

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED**

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

Thursday, July 11, 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. 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

Civil Law and Motion  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Thursday, July 11, 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
20CV-02521	Gilbert Hernandez v. In-Shape Health Clubs LLC  Trial Setting Conference  <b>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 the status of case following the unsuccessful mediation and whether it is time to set this matter for trial.</b>
20CV-03476	Parkash Pabla, et al. v. Gursharn Pabla, et al.  Motion by Defendant Dual Arch International, Inc. for Prevailing Party Attorneys Fees of \$136,421.03 pursuant to CCP § 1717 on a breach of contract claim brought by Plaintiffs Parkash Oabla and Jaswinder Kaur against Dual Arch International, Inc.  <b>On June 6, 2024, this matter was Continued on the Court's own motion to Thursday, July 11, 2024, at 8:15 A.M. in Courtroom 8. However, remittitur has not yet issued as of July 8, 2024, the last action occurring being the Denial of a Request for Publication issued May 16, 2024. Accordingly, this motion is further continued to July 25, 2024, at 8:15 A.M. in Courtroom 8.</b>  <b>Defendant Dual Arch International, Inc. bases its CCP § 1717 claim for attorneys' fees on (1) Plaintiff's Opposition to Defendant Dual Arch International, Inc.'s Motion to Tax filed</b>

April 12, 2023; and (2) Plaintiffs'/Appellants' Opening Brief in Appeal No. F086273 filed December 19, 2023. (See Request for Judicial Notice filed May 3, 2024, [containing non-file endorsed copies of above documents].) While this Motion was pending, the Court of Appeal, Fifth Appellate District issued, May 14, 2024, an Opinion in case F086273 affirming the cost order of the trial court. Remittitur has not yet issued in that matter, but, absent an appeal to the California Supreme Court, would be expected to issue June 13, 2024. Since the May 14, 2024 Appellate Opinion will not be final until a date on or after June 13, 2024, this motion was previously continued to July 11, 2024 and is now further continued to July 25, 2024, at 8:15 A.M. in Courtroom 8.

While the above motion was pending, Plaintiffs and Cross-Defendants Jaswinder Kaur and Parkash Pabla filed Cross-Defendants' Request for Entry of Judgment after Appeal on Cross Complainant ECP, LP's Special Motion to Strike seeking entry of judgment against Cross-Complainant ECP, LP in the amount of \$6,500 attorneys' fees and \$1,040.40 costs, total judgment \$7,540.40. All parties are ordered to appear on Thursday, July 11, 2024, at 8:15 A.M. in Courtroom 8 and show cause why this Court should not enter judgment in favor of Cross-Defendants Jaswinder Kaur and Parkash Pabla and against Cross Complainant ECP, LP in the amount of \$6,500 attorneys' fees and \$1,040.40 costs, total judgment \$7,540.40. The Order to Show Cause is also continued from July 11, 2024, to July 25, 2024, at 8:14 A.M. in Courtroom 8.

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22CV-01322

Barbara Ruiz v. Perlei Luxury Salon and Boutique, et al.

Status Conference

**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 the status of the case. The Court notes that there is a motion by Plaintiff's counsel to withdraw set for August 16, 2024.**

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22CV-02642

Edwin Lopez, et al. v. Dos Palos Oro Loma Joint Unified School Dist.

Status Conference

**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 the status of the mediation that was scheduled to occur on June 27, 2024.**

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24CV-02971

Martha Rodriguez v. Karina Lopez

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) 725-4111 to arrange for a remote appearance. The Court notes that respondent has appeared in the action and filed a response indicating that respondent does not agree with issuance of the proposed restraining order.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conferences  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Thursday, July 11, 2024  
9:00 a.m.

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

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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	There are no Mandatory Settlement Conferences Scheduled
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Thursday, July 11, 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:

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.

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Case No.	Title / Description
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24CV-01920	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Unlawful Detainer Court Trial

**Appearance required. 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.**

24CV-01964	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Unlawful Detainer Court Trial

**Appearance required. 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.**

24CV-01965	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Unlawful Detainer Court Trial

**Appearance required. 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.**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Thursday, July 11, 2024  
11:00 a.m.

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

1. You must call (209) 725-4111 to notify the court of your intent to appear.
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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. *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.**

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Case No.	Title / Description
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24CV-02836	Xochitl Dominguez Blancarte v. Delena Garay
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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 a proof of service was filed on July 3, 2024.**

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24CV-02737	Erica Garcia Iboa v. Maria Garcia
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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.**

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24CV-02812

Sonia Betancourt v. Raven Lingo

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.**

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24CV-01913

Jenea Steen v. Via Lopez

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.**

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24CV-02835

Xochitl Dominguez Blancarte v. Santiago Maldonado

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 a proof of service was filed on July 3, 2024.**

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24CV-02699

Nancy Lucio v, Teresa Santacruz

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.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Thursday, July 11, 2024  
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) 725-4111 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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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. 21<sup>st</sup> Street, Merced

Thursday, July 11, 2024  
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) 725-4111 to notify the court of your intent to appear.
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**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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23CV-01945	California Casualty Indemnity Exchange v. Mark Green
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**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.**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Thursday, July 11, 2024

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) 725-4111 to notify the court of your intent to appear.
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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. *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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There are no Ex Parte matters scheduled.	
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