

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED**

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

Wednesday, October 9, 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

Unlimited Civil Law and Motion  
Hon. Mark v. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 9, 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.**

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Case No.	Title / Description
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20CV-01915	Ramon Anguiano, et al. v. Stonefield Home, Inc., et al.
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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. A Dismissal of the Complaint was filed October 3, 2024. Appear to address status of Cross-Complaints.**

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22CV-00826	Jose Ramirez v. City of Livingston
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Motion by Plaintiff Jose Ramirez to compel Deposition of Jose Sanchez

**The Motion by Plaintiff Jose Ramirez to compel Deposition of Jose Sanchez is GRANTED upon service of an appropriate Notice of Deposition. The instant motion is not premature given the requirement that a court order is required to take the deposition of an attorney for an opposing party. (See e.g. *Carehouse Convalescent Hospital v. Superior Court* (2006) 143 Cal.App.4<sup>th</sup> 155, 1562.) Any conversations that Plaintiff had with Attorney Jose Sanchez are not privileged or private with respect to Plaintiff. (SEE *D.I. Chadbourne, Inc. v. Superior Court* (1964) 60 Cal.2d 723, 736-737.) The fact that certain complaints were allegedly made by Plaintiff to Jose Ramirez in Mr. Ramirez's capacity as an attorney for the City or City Manager are essential elements of Plaintiffs**

**whistleblower claims. The receipt of a whistleblower complaint is an official act a government employee and is not protected from discovery by claim of privilege. If Mr. Sanchez asserts the privilege or work product doctrine during deposition with regard to other matters to which he is a percipient witness, then the City of Livingston will be estopped from withdrawing the claim of privilege or work product and offering such testimony at trial.**

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22CV-01776 Akilah Kurpiel v. Mark Barroso

Case Management Conference

**Continued on the Court's own motion to May 5, 2025, at 10:00 in Courtroom 8.**

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22CV-02118 Carlos Garrido, et al. v. Cecilia Deungria Dandido, 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 petition for approval of minor's compromise.**

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23CV-03055 Trustee Christine Severin v. Randy Williams, et al.

Case Management Conference

**Continued on the Court's own motion to May 5, 2025, at 10:00 in Courtroom 8.**

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23CV-03359 Paradigm Assets Recovery LLC v. Edythe Stewart

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 March 18, 2024 Case Management Conference and the July 26, 2024 Case Management Conference. Absent an appearance by or on behalf of Plaintiff and a showing of good cause for the prior failures to appear, this matter will be DISMISSED WITHOUT PREJUDICE.**

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23CV-03362 Paradigm Assets Recovery LLC v. Jack Betschart

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 March 18, 2024 Case Management Conference and the July 26, 2024 Case Management Conference and the August 29, 2024 Order to Show Cause re: Dismissal hearing. Absent an appearance by or on behalf of Plaintiff and a showing of good cause for the prior failures to appear, this matter will be **DISMISSED WITHOUT PREJUDICE**.

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23CV-02445                      Sandra Esquivel v. Kim Johnson .

Review of Case Status

**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 status of administrative record, to set hearing date and establish briefing schedule.**

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24CV-04128                      Petition of: Morgan McIntosh

Order to Show Cause re: Name Change

**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. This Petition by an adult to change her own name will be granted upon the filing of a proof of publication and verification that Petitioner is eligible through review of CLETS.**

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24CV-04315                      Tyler Dietz-Powers v. Angel Barragan

Order to Show Cause re: Restraining Order

**Continued to October 29, 2024 at 8:15 AM in Courtroom 8.**

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24CV-04320                      Oralia Burciaga Lopez v. Julious Piceno

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 Proof of Service was filed September 18, 2024 showing service of the papers filed in this action on respondent.**

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24CV-04405      Merced Union High School District v. Angel Barragan

Order to Show Cause re: Restraining Order

**Continued to October 29, 2024 at 8:15 AM in Courtroom 8.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conference  
Hon. Mark v. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 9, 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  
Hon. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 9, 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.
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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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18CV-01136	BH Financial Services, Inc. v. Juan Olvera
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Claim of Exemption

**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.**

19CV-01491	Midland Funding LLC v. Gabriela Villalobos
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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.**

23CV-00746	Merced School Employees FCS v Ali Banks
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Status Conference

**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.**

23CV-03816

OneMain Financial Group LLC v. Gregory John Laird, et al.

Plaintiff's Motion for Order that Requests for Admission be Deemed Admitted by Jaime Robertson

**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.**

Plaintiff's Motion for Order that Requests for Admission be Deemed Admitted by John Laird

**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.**

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23CV-04605

Olga Perez v. Lupita's Auto Sales, Inc., et al.

Review of Case Status

**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.**

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CVM004692

Lobel Financial Corp. v. Charles A. Silva

Claim of Exemption

**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.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Mark v. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 9, 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. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 9, 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

Wednesday, October 2, 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

Limited Civil Long Cause Court Trials  
Hon. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Wednesday, October 2, 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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There are no Limited Civil Long Cause Court Trials Scheduled	
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