<u>Tentative Rulings for November 16, 2021</u> <u>Department 503</u>

There are no tentative rulings for the following cases. The hearing will go forward on these matters. If a person is under a court order to appear, he/she must do so. Otherwise, parties should appear unless they have notified the court that they will submit the matter without an appearance. (See California Rules of Court, rule 3.1304(c).)

The court has continued the following cases. The deadlines for opposition and reply papers will remain the same as for the original hearing date.

20CECG01978 20CECG03200 Praetorian Insurance Company v. Haight Brown & Bonesteel; and Hallmark Specialty Insurance Company v. Haight Brown & Bonesteel motion to consolidate is continued to Thursday,

December 9, 2021 at 3:30 p.m. in Dept. 503

(Tentative Rulings begin at the next page)

Tentative Rulings for Department 503

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(35)

<u>Tentative Ruling</u>

Re: Magana, Jr. v. Tire & Wheel Warehouse et al.

Superior Court Case No. 18CECG01516

Hearing Date: November 16, 2021 (Dept. 503)

Motion: By Plaintiff to Amend Clerical Error in Judgment Nunc Pro Tunc

Tentative Ruling:

To grant the motion. The judgment is corrected to reflect the name of the judgment debtor as "Tire & Wheel Warehouse."

Explanation:

On February 5, 2021, a default judgment was entered in the amount of \$16,838.25 against "Tire & **Whee** Warehouse" [boldface added]. (See Judgment filed February 5, 2021.) Plaintiff filed a motion seeking to correct the name of the judgment debtor on the grounds that there was a "typo" in the name. The correct name of the judgment debtor is "Tire & **Wheel** Warehouse" [boldface added].

Upon motion of the injured party, the court may correct clerical mistakes in its judgment as entered. (Code Civ. Proc., § 473, subd. (d).) Having duly noticed such a motion, the court grants the relief sought. The judgment will be corrected to reflect the name as "Tire & Wheel Warehouse."

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruli	ng		
Issued By:	KAG	on 11/9/2021	∟.
_	(Judge's initials)	(Date)	

(24)

<u>Tentative Ruling</u>

Re: In re Camila Garcia Ortega

Superior Court Case No. 21CECG02542

Hearing Date: November 16, 2021 (Dept. 503)

Motion: Petition for Compromise of Disputed Claim of Minor

Tentative Ruling:

To deny without prejudice. In the event oral argument is requested, the minor is excused from appearing.

Explanation:

The petition, at Item 12a(5) and Attachment 8, indicates there is a medical lien from The Phia Group in the amount of \$1,615.81. However, petitioner does not provide for this amount to be deducted from the minor's gross settlement, and there is no proof that it has been paid in some other manner. More explanation is needed.

Pursuant to California Rules of Court, rule 3.1312(a), and Code of Civil Procedure section 1019.5, subdivision (a), no further written order is necessary. The minute order adopting this tentative ruling will serve as the order of the court and service by the clerk will constitute notice of the order.

Tentative Ruling				
Issued By:	KAG	on	11/12/21	
-	(Judge's initials)		(Date)	