

GENTILE, et al v. JOHNSON, et al

23CV46817

**PLAINTIFFS' MOTION TO EXPUNGE LIS PENDENS;
DEFENDANT'S MOTION TO CONTINUE HEARING**

This is a breach of contract action related to a construction project. Before the Court are plaintiffs' motion to expunge lis pendens and defendants' motion to continue the hearing on plaintiffs' motion.

Plaintiffs' motion is DENIED, Without Prejudice, as being procedurally defective. Pursuant to Calaveras County Superior Court Local Rule 3.3.7 (adopted 1/1/18), "all matters noticed for the Law & Motion calendar shall include" specified language in the Notice of Motion pertaining to the Court's tentative ruling procedure, and "failure to include this language in the notice may be a basis for the Court to deny the motion."

Defendants' motion is similarly procedurally defective and would on those ground be denied, without prejudice, however, in light of the ruling on plaintiffs' motion, defendants' motion is DENIED, as MOOT.

The Clerk shall provide notice of this Ruling to the parties forthwith. No further formal order pursuant to Rule of Court 3.1312 is required.

DOE v COUNTY OF CALAVERAS
22CV46492
PLAINTIFF COUNSEL'S MOTION
TO BE RELIEVED AS COUNSEL

Personal appearance (not by CourtCall) is required of plaintiff's counsel to provide information and answer questions *in camera*.