

SUPERIOR COURT OF CALIFORNIA,

COUNTY OF SAN DIEGO

HALL OF JUSTICE

TENTATIVE RULINGS - November 30, 2016

EVENT DATE: 12/01/2016

EVENT TIME: 03:00:00 PM

DEPT.: C-73

JUDICIAL OFFICER: Joel R. Wohlfeil

CASE NO.: 37-2016-00020273-CL-MC-CTL

CASE TITLE: LUTZ VS MICHAEL VU [IMAGED]

CASE CATEGORY: Civil - Limited

CASE TYPE: Misc Complaints - Other

EVENT TYPE: Status Conference (Civil)

CAUSAL DOCUMENT/DATE FILED:

On October 26, 2016, the Court issued its Statement of Intended Decision (SOID"). ROA # 125.

The parties have filed their respective objections to the SOID. On November 8, 2016, Plaintiffs Citizens Oversight Inc. and Raymond Lutz ("Plaintiffs") filed their objections to the SOID. ROA # 128. On November 30, 2016, Defendants Michael Vu and the County of San Diego ("Defendants") filed their objections to the SOID. ROA # 130.

Plaintiffs and Defendants' objections are, except as noted, OVERRULED.

Plaintiffs allege that the SOID misstates the evidence; to wit, Plaintiffs' objection nos. 5 – 12. The Court acknowledges that Plaintiffs' characterization of the evidence may be more accurate than as set forth in the SOID. The Court will accept an agreement among the parties to re-phrase the evidence encompassed within nos. 5 – 12, and reflect that agreement in the Court's Statement of Decision ("SOD"); however, to the extent the parties cannot agree to re-phrase the evidence encompassed within nos. 5 – 12, Plaintiffs' objections are OVERRULED.

The Court will HEAR on the subject of Plaintiffs' objection no. 17.

Like Plaintiffs, Defendants allege that the SOID misstates the evidence; to wit, Defendants' objections at pages 2 - 5. The Court acknowledges that Defendants' characterization of the evidence may be more accurate than as set forth in the SOID. The Court will accept an agreement among the parties to re-phrase the evidence identified by Defendants at pages 2 - 5, and reflect that agreement in the Court's SOD; however, to the extent the parties cannot agree to re-phrase the evidence identified by Defendants at pages 2 – 5, Defendants' objections are OVERRULED.

Defendants' proposal that the Court make additional findings, as reflected at pages 10 – 17, is DENIED.

The Court will HEAR on the subject of Defendants' request for clarification at pages 17 – 18.