

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Consolidation of Civil Courtrooms
Hon. Donald J. Proietti
Courtroom 8*
Courtroom 10*
627 W. 21st Street, Merced
Friday, January 14, 2022

To limit the spread of the COVID-19 virus, all civil matters normally heard in Courtroom 8, Hon. Brian L. McCabe and Courtroom10, Hon. Donald J. Proietti are being consolidated and heard by a single judge, Hon. Donald J. Proietti, in Courtroom 10.

Note: Separate Tentative Rulings are provided for Courtroom 9, Judge Pro Tems Monika Donabed and Peter MacLaren. Those matters will be heard via remote or in-person hearing in Courtroom 9.

IMPORTANT: To limit the spread of the COVID-19 virus, the court will only conduct remote hearings on these calendars. Parties who contest the tentative ruling or wish to appear at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.

The specific tentative rulings for specific calendars follow:

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Friday, January 14, 2022
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) 725-4240 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. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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18CV-01342	Liduvina Jurado, et al. v. Gallo Cattle Company, et al.
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Motion for Preliminary Approval of Class Action Settlement, Conditional Certification, Approval of Class Notice, Setting of Final Approval Hearing Date

The unopposed motion for preliminary approval of class action settlement is GRANTED. The Court GRANTS conditional certification of the Class, in accordance with the Settlement, for the purposes of this settlement only. The Court APPROVES the Notice of Class Action Settlement. A Final Approval hearing is set for June 23, 2022 at 8:15 a.m. in Courtroom 8. Justice Law Corporation shall file the moving papers by May 24, 2022. The Court will insert these dates on page 5 of the order lodges with the court on December 13, 2021, and sign the order.

19CV-05360

The People of the State of California v. \$103,980.00 U.S. Currency

Motion for Entry of Default Judgment

The unopposed motion for entry of default judgment is GRANTED. The Court orders default judgment entered against Respondent Property and Interested Parties, Victor Magana Ochoa, Valdemar Aparicio Zamora, Alvaro Edgardo Farias-Palacios, Arturo Santos, and Cesar Estrada, and declares Respondent Property forfeited to the State of California pursuant to California Health and Safety Code §11470 et seq. and for disposition pursuant to California Health and Safety Code §11489.

20CV-01628

Christopher Wilson v. Armando Delgado, et al.

Order to Show Cause Re: Dismissal – Notice of Settlement

Appearance required. Remote appearances are strongly encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing. The Court notes a Notice of Settlement of Entire Case was filed on May 19, 2021, indicating a request for dismissal would be filed no later than November 15, 2021. To date, a request for dismissal of entire action has not been filed. Absent an appearance by Petitioner, the matter will be DISMISSED WITHOUT PRUEJUDICE.

20CV-03273

California Agriculture Network v. Raymond Mattos

Motion for Leave to File Complaint in Intervention

The unopposed motion for leave to file Complaint in Intervention is GRANTED. Intervenor Misael Flores Lopez shall file the Complaint-in-Intervention within ten (10) days of the date this order is filed. The Court will sign the order lodged on December 15, 2021.

21CV-03636

In Re: Petition of Peachtree Settlement Funding, LLC

Petition for Approval for Transfer of Payment Rights

The selling party is ordered to appear so that the Court may conduct voir dire regarding the fairness of the proposed sale. Remote appearances are encouraged. To arrange a remote appearance, contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing. This matter was continued from December 3, 2021 so that the seller could consult with a financial advisor and so that the buyer could provide the annuity contract or the qualified assignment.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Collections
Monika Donabed, Judge Pro Tem
Courtroom 9
627 W. 21st Street, Merced
Friday, January 14, 2022
8:30 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) 725-4240 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. **To limit the spread of the COVID-19 virus, the court strongly encourages remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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There are no Limited Civil Collection matters scheduled.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Brian L. McCabe
Courtroom 8
627 W. 21st Street, Merced
Friday, January 14, 2022
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) 725-4240 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. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

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
Monika Donabed, Judge Pro Tem
Courtroom 9
627 W. 21st Street, Merced
Friday, January 14, 2022
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) 725-4240 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. **To limit the spread of the COVID-19 virus, the court strongly encourages remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.**

Case No.	Title / Description
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21CV-03146	[Parties' names withheld pursuant to CCP § 1161.2(a)(1)]
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	Ex Parte Application to Stay Execution of Judgment
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Appearance Required. Parties who wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4240 to provide their contact information for the remote hearing.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. David Moranda
Courtroom 12
1159 G Street, Los Banos
Friday, January 14, 2022
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) 725-4240 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. **To limit the spread of the COVID-19 virus, the court will only conduct remote hearings. Parties who contest the tentative ruling or wish to appear remotely at a hearing must contact the clerk of the court at (209) 725-4124 to provide their contact information for the remote hearing.**

Case No. **Title / Description**

There are no Ex Parte matters scheduled.
