



Superior Court of California,  
County of Mendocino

# Tentative Rulings

for

Ukiah Department C

**Calendar Date: December 21, 2017**

Prior to a Civil Law & Motion or Probate hearing, the Court may issue a tentative ruling pursuant to California Rule of Court 3.1308. Unless a party requests to appear and notifies both the opposing party and the court, no hearing will be held, and the tentative ruling will become the order of the Court.

A party wishing to appear to provide oral argument must advise the opposing party and the Court by phone or by e-mail no later than 4:00pm on the court day before the hearing.

Phone: (707) 468-2007, Option 2  
E-mail: [tr@mendocino.courts.ca.gov](mailto:tr@mendocino.courts.ca.gov)

If you do not notify the opposing party and the Court by 4:00pm on the court day before the hearing, no hearing will be held.

If you do not find information regarding your particular case, and you have not previously been informed that you are excused from the calendar, an appearance is required.

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## **Steven Gomes v. Mendocino City Community Services District, SCUJ-CVPT-15-65985**

Respondent's Motion for Award of Attorney's Fees and Expert Witness Fees

Tentative ruling: Respondent has not established an adequate legal basis for an award of attorney's fees or expert witness fees. Neither Government Code 61115 nor the cited ordinances put Petitioner on notice that a legal challenge to the District's groundwater regulations would result in an award of attorney's fees in Respondent's favor. Ordinances 07-1 and 07-4 are limited on their face to cases in which "...the District is required to file legal action to enforce any provision of this ordinance...", and do not appear to apply to a case such as this one, which involved a district resident filing a petition for writ of mandate and a civil cause of action alleging a taking of property without just compensation. Accordingly, the tentative decision is to deny Respondent's motion for an award of attorney's fees and expert witness fees.