

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED**

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

Monday, June 16, 2025

**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. Stephanie L. Jamieson**

**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 wanting a hearing transcript 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 civil calendars follow:**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion  
Hon. Stephanie L. Jamieson  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, June 16, 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) 725-4111 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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20CV-01569	Mikeiah Hargrett, et al. v. William Gustavo Lopez, et al.
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Trial Setting 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. Appear to set trial pursuant to the stipulation of the parties to continue the trial and mandatory settlement conference.**

21CV-00242	Jose Valencia, Junior v. Herbert Esau
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Case Management Conference/Trial Setting

**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. Appear address the status of the case and whether the matter should be set for trial.**

22CV-03621 Armando Diaz v. Sol Rivas, et al.

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. Appear to address the status of the settlement in this action. See related case, 24CV-00189.**

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22CV-04192 Jennifer Shaw McAllister, et al. v. Monica Perdomo, et al.

Case Management 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. Appear address the status of the settlement described in defendant's case management conference statement, dated May 30, 2025.**

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23CV-03924 Grant Schmidt v. Cardella Merced, LLC, et al.

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. Appear address the status of the case, post-mediation.**

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24CV-00189 Armando Diaz v. Sol Rivas, et al.

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. Appear to address the status of the settlement. See related case 22CV-03621.**

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24CV-01710 Continental Bank v. Narinder Randhawa, et al.

Order of Examination

**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. There is no proof of service on file showing that the OEX was served on Defendant.**

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24CV-03660 Foster Poultry Farms, LLC v Pet Treat Holdings

Demurrer by Cross-Defendant Foster Poultry Farms to Cross-Complaint's First Through Ninth Causes of Action

**When ruling on a demurrer, the court can consider only facts alleged in the complaint and matters of which the court can take judicial notice. (*Blank v. Kirwan* (1985) 39 Cal.3d 311, 318; Code of Civ. Proc. § 430.30, subd. (a).) As a general rule, no other extrinsic**

evidence may be considered on a demurrer. (See, e.g., *Ion Equip. Corp. V. Nelson* (1980) 110 Cal.App.3d 868, 881.)

Each of the cross-complaint's nine causes of action that are the subject of the instant demurrer are based on a Contract Manufacturing Agreement ("CMA") between Pet Treat Holdings and Foster Poultry Farms, LLC. While Foster Poultry Farms, LLC asserts that the court may consider the CMA in ruling on the demurrer and that the terms of the CMA are dispositive, the declaration of Sarah E. Balkissoon filed on May 12, 2025, in support of the demurrer does not attach a copy of the CMA or include any language authenticating a copy of the CMA, and the redacted copy of the CMA attached to the demurrer itself is not supported by any declaration that the court can locate.

The complaint, first amended complaint, and the cross-complaint all refer to the CMA, and none disputes that the parties entered into the CMA. However, none of these pleadings includes a complete copy of the CMA or alleges the terms of the entire agreement. Therefore, once the complete contract is provided, the CMA may be properly the subject of judicial notice pursuant to Evidence Code § 452, subd. (g), or by stipulation of the parties. If a dispute exists as to the terms of the CMA, the questions raised by demurrer regarding what constituted a breach are not properly the subject of demurrer, but rather are issues to be resolved by way of motion for summary judgment.

Accordingly, the matter is CONTINUED TO MONDAY, JUNE 23, 2025, and Foster Poultry Farms, LLC is ORDERED TO SUBMIT, BY JUNE 23, 2025, a revised declaration authenticating a complete, unredacted copy of the CMA upon which the demurrer relies, along with an appropriate request for judicial notice of the terms of such contract.

Motion to Strike Portions of Cross-Complaint

**See above.**

Motion to Seal Portions of Exhibit to Balkissoon Declaration

**See above.**

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25CV-02345

Petition of: Moises Cortez

Order to Show Cause re: Name Change

**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. Proof of publication has been provided. Petitioner was ordered on June 12, 2025, to provide proof of service of petition on other parent, or for other parent to appear to inform the Court whether she consents to the requested name change for a minor child.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conferences  
Hon. Stephanie Jamieson  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, June 16, 2025

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

Case Management Conferences  
Hon. Stephanie Jamieson  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, June 16, 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:

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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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<b>Appearances required on all matters. 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.</b>	
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Stephanie Jamieson  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, June 16, 2025

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.
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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.

**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  
Commissioner David Foster  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Monday, June 16, 2025  
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  
Monday, June 16, 2025  
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 for hearing.	
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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Short Cause Court Trials  
Hon. Stephanie Jamieson  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, June 16, 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:

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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.**

<b>Case No.</b>	<b>Title / Description</b>
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25CV-00227-APP	Aurelio Nunez v. Gregorio Rodriguez
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Trial De Novo

**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.**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Limited Civil  
Commissioner David Foster  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Monday, June 16, 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) 725-4111 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
24CV-03216	Livingston Farmers Association v. Cardella Merced LLC Order of Examination – Cardella Merced, LLC <b>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. There is no proof of service on file showing service of the OEX on defendant/judgment debtor.</b>
24CV-05931	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)] Unlawful Detainer Court Trial <b>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.</b>
25CV-00369	Jose Gonzalez De La Torre v. Luis Iniguez Gonzalez, et al. Order of Examination – Luis Adrian Iniguez Gonzalez <b>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. There is no proof of service on file showing service of the OEX on defendant/judgment debtor.</b>

25CV-01420 [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 seek permission and arrange for a remote appearance.**

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25CV-02046 [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 seek permission and arrange for a remote appearance.**

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25CV-02293 [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 seek permission and arrange for a remote appearance.**

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25CV-02351 [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 seek permission and arrange for a remote appearance.**

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25CV-02401 [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 seek permission and arrange for a remote appearance.**

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