

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF VENTURA**

Tentative Ruling

**2025CUPP049337: CHRISTINA DE FELICE vs CITY OF SIMI VALLEY, et al.
03/09/2026 in Department 43
Demurrer**

The morning calendar in courtroom 43 will normally begin at 8:45. Please arrive for your hearing no later than 8:30 a.m. The door will be opened before the calendar is called.

The Court allows appearances by CourtCall and Zoom. Refer to the Courtroom 43 webpage for more information about remote appearances. If appearing by CourtCall, call in no later than 8:30 a.m. If you wish to appear by CourtCall, you must make arrangements with CourtCall by 4:00 p.m. the court day before your scheduled hearing. Requests for approval of a CourtCall appearance made on the morning of the hearing will not be granted. No exceptions will be made.

For Zoom appearances, all counsel appearing by Zoom must email the court at Courtroom43@ventura.courts.ca.gov with a simultaneous copy to all other counsel/self-represented parties no later than 3:00 p.m. the court day before the hearing. INCLUDE THE PHRASE "ZOOM APPEARANCE ON (DATE OF HEARING)" IN THE SUBJECT LINE OF YOUR EMAIL. The email must identify the person who will make the appearance. You will receive the login information for your appearance in reply to your email. If appearing by Zoom, log into the hearing no later than 8:30 a.m. The Court will transfer you to the meeting room when your matter is called. Additional instructions can be found on the Courtroom 43 webpage. When you log in to Zoom, be sure that your name and the case name are used as your Zoom name. IF YOU DO NOT FOLLOW ALL OF THESE INSTRUCTIONS, YOU WILL NOT BE PERMITTED TO APPEAR BY ZOOM AT THE HEARING.

With respect to the tentative ruling below, no notice of intent to appear is required. If you wish to submit on the tentative ruling you can fax notice to Judge Coats's secretary, Ms. Brantner at 805-477-8790, stating that you submit on the tentative. Or you may email Courtroom43@ventura.courts.ca.gov with all counsel copied on the email. Do not call in lieu of sending a fax or email. If you submit on the tentative without appearing and the opposing party appears, the hearing will be conducted in your absence. If you are the moving party and do not advise the Court that you submit on the tentative, or you do not appear at the hearing, the Court may deny your motion irrespective of the tentative.

Unless stated otherwise at the hearing, if a formal order is required but 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.

Motion: Defendant City of Ventura's Demurrer

Tentative Ruling: The Court grants the Defendant's request and takes judicial notice of the four matters identified in Defendant's Request for Judicial Notice. The Court also takes judicial notice sua sponte of the General Reciprocal Agreement.

The Demurrer is SUSTAINED without leave to amend with respect to the Second Cause of Action for negligence. Plaintiff concedes that the Second Cause of Action is not proper as to Defendant City of San Buenaventura. The demurrer is sustained, and the City of San Buenaventura is stricken from the Second Cause of Action as a Defendant.

The Demurrer to the First Cause of Action for Dangerous Condition of Public Property is SUSTAINED. Contrary to the assertion in Plaintiff's opposition to the demurrer, the City of San Buenaventura is not even close to being "the closest city to the area where the incident occurred." Furthermore, it is not a party to the General Reciprocal Agreement on which Plaintiff relies for potential liability. Nor does Plaintiff even allege any facts explaining how the City of San Buenaventura would have performed repairs or maintenance or otherwise be involved in creating the alleged dangerous condition of public property in the City of Simi Valley. Unless Plaintiff can articulate a factual basis upon which it could amend its complaint to assert a viable theory of liability against the City of San Buenaventura, the Court intends to deny leave to amend.

The Court will sign the proposed order and judgment.

Defendant City of San Buenaventura is ordered to serve notice of the Court's ruling.