

Thursday, February 3, 2022

TO REQUEST A HEARING ON ANY MATTER ON THIS CALENDAR, YOU MUST CALL THE COURT AT (209) 257-2692 BY 4:00 P.M. ON THE DAY PRECEDING THE HEARING. NOTICE OF THE INTENTION TO APPEAR MUST ALSO BE GIVEN TO ALL OTHER PARTIES.

IF THE CLERK IS NOT NOTIFIED OF A PARTY'S INTENTION TO APPEAR, THERE WILL BE NO HEARING AND THE TENTATIVE RULING WILL BECOME THE ORDER OF THE COURT. NO FURTHER NOTICE OF THE COURT'S RULING WILL BE PROVIDED.

21-CVC-12313

KARAI, SANGEETH

VS.

DEVLIN, ROBERT

DEMURRER - DEFENDANT'S

TENTATIVE RULING:

On the court's own motion Defendants' Demurrer to Complaint and Motion to Arbitrate and Stay the Case are continued to March 3, 2022 at 8:30 a.m. in Department 2.

The court notes the demurring party failed to file a declaration, as required by CCP § 430.41(a)(3), showing that the parties met and conferred in person or by telephone for the purpose of determining whether an agreement could be reached to resolve the objections to be raised in the demurrer.

Accordingly, the demurring party is required to file, no later than seven (7) days prior to the new hearing date, a code-compliant declaration stating either (1) the parties have met and conferred and (a) the parties have resolved the objections raised in the demurrer, which shall be taken off-calendar or (b) the parties did not reach an agreement resolving the objections raised in the demurrer or (2) the party who filed the pleading subject to demurrer failed to respond to the meet and confer request or otherwise failed to meet and confer in good faith.

Unless a hearing is requested, this ruling is effective immediately. Neither further notice of the ruling nor a formal order per CRC 3.1312 is required.