

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

2260 N Street, Merced
627 W. 21st Street, Merced
2840 West Sandy Mush Road, Merced
1159 G Street, Los Banos

Thursday, October 24, 2024

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 8 – Hon. Mark V. Bacciarini

Courtroom 9 – Hon. Mason Brawley

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

Civil Law and Motion
Hon. Mark V. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Thursday, October 24, 2024
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) 725-4111 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 Court Call (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

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

Case No.	Title / Description
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21CV-00413	Bartola Santiago v. Green Valley Labor Inc., et al.
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Motion for Preliminary Approval of Class Action Settlement

The unopposed Motion for Preliminary Approval of Class Action Settlement is GRANTED. The Court will sign the Proposed Order lodged with the Court on October 2, 2024 inserting February 6, 2025 at 8:15 A.M. in Courtroom 8 as the hearing date for the Final Approval of Class Action Settlement and inserting January 21, 2025 as the deadline to file the Motion for Final Approval of Class Action Settlement unless the parties propose different dates.

Case Management Conference

CONTINUED ON THE COURT'S OWN MOTION TO February 6, 2025 at 8:15 A.M. in Courtroom 8.

23CV-02618 Susan Gaona, et al. v. Aboytes Transport LLC, et al.

Case Management Conference

Continued on the Court's Own Motion to Monday June 2, 2025 at 10:00 A.M. in Courtroom 8.

24CV-00448 Jordana Badion v. Curtis Thornhill, et al.

Order to Show Cause re: Dismissal

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to arrange for a remote appearance. Appear to address Plaintiff's failure to appear at the August 12, 2024 Case Management Conference and the September 24, 2024 Order to Show Cause re: Sanctions hearing. Absent an appearance by Plaintiff and a showing of good cause why this matter should not be dismissed this matter will be DISMISSED WITHOUT PREJUDICE.

24CV-03849 Shelly Newton v. City of Merced School District

Demurrer to Complaint

The unopposed Demurrer by the City of Merced School District to the Complaint filed by Shelly Newton on the grounds that (1) the Complaint is uncertain, (2) the Complaint fails to state a cause of action as Plaintiff is not the real party in interest, (3) Dawn Postpm's Complaint is uncertain, and (4) Dawn Poston must be represented by counsel is SUSTAINED WITH LEAVE TO AMEND. Plaintiff Dawn Poston, by and through her Guardian Ad Litem Shelly Newmat is ordered to engage counsel for Dawn Poston and to File a First Amended Complaint satisfying the provisions of the Code of Civil Procedure by December 18, 2024.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Mandatory Settlement Conferences
Hon. Mark V. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Thursday, October 24, 2024
9:00 a.m.

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Case No.	Title / Description
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	There are no Mandatory Settlement Conferences Scheduled
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Hon. Mason Brawley
Courtroom 9
627 W. 21st Street, Merced

Thursday, October 24, 2024
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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Case No.	Title / Description
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There are no Limited Civil Cause Court Trials Scheduled	
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Restraining Orders
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Thursday, October 24, 2024
11:00 a.m.

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Case No.	Title / Description
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24CV-03529	Cora Martinez v. Delia Camacho
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Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that no proof of service has been filed showing service of the papers filed in this action on respondent.

24CV-04653

Miguel Mejia v. Alejandro Orellana

Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that no proof of service has been filed showing service of the papers filed in this action on respondent.

24CV-04782

Jorge Ornelas, Junior v. Andy Perez

Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The court notes that no proof of service has been filed showing service of the papers filed in this action on respondent.

24CV-03678

Matthew Souza v. William Souza

Order to Show Cause re: Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The Court notes that both parties have appeared in this action and filed cross-requests for restraining orders.

Order to Show Cause re: Cross-Request for Restraining Order

Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to arrange for a remote appearance. The Court notes that both parties have appeared in this action and filed cross-requests for restraining orders.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Mark V. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Thursday, October 24, 2024
1:15 p.m.

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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
Hon. Mason Brawley
Courtroom 9
627 W. 21st Street, Merced

Thursday, October 24, 2024
1:15 p.m.

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SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

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