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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SACRAMENTO

GLENN HAGELE,
Plaintiff,
v.
BRENT HANSON, and DOES 1 through 20,
Defendants.

Case No. 06AS00839
ORDER ON DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT PURUSANT TO C.C.P. §§583.310, 583.410

The Motion for Order to Dismiss Plaintiff's Complaint Pursuant to C.C.P. §§583,310 and 583.410 filed by Defendant Brent Hanson, came on regularly for hearing on August 6, 2011, in Department 53 of the Sacramento Superior Court. Plaintiff, Glenn Hagele, appeared telephonically, in pro per. Michael E. Myers appeared on behalf of Defendant, Brent Hanson.

Upon review of the moving papers and the argument of Plaintiff and counsel for Defendant, Hanson, and GOOD CAUSE APPEARING THEREFORE, the court adopts its tentative ruling, a true copy of which is attached hereto as Exhibit "A".

IT IS SO ORDERED:

Dated: AUG - 7 2012



JUDGE OF THE SUPERIOR COURT
DAVID I. BROWN

EXHIBIT A

1912

NOTICE:

To request limited oral argument on any matter on this calendar, you must call the Court at (916) 874-7858 (Department 53) by 4:00 p.m. the court day before this hearing and advise opposing counsel. If no call is made, the tentative ruling becomes the order of the court. Local Rule 3.04.

**Department 53
Superior Court of California
800 Ninth Street, 3rd Floor
David I. Brown, Judge
E. Brown, Clerk
V. Carroll, CA, Bailiff**

Monday, August 06, 2012, 2:00 PM

Item 1 **06AS00839**

Glenn Hagele vs. Brent Hanson

Nature of Proceeding: Motion to Dismiss

Filed By: Donahue, James R.

Defendant Bent Hanson's Motion to Dismiss Plaintiff's Complaint for Failure to Bring Action to Trial Within Five Years is unopposed and is GRANTED.

Code Civil Procedure section 583.310 requires that "An action shall be brought to trial within five years after the action is commenced against the defendant."

Plaintiff's complaint was filed on March 2, 2006, and as of May 24, 2011 no trial date had been calendared. Dismissal of the action is mandatory.

Defendant shall submit a formal order and judgment of dismissal.

Item 2 **2008-00008457-CU-MC**

The People of the State Of California vs. State Street Corp

Nature of Proceeding: Motion to Compel 1. Special 2. Form 3. Admissions

Filed By: Hazam, Lexi

Relator's Motion to Compel Further Responses from Defendants State Street to the Special Interrogatories, Form Interrogatories, and Requests for Admissions (Sets One) is GRANTED in part and DENIED in part as set forth below. The cross-motions for sanctions are DENIED as both parties' positions are substantially justified.

The written discovery was propounded on August 25, 2011. Defendant State Street timely responded (after one extension of time) on October 31, 2011. After meeting and conferring, State Street agreed to supplement its responses, which Supplementary Responses were served May 25, 2012. By agreement of the parties, a protective order was granted until July 13, 2012 to file its motion to compel further responses.