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summary judgment provides a comprehensive overview of this significant component of california law the cornerstone of summary judgment is evidence first both the party moving for summary judgment and the opponent of the motion must rely on evidence second the court must determine the motion based on the evidence presented the courts have held from time to time that the parties to a motion for summary judgment must rely on evidentiary facts this is another way of saying that the parties and the court must rely on admissible evidence with one exception evidence for the purposes of summary judgment is no different from evidence presented at trial

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