

**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, August 27, 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 – 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

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

Tuesday, August 27, 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.

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Case No.	Title / Description
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21CV-00718	Edgar Guzman, et al. v. Thomas Climer
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Petition for Compromise of Minors Disputed Claim

**Appearance optional. 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 Guardian Ad Litem has a competing claim for a share of the allocation of the settlement proceeds. The Court on its own motion to appoint independent counsel to review the file and later indicate to the court whether the proposed sums are fair and just under the totality of the circumstances. Hearing to be continued two (2) weeks to confirm counsel on September 10, 2024, at 8:15 A.M. Thereafter, the hearing to be continued one last time to permit independent counsel the time to review and formulate an opinion as to the proposal.**

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21CV-02850 Juvencio Rios v. Griselda De Sousa

Order to Show Cause re: Settlement

**A Settlement Agreement and Release regarding the sole Defendant was filed April 18, 2024. Absent an objection at the time of the hearing, this matter will be DISMISSED WITH PREJUDICE.**

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21CV-03576 Herman Rico, et al. v. Stonefield Homes, Inc., et al.

Order to Show Cause re: Dismissal-Notice of Settlement

**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 settlement and a reasonable date for the next OSC hearing.**

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21CV-03770 Omar De Los Santos, et al. v. 3K Farming Company, Inc., et al.

Motion for Class Certification

**The Opposition argued that there was insufficient evidence of unpaid overtime to justify class certification. In reply, Plaintiff filed supplemental declarations. The matter is continued on the court's own motion to September 11, 2024 at 8:15 A.M. in Courtroom 8. Defendant is ordered to file, September 3, 2024, a supplemental opposition addressing the motion in light of the additional information provided. Plaintiff shall file a supplemental reply on September 6, 2024.**

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22CV-00106 Joanna Hodges v. ProfessioNAILS, et al.

Motion to Quash Service of Summons and Complaint by Defendant ProfessioNAILS

**The Motion to Quash Service of Summons and Complaint by Defendant ProfessioNAILS on the grounds of improper substituted service is DENIED AS MOOT given the filing of Proof of Service on July 31, 2024, showing personal service on the moving Defendant.**

Motion to Set Aside Default Judgment by Defendant ProfessioNAILS

**The unopposed Motion to Set Aside Default against Defendant ProfessioNAILS is GRANTED.**

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23CV-00703

Rachael Rosales v. Ashley Delgado

Order to Show Cause re: Sanctions for failure to appear at July 29, 2024 Case Management 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 whether sanctions should be ordered for Plaintiff's failure to appear at that July 29, 2024, Case Management Conference.**

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23CV-04678

Dessa Wylie v. Noel Espinoza, et al.

Motion to be Relieved as Counsel for Plaintiff Dessa Wylie

**The unopposed Motion to be Relieved as Counsel for Plaintiff Dessa Wylie is GRANTED effective upon the service of notice of entry of the order granting the Motion to be Relieved as Counsel and reflecting that a prior order of this court ordered that Responses to Form and Special Interrogatories by served by August 17, 2024, that Monetary Sanctions of \$1,810 were ordered to be paid by September 6, 2024, and that a Case Management Conference is scheduled for December 2, 2024 at 10:00 in Courtroom 8.**

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24CV-02363

Jacqueline Alacron v. Carlos Zaragoza

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 no proof of service has been filed showing service of all papers filed in this action on Respondent.**

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24CV-03429

Petition of: Carlos Castrejon

Order to Show Cause re: Name Change

**Appearance optional. 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. Petition filed July 12, 2024, seeks to change the name of the petitioner himself. Proof of Service filed on August 21, 2024, through The County Times. Upon confirming through CLETS the petitioner is eligible for a name change, the Court will GRANT the petition.**

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24CV-03821 Katherine Crossley v. Debbie Clark

Order to Show Cause re: Restraining Order

**Continued to September 18, 2024, in Courtroom 8 at 8:15 am.**

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24CV-03822 Katherine Crossley v. Gary Hellman

Order to Show Cause re: Restraining Order

**Continued to September 18, 2024, in Courtroom 8 at 8:15 am.**

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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, August 27, 2024  
9:00 a.m.

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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. *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
24CV-01728	Ronald Dalforno v. Ed Koelher
	Motions in Limine
	<b>Personal Appearance required.</b>
	Jury Trial
	<b>Personal Appearance required.</b>

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Tuesday, August 27, 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:

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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.

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

Tuesday, August 27, 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:

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

Tuesday, August 27, 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:

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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. *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

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

Tuesday, August 27, 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:

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Case No.	Title / Description
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24CV-03304	Petition of Leticia Garcia
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Order to Show Cause re: Name Change

**Proof of Publication having been filed, this Petition by an adult to change her own middle and last name is GRANTED. The Court will sign the order lodged with the Court on July 8, 2024.**

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24CV-03352	Petition of Selena Winnett
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Order to Show Cause re: Name Change

**This Petition by an adult to change her own middle and last name will be granted upon the filing of a proof of publication. Upon filing proof of publication, the Court will sign the order lodged with the Court on July 10, 2024.**

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24CV-00271

California Farm Management, Inc. v. Market Demand Corp.

Review Hearing

**Continued on the Court's own Motion to July 1, 2025, at 1:30 P.M. for Status of Coordinated matter being litigated in Ventura Superior Court. If the parties require a hearing at an any earlier date, they may set a noticed hearing for any Tuesday at 1:30 P.M. in this Courtroom.**

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24CV-02846

Martha Martinez v. Hilda Santoya.

Case Management 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.**

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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, August 27, 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:

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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.

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Case No.	Title / Description
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24CV-03743	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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Unlawful Detainer 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.**