

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED**

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

Monday, December 29, 2025

**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**

**Courtroom 13 – Hon. Ashley Albertoni Sausser**

**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

Monday, December 29, 2025  
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.

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Case No.	Title / Description
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21CV-02113	Araceli Carrillo vs Cardenas Markets LLC, et al.
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Trial Setting Conference continued.

**Appearance required.**

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23CV-04735	Felix Ortiz, et al. vs Favian Prado, et al.
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Motion for Approval of Good Faith Settlement

**The motion for determination of good faith settlement is GRANTED.**

**“The issue of the good faith of a settlement may be determined by the court on the basis of affidavits served with the notice of hearing, and any counter affidavits filed in response, or the court may, in its discretion, receive other evidence at the hearing.” (Code Civ. Proc., § 877.6, subd. (b).)**

**“Section 877.6 and *Tech–Bilt* require an evidentiary showing, through expert declarations or other means, that the proposed settlement is within the reasonable range permitted by**

the criterion of good faith.” (*Mattco Forge, Inc. v. Arthur Young & Co.* (1995) 38 Cal.App.4th 1337, 1351, internal citations omitted.)

The California Supreme Court defined the analysis required in applying Code of Civil Procedure section 877.6 in *Tech-Bilt, Inc. v. Woodward-Clyde & Associates* (1985) 38 Cal.3d 488.

The Court established the following factors to be considered by a trial court in determining whether to approve a proposed settlement meets the “good faith” standard, which is to be made on the basis of information available at the time of settlement:

- (1) The amount paid in settlement;
- (2) The allocation of settlement proceeds among plaintiffs;
- (3) Whether the amount of the settlement is within the reasonable range of the settling tortfeasor's proportional share of comparative liability for the plaintiff's injuries, which requires “a rough approximation of plaintiffs' total recovery and the settlor's proportionate liability”; this settlement amount must not be “grossly disproportionate to what a reasonable person, at the time of settlement, would estimate the defendant's liability to be.” *Tech-Bilt* at 499;
- (4) A recognition that a settlor should pay less in settlement than he would if he were found liable after a trial;
- (5) The financial conditions and insurance policy limits of settling defendants;
- (6) The existence of collusion, fraud, or tortious conduct aimed to injure the interests of nonsettling defendants.

These are the factors this court applied in its analysis, and in doing so finds that the settlement is in good faith.

Plaintiffs filed a partial opposition to the motion, but their concerns lack legal support. As can be seen by the above factors, there is no requirement that there be a fully executed settlement agreement, the court is not making any determination as to the reasonableness of the medical expenses, and the court is not making any determination as to the relative liability of a nonsettling tortfeasor.

“The party asserting the lack of good faith shall have the burden of proof on that issue.” (Code Civ. Proc. § 877.6 subd. (d).) No party has submitted evidence that would tend to show that the settlement is unreasonable or was reached through fraud or collusion.

Accordingly, the motion for determination of good faith settlement is **GRANTED**.

The court will sign the order lodged with the court on December 12, 2025.

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24CV-00575

Nellie Rincon vs Melin Enterprises, Inc.

Motion to Compel Further Responses to Special Interrogatories and Request for Sanctions

The motion by Plaintiff to compel Defendant Melin Enterprises, Inc. to provide further responses to Special Interrogatories, Set One, is **GRANTED**.

All objections other than those based on privilege are **OVERRULED**.

The parties are ordered to meet and confer regarding a protective order or *Belaire-West* notice.

Unless otherwise agreed upon by the parties, Defendant shall provide further verified, code compliant, responses within thirty (30) days of this court's order.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within thirty (30) days of this court's order.

Motion to Compel Further Responses to Production of Documents and Request for Sanctions

The motion by Plaintiff to compel Defendant Melin Enterprises, Inc. to provide further responses to Requests for Production, Set One, is GRANTED.

All objections other than those based on privilege are OVERRULED.

The parties are ordered to meet and confer regarding a protective order or *Belaire-West* notice.

Unless otherwise agreed upon by the parties, Defendant shall provide further verified, code compliant, responses within thirty (30) days of this court's order.

Defendant's request for monetary sanctions is GRANTED.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within thirty (30) days of this court's order.

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25CV-06490                      Gethsemane Francisco vs Ivon Quevedo Rangel

Order to Show Cause Re: Restraining Order

**Appearance required. There is no proof of service on Respondent filed with the court.**

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25CV-06531                      Summer Byus vs Al Ramos

Order to Show Cause Re: Restraining Order

**Appearance required. Proof of unsuccessful service on Respondent was filed December 15, 2025.**

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25CV-06648                      In the Matter of: Bonnie Smith

Petition for Order Authorizing Disinterment

**Appearance required by at least one petitioner. The cemetery authority must be served with notice of the hearing on the petition at least 10 days (or 15 days, if by mail) prior to**

the court hearing, pursuant to Health and Safety Code section 7527. If the notice of hearing was served, Petitioner may submit a proof of service to the Court at the hearing. If no notice was given, the hearing date will be continued at the convenience of the parties for proper service.

Appear to also address whether the application for disinterment was served on both the source and receiving cemeteries. The petition was filed along with what appears to be consent from the receiving cemetery, but there is no documentation from the current burial site, San Joaquin Valley National Cemetery.

The remaining documentation is sufficient for the granting of the petition, once the Court is satisfied that the above requirements of Health and Safety Code sections 7525, et seq. have been met.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Limited Civil  
Hon. David Foster  
Courtroom 9

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

Monday, December 29, 2025  
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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Case No.	Title / Description
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22CV-03523	U.S. Bank National Association vs. Issa Maldonado
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Motion to Enter Judgment Pursuant to Code Civ. Proc. § 664.6

**The unopposed motion by plaintiff U.S. Bank Nation Association for entry of judgment pursuant to Code of Civil Procedure section 664.6 against defendant Issa Maldonado under the terms of the Stipulation for Entry of Judgment Pending Performance filed on September 13, 2023, is GRANTED. Based on the declaration submitted by the moving party, the Court finds that defendant did not comply with the terms of the settlement agreement. Plaintiff is awarded judgment in the principal amount of \$10,002.37 and costs in the amount of \$516.50 for a total judgment of \$10,518.87.**

**The Court will sign the proposed order and proposed judgment submitted by plaintiff with the moving papers. Plaintiff shall provide defendant with written notice of entry of judgment.**

**The order to show cause re: dismissal scheduled for March 11, 2026, is discharged and the hearing vacated.**

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24CV-05023

Wells Fargo Bank, N.A. vs. Eric Jauregui

Motion to Be Relieved as Counsel

**The motion by attorney Dennis Smith and the law firm of Arnold & Smith Law Firm, PLLC to be relieved as counsel for defendant Eric R. Jauregui is DENIED without prejudice. Counsel is required to submit the motion on mandatory Judicial Council forms MC-051 and MC-052 along with a proposed order on form MC-053. (See Cal. Rules Ct., rule 3.1362.)**

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25CV-04032

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

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-04637

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

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-04683

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

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-04784

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

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-05243

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

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-06099 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Motion to Set Aside Default and Vacate Default Judgment

**Appearance required.**

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25CV-05845 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Court Trial: Unlawful Detainer

**Appearance required.**

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25CV-06241 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Court Trial: Unlawful Detainer

**Appearance required.**

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