

**SUPERIOR COURT OF CALIFORNIA,  
COUNTY OF VENTURA  
VENTURA**

**MINUTE ORDER**

DATE: 07/13/2015

TIME: 08:20:00 AM

DEPT: 43

JUDICIAL OFFICER PRESIDING: Kevin DeNoce

CLERK: Tiffany Froedge

REPORTER/ERM: None

CASE NO: **56-2015-00468316-CU-OR-VTA**

CASE TITLE: **Weiswasser vs Manuel Martinez**

CASE CATEGORY: Civil - Unlimited      CASE TYPE: Other Real Property

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**EVENT TYPE:** Motion for Preliminary Injunction (CLM)

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**APPEARANCES**

Gregory Beam, specially appearing for counsel Norman Paul Breen, present for Plaintiff(s).

RICHARD L. FRANCIS, counsel, present for Defendant(s).

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At 8:56 a.m., court convenes in this matter with all parties present as previously indicated.

Counsel have received and read the court's written tentative ruling.

Matter submitted to the Court with argument.

The Court finds/orders:

The Court's tentative is adopted as the Court's ruling.

**The court's ruling is as follows:**

Grant Plaintiff's request for a Preliminary Injunction restraining and prohibiting the Defendant from the following activities:

- (1). Engaging in any construction, alteration or other work regarding the Mobilehome and the Premise, without first obtaining all required permits from the California Department of Housing and Community Development;
- (2). Engaging in any construction, alteration or other work regarding the Mobilehome and Premises without first obtaining permission from Plaintiff;
- (3). Using any of the Park's utility services without the express written consent of Plaintiff unless included in the rental agreement;
- (4). Violating any of the Park's Rules and Regulations.

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In the amended complaint and reply, Plaintiff is seeking a preliminary mandatory injunction that the Court order Defendant to remove the 2<sup>nd</sup> story and the mobilehome from the park. That is a new request, and a preliminary mandatory injunction without a hearing/trial on the merits may not be warranted at this time. (*Board of Supervisors v. McMahon* (1990) 219 Cal.App.3d 286, 295.)

Court Trial (LC) Permanent Injunction (2 day estimate) is scheduled for 01/11/2016 at 01:30 PM in Department 43.

The formal order was signed this date.

Notice to be given by Plaintiff.