

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

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

Wednesday, March 20, 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. Brian McCabe

Courtroom 9 – Commissioner David Foster

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 McCabe
Courtroom 8
627 W. 21st Street, Merced

Wednesday, March 20, 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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21CV-01886	Harris Farms LP v. James Nickel, et al.
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Case Management Conference

Appearance Required. Individuals who wish to appear remotely may call (209) 725-4111 for permission to make a remote appearance. Appear to address whether in light of the parties failure to reach a settlement, this matter should be set for trial in 2025.

21CV-02016	F. Russell Harris v. Henry Miller Reclamation District No. 2131
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Case Management Conference

Appearance Required. Individuals who wish to appear remotely may call (209) 725-4111 for permission to make a remote appearance. Appear to address whether in light of the parties failure to reach a settlement, this matter should be set for trial in 2025..

23CV-04568

Shawna Walsh v. Jorge Colmenero, Jr.

Order to Show Cause re: Restraining Order

Appearance Required. Individuals who wish to appear remotely may call (209) 725-4111 for permission to make a remote appearance. The Court notes that no Proof of Service has been filed showing that Respondent has been served with the Notice of Hearing, Request for Civil Harassment Restraining Order, and Temporary Restraining Order issued in this case.

24CV-00330

Cecilia Velasco v. Elsy Mendoza Vasquez

Order to Show Cause re: Restraining Order

Appearance Required. Individuals who wish to appear remotely may call (209) 725-4111 for permission to make a remote appearance. The Court notes that no Proof of Service has been filed showing that Respondent has been served with the Notice of Hearing, and Request for Civil Harassment Restraining Order filed in this case.

24CV-00458

Petition of Ruth Bekele

Order to Show Cause re: Name Change

Appearance Required. Individuals who wish to appear remotely may call (209) 725-4111 for permission to make a remote appearance. This petition by an adult to change her own last name will be granted upon the filing of a proof of publication.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Mandatory Settlement Conference
Hon. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced

Wednesday, March 20, 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
Commissioner David Foster
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 20, 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.
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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23CV-01377	Discover Bank v. Jaime Lamas
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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 request Court permission and arrange for a remote appearance.

23CV-01705	Ford Motor Credit Company LLC v. Daisy Perez, et al.
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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 request Court permission and arrange for a remote appearance.

23CV-02879

Shawna Walsh v. Jorge Colmenero, Jr.

Order of Examination

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to request Court permission and arrange for a remote appearance. The Court notes that there is no proof of service on file showing service of the OEX on the Judgment Debtor.

23CV-02942

JP Morgan Chase Bank, N.A. v. Martin Castanon

Order to Show Cause re: Sanctions

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to request Court permission and arrange for a remote appearance. Defendant has been ordered to appear and show cause why monetary sanctions should not issued due to Defendant's failure to appear at the December 1, 2023 Case Management Conference.

Court Trial

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to request Court permission and arrange for a remote appearance.

23CV-03360

[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Review of Case Status Following Entry of Stipulated Judgment

This hearing was set upon entry of a stipulated judgment to review the status of the performance of the agreement reached by the parties. If there is no appearance by either party, the matter will be dropped from calendar.

23CV-03692

[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Review of Case Status Following Notice of Bankruptcy

This hearing was set to determine the status of the pending bankruptcy stay.

23CV-04250

[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Motion to Determine Prevailing Party and to Fix Amount of Attorney's Fees

The unopposed Motion to Determine Prevailing Party and to Fix Amount of Attorney's Fees is GRANTED. Accordingly, Anthony L. Machado & Lorraine Machado, Trustees of the A&L Machado Revocable Trust Dated August 21, 2009 and Santa Anna Farms, LLC (Plaintiffs) are determined to be the prevailing party and Attorney's fees in this matter are set at \$15,410.00.

24CV-00158 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to request Court permission and arrange for a remote appearance.

24CV-00428 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to request Court permission and arrange for a remote appearance.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Wednesday, March 20, 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.	
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SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Commissioner David Foster
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 20, 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, March 20, 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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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
Commissioner David Foster
Courtroom 9
627 W. 21st Street, Merced

Wednesday, March 20, 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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