

SUPERIOR COURT OF CALIFORNIA • COUNTY OF FRESNO Civil Department, Central Division	Entered by:
TITLE OF CASE: EDWARD HUNT VS STTE OF CALIFORNIA	
LAW AND MOTION MINUTE ORDER	Case Number: 01CECG03182

Hearing Date: **September 12, 2002**

Hearing Type: **MTN TO FILE AMENDED COMPLAINT**

Department: **98A**

Judge/Temporary Judge: **Stephen J. Kane**

Court Clerk: **S. L. Yepiz**

Reporter/Tape: **S. Applegate**

Appearing Parties:		
Plaintiff:	No Appearances	Defendant:
Counsel:		Counsel:

Off Calendar

Continued to _____ at _____ Dept. for _____

Matter argued and submitted .

Motion is granted with prejudice

Demurrer overruled with _____ days to answer.

Tentative ruling becomes the order of the court. No further order is necessary.

Pursuant to CRC 391(a) and CCP section 1019.5(a), no further order is necessary. The minute order adopting the tentative ruling serves as the order of the court.

Service by the clerk will constitute notice of the order.

Time for amendment of the complaint runs from the date the clerk serves the minute order.

Judgment debtor _____ sworn and examined.

Judgment debtor _____ failed to appear. Bench warrant issued in the amount of _____

Judgment:

Money damages _____ entered in the amount of:
 Principal Attorney fees Costs Interest Total \$ **00.00**

Claim of exemption is granted. Court orders withholdings modified to _____ per pay period.

Further, court orders:

Monies held by levying officer to be released to judgment creditor.

_____ to be released to judgment creditor and balance returned to judgment debtor.

Levying Officer, County of _____ notified.

Notice to be filed within 15 days.

Writ to issue

Restitution of premises

(See Attached)

Tentative Ruling

Re: ***Hunt et al. v. State of California et al.***
Superior Court Case No. 01CECG03182

Hearing Date: September 12, 2002 at 2:00 p.m. (Dept. 98A)

Motion: Plaintiffs' motion for leave to file a 1st amended complaint

Tentative Ruling:

To grant Plaintiffs' motion for leave to file a 1st amended complaint. Plaintiffs have 10 days to file the 1st amended complaint. The time in which the complaint can be amended will run from service by the clerk of the minute order. All new allegations in the first amended complaint are to be set in **boldface** type.

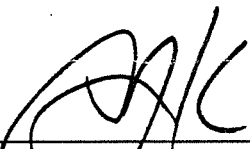
Explanation:

Allowing the filing of the proposed 1st amended complaint will further the strong judicial policy favoring liberal amendments so that all disputed matters between the parties can be resolved in the same lawsuit. (*Nestle v. Santa Monica* (1972) 6 Cal.3d 920, 939.) Any challenge to the validity of the amendments can be addressed once the 1st amended complaint is filed via demurrer, motion to strike, etc. (*Kittredge Sports Co. v. Superior Court* (1989) 213 Cal.App.3d 1045, 1048 and Weil & Brown, Cal. Prac. Guide: Civ. Proc. Before Trial (TRG 2000) §6:644-647.)

Pursuant to California Rules of Court, rule 391, subd. (a) and Code of Civil Procedure section 1019.5, subd. (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. The time in which the complaint can be amended will run from service by the clerk of the minute order. All new allegations in the first amended complaint are to be set in **boldface** type.

**Tentative Ruling
Issued By:** _____


(Judge's initials)

on 9/11/02
(Date)

CASE TITLE EDWARD HUNT VS STATE OF CALIFORNIA	CASE NUMBER: 01CECG03182
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CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause and that a true copy of the **MINUTE ORDER** was mailed first class, postage fully prepaid, in a sealed envelope addressed as shown below, and that the notice was mailed at **FRESNO**, California, on:

Date: **September 12, 2002**

Clerk, by *Susan Linda Yepiz*, Deputy
S. L. YEPIZ

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