

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

2260 N Street, Merced
627 W. 21st Street, Merced
1159 G Street, Los Banos

Wednesday, November 12, 2025

Tentative rulings are provided for the following courtrooms and assigned Judicial Officers with scheduled civil matters:

Courtroom 8 – Hon. Stephanie L. Jamieson

Courtroom 9 – Commissioner David Foster

Courtroom 12 – Hon. Jennifer O. Trimble

Courtroom 13 – Hon. Ashley Albertoni Sausser

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.

IMPORTANT: Court reporters will NOT be provided; parties must make their own arrangements. Electronic recording is available in certain courtrooms and may only be activated upon request.

The tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings
Hon. Stephanie L. Jamieson
Courtroom 8

627 W. 21st Street, Merced

Wednesday, November 12, 2025
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) 725-4240 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 CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

Case No.	Title / Description
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25CV-03801	Raul Covarrubias vs Merced County District Attorney
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Order to Show Cause Re: Dismissal

Appearance required. Matter to be heard in Courtroom 8 by Judge Mason Brawley.

20CV-00783	Charlotte Lastowski vs California Climate Control, Inc.
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Readiness Conference

Appearance required. Court trial is set for December 2, 2025, at 9 a.m. in Courtroom 8.

21CV-00243	Wendy Priest v. Hilario Garcia, et al.
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Motion to Compel Further Responses to Requests for Production of Documents, Set Two, From Defendant NF Merced – LH, LLC

Plaintiff's motion to compel further responses to Requests for Production of Documents, Set Two, from Defendant NF Merced-LH LLC is GRANTED IN PART and DENIED IN PART.

Although Plaintiff's requests appear to be aimed at obtaining evidence of ownership or control of the subject property, the court cannot order Defendant to produce any documents when they claim that the documents have been produced or that there are no responsive documents. If Defendant has concealed records, the court has the power to exclude documents or other physical evidence at trial that has been concealed and that would cause unfair surprise at trial. (*Pate v. Channel Lumber Co.* (1997) 51 Cal.App.4th 1447, 1455-1456.)

Accordingly, the following responses are substantially code compliant and do not require a further response. (*St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 779.) As to these requests Plaintiff's motion is DENIED.

Nos. 29, 30, 31, 33, 36, 37, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, and 77.

To the extent documents were withheld on a claim of privilege, Defendant is to provide a privilege log.

The following responses are substantially code compliant and either completely or in part rely on an objection based on privilege. (Code of Civil Procedure § 2031.210 subd. (a)(3)) As to these requests Plaintiff's motion is DENIED. To the extent that one has not been provided, Defendant is to provide a privilege log for the following responses:

Nos. 35, 50, 51, and 52.

The following requests are not substantially code compliant and require a further response. As to these requests Plaintiff's motion is GRANTED.

Nos. 32, 34, 38, 39, 71, 72, 73, 74, 75, 76, and 78.

Sufficient time has elapsed for a reasonable search and diligent inquiry to have been made for Defendant to establish if the requested documents exist, either in their or another's possession, custody, or control; or if the documents have never existed, been destroyed, lost, misplaced, stolen, or is no longer in the possession, custody, or control of Defendant.

Defendant is to provide a privilege log for any documents that are withheld on a claim of privilege.

The request for sanctions is DENIED. Although Defendant is ordered to provide further responses, the court finds that there was substantial justification to oppose Plaintiff's motion.

Defendant is to provide further verified, code compliant, responses within twenty (20) days of this court's order.

Motion to Compel Further Responses to Requests for Production of Documents, Set Two, From Defendant NF Merced-Conn, LLC

Plaintiff's motion to compel further responses to Requests for Production of Documents, Set Two, from Defendant NF Merced-Conn LLC is GRANTED IN PART and DENIED IN PART.

Although Plaintiff's requests appear to be aimed at obtaining evidence of ownership or control of the subject property, the court cannot order Defendant to produce any documents when they claim that the documents have been produced or that there are no responsive documents. If Defendant has concealed records, the court has the power to exclude documents or other physical evidence at trial that has been concealed and that would cause unfair surprise at trial. (*Pate v. Channel Lumber Co.* (1997) 51 Cal.App.4th 1447, 1455-1456.)

Accordingly, the following responses are substantially code compliant and do not require a further response. (*St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 779.) As to these requests Plaintiff's motion is DENIED.

Nos. 29, 30, 31, 33, 36, 37, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 54, 55, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, and 79.

To the extent documents were withheld on a claim of privilege, Defendant is to provide a privilege log.

The following responses are substantially code compliant and either completely or in part rely on an objection based on privilege. (Code of Civil Procedure § 2031.210 subd. (a)(3)) As to these requests Plaintiff's motion is DENIED. To the extent that one has not been provided, Defendant is to provide a privilege log for the following responses:

Nos. 35, 51, 52, 53, and 62.

The following requests are not substantially code compliant and require a further response. As to these requests Plaintiff's motion is GRANTED.

Nos. 32, 34, 38, 39, 73, 74, 75, 76, 77, 78, 80, and 81.

Sufficient time has elapsed for a reasonable search and diligent inquiry to have been made for Defendant to establish if the requested documents exist, either in their or another's possession, custody, or control; or if the documents have never existed, been destroyed, lost, misplaced, stolen, or is no longer in the possession, custody, or control of Defendant.

Defendant is to provide a privilege log for any documents that are withheld on a claim of privilege.

The request for sanctions is DENIED. Although Defendant is ordered to provide further responses, the court finds that there was substantial justification to oppose Plaintiff's motion.

Defendant is to provide further verified, code compliant, responses within twenty (20) days of this court's order.

Motion to Compel Further Responses to Requests for Production of Documents, Set Two, From Defendant B5 Merced, LLC

Plaintiff's motion to compel further responses to Requests for Production of Documents, Set Two, from Defendant B5 Merced, LLC is GRANTED IN PART and DENIED IN PART.

Although Plaintiff's requests appear to be aimed at obtaining evidence of ownership or control of the subject property, the court cannot order Defendant to produce any documents when they claim that the documents have been produced or that there are no responsive documents. If Defendant has concealed records, the court has the power to exclude documents or other physical evidence at trial that has been concealed and that would cause unfair surprise at trial. (*Pate v. Channel Lumber Co.* (1997) 51 Cal.App.4th 1447, 1455-1456.)

Accordingly, the following responses are substantially code compliant and do not require a further response. (*St. Mary v. Superior Court* (2014) 223 Cal.App.4th 762, 779.) As to these requests Plaintiff's motion is DENIED.

Nos. 31, 32, 33, 38, 39, 42, 51, 52, 55, 61, 76, 77, 78, 79, 80, 81, and 82.

To the extent documents were withheld on a claim of privilege, Defendant is to provide a privilege log.

The following responses are substantially code compliant and either completely or in part rely on an objection based on privilege. (Code of Civil Procedure § 2031.210 subd. (a)(3)) As to these requests Plaintiff's motion is DENIED. To the extent that one has not been provided, Defendant is to provide a privilege log for the following responses:

Nos. 35, 53, and 54.

The following requests are not substantially code compliant and require a further response. As to these requests Plaintiff's motion is GRANTED.

Nos. 29, 30, 34, 36, 37, 40, 41, 43, 44, 45, 46, 47, 48, 49, 50, 56, 57, 58, 59, 60, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 83, and 84.

Sufficient time has elapsed for a reasonable search and diligent inquiry to have been made for Defendant to establish if the requested documents exist, either in their or another's possession, custody, or control; or if the documents have never existed, been destroyed, lost, misplaced, stolen, or is no longer in the possession, custody, or control of Defendant.

Defendant is to provide a privilege log for any documents that are withheld on a claim of privilege.

The request for sanctions is DENIED. Although Defendant is ordered to provide further responses, the court finds that there was substantial justification to oppose Plaintiff's motion.

Defendant is to provide further verified, code compliant, responses within twenty (20) days of this court's order.

24CV-06342

Humberto Casarez-Avila, et al. vs Stockton AG Transport, et al.

Motion to Compel Humberto Carlos Hamilton to Further Respond to Form Interrogatories Set One & Special Interrogatories Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Humberto Carlos Hamilton to provide further responses to Form Interrogatories, Set One, and Special Interrogatories, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Humberto Carlos Hamilton to Further Respond to Requests for Admission Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Humberto Carlos Hamilton to provide further responses to Requests for Admissions, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Humberto Carlos Hamilton to Further Respond to Requests for Production Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Humberto Carlos Hamilton to provide further responses to Requests for Production, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Silva Trucking, Inc. to Further Respond to Form Interrogatories Set One & Special Interrogatories Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Silva Trucking Inc. to provide further responses to Form Interrogatories, Set One, and Special Interrogatories, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Silva Trucking Inc. to Further Respond to Requests for Admission Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Silva Trucking Inc. to provide further responses to Requests for Admissions, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Silva Trucking, Inc. to Further Respond to Requests for Production Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Silva Trucking Inc. to provide further responses to Requests for Production, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Stockton Ag Transport to Further Respond to Form Interrogatories Set One & Special Interrogatories Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Stockton Ag Transport to provide further responses to Form Interrogatories, Set One, and Special Interrogatories, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Stockton Ag Transport to Further Respond to Requests for Admission Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Stockton Ag Transport to provide further responses to Requests for Admissions, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

Motion to Compel Stockton Ag Transport to Further Respond to Requests for Production Set One & Request for Sanctions of \$3,600

The unopposed motion by Plaintiffs to compel Defendant Stockton Ag Transport to provide further responses to Requests for Production, Set One, is GRANTED.

Defendant shall provide verified, code-compliant, responses within twenty (20) days of this court's order.

Plaintiffs' request for monetary sanctions is GRANTED, however Counsel's declaration does not support the amount of sanctions requested.

Monetary sanctions in the amount of \$500 are to be paid to Plaintiff within twenty (20) days of this court's order.

25CV-01401

Maksud Shaikh et al. vs Farhat Hussain

Order to Show Cause Re: Sanctions

Based upon the declaration of attorney, Abid Aziz, filed November 5, 2025, the Court finds GOOD CAUSE NOT TO ORDER sanctions against counsel for failing to appear at

the case management conference on October 13, 2025. The order to show cause is VACATED.

Case Management Conference

CONTINUED on the Court's own motion to February 9, 2026, at 10:00 a.m. Default has been entered against all defendants. If default judgment is requested and a prove-up hearing set by the civil clerk's office, the case management conference may be vacated.

25CV-01579 Cyrus Allen vs Kadince Felix et al.

Order to Show Cause Re: Dismissal

Appearance required. Appear to address status of service on the defendant and failure to appear at the case management conference on October 13, 2025.

Order to Show Cause Re: Sanctions

Appearance required. Appear to address failure to appear at the case management conference on October 13, 2025.

25CV-04016 Petition of: Eva Romero

Order to Show Cause Re: Dismissal

Appearance required. Proof of publication of the petition for name change was filed October 1, 2025, following the original hearing set for this matter.

25CV-05699 Liliana Ramos Alcaraz vs Anna Chavez

Order to Show Cause Re: Restraining Order

Appearance required. Proof of unsuccessful service on Respondent was filed October 31, 2025.

25CV-05762 Robert Maldonado vs Victor Gomez

Order to Show Cause Re: Restraining Order

Appearance required. Proof of timely service on Respondent was filed October 29, 2025.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Commissioner David Foster
Courtroom 9

627 W. 21st Street, Merced

Wednesday, November 12, 2025
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) 725-4240 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 CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

Case No.	Title / Description
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23CV-02129	Discover Bank vs. Lynn Schultz
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Order to Show Cause Re: Dismissal - Notice of Settlement

No appearance is required. On the Court's own motion, the OSC is continued to December 22, 2025, at 1:30 p.m. in Courtroom 9 to trail plaintiff's motion to enter judgment pursuant to Code of Civil Procedure section 664.6.

24CV-04228	LVNV Funding, LLC vs. D Wisdom Hambrecht
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Order to Show Cause Re: Dismissal - Notice of Settlement

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.

On October 16, 2024, plaintiff filed a Notice of Settlement indicating conditional settlement and that a request for dismissal would be filed no later than September 10, 2025. No request for dismissal has been filed. If no party appears to request more time to complete the settlement, the Court will dismiss the case pursuant to rule 3.1385(c)(2) of the California Rules of Court.

Demurrer to Complaint for Unlawful Detainer

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.

The defendants' first general demurrer to the unlawful detainer complaint on the ground the complaint fails to allege proper notice is OVERRULED. The complaint alleges a cause of action for unlawful detainer based on a notice authorized under Civil Code section 798.56(e) for mobilehome park residents for nonpayment of rent, utility charges, or reasonable incidental service charges along with a 60 days' notice for termination of tenancy. Proper notice is alleged and attached as an exhibit to the complaint.

Defendants' second general demurrer on the ground that the notice is defective pursuant to Code of Civil Procedure section 1161 and Civil Code section 1946.1(h) is OVERRULED. First, the complaint does not assert a cause of action pursuant to Civil Code section 1946.1. Second, the complaint asserts a cause of action under Code of Civil Procedure section 1161, but the moving papers do not identify any defect in the notice attached as an exhibit to the complaint.

Defendants' third general demurrer on the ground that the pleading does not state facts sufficient to constitute a cause of action is OVERRULED for the reasons previously stated.

Defendants' fourth demurrer on the ground of uncertainty pursuant to Code of Civil Procedure section 430.10(f) is OVERRULED. The complaint alleges all the necessary facts to constitute a cause of action for unlawful detainer against defendants and is not so vague and ambiguous that the responding party "cannot reasonably determine what issues must be admitted or denied, or what counts or claims are directed at [them]." (*Khoury v. Mally's of Calif., Inc.* (1993) 14 Cal.App.4th 612, 616.)

Defendants shall file their answer within five days of notice of entry of order. (Cal. Rules of Court, rule 3.1320(g); Code Civ. Proc., § 472b.)

The prevailing party is directed to prepare a written order and provide notice to the opposing party as required by law and the California Rules of Court. The order is to be submitted by electronic filing to Commissioner David Foster.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Short Cause Trial Calendar
Commissioner David Foster
Courtroom 9

627 W. 21st Street, Merced

Wednesday, November 12, 2025
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) 725-4240 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 CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

Case No.	Title / Description
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25CV-05292	[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.