

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Friday, June 28, 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 L. McCabe

Courtroom 9 – Judge Pro Tem Peter MacLaren

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

Civil Law and Motion
Hon. Brian L. McCabe
Courtroom 8
627 W. 21st Street, Merced

Friday, June 28, 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
17CV-02196	Eliseo Rodriguez, et al. Ahmed Mansoor, 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. This matter was previously continued so that Defendant could file a Motion for Summary Judgment. No such motion has yet been filed. Appear to address why this matter should not be set for trial.

20CV-00497	Fabian Casanova v. Live Oak Farms
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Final Compliance Hearing

Appearance optional. 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. Based on the Declaration of Kevin Lee, the Case Manager at Phoenix Settlement Administrators, the check-cashing period for Settlement Class Members will expire on November 25, 2024. The Final Compliance Status Hearing is continued to December 6, 2025, at 8:15 a.m. If a Dismissal is on file before the continued hearing, no appearance necessary as the matter will automatically drop from calendar and be closed out.

21CV-03138

George Jones v. Debra Anderson

Status Review of Settlement

Appearance optional. 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. Case settled at the Mandatory Settlement Conference on May 29, 2024. Plaintiff, George Jone, filed a declaration noting the terms and conditions of settlement have been met. Defendant, Debra Anderson, also filed a declaration noting compliance with the settlement terms. Plaintiff filed a Dismissal of Entire case on June 11, 2024. The Court accepted the dismissal as to the complaint filed September 10, 2021, but did not accept the dismissal by Plaintiff of the Defendant, Debra Anderson's, cross-complaint filed December 6, 2022. Based on the declarations of the parties, the Court will dismiss the cross-complaint at the hearing unless Defendant appears and shows cause why it should not be dismissed at this time.

22CV-02690

Cecilia Robles v. Rodolfo Maldonado, et al.

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 address the status of the case.

22CV-03582

BDC Atwater Shops LP v. Golden State Realty Association, Inc., et al.

Appearance optional. 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. Case set for a case management conference (CMC). Parties both filed their respective CMC Statements on June 13, 2024. Defendant indicates it expects to file a Motion for Leave to File a Cross-Complaint (CMC Statement No. 15 – Other motions.) The Court, on its own motion, and to permit all the necessary pleadings to be filed before setting for trial, to continue the CMC 90 days to September 24, 2024, at 8:15 a.m.

23CV-04137

Louis Holck, et al. v. Shellpoint Mortgage Servicing

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 seek permission and arrange for a remote appearance. Appear to address Plaintiff's failure to appear at the June 3, 2024 Case Management Conference.

Review of Case Status

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 case.

24CV-02781

Patricia Ontiveros v. Monce Erandi Barriga

Order to Show Cause re: Restraining Order

Appearance required. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 to seek permission and arrange for a remote appearance. The Court notes that there is no proof of service on filed showing service of the papers filed in this action on Respondent.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Friday, June 28, 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.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Friday, June 28, 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.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Jennifer O. Trimble
Courtroom 12
1159 G Street, Los Banos

Friday, June 78, 2024
1:15 p.m.

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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

There are no Ex Parte matters scheduled.
