion, but that alone is not sufficient. See Jones v. Wachovia Bank, 230 Cal. App. 4th 935, 950-951 (2014) (“Contrary to plaintiffs’ assertion that ownership itself supplies foundation under Evidence Code section 813, a property owner is bound by the same rules of admissibility as any other witness regarding the value of real property.”). Plaintiffs have not so much as provided an actual amount of the diminished value, just that it exceeds \$75,000, nor have they provided any basis on which they arrived at that opinion. Without any additional factual support to establish the admissibility of her opinion, the declaration cannot be considered as admissible evidence to establish a dispute as to any material fact.

Defendant’s Motion for Summary Adjudication as to the third cause of action of the FAC is granted.

**TENTATIVE RULING #12: DEFENDANT’S REQUEST FOR JUDICIAL NOTICE IS GRANTED.
DEFENDANT’S MOTION FOR SUMMARY ADJUDICATION AS TO THE THIRD CAUSE OF ACTION
TO THE FAC IS GRANTED.**

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; El Dorado County Local Rule 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING. LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M.

3-3-23
Department 9
Tentative Rulings

LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.