

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SACRAMENTO
GORDON D SCHABER COURTHOUSE**

MINUTE ORDER

DATE: 05/14/2013

TIME: 02:00:00 PM

DEPT: 53

JUDICIAL OFFICER PRESIDING: David Brown

CLERK: E. Brown

REPORTER/ERM:

BAILIFF/COURT ATTENDANT: C. Chambers

CASE NO: **34-2012-00130439-CU-MC-GDS** CASE INIT.DATE: 10/01/2012

CASE TITLE: **The National Grange of the Order of Patrons of Husbandry vs. The California State Grange**

CASE CATEGORY: Civil - Unlimited

EVENT ID/DOCUMENT ID: ,9452612

EVENT TYPE: Hearing on Demurrer - Civil Law and Motion - Demurrer/JOP

MOVING PARTY: The National Grange of the Order of Patrons of Husbandry

CAUSAL DOCUMENT/DATE FILED: Demurrer, 12/26/2012

APPEARANCES

Nature of Proceeding: Hearing on Demurrer to Robert McFarland's Cross-Complaint

TENTATIVE RULING

The Demurrer by Cross-defendants The National Grange of the Order of Patrons of Husbandry ("National Grange") and Edward L. Luttrell to the Cross Complaint of Robert McFarland is SUSTAINED, with leave to amend.

Robert McFarland's Cross-complaint sets forth six causes of action: the 1st for defamation, the 2nd for public disclosure of private facts, the 3rd for intrusion, the 4th for intentional interference with contractual relations, the 5th for intentional interference with prospective business relations and the 6th for infliction of emotional distress. Cross-defendants demur to each for failure to state facts sufficient to constitute a cause of action and for uncertainty.

McFarland has filed a qualified non-opposition, in which he represents that he intends to file a First Amended Cross-complaint prior to the hearing on demurrer. As McFarland has not opposed the demurrer, it is sustained.

McFarland's First Amended Cross-complaint shall be filed and served not later than Friday, May 24, 2013. The responsive pleading shall be due filed and served 10 days later (15 days if service is by mail).

This minute order is effective immediately. No formal order nor further notice is required, the tentative ruling providing sufficient notice.

COURT RULING

There being no request for oral argument, the Court affirmed the tentative ruling.