

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Tuesday, February 13, 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 calendars:**

**Courtroom 8 – Hon. Brian McCabe**

**Courtroom 9 – Judge Pro Tem Monika Sani Donabed**

**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 L. McCabe  
Courtroom 8  
627 W. 21st Street, Merced

Tuesday, February 13, 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.**

<b>Case No.</b>	<b>Title / Description</b>
21CV-00461	Fidelity National Title Company v. James Artion Case Management Conference <b>Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to seek permission and arrange for a remote appearance. Appear to address the status of the case.</b>
23CV-03737	Foster Poultry Farms, LLC v. Intermountain Employment Services Motion to Strike Portions of Amended Answer <b>The Motion to Stike the Counterclaim portion of Defendant's Amended Answer filed January 3, 2024 is GRANTED. The California Code of Civil Procedure requires that a Cross-Complaint be filed as a separate document at the time of the answer.</b> Motion for Leave to File Second Amended Answer and Cross-Complaint <b>Defendant's Motion for leave to File a Second Amended Answer and Cross-Complaint are GRANTED. Any perceived defects in the Second Amended Answer or Cross-Complaint</b>

may be addressed by separate demurrers or motions to strike directed at one or more of those documents. The Second Amended Answer and Cross Complaint shall be filed with this Court on or before February 29, 2024.

**Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to seek permission and arrange for a remote appearance. Appear to address the need for service of the petition on the children's father.**

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23CV-04685                      Petition of Cesar Cisneros

Order to Show Cause re: Name Change

**Proof of Publication having been filed, this Petition by an adult to change his own middle and last names is GRANTED. The Court will sign the proposed order lodged with the Court on December 29, 2023.**

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24CV-00235                      Sarah Macias v. Chiohin Saepanh

Order to Show Cause Re: Restraining Order

**Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to seek permission and arrange for a remote appearance. The Court notes that no proof of service is currently on file showing service of the Notice of Hearing, Application, and Temporary Restraining Order on Respondent.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Jury Trials and Long Cause Court Trials  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21st Street, Merced

Tuesday, February 13, 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.**

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**Case No.**                      **Title / Description**

20CV-03306                      Graciela Munguia, et al. v. Nissan North America, Inc.

Jury Trial

**Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4124 to seek permission and arrange for a remote appearance.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

Tuesday, February 13, 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.**

<b>Case No.</b>	<b>Title / Description</b>
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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  
Judge Pro Tem Monika Sani Donabed  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Tuesday, February 13, 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.**

<b>Case No.</b>	<b>Title / Description</b>
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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

Tuesday, February 13, 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.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Ex Parte matters scheduled.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Tuesday, February 13, 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.**

<b>Case No.</b>	<b>Title / Description</b>
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22CV-01987	Holly Davis v. George Griset
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Petition for Approval of Compromise of Minor's Claim – Chase Westley-Ronny Soares

**Appearance required. Individuals who wish to appear remotely must contact the clerk at (209) 725-4111 to arrange for a remote appearance. Appear to justify the 25% contingency fee charged to each minor at this early stage in the litigation, the allocation of the settlement proceeds between the five minors and the guardian ad litem, and whether independent counsel should be appointed for the minors.**

Petition for Approval of Compromise of Minor's Claim – Freddie Robert Soares

**Appearance required. Individuals who wish to appear remotely must contact the clerk at (209) 725-4111 to arrange for a remote appearance. Appear to justify the 25% contingency fee charged to each minor at this early stage in the litigation, the allocation of the settlement proceeds between the five minors and the guardian ad litem, and whether independent counsel should be appointed for the minors.**



Petition for Approval of Compromise of Minor's Claim – Javden Paul

**Appearance required. Individuals who wish to appear remotely must contact the clerk at (209) 725-4111 to arrange for a remote appearance. Appear to justify the 25% contingency fee charged to each minor at this early stage in the litigation, the allocation of the settlement proceeds between the five minors and the guardian ad litem, and whether independent counsel should be appointed for the minors.**

Petition for Approval of Compromise of Minor's Claim – Teddy Rae Soares

**Appearance required. Individuals who wish to appear remotely must contact the clerk at (209) 725-4111 to arrange for a remote appearance. Appear to justify the 25% contingency fee charged to each minor at this early stage in the litigation, the allocation of the settlement proceeds between the five minors and the guardian ad litem, and whether independent counsel should be appointed for the minors.**

Petition for Approval of Compromise of Minor's Claim - Victoria Virginia-Marie Soares

**Appearance required. Individuals who wish to appear remotely must contact the clerk at (209) 725-4111 to arrange for a remote appearance. Appear to justify the 25% contingency fee charged to each minor at this early stage in the litigation, the allocation of the settlement proceeds between the five minors and the guardian ad litem, and whether independent counsel should be appointed for the minors.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Unlawful Detainers  
Hon. Jennifer O. Trimble  
Courtroom 12  
1159 G Street, Los Banos

Tuesday, February 13, 2024  
2:00 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.**

<b>Case No.</b>	<b>Title / Description</b>
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There are no Unlawful Detainer Matters Scheduled

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