

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

2260 N Street, Merced  
627 W. 21<sup>st</sup> Street, Merced  
1159 G Street, Los Banos

Friday, June 5, 2026

**Tentative rulings are provided for the following courtrooms and assigned Judicial Officers with scheduled civil matters:**

**Courtroom 8 – Hon. Stephanie L. Jamieson**

**Courtroom 9 – Commissioner David Foster**

**Courtroom 12 – Hon. Jennifer O. Trimble**

**Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to seek permission and arrange for a remote appearance.**

**IMPORTANT: Court reporters will NOT be provided; parties must make their own arrangements. Electronic recording is available in certain courtrooms and may only be activated upon request.**

**The tentative rulings for specific calendars follow:**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings  
Hon. Stephanie L. Jamieson  
Courtroom 8

627 W. 21<sup>st</sup> Street, Merced

Friday June 5, 2026  
8:15 a.m.

The following tentative rulings shall become the ruling of the court unless a party gives notice of intention to appear as follows:

1. You must call (209) 725-4240 to notify the court of your intent to appear.
2. You must give notice to all other parties before 4:00 p.m. of your intent to appear.

Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. *Note:* Notifying CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**Case No. Title / Description**

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19CV-03971 S.C. Anderson, Inc. vs Golden State Construction and Framing, Inc., et al.

Review of Case Status

**Appearance required. This hearing was initially set by the Court in order to confirm whether trial dates were still needed. Subsequent filings – approved by the Court – have requested that the trial dates be vacated for continued settlement discussions. The Court now seeks an update exclusively as to an appropriate date for a further status hearing and for the status of any waiver of the 5-year deadline to bring the matter to trial, while settlement negotiations are still pending. The Court appreciates the diligence demonstrated by all counsels in seeking resolution to this matter and particularly in keeping the Court apprised of their progress as the trial date has neared.**

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22CV-01465 Valeria Arredondo vs Adjoin

Order to Show Cause Re: Dismissal – Notice of Settlement

**Pursuant to the declaration of Samvel Setyan, filed May 29, 2026, this matter is CONTINUED on the Court's own motion to allow the parties time to finalize the terms of**

the settlement agreement and to file a motion for preliminary approval to September 11, 2026, at 8:15 a.m. in Courtroom 8.

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22CV-03057

Fernando Echeverria vs Doe 1, et al.

Motion for Summary Judgment

**Defendant's motion for summary judgment is DENIED, as there are one or more triable issues of material fact.**

**Defendant's motion for summary adjudication as to Issue 1 regarding negligence and Issue 2 regarding negligent hiring, supervision, or retention is DENIED, as there are one or more triable issues of material fact.**

**As to Defendant's evidentiary objections to the Declaration of Charol Shakeshaft, Ph.D., the objections are OVERRULED. Defendant raised 20 identical, unnumbered objections to Dr. Shakeshaft's declaration on the basis of speculation, lack of foundation, improper opinions, impermissible conclusions of law, hearsay, and relevance. Each objection is raised to the "entirety of th[e] paragraph." Having reviewed the paragraphs subject to objection, to wit paragraphs 6 through 13, 15 through 16, and 18 through 27, the Court finds that Dr. Shakeshaft's expressed opinions are relevant, within the scope of her expertise and training, and that she is qualified to express the opinions contained therein, even insofar as they may overlap with possible legal conclusions. Although Dr. Shakeshaft relies upon the declarations of other witnesses in forming some of her opinions, experts may rely on case-specific hearsay, so long as that evidence is independently admissible. Here, Plaintiff provided declarations from each of the witnesses upon whose testimony Dr. Shakeshaft relied in forming her opinions. To the extent they are relied upon by Dr. Shakeshaft, the statements contained within the declarations are admissible evidence based on the witness' personal knowledge.**

**To grant summary judgment, the court must determine from the evidence presented that "there is no triable issue as to any material fact and that the moving party is entitled to judgment as a matter of law." (Code Civ. Proc. § 437c, subd. (c).) "The court focuses on issue finding; it does not resolve issues of fact. The court seeks to find contradictions in the evidence, or inferences reasonably deducible from the evidence, which raise a triable issue of material fact." (*J.H. v. Los Angeles Unified School Dist.* (2010) 183 Cal.App.4th 123, 139.) All doubts regarding the existence of material issues of fact are resolved in favor of the party opposing summary judgment. (*Sosinsky v. Grant* (1992) 6 Cal.App.4th 1548, 1556, as modified (June 15, 1992).)**

**In moving for summary judgment or in the alternative summary adjudication, Defendant asserts Plaintiff cannot establish a triable issue of material fact as to one or more elements of negligence or negligent hiring, supervision, or retention of employee.**

**The Court finds that there is a triable issue of material fact regarding Plaintiff's first and second causes of action. The declaration of Dr. Shakeshaft controverts the issues of negligence and negligent hiring, supervision, or retention. The declaration, and inferences drawn therefrom, establish Defendant had a duty to protect students such as Plaintiff and had a duty to investigate the "red flag" incidents of which Defendant should have been aware. (See, Shakeshaft Decl. ¶¶ 6-27.) These duties were breached by**

**Defendant's inaction, from which an inference can be drawn that the breach was a substantial cause of Plaintiff's injuries. (See, Plaintiff's Additional Material Facts ("AMFs") 19-27 and evidence cited therein.)**

**Through admissible evidence, Plaintiff has met his burden of creating a triable issue of material fact as to the elements of negligence.**

**As to the motion for summary adjudication, as Plaintiff has sufficiently established the elements of negligence, Defendant's Issue 1 has been controverted and the motion for summary adjudication as to that issue is DENIED.**

**As to Defendant's Issue 2, Plaintiff has provided admissible evidence by way of Dr. Shakeshaft's declaration sufficient to create a triable issue of material fact as to the elements for negligent hiring, supervision, or retention. Plaintiff has supported with admissible evidence the following allegations: Plumskey was an employee of Defendant; the actions of Plumskey made him unfit for his position; Defendant should have known Plumskey was unfit; Plumskey's actions harmed Plaintiff; and Defendant's negligence in supervising or retaining Plumskey was a substantial factor in causing Plaintiff's injuries. (See, Plaintiff's UMF 2, AMFs 19-27, and evidence cited therein.) Defendant's motion for summary adjudication as to Issue 2 regarding Plaintiff's cause of action for negligent hiring, supervision, or retention of employee cause of action is DENIED.**

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24CV-01782

Lillian Oliver vs Auto Resources Inc., et al.

Motion for Continuance of Action by Successor in Interest of Plaintiff's Estate

**The motion for continuance of action by successor in interest Shon Oliver is GRANTED.**

**The court finds the statutory requirements have been met and that there is no objection to Oliver being substituted as successor in interest for the deceased.**

**The court will sign the order lodged with the court on May 18, 2026.**

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25CV-02701

Etelvino Delgado vs Cal Pro Farm Labor Inc

Status Conference

**CONTINUED to trail the pending motion to be relieved as counsel currently set for June 11, 2026, at 8:15 a.m. in Courtroom 8.**

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26CV-00184

Taofeek Quadri vs Vannak Sao

Case Management Conference – Special Set

**Appearance required.**