

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED**

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

Monday, March 25, 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. Brian McCabe

Courtroom 9 – Judge Pro Tem Peter MacLaren

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. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced

Monday, March 25, 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
----------	---------------------

20CV-02063	Birdell Henry v. Silverstina Carraway, et al.
------------	---

Case Management Conference

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 status of settlement discussions and whether this 2020 Case should be set for trial in 2025.

20CV-02667	County of Merced v. Alexis Adams Haro, et al.
------------	---

Review of Case Status

No Appearance Necessary. The Court has reviewed the application and evidence in support of entry of default judgment against Defendants and hereby GRANTS the request for entry of default judgment in the amount of \$18,615.27 plus interest of \$4,194.98, joint and several, in favor of County of Merced and against Defendants Alexis Yesenia Adams Haro and Miguel Pulido Galvan. Counsel to submit to the court a Judgment consistent with its granted CCP 585 request for the Court to execute and file.

22CV-04217

Arcelia Ochoa v. Marcos Renteria AG Services, Inc.

Case Management Conference

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 status of settlement discussions.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

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

Monday, March 25, 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
20CV-02493	Animal Legal Defense Fund v. Foster Poultry Farms
	Plaintiff's Renewed Motion to Compel Further Discovery Responses
	Plaintiff's Renewed Motion to Compel Further Discovery Responses, specifically, requesting production of 11 specific previously documents without redactions, is GRANTED.
	This Court does not agree with Defendant's contention that a discoverable document containing relevant evidence that is responsive to a specific discovery request may be redacted to conceal allegedly non-relevant or allegedly non-responsive material contained in that same document.
	Once a document is found to contain discoverable information that is responsive to a given request, redaction is only appropriate if a portion of the document contains protected information for which an appropriate objection was made. For example, an admissible business record might be redacted to conceal a social security number or full account number protected by the right of privacy, or referral to privileged information or work product information. Information that is not private, privileged, or work product is not entitled to protection and therefore may not be redacted.

The Discovery Code permits discovery of admissible evidence and information likely to lead to the discovery of admissible evidence. When a document contains some discoverable information, the entire document becomes admissible evidence relevant to the credibility context, and interpretation of the discoverable information contained in that document. While production of documents that contain no discoverable information may prove unduly burdensome and oppressive, discovery of the full content of a document that contains some discoverable information does not present an undue burden because that document will be produced in any case.

Documents frequently address multiple topics. The fact that a document contains information that is responsive to one discovery request does not, absent a claim of privacy, privilege, or work product, justify redaction of information not responsive to that request because, as noted above, the entire content of the document is relevant to the credibility context, and interpretation of the responsive information being produced.

Accordingly, the renewed Motion to Compel unredacted copies of 11 previously produced documents is GRANTED in its entirety.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Mandatory Settlement Conference
Hon. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced

Monday, March 25, 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.

Case No.	Title / Description
----------	---------------------

19CV-04020	Jose Herrera v. Marcelino Razon
------------	---------------------------------

Mandatory Settlement Conference

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.

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Civil Case Management Conferences
Hon. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced

Monday, March 25, 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.

Case No.	Title / Description
----------	---------------------

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.	
--	--

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Hon. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced
Monday, March 25, 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
----------	---------------------

There are no Ex Parte Matters Scheduled	
---	--

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Ex Parte Matters
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Monday, March 25, 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
----------	---------------------

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, Merced
Monday, March 25, 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
----------	---------------------

There are no Ex Parte matters scheduled for hearing.	
--	--

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Short Cause Court Trials
Hon. Brian McCabe
Courtroom 8
627 W. 21st Street, Merced

Monday, March 25, 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
23CV-03616-APP	Merced School Employees FCU v. Shiwani Pino
Trial De Novo	
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.	

SUPERIOR COURT OF CALIFORNIA
COUNTY OF MERCED

Limited Civil
Judge Pro Tem Peter MacLaren
Courtroom 9
627 W. 21st Street, Merced

Monday, March 25, 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
15CV-01462	Kelstin Group, Inc. v. Mathew Martinez
	Order of Examination
	Appearance required.
23CV-04742	Michael Yaranon v. Taifeek Qudri
	Court Trial-Complaint
	Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 arrange for a remote appearance.
	Court Trial-Cross-Complaint
	Appearance required. Remote appearances are permitted. Parties who wish to appear remotely must contact the clerk of the court at (209) 725-4111 arrange for a remote appearance.

23CV-04670 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

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

24CV-00354 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Unlawful Detainer Court Trial

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

24CV-00624 [Parties' names withheld pursuant to CCP § 1161.2(a)(1)]

Demurrer to Unlawful Detainer Complaint

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