

**SUPERIOR COURT OF CALIFORNIA,
COUNTY OF SAN DIEGO
HALL OF JUSTICE
TENTATIVE RULINGS - February 07,2008**

EVENT DATE: 02/13/2008 EVENT TIME: 04:00:00 PM DEPT.: C-66

JUDICIAL OFFICER: Charles R. Hayes

CASE NO.: GIC868556

CASE TITLE: COZIAHR VS CHULA VISTA ELEMENTARY SCHOOL DISTRICT

CASE CATEGORY: Civil - Unlimited

CASE TYPE: Other employment

EVENT TYPE: Motion Hearing (Civil)

CAUSAL DOCUMENT Motion to Strike or Tax Costs, 01/10/2008

/DATE FILED:

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FINAL RULING AFTER ORAL ARGUMENT:

The Court having read and considered the pleadings filed by the Parties and the arguments presented by Counsel hereby confirms the Court's February 8, 2008 Tentative Ruling. The Court declines to consider defendant Chula Vista Elementary School District's argument that Government Code §926.10 limits the amount of pre-judgment interest awarded against a governmental entity to 6%. This argument was never raised in the pleadings thereby denying the plaintiff the due process right to challenge the assertion.

The Clerk of the Court is directed to interlineate into the Judgment pre-judgment interest in the amount of \$7,223.07, costs of \$13,257.47 and attorneys' fees in the amount of \$237,562.50.

Plaintiff is directed to prepare a notice of ruling pursuant to Code of Civil Procedure section 1019.5.

IT IS SO ORDERED.