

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings
Hon. Brian L. McCabe
Courtroom 8

627 W. 21st Street, Merced

June 18, 2018
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. *Note:* Notifying Court Call of your intent to appear does not satisfy the requirement of notifying the court.

Case No. Title / Description

CVM016111 Naomi Slaton, et al. vs. Dole Packaged Foods, et al.

OSC re: Dismissal – Notice of Settlement

Appearance required.

CVM017858 Ronald Hamlin, et al. vs. Avalon Care Center, et al.

OSC re: Dismissal – Notice of Settlement

Appearance required.

16CV-01179 Jose Rosas Gonzales, et al. vs. Ralph Burnside

OSC re: Dismissal – Notice of Settlement

Appearance required.

17CV-02195 Kenneth Myers, et al. vs. Farmers & Merchants Bank of Central California

Motion for Terminating Sanctions

Appearance required.

Case Management Conference

Appearance required.

17CV-04273 People vs. \$170,000 U.S. Currency

Motion to Consolidate Cases

The motion by the People to consolidate case number 17CV-04273 with case number 17CV-04412 for all purposes including trial is GRANTED. The Court finds that the actions involve common questions of fact and law and that consolidation for trial will reduce the risk of inconsistent adjudications. Case number 17CV-04273 shall serve as the lead case and the order granting the motion shall be filed in each action.

The prevailing party is directed to prepare a written order consistent with the Court's ruling for the Court's signature, pursuant to California Rules of Court, rule 3.1312, and to provide notice thereof to the opposing party/counsel as required by law and the California Rules of Court. The order is to be submitted by electronic filing to Hon. Brian McCabe.

17CV-04412 People vs. \$173,660.00 U.S. Currency

Motion to Consolidate Cases

[See ruling above in case number 17CV-04273.]

18CV-00307 Adrienne Etienne vs. Ford Motor Company

OSC re: Dismissal – Notice of Settlement

Appearance required.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil Law and Motion Tentative Rulings
Hon. Mark Bacciarini
Courtroom 9

627 W. 21st Street, Merced

June 18, 2018
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) 725-4240 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. *Note:* Notifying Court Call of your intent to appear does not satisfy the requirement of notifying the court.

Case No. Title / Description

CVM011319 Portfolio Recovery Associates LLC vs. Ricardo Valencia

Motion to Vacate Default Judgment

The unopposed motion by plaintiff Portfolio Recovery Associates, LLC to set aside the default and vacate the default judgment entered on May 30, 2012 against defendant Ricardo Valencia and to dismiss the action without prejudice is GRANTED in the interests of justice. Plaintiff asserts the judgment is void in that plaintiff can no longer pursue collection of the debt against defendant.

The Court will sign the proposed order submitted with the moving papers.
