

SUPERIOR COURT OF CALIFORNIA

County of San Diego

DATE: April 18, 2006 **DEPT. 71** **REPORTER A:** **CSR#**
PRESENT HON. RONALD S. PRAGER **REPORTER B:** **CSR#**
JUDGE

CLERK: K. Sandoval

BAILIFF: **REPORTER'S ADDRESS: P.O. BOX 120128**
SAN DIEGO, CA 92112-4104

JUDICIAL COUNSEL
COORDINATION PROCEEDINGS
NO. JCCP 4221
1,11,111, AND 1V

TITLE [Rule 1550(b)]
NATURAL GAS CASES

INDEXING
FINAL RULING-SEMPRA DEMURRER

This matter was submitted on April 12, 2006. The Court has reviewed the papers, the arguments of counsel and the applicable law and affirms the tentative ruling of April 12, 2006. The Court rules as follows.

The General Demurrer of Defendant Sempra Energy is **OVERRULED**. The Court finds the complaint states sufficient facts to constitute the causes of action asserted therein.

The agency allegations in Plaintiffs' complaint are adequate to put Sempra Energy on notice of the claims asserted against it. Sempra Energy's arguments concerning allegations of sufficient control are factual in nature and inappropriate on demurrer. The Court is unpersuaded that allegations of agency must be pled with the same specificity required for alter ego allegations or as required in federal litigation.

As such, the demurrer is overruled and Sempra Energy is directed to file its Answer within 15 days of the Court's final ruling.