

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED**

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

Tuesday, June 25, 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 calendars:**

**Courtroom 8 – Hon. Brian L. McCabe**

**Courtroom 9 – Judge Pro Tem Alexandria Carl**

**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

Tuesday, June 25, 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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24CV-01383	Aldevaran Yoalli Monoza Cuevas v. Jo Ann Mitts-Jurovich, et al.
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Motion to Expunge Lis Pendens

**Appearance Required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 arrange for a remote appearance. The court notes that there is no proof of service on file for either the summons and complaint, the ex parte application to shorten time which is also serving as the moving papers. Appear to address the status of service on Defendant,**

22CV-01907	Key Star Capital Fund III LP v. Kenneth Zwart, et al.
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Application for Right to Attach Order and Order for Issuance of Writ of Attachment on Real Property Parcels of Property in Stanislaus County, APN 020001008 and 020011009.

**The unopposed Application for Right to Attach Order and Order for Issuance of Writ of Attachment on Real Property Parcels of Property in Stanislaus County, APN 020001008 and 020011009, is GRANTED.**

Application for Right to Attach Order and Order for Issuance of Writ of Attachment on Real Property Parcels of Property in Stanislaus County, APN 020001008 and 020011009.

**Dropped from Calendar. This appears to be a duplicate of the same motion filed and addressed above.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Jury Trials and Long Cause Court Trials  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21st Street, Merced

Tuesday, June 25, 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.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Jury or Long Cause Court Trials Scheduled	
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Tuesday, June 25, 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 Alexandria Carl  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Tuesday, June 25, 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.	
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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

Tuesday, June 25, 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.	
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Tuesday, June 25, 2024  
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:

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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24CV-01899	Breckenridge Property Fund 2016, LLC v. Dennis Brazil, et al.
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Motion that Requests for Admission be Deemed Admitted and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030.

**The unopposed Motion that Requests for Admission be Deemed Admitted and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030 is GRANTED.**

Motion to Compel Responses to Requests for Production of Documents, Set One, and for monetary sanctions of \$555 that Requests for Admission be Deemed Admitted and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030.

**The unopposed Motion to Compel Responses Requests for Production of Documents and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030 is DENIED WITHOUT PREJUDICE on the grounds that the above order granting the motion that requests for admission be deemed admitted would appear to render all other discovery moot as there are no remaining disputed facts.**



Motion to Compel Responses to Interrogatories, Set One, and for monetary sanctions of \$555 that Requests for Admission be Deemed Admitted and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030.

**The unopposed Motion to Compel Responses to Interrogatories and monetary sanctions of \$555 against Defendant Dennis Brazil and his attorney of record Fritz J. Firman, jointly and severally, pursuant to CCP § 2023.280 and 2023.030 is DENIED WITHOUT PREJUDICE on the grounds that the above order granting the motion that requests for admission be deemed admitted would appear to render all other discovery moot as there are no remaining disputed facts.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Unlawful Detainers  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Tuesday, June 25, 2024  
2:00 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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24CV-01587	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Court Trial: Unlawful Detainer

**Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to seek permission and arrange for a remote appearance.**