

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

TENTATIVE RULINGS

EVENT DATE: 01/05/2015
JUDICIAL OFFICER: Tari Cody

EVENT TIME: 08:20:00 AM

DEPT.: 20

CASE NUM: 56-2014-00458073-CU-AS-VTA
CASE TITLE: ROBERT DENYER VS AB ELECTROLUX

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Asbestos

EVENT TYPE: Motion to Strike - Portions of Plaintiffs' Complaint; Memo of p&a's
CAUSAL DOCUMENT/DATE FILED: Motion to Strike, 11/21/2014

No notice of intent to appear is required. If you wish to submit on the tentative decision, you may send a telefax to Judge Cody's secretary at 805-662-6712, stating that you submit on the tentative. Please include the hearing date, the case name and case number on your telefax. Do not call in lieu of sending a telefax, nor should you call to see if your telefax has been received. If you submit on the tentative without appearing and the opposing party appears, you run the inherent risk of the hearing being conducted in your absence.

The court's tentative ruling is as follows:

Grant Defendant Rheem Manufacturing Company's request for an order striking the allegations supporting and prayer for damages based on the first cause of action for negligence in Plaintiffs Robert and Gertrude Denyer's Complaint.

Deny it as to the request for an order striking the allegations supporting punitive damages in the second cause of action for strict liability and the request for punitive damages in the Prayer, on the ground that Plaintiffs sufficiently allege that Defendant's officers/directors/managing agents authorized/ratified/participated in conduct amounting to "malice" and "fraud."

Absent waiver of notice and in the event an order is not signed at the hearing, the prevailing party shall prepare a proposed order and comply with CRC 3.1312 subdivisions (a), (b), (d) and (e). The signed order shall be served on all parties and a proof of service filed with the court. A "notice of ruling" in lieu of this procedure is not authorized.