

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
Roland L. Candee, Judge
S. Jacobs/P. Banks, Clerk
None, Bailiff**

Tuesday, February 20, 2007, 9:30 AM

Item 1 **03AS04286 MITCH TAYLOR, ET AL VS. TOWNE DEVELOPMENT OF SACRAMENTO, INC**

Nature of Proceeding: Motion To Continue Trial

Filed By:

Cross-defendant's motion to continue trial is granted. Unavailability of counsel in the circumstances here provides good cause. Defendant's joinder is granted. The 2/22/2007 Settlement Conference is vacated. The 3/26/2007 Trial date is vacated. Settlement Conference is set on 5/21/2007 at 1:30 p.m. in Department 59. This matter is set for Trial on 6/11/2007 at 8:30 a.m. in Department 47 to be assigned to a department by Master Calendar.

Item 2 **04AS01291 DAVID LAI VS. ROYCE AIR, INC., ET AL**

Nature of Proceeding: Motion To Continue Trial

Filed By:

The parties having stipulated and good cause appearing, plaintiff's motion to continue trial is granted.

The Settlement Conference is vacated. The Trial date is vacated. This case is referred to Trial Setting Conference on 5/7/2007 at 10:00 a.m. in department 47.

Discovery cut-offs shall be governed by the new trial date.

Item 3 **05AS04291 REBECCA FLORY ET AL. VS. RAY CAMMACK SHOWS, INC. ET AL.**

Nature of Proceeding: Motion To Consolidate

Filed By:

Defendant's motion to consolidate cases 05AS04291 and 06AM06417 is unopposed and is granted. Defendant has shown that common questions of law and fact predominate in the two cases arising from the same accident. Case 05AS04291 shall be the lead case.

The Court notes that defendant has failed to include the tentative ruling notice

required by local rule 2.02(D) in the notice of motion. Counsel is directed to give that notice telephonically to plaintiff's counsel.

Item 4 **06AS00100 RANDALL MORIOKA ET AL VS. RAYMON EUGENE DEVADER ET AL**

Nature of Proceeding: Miscellaneous Motion

Filed By:

Defendant's motion to continue the trial setting conference is granted. The recently discovered information regarding the decedent's helmet and the need to name the manufacturer and retailer of the helmet as parties to the litigation provide good cause. The Court is persuaded that defendant has acted diligently in defense of the action. Plaintiffs have failed to demonstrate that the continuance will cause them undue prejudice.

Counsel is reminded that local rule 2.02(D) requires inclusion of the tentative ruling notice in the notice of motion.

The Court notes that despite Judge Hersher's prior order that the February 5 TSC be continued to February 20, the record reflects that settlement conference and trial dates were set on February 6. Those dates are vacated.

This matter is referred to the CMP judge (Judge Hersher) for a further case management conference on June 21, 2007 at 8.30 a.m. in department 45. Conference management statements are due no later than Wednesday, June 6, 2007.

Item 5 **04AS03809 KIM TAYLOR, ET AL VS. TOWNE DEVELOPMENT, OF SACTO, INC.**

Nature of Proceeding: Motion To Continue Trial

Filed By:

See item 1.
