

Tentative Rulings – August 26, 2004

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.

County of Amador v. Wright – 03CV3125 – Defendants' Motion to Change Venue

The defendants' motion to change venue pursuant to Code of Civil Procedure Section 394 is denied. This section does not authorize the transfer of an action by a county plaintiff against a resident plaintiff. (Nevada County v. Phillips, (1952) 111 Cal.App.2d 428.) The court denies the defendants' request to transfer pursuant to Code of Civil Procedure Section 397 because the defendants failed to establish actual prejudice would result if the matter were tried in Amador County. (Ohio Casualty Ins. Group v. Superior Court (1994) 30 Cal.App.4th 444.)

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.

Peter Derania – 04CV3418 – Petition to Establish Existence of Deeds

There is no tentative ruling in this case. Appearances are required.