

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

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

Wednesday, December 31, 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, December 31, 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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20CV-01569	Mikeiah Hargrett, et al. vs William Gustavo Lopez, et al.
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Motion to Dismiss

Defendant's motion to dismiss is DENIED.

Although Defendant claims that dismissal is mandatory, the principles of waiver and estoppel are still applicable. (See, Code Civ. Proc. § 583.140 [Nothing in this chapter abrogates or otherwise affects the principles of waiver and estoppel].)

The court finds Defendant is estopped from bringing a motion to dismiss pursuant to Code of Civil Procedure section 583.310, et seq. The case history indicates a waiver of the five (5) year requirement under Code of Civil Procedure section 583.310.

On May 12, 2025, the parties submitted a joint stipulation to continue trial, which was granted and a trial setting conference scheduled. On June 16, 2025, at the trial setting conference, trial was set for January 20, 2026. On November 18, 2025, the parties declared ready for trial.

Defendant's memorandum states that trial should have occurred by May 20, 2025, or at the latest November 20, 2025. (Def. Memo 3:27-28). By stipulating to continue the trial on May 12, 2025 (a date prior to May 20, 2025), and subsequently setting the trial date for January 20, 2026 (a date after November 20, 2025), Defendant has waived the mandatory five (5) year period to bring this matter to trial.

Accordingly, the motion to dismiss is **DENIED**.

24CV-06333

Cathy Pohan vs Sarah Frey, et al.

Demurrer to Plaintiff's Fifth Amended Complaint

The hearing on the demurrer is continued to January 28, 2026, at 8:15 a.m. in Courtroom 8.

“Before filing a demurrer pursuant to this chapter, the demurring party shall meet and confer in person, by telephone, or by video conference with the party who filed the pleading that is subject to demurrer for the purpose of determining whether an agreement can be reached that would resolve the objections to be raised in the demurrer. If an amended complaint, cross-complaint, or answer is filed, the responding party shall meet and confer again with the party who filed the amended pleading before filing a demurrer to the amended pleading.” (Code Civ. Proc., § 430.41, subd. (a), italics added.)

“The demurring party shall file and serve with the demurrer a declaration stating either of the following: (A) The means by which the demurring party met and conferred with the party who filed the pleading subject to demurrer, and that the parties did not reach an agreement resolving the objections raised in the demurrer. (B) That the party who filed the pleading subject to demurrer failed to respond to the meet and confer request of the demurring party or otherwise failed to meet and confer in good faith.” (Code Civ. Proc., § 430.41, subd. (a)(3).)

However, “[a] determination by the court that the meet and confer process was insufficient shall not be grounds to overrule or sustain a demurrer.” (Code Civ. Proc., § 430.41, subd. (a)(4).)

Here, Defendant has not satisfied the meet and confer requirements of section 430.41. Although a meet and confer declaration was filed, it only states that a letter was sent on November 12, 2025, to which Plaintiff did not respond. Pursuant to Code of Civil Procedure section 430.41 subdivision (a), there must be an attempt to meet and confer in person, by telephone, or by video conference.

The parties are ordered to engage in meet and confer efforts over their dispute in person, by phone, or by video conference, as required by Code of Civil Procedure section 430.41, subdivision (a).

If the parties are able to resolve their dispute, then Defendant shall promptly take the demurrer off calendar. If the parties are not able to resolve their dispute, then Defendant's counsel shall file a declaration regarding the meet and confer efforts by January 21, 2026.

25CV-06632 Sabrina Reyes vs Anna Cordon

Order to Show Cause Re: Restraining Order

Appearance required. No proof of service on Respondent has been filed with the court.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil
Commissioner David Foster
Courtroom 9

627 W. 21st Street, Merced

Wednesday, December 31, 2025
10:00 am

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Case No.	Title / Description
24CV-00040	Barclays Bank Delaware vs. Irene Garcia
	Motion for an Order Compelling Discovery
Appearance required.	