

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

627 W. 21st Street, Merced
1159 G Street, Los Banos

Wednesday, March 15, 2023

NOTE: Merced Superior Court will no longer be consolidating Courtroom 8 and Courtroom 10.

Tentative Rulings are provided for the following Courtrooms and assigned Judicial Officers with scheduled civil matters:

Courtroom 3 – Hon. Paul C. Lo

Courtroom 8 – Hon. Brian L. McCabe

Courtroom 9 – Judge Pro Tem Peter MacLaren

Courtroom 12 – Hon. Jennifer O. Trimble

Courtroom 10 will continue to post separate Probate Notes that are not included in these tentative rulings.

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

The specific tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Unlimited Civil Law and Motion
Hon. Brian L. McCabe
Courtroom 8
627 W. 21st Street, Merced

Wednesday, March 15, 2023
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. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

IMPORTANT: Court Reporters will NOT be provided; parties must make their own arrangements.

Case No.	Title / Description
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18CV-04754	James Koontz v. Clark Pest Control of Stockton, Inc.
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Motion for Final Approval of Class and Representative Action Settlement

The unopposed Motion for Final Approval of Class Action Settlement is GRANTED. The Court will sign the proposed order/judgment lodged with the Court on February 28, 2023.

Further Proceedings

DROPPED FROM CALENDAR.

19CV-01806	Carol Jones v. Tony Rodrigues, et al.
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Trial Setting Conference

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Please be prepared to set dates for a mandatory settlement conference, and potential trial dates.

20CV-00481

NFO, Inc. v. Peluso Mexican Cheese, et al.

Request for an Order Compelling the Attendance of the Person(s) Most Knowledgeable of Defendant Peluso Mexican Cheese aka Peluso Cheese, Inc.; Romalv Group, LLC; Request for Sanctions in the Amount of \$1,495.80

The unopposed Request for an Order Compelling the Attendance of the Person(s) Most Knowledgeable of Defendant Peluso Mexican Cheese aka Peluso Cheese, Inc.; Romalv Group, LLC; Request for Sanctions in the Amount of \$1,495.80 is GRANTED. The Court will sign the proposed order lodged with the court on December 14, 2022.

Motion to Compel Responses to Discovery with Objections Thereto Waived, Admissions Deemed Admitted to, and Award of Monetary Sanctions in the Amount of \$904.00

The unopposed Motion to Compel Responses to Discovery with Objections Thereto Waived, Admissions Deemed Admitted to, and Award of Monetary Sanctions in the Amount of \$904.00 is GRANTED. The Court will sign the proposed order lodged with the court on December 14, 2022.

Trial Setting Conference

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Please be prepared to set dates for a mandatory settlement conference, and potential trial dates.

Order to Show Cause Re: Dismissal

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.

20CV-00685

Bridalia Cardenas-Gomez v. City of Livingston, et al.

Status Conference

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Appear to update the Court on the status of mediation.

21CV-02978

Jose Pena v. N&S Tractor Co., et al.

Trial Setting Conference

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Please be prepared to set dates for a mandatory settlement conference, and potential trial dates.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Special Set Calendar
Hon. Paul C. Lo
Courtroom 3
2260 N Street, Merced

Wednesday, March 15, 2023
10:00 a.m.

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

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Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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16CV-03465	Adolfo Sanchez v. Dan Yoon, et al.
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Order to Show Cause Re: Sanctions

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing. Appear to show cause why sanctions in the amount of \$250 should not be imposed as to Attorney M. Abbott for failure to appear at the OSC on January 12, 2023.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 15, 2023
10:00 a.m.

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

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Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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20CV-02673	Unifund CCR, LLC v. Jose Valera
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Claim of Exemption

Appearance by judgment debtor required. Judgment debtor should bring a copy of the claim of exemption, recent paystubs, and proof of expenses. The Court notes that Plaintiff filed a Notice of Opposition to Claim of Exemption on February 22, 2023.

21CV-02431	Captial One Bank (USA), N.A. v. Mauricio Huerta
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Motion for Judgment on the Pleadings

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.

22CV-01330

Goldman Sachs Bank USA v. John Vaz

Motion for Summary Judgment

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.

22CV-03838

Julia Hassan v. Della Manzo

Review of Case Status

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.

23CV-00390

[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

Appearance required. Remote appearances are encouraged. Parties who wish to appear remotely should contact the clerk of the court at (209) 725-4111 to provide their contact information for the remote hearing.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Brian L. McCabe
Courtroom 8
627 W. 21st Street, Merced

Wednesday, March 15, 2023
1:15 p.m.

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

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Case No.	Title / Description
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There are no Ex Parte matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 15, 2023
1:15 p.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. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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There are no Ex Parte matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Wednesday, March 15, 2023
1:15 p.m.

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

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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. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No. Title / Description

There are no Ex Parte matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Long Cause Court Trials
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 15, 2023
1:30 p.m.

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

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Per California Rules of Court, rule 3.1308(a)(1), failure to do both items 1 and 2 will result in no oral argument. **Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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There are no Limited Civil Long Cause Court Trials scheduled.
