

ARIZA v LAKESIDE VENTURES, LLC

22CV46059

DEFENDANT GARRETT SMITH'S DEMURRER TO FIRST AMENDED COMPLAINT

This matter involves a dispute over the sale of a mobile home estate. On April 3, 2023, Plaintiff filed her first amended complaint (FAC) against numerous defendants, including Garrett Smith ("Smith"). Now before the Court is Smith's demurrer.

The motion does not comply with Local Rule 3.3.7. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

3 3 7 Tentative Rulings (Repealed Eff 7/1/06, As amended 1/1/18) All parties appearing on the Law and Motion calendar shall utilize the tentative ruling system. Tentative Rulings are available by 2:00 p.m. on the court day preceding the scheduled hearing and can be accessed either through the court's website or by telephoning 209-754-6285. The tentative ruling shall become the ruling of the court, unless a party desiring to be heard so advises the Court no later than 4:00 p.m. on the court day preceding the hearing including advising that all other sides have been notified of the intention to appear by calling 209-754-6285. Where appearance has been requested or invited by the Court, all argument and evidence is limited pursuant to Local Rule 3.3. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

Pursuant to Local Rule 3 3 7, the Court will make a tentative ruling on the merits of this matter by 2:00 p.m. the court day before the hearing. The complete text of the tentative ruling may be accessed on the Court's website or by calling 209-754-6285 and listening to the recorded tentative ruling. If you do not call all other parties and the Court by 4:00 p.m. the court day preceding the hearing, no hearing will be held and the tentative ruling shall become the ruling of the court [emphasis in original.]

Failure to include this language in the notice may be a basis for the Court to deny the motion.

Based on the foregoing, the Demurrer is **OVERRULED**, without prejudice to refile, if otherwise statutorily allowed.

The Clerk shall provide notice of the Ruling forthwith. No further formal Order is required.

**DAVID ZAMORA, TRUSTEE, ON BEHALF OF ESTATE OF
GUS Y. ZAMORA v CLAPP**

22CV46467

DEFENDANT'S MOTION FOR RELIEF FROM DEFAULT

This is partnership dispute involving the management of real property and two residential units thereon. On December 9, 2022, Plaintiff Dave Zamora (son and acting trustee of his father Gus Zamora's trust) sued Defendant Clyde Clapp for breach of fiduciary duty, fraud, negligence and waste.

Now before the Court is Defendant's motion for relief from default.

The motion does not comply with Local Rule 3.3.7. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

3 3 7 Tentative Rulings (Repealed Eff 7/1/06, As amended 1/1/18) All parties appearing on the Law and Motion calendar shall utilize the tentative ruling system. Tentative Rulings are available by 2:00 p.m. on the court day preceding the scheduled hearing and can be accessed either through the court's website or by telephoning 209-754-6285. The tentative ruling shall become the ruling of the court, unless a party desiring to be heard so advises the Court no later than 4:00 p.m. on the court day preceding the hearing including advising that all other sides have been notified of the intention to appear by calling 209-754-6285. Where appearance has been requested or invited by the Court, all argument and evidence is limited pursuant to Local Rule 3 3. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

Pursuant to Local Rule 3 3 7, the Court will make a tentative ruling on the merits of this matter by 2:00 p.m. the court day before the hearing. The complete text of the tentative ruling may be accessed on the Court's website or by calling 209-754-6285 and listening to the recorded tentative ruling. If you do not call all other parties and the Court by 4:00 p.m. the court day preceding the hearing, no hearing will be held and the tentative ruling shall become the ruling of the court [emphasis in original.]

Failure to include this language in the notice may be a basis for the Court to deny the motion.

Based on the foregoing, the Motion is **DENIED**, without prejudice to refile, if otherwise statutorily allowed.

The Clerk shall provide notice of the Ruling forthwith. No further formal Order
Is required.

MOSS, et al v IRONSTONE AMPITHEATRE, et al

24CV47251

DEFENDANT RICHTER ENTERTAINMENT'S MOTION TO SET ASIDE DEFAULT

This personal injury case arises out of Plaintiff Sharon Moss's alleged trip and fall at the Ironside Amphitheater on August 18, 2022. Richter Entertainment Group ("Richter") is a named defendant. Now before the Court is Richter's motion to vacate default.

The motion does not comply with Local Rule 3.3.7. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

3 3 7 Tentative Rulings (Repealed Eff 7/1/06, As amended 1/1/18) All parties appearing on the Law and Motion calendar shall utilize the tentative ruling system. Tentative Rulings are available by 2:00 p.m. on the court day preceding the scheduled hearing and can be accessed either through the court's website or by telephoning 209-754-6285. The tentative ruling shall become the ruling of the court, unless a party desiring to be heard so advises the Court no later than 4:00 p.m. on the court day preceding the hearing including advising that all other sides have been notified of the intention to appear by calling 209-754-6285. Where appearance has been requested or invited by the Court, all argument and evidence is limited pursuant to Local Rule 3 3. All matters noticed for the Law & Motion calendar shall include the following language in the notice:

Pursuant to Local Rule 3 3 7, the Court will make a tentative ruling on the merits of this matter by 2:00 p.m. the court day before the hearing. The complete text of the tentative ruling may be accessed on the Court's website or by calling 209-754-6285 and listening to the recorded tentative ruling. If you do not call all other parties and the Court by 4:00 p.m. the court day preceding the hearing, no hearing will be held and the tentative ruling shall become the ruling of the court [emphasis in original.]

Failure to include this language in the notice may be a basis for the Court to deny the motion.

Based on the foregoing, the Motion is **DENIED**, without prejudice to refile, if otherwise statutorily allowed.

The Clerk shall provide notice of the Ruling forthwith. No further formal Order is required.