

AMADOR SUPERIOR COURT LAW AND MOTION TENTATIVE RULINGS

Monday, June 1, 2020

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.

18-CVC-10752 TORRES, VANESSA VS. FCA US LLC A DELAWARE LIMITED LIABILITY COMPANY

CIVIL MISCELLANEOUS MOTION - PLAINTIFF

TENTATIVE RULING:

On the court's own motion, Plaintiff's Motion for Determination of Attorney Fees and Costs Under Settlement Agreement is continued to June 15, 2020 at 8:30 a.m. in Department 1.

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.

19-CVC-10958 EMMONS, BARBARA VS. RAYMOND, NADINE

MOTION TO AMEND COMPLAINT

TENTATIVE RULING:

Parties are ordered to appear to discuss dates to continue Plaintiff's Motion for Leave to File Third Amended Complaint, unless a Stipulation regarding the same is filed.

Parties may contact the court to arrange to appear remotely no later than 4:00 p.m. on the first court day preceding the hearing.

19-CVC-11140 LAFRANK, ERICA VS. ATT CORP

CIVIL MISCELLANEOUS MOTION - PLAINTIFF

TENTATIVE RULING:

On the court's own motion, Plaintiff's Motion for Judicial Preference under CCP § 36(b) and Trial Setting Conference are continued to June 15, 2020 at 8:30 a.m. in Department 1.

Parties are ordered to meet and confer regarding status of service or dismissal of all remaining parties. Moving party is to file a declaration updating the court no later than five (5) court days prior to the hearing.

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.

19-CVC-11326 BROWN, JORDAN VS. LEON, VALERIE

DEMURRER - DEFENDANT'S

TENTATIVE RULING:

Unless it has been taken off calendar, parties are ordered to meet and confer and appear to discuss the status of Defendant's Demurrer filed February 7, 2020.

Parties may contact the court to arrange to appear remotely no later than 4:00 p.m. on the first court day preceding the hearing.

DEMURRER - DEFENDANT'S

TENTATIVE RULING:

Defendant RICK FINCH and FINCH BODY SHOP, Inc.'s demurrer to the First Amended Complaint is SUSTAINED as follows: Plaintiff's "Estoppel, Abatement, and Complaint First Amended" fails to state facts sufficient to state a cause of action. (CCP § 430.10(e).) To the extent a cause of action is discernible; Plaintiff fails to state facts sufficient to constitute any cause of action.

Plaintiff is granted leave to amend. Where there is any reasonable probability the complaint can be amended, failure to grant leave is an abuse of discretion. (Goodman v. Kennedy (1976) 18 Cal.3d 335.) Plaintiff is ordered to file and serve a Second Amended Complaint within fifteen (15) days of the date of this ruling.

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.

If a hearing is requested, parties may contact the court to arrange to appear remotely no later than 3:00 p.m. on the first court day preceding the hearing.