

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

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

627 W. 21<sup>st</sup> Street, Merced

September 17, 2019  
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 CourtCall (the court's telephonic appearance provider) of your intent to appear does not satisfy the requirement of notifying the court.

**Case No. Title / Description**

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18CV-04884 Enrique Puentes vs. Ingomar Packing Company, LLC

Motion to Be Relieved as Counsel

**The Plaintiff's attorney, Fletcher Brown's motion to be relieved as counsel filed July 3, 2019, is DENIED without prejudice for failure to serve the Notice of Motion, Motion and Declaration to be relieved as Counsel on the plaintiff himself as required by Code of Civil Procedure section 284(b). Noticing the party by way of letter and without providing the actual motion and accompanying moving documentation does not afford the party the opportunity to review and make an informed decision as to the motion itself to consent, oppose or not act upon.**

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19CV-00612 Nationwide Agribusiness Insurance Company vs. Air Vent, Inc

Motion to Compel Further Responses to Special Interrogatories – Certaineed Ventilation

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

Motion to Compel Further Responses to Special Interrogatories – Air Vent Inc.

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

Motion to Compel Further Responses to Form Interrogatories – Certaineed Ventilation

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

Motion to Compel Further Responses to Form Interrogatories – Air Vent Inc.

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

Motion to Compel Further Responses to Request for Production of Documents – Certaineed Ventilation

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

Motion to Compel Further Responses to Request for Production of Documents – Air Vent Inc.

**On the Court's own motion, the matter is continued to Tuesday, September 24, 2019 at 8:15 a.m.**

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19CV-03517 Stephanie Stine vs. Hadgh Saleh

Request for Civil Harassment Restraining Orders

**Appearance required.**

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19CV-03518 Alfredo Barajas vs. Rolando Gonzalez

Request for Civil Harassment Restraining Orders

**Appearance required.**

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19CV-03694 Norma Mora vs. Cashmere Castillo

Request for Civil Harassment Restraining Orders

**Appearance required.**

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MERCED

Civil Law and Motion Tentative Rulings  
Hon. Donald J. Proietti  
Courtroom 10

627 W. 21<sup>st</sup> Street, Merced

September 17, 2019  
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.
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**Case No.      Title / Description**

CU146653      James Petralia vs. George Jercich

Motion for Reconsideration – Defendant George Jercich

**Defendant's motion for reconsideration of this Court's order denying the preparation of a settled statement on appeal is DENIED. In addition to defendant's failure to provide notice of this motion as required by Code of Civil Procedure section 1005(a)(13), defendant has failed to present "new or different facts, circumstance or law" to justify reconsideration. The failure to incorporate defendant's arguments into the above described Court order does not justify reconsideration.**

**The prevailing party will prepare an order consistent with this ruling with copy to defendant for comment as required by California Rules of Court, rule 3.1312. The order is to be submitted by electronic filing to Judge Donald J. Proietti.**

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