

NOTICE:

To request limited oral argument on any matter on this calendar, you must call the Court at (916) 874-5487 (Department 47) by 4:00 p.m. the court day before this hearing and advise opposing counsel. If no call is made, the tentative ruling becomes the order of the court. Local Rule 2.02(D).

**Department 47
Superior Court of California
720 Ninth Street
Michael G. Virga, Judge
S. Jacobs/P. Banks, Clerk
None, Bailiff**

Wednesday, January 18, 2006, 9:30 AM

Item 1 **02AS07011 STEVEN VALDEZ VS. REGENT OS THE UNIV. OF CALIFORNIA**

Nature of Proceeding: Motion To Change Venue

Filed By:

Continued at the request of the moving party.

Item 2 **04AS00044 MARCUS DRAKE, ET AL VS. WR GRACE CONSTRUCTION, ET AL**

Nature of Proceeding: Motion To Continue Trial

Filed By:

Defendants motion to continue trial currently set for January 24 is GRANTED. Trial in this matter shall be continued to Monday June 5, 2006 at 8:30 a.m. in Department 47.

Defendants initially sought a continuance on the ground that there had been a significant change in the status of plaintiffs Casillas' case and as a consequence additional discovery was required. Defendants also asserted that additional time was required to depose certain retained and no retained experts in light of plaintiffs' counsel's unavailability through early January. Plaintiff Drake opposed the motion arguing that Plaintiffs Casillas settled removing that ground for a continuance and that defendants had not been diligent in pursuing discovery. Plaintiff Drake, however, indicated that he would stipulate to a continuance on condition that the case be given priority on the new trial date. Defendants indicated in their reply that they were agreeable to this condition. Defendants further argued that a continuance was necessary as plaintiff was undergoing additional surgery shortly and his condition was not stable.

The court will not grant the parties a priority setting where the trial date is continued at the parties request. Such setting are reserved for cases where the trial date must be continued because of the lack of a courtroom. The court does, however, find that a coninunce is apporpiate and will continue the trial to the first Monday in June.

Item 3 **05AS03964 DANIEL GANDY ET AL VS. SHASTA REGIONAL MED CENTER ET AL**

Nature of Proceeding: Motion To Change Venue

Filed By:

Good cause appearing, and no opposition having been filed, defendant James M.

Gonzalez's motion to change venue of this action to the Shasta County Superior Court is GRANTED. Plaintiff shall pay transfer fees.

The court finds good cause to transfer in that defendants have their principal place of residence and principal place of business, respectively, in Shasta County and that the action giving rise to this case occurred in Shasta County.

Item 4 **05AS04238 DEAN WILSON VS. UNION PACIFIC RAILROAD COMPANY**

Nature of Proceeding: Motion To Change Venue

Filed By:

Good cause appearing, and no opposition having been filed, defendant's motion to change venue of this action to the Placer County Superior Court is GRANTED. Plaintiff shall pay transfer fees.

The court finds good cause to transfer venue as Sacramento is not a proper court for venue purposes while Placer is a proper court. Defendant's principal place of business is located in Roseville in Placer County. The alleged injury presumably occurred in one or more counties located along the rail lines in which plaintiff worked. None of these rail lines runs through Sacramento County.