

"Civility allows for zealous representation, reduces clients' costs, better advances clients' interests, reduces stress, increases professional satisfaction, and promotes effective conflict resolution." -- OCBA Civility Guidelines

Superior Court of the State of California
County of Orange
TENTATIVE RULINGS FOR DEPARTMENT C65
HON. JULIANNE SARTAIN BANCROFT

Date: Friday, May 2, 2025, 8:30 a.m.

- All counsel and self-represented parties appearing for such hearings should check-in online through the Court's civil video appearance website at <https://www.occourts.org/media-relations/civil.html> prior to the commencement of their hearing. Once the online check-in is completed, participants will be prompted to join the courtroom's Zoom hearing session. Check-in instructions and an instructional video are available on the court's website. A party choosing to appear in person can do so by appearing in the courtroom on the date/time of the initial appearance. All hearings are open to the public. The courtroom doors are open.
- You must provide your own court reporter (unless you have a fee waiver and request one in advance).
- Call the other side and ask if they will submit to the tentative ruling. If everyone submits, then call the clerk. The tentative ruling will become the order. If anyone does not submit, there is no need to call the clerk. The court will hold a hearing. The court may rule differently at the hearing. (See *Lewis v. Fletcher Jones Motor Cars, Inc.* (2012) 205 Cal.App.4th 436, 442, fn. 1.)

#	Case Name	Tentative
25	AFH Casa Paloma v Smith	Pretrial Conference Defendant has not filed any pretrial documents as of 04/29.
26	Cole v Patel	Claim of Right to Possession. NO TENTATIVE RULING. Claimant Krishnu Patel should be prepared to provide evidentiary support for the factual statements in the claim of right to possession. The parties should be prepared to address the impact of the proof of service of summons on "any unknown occupants" filed February 25, 2025.
27	Vu v Houn	Motion to Quash Service of Summons. DENIED. It appears that personal service was effected on defendant Yong Houn on 03/14/2025, and that substitute service was effected on the other defendants through service on Yong Houn followed by mailing. (ROA # 10, 12, 14, 16, 18) If true, the motion to quash must be denied. The court is also in receipt of a notice of related case. Case No. 30-2024-01427204 appears to be related to the present case. (Cal. Rules of Court, rule 3.300)

28	430 N. Berry Street v. Pina	<p>Demurrer. OVERRULED. DEFENDANTS TO ANSWER THE COMPLAINT WITHIN FIVE (5) CALENDAR DAYS.</p> <p>Defendants claim the complaint is defective because plaintiff failed to attach a copy of a notice to quit and proof of service thereof. (CCP § 1161.) This unlawful detainer action is based on the tenant holding over after the expiration of a fixed term lease. In such a situation, no notice to quit is required. (<i>Ibid.</i>, subd. 1; <i>Earl Orchard v. Fava</i> (1902) 138 Cal. 76.)</p>
29	Jensen v Ross	<p>Demurrer. OVERRULED. DEFENDANT TO ANSWER THE COMPLAINT WITHIN FIVE (5) CALENDAR DAYS.</p> <p>Defendant argues the complaint is defective because (1) the 3-day notice failed to include necessary payment information required by CCP 1161, subd. (2); (2) the 3-day notice overstated the amount of rent due; and (3) the 3-day notice was served before the stated rent amount became due. The court has reviewed the 3-day notice attached to the complaint and finds that, on its face, it does not suffer the defects alleged in the demurrer.</p>
30	BLB v Core-Arms	<p>Motion to Stay. CONTINUED TO 05/08/2025</p> <p>Pursuant to California Rules of Court rule 3.300(h)(1)(B), this matter will be referred to Judge de la Cruz to determine whether this matter is related to case No. 30-2024-01432548 and whether the matters will be heard together in his department.</p>
31	White v Lemkin	<p>Motion for Sanctions. DENIED WITHOUT PREJUDICE</p> <p>The court finds that Defendant's failure to appear for a judgment debtor examination on February 14, 2025 was without good cause and is subject to sanctions pursuant to Code of Civil Procedure section 708.170, subdivision (a)(2). The sanctions authorized under that statute are "reasonable attorney's fees." Plaintiff has not provided the court with evidence of the reasonable attorney fees "incurred in the examination proceeding."</p>