

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Wednesday, December 18, 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 10 - Hon, Donald J. Proietti

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. Mark v. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Wednesday, December 18, 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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20CV-02493	Animal Legal Defense Fund v. Foster Poultry Farms
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Deferred Sanctions Totaling \$27,345 on Discovery Motions

This matter is specially set to be heard by Judge Proietti, the Judge who heard the underlying discovery motions. A separate tentative ruling by Judge Proietti is set forth below as a Special Set 8:15 Matter.

Motion By Defendant Foster Poultry to Seal Documents filed in Connection with Motions for Summary Judgment

The Motion By Defendant Foster Poultry Farms to Seal Documents filed in Connection with the Cross-Motions for Summary Judgment/ Adjudication in this case as GRANTED.

21CV-02613	Maria Gonzalez, et al. v. Lucia Lorenzi
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Petition for Approval of Minors Compromise

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 allocation between damages of \$20,000 allocated to

guardian ad litem for her personal case, and \$8,500 allocated to minor and whether independent counsel should be appointed for the minor. Also address basis for 25% contingent fee assessed against minor.

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 status of Settlement.

21CV-03773 Toshi Magee v. Children's Dentistry and Orthodontics

Status Conference

Continued on the Court's Own Motion to Wednesday, March 26, 2025 at 8:15 in Courtroom 8 pursuant to the Joint Status Statement filed by the parties on December 3, 2024.

22CV-03116 Audrey Sutton, et al. v. MSC Investors

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 status of the Settlement Check.

23CV-01962 Gold Hills Almond Ranch, Inc. v. Jessie Espinosa

Case Management Conference

Continued on the Court's Own Motion to Monday, July 7, 2025 at 10:00 in Courtroom 8.

23CV-02886 Slakey Brothers, Inc. v. Javier Zambrano, et al.

Motion by Plaintiff Slakey Brothers, Inc. to Compel Defendant Javier Arreola Zambrano to Serve Verified Responses to Plaintiff's Form Interrogatories, Set Two and for Monetary Sanctions in the Amount of \$540

The unopposed Motion by Plaintiff Slakey Brothers, Inc. to Compel Defendant Javier Arreola Zambrano to Serve Verified Responses to Plaintiff's Form Interrogatories, Set Two and for Monetary Sanctions in the Amount of \$540 is GRANTED. Defendant Javier Arreola Zambrano is ordered to serve, by January 31, 2025, verified, Code Compliant Responses, without objections and to pay, by January 31, 2025 monetary sanctions in the amount of \$540.

Motion by Plaintiff Slakey Brothers, Inc. to Compel Defendant Javier Arreola Zambrano to Serve Verified Responses to Plaintiff's Request for Production of Documents Set Two, for Production of Responsive Documents, and for Monetary Sanctions in the Amount of \$540

The unopposed Motion by Plaintiff Slakey Brothers, Inc. to Compel Defendant Javier Arreola Zambrano to Serve Verified Responses to Plaintiff's Request for Production of Documents Set Two, for Production of Responsive Documents, and for Monetary Sanctions in the Amount of \$540 is GRANTED. Defendant Javier Arreola Zambrano is ordered to serve, by January 31, 2025, verified, Code Compliant Responses, without objections, to serve, by January 31, 2025, copies of all responsive documents, and to pay, by January 31, 2025 monetary sanctions in the amount of \$540.

Motion by Plaintiff Slakey Brothers, Inc. for Order that Requests for Admission, Set Two, served on Defendant Javier Arreola Zambrano be Deemed Admitted, and for Monetary Sanctions in the Amount of \$510

The unopposed Motion by Plaintiff Slakey Brothers, Inc. Motion by Plaintiff Slakey Brothers, Inc. for Order that Requests for Admission, Set Two, served on Defendant Javier Arreola Zambrano be Deemed Admitted, and for Monetary Sanctions in the Amount of \$510 is GRANTED. Defendant Javier Arreola Zambrano is ordered to pay, by January 31, 2025 monetary sanctions in the amount of \$510.

23CV-04073 In re: 704 Northwood Drive Merced

Petition for Appointment of Receiver

The unopposed Petition for Appointment of Receiver is GRANTED. The Court will sign the proposed order appointing Daniel Collins as Receiver, lodged with the Court on December 3, 2024.

23CV-04078 In re: 131 West Main Street, Merced

Petition for Appointment of Receiver

The unopposed Petition for Appointment of Receiver is GRANTED. The Court will sign the proposed order appointing Eric P. Beatty as Receiver, lodged with the Court on December 16, 2024.

23CV-04084 In re: 1463 West 25th Street, Merced

Petition for Appointment of Receiver

The unopposed Petition for Appointment of Receiver is GRANTED. The Court will sign the proposed order appointing Daniel Collins as Receiver, lodged with the Court on December 3, 2024.

23CV-04322

In re: 2010 E. Childs Avenue, Merced

Petition for Appointment of Receiver

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 status of the property,

Trial Setting Conference

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 status of the property,

24CV-05474

Petition of Evon Madison

Order to Show Case re: Name Change

Proof of Publication having been filed the Petition by an adult to change the middle name is GRANTED.

24CV-05849

Brenda Lua-Prado v. Rosa Cervantes

Order to Show Case re: Restraining Order

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. The Court notes that proof of service was filed December 9, 2024 showing service of the papers filed in this action on respondent.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Unlimited Civil Law and Motion
Hon. Donald J. Proietti
Courtroom 10
627 W. 21st Street, Merced

Wednesday, December 18, 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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20CV-02493	Animal Legal Defense Fund v. Foster Poultry Farms
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Deferred Sanctions Totaling \$27,345 on Discovery Motions

The Monetary Sanctions were deferred as an incentive for the parties to resolve their remaining discovery disputes without court intervention. There are no discovery motions pending, so the court is inclined find that there was good cause for the opposition and deny monetary sanctions.

COUNTY OF MERCED

Mandatory Settlement Conference
Hon. Mark v. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Wednesday, December 18, 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:

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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 Mandatory Settlement Conferences Scheduled

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Calendar
Hon. Mason Brawley
Courtroom 9
627 W. 21st Street, Merced

Wednesday, December 18, 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:

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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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24CV-03382	Ashley Johnson v. Rami Sousou
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Petition for Approval of Minors Compromise

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 is inclined to approve the allocation of half the settlement to the minor, appear to address the amount of the contingent fee.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Mark v. Bacciarini
Courtroom 8
627 W. 21st Street, Merced

Wednesday, December 18, 2024
1:15 p.m.

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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
Hon. Mason Brawley
Courtroom 9
627 W. 21st Street, Merced

Wednesday, December 18, 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

Wednesday, December 18, 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.
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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

Limited Civil Long Cause Court Trials
Hon. Mason Brawley
Courtroom 9
627 W. 21st Street, Merced

Wednesday, December 18, 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
