

**Calaveras Superior Court
Civil Law & Motion Calendar
Friday, March 26, 2021
Hon. David M. Sanders
Courtroom #2**

9:00 AM 17CV42160 Demurrer of Angels Gun Club to 4th Cause of Action in 3rd Amended Complaint 02/02/2017 05/12/2021 Case Management Conference

Ptff/Pet: Tryon, Thomas

Atty: Mooney, Donald Burns

Def/Res: Angels Gun Club Inc.

Atty: Wood Smith Henning & Berman Llp

Tentative Ruling: On September 29, 2020, a filed stipulation and order allowed plaintiff leave of court to file the third amended complaint, which was filed on October 8, 2020. On February 19, 2021, defendant filed this demurrer.

Defendant has not complied with Local Rule 3.3.7 enacted January 1, 2018, by failing to include the mandatory language in the notice of motion regarding the Court's tentative ruling system. Pursuant to said local rule, lack of compliance provides a specific ground to deny any such procedurally-deficient motion. Based solely upon defendant's failure to comply with Local Rule 3.3.7, the demurrer is OVERRULED, without prejudice to refile, to the extent it otherwise is timely and appropriate pursuant to relevant statutes.

The clerk shall provide notice of this ruling to the parties forthwith. No further formal Order is required.

9:00 AM 19CF12822 Motion to Enter Judgment Pursuant to CCP 664.6 04/19/2019 06/30/2021 OSC re Dismissal pursuant to Rule of

Ptff/Pet: Discover Bank

Atty: Zwicker & Associates Pc

Def/Res: Beck, Ron C

Atty: Shepard, Robert Lewis

Tentative Ruling: On September 25, 2019, plaintiff filed a notice of conditional settlement. On November 4, 2019, a stipulation for entry of judgment pending performance was filed. On February 24, 2021, plaintiff filed this motion alleging defendant has defaulted on required payments.

Plaintiff has not complied with Local Rule 3.3.7 enacted January 1, 2018, by failing to include the mandatory language in the notice of motion regarding the Court's tentative ruling system. Pursuant to said local rule, lack of compliance provides a specific ground to deny any such procedurally-deficient motion. Based solely upon plaintiff's failure to comply with Local Rule 3.3.7, the Motion is DENIED, without prejudice to refile, to the extent it otherwise is appropriate and timely pursuant to relevant statutes.

The clerk shall provide notice of this ruling to the parties forthwith. No further formal Order is required.

Ptff/Pet: J.g. Wentworth Originations Llc
Def/Res: H., W.

Atty: Felton, James R, Esq
Atty:

Tentative Ruling: J. G. Wentworth Originations, LLC has petitioned the Court pursuant to Insurance Code § 10139.5 to approve transfer of certain structured settlement payment rights of W. H.

The Court finds that all requirements of Insurance Code § 10139.5 have been met. Therefore, the Petition is Approved.

The clerk shall provide notice of this ruling to the parties forthwith. Petitioner to prepare a formal Order in compliance with this ruling.