

Tentative Rulings – June 12, 2003

To request a hearing on any matter on this calendar, you must call the Court at (209) 223-6360 by 4:30 p.m. today. 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 becomes the order of the court.

Countrywide v. Tallon – 03CV2661– Defendants Demurrer to Complaint

Defendants' unopposed demurrer to the plaintiff's complaint is sustained. Defendants to provide notice of ruling.

Beneficial California v. McGill – 02CV2489 – Motion of Beneficial California, Inc. for an Assignment Order and Restraining Order

The motion of Beneficial California, Inc. for an Assignment Order and Restraining Order is denied. Pursuant to Code of Civil Procedure Section 706.023 an employer is not required to comply with two earnings withholding orders at the same time. The evidence presented in support of the motion establishes that the judgment debtor's employer had been served with another withholding order before being served with the order issued by this court.

Unless a hearing is requested, this minute order is effective immediately. No formal order per California Rules of Court, Rule 391 is needed, nor is further notice of this ruling required.

Beauchamp v. Buena Vista – 03CV2809 – Plaintiff's Application for Writ of Possession and Motion for Preliminary Injunction

The plaintiff's application for writ of possession and motion for preliminary injunction are denied. Plaintiff failed to file proof of service of the application or motion five days prior to the hearing.

Unless a hearing is requested, this minute order is effective immediately. No formal order per California Rules of Court, Rule 391 is needed, nor is further notice of this ruling required.