

**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: ,9452605

EVENT TYPE: Motion to Strike - Civil Law and Motion

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

CAUSAL DOCUMENT/DATE FILED: Motion to Strike, 12/26/2012

APPEARANCES

Nature of Proceeding: Motion to Strike

TENTATIVE RULING

Cross-defendants The National Grange of the Order of Patrons of Husbandry ("National Grange") and Edward L. Luttrell Motion to Strike Specified Portions of the Cross Complaint of the California State Grange ("California Grange") is GRANTED.

Moving parties move to strike the punitive damage allegations of the 2nd cause of action for tortious interference with contract and the 3rd for intentional interference with prospective economic advantage.

Punitive damages are not available in actions arising out of contract, including interference with contract. *PM Group, Inc. v. Stewart* (2007)154 Cal. App. 4th 55, 69.

The motion is therefore granted. Cross-defendants shall file and serve their Answers to the remainder of the California Grange's cross-complaint not later than Friday, May 24, 2013.

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.