

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, December 2, 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. Mark V. Bacciarini**

**Courtroom 9 – Hon. Mason Brawley**

**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. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, December 2, 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.**

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**Case No. Title / Description**

22CV-02498 Maria Aguilar Candelario v. Adrian Pantaleon Rodriguez, et al.

Case Management Conference

**CONTINUED ON THE COURT'S OWN MOTION TO June 16, 2025 at 10:00 A.M. in Courtroom 8.**

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22CV-02671 Mario Ojeda v. Nissan North America, Inc.

Order to Show Cause re: Dismissal-Notice of Settlement

**Appearance required. 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. Appear to address the status of the Settlement.**

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22CV-03414 Josefina De Lopez v. Efrain Sanchez

Case Management Conference

**CONTINUED ON THE COURT'S OWN MOTION TO June 16, 2025 at 10:00 A.M. in Courtroom 8.**

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22CV-04192

Jennifer Shaw McAllister, et al. v. Monica Perdomo, et al.

Case Management Conference

**CONTINUED ON THE COURT'S OWN MOTION TO June 16, 2025 at 10:00 A.M. in Courtroom 8.**

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23CV-01908

Mark Germino v. Juan Ramos .

Case Management Conference

**CONTINUED ON THE COURT'S OWN MOTION TO June 16, 2025 at 10:00 A.M. in Courtroom 8.**

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23CV-03605

Penny Bauer v. FCA US LLC.

Case Management Conference

**CONTINUED ON THE COURT'S OWN MOTION TO June 16, 2025 at 10:00 A.M. in Courtroom 8.**

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24CV-01106

Jack Paulk v. Jose Perez Macias

Order to Show Cause re: Dismissal-Notice of Settlement

**Appearance required. 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. Appear to address the status of the Settlement.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Mandatory Settlement Conference  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, December 2, 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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<b>Case No.</b>	<b>Title / Description</b>
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20CV-02579	Zenith Insurance Company, et al. v. Ladislao Bautista, et al.
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Mandatory Settlement Conference

**Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 for permission to arrange for a remote appearance.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Case Management Conferences  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, December 2, 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.**

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

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Ex Parte Matters  
Hon. Brian L. McCabe  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced  
Monday, December 2, 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. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Monday, December 2, 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, Merced  
Monday, December 2, 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 for hearing.

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Short Cause Court Trials  
Hon. Mark V. Bacciarini  
Courtroom 8  
627 W. 21<sup>st</sup> Street, Merced

Monday, December 2, 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>
19CV-02322	Domingo Hurtardo v. Pacific Express Inn, LLC
	Default Prove Up
	<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>
24CV-04093-APP	New Edge Diesel Inc. v. Abram Zarte
	Trial De Novo
	<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>

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED  
Limited Civil  
Hon. Mason Brawley  
Courtroom 9  
627 W. 21<sup>st</sup> Street, Merced

Monday, December 2, 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>
18CV-04057	Capital One Bank (USA), N.A. v. Bradley Vang
	Claim of Exemption
	<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. Appear to address the claim of exemption and the objections raised thereto.</b>
24CV-00723	Anthony Baggett v. Merced Police Dept.
	Defendants' Demurrer to Plaintiff's Complaint
	<b>The Unopposed Demurer that the Plaintiff (1) Fails to State a Claim Against Defendant Merced Police Department, (2) Fails to State a Claim Against Defendant Holder, (3) Fails to State a Claim Against Defendant Laguna, and (4) Fails to State a Claim Against Defendant Green is SUSTAINED WITH LEAVE TO AMEND. Plaintiff has until December 31, 2024 to File a First Amended Complaint.</b>
24CV-04365	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
	Review of Case Status
	<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. Appear to address the settlement in this matter.</b>

24CV-04613

Velocity Investments, LLC v. Deshawn Chambers.

Combined Answer to Complaint, Motion to Quash, and Motion to Compel Arbitration

**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 Motion to Compel Arbitration is DENIED WITHOUT PREJUDICE for failure to offer admissible evidence establishing an enforceable arbitration agreement. The Motion to Quash is DENIED as the potential existence of an arbitration agreement is not a valid grounds to quash service of a summons and complaint.**

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24CV-05255

[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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24CV-05257

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

Motion to Quash Service of Unlawful Detainer Summons and Complaint

**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 Motion to Quash Service of the Unlawful Detainer Summons and Complaint is DENIED. Plaintiff is ordered to file an Answer within three days of service of notice of entry of order.**

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