

**AMADOR SUPERIOR COURT CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS**

Civil Cases

1/6/2020

**TO REQUEST A HEARING ON ANY MATTER ON THIS CALENDAR, YOU MUST CALL THE COURT AT (209) 257-2692 BY 4:00 P.M. ON THE DAY PRECEDING THE HEARING. NOTICE OF THE INTENTION TO APPEAR MUST ALSO BE GIVEN TO ALL OTHER PARTIES.**

**IF THE CLERK IS NOT NOTIFIED OF A PARTY'S INTENTION TO APPEAR, THERE WILL BE NO HEARING AND THE TENTATIVE RULING WILL BECOME THE ORDER OF THE COURT. NO FURTHER NOTICE OF THE COURT'S RULING WILL BE PROVIDED.**

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| <b>Case Number</b>  | <b>Primary Party / Attorney</b>       | <b>Secondary Party / Attorney</b> |
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| <b>19-CVC-11175</b> | <b>MIDLAND FUNDING LLC/ JUNG, HYO</b> | <b>CLAYS, DAVID/</b>              |

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court. The Complaint was filed March 12, 2019. Proof of service is filed. Plaintiff must obtain default judgment within 360 days of filing the complaint. (Cal. Rules of Court, Rule 3.740(f).) If plaintiff has not obtained a default judgment by that time the court shall issue an order to show cause why reasonable monetary sanctions should not be issued. (See CRC 3.740(f).) This matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept 3.

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TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed June 12, 2019. Defendant has not been served in a timely manner pursuant to CRC, Rule 3.740(d) (requiring service within 180 days from filing the complaint). The matter is set for an Order to Show Cause (OSC) hearing as to why monetary sanctions should not be imposed re: failure to timely serve as per CRC, Rule 3.740(d) and (e). The OSC hearing will be set for February 21, 2020 at 10:00 a.m. in Department 2 of this Court and the Clerk of the Court shall send plaintiff notice of the same. If plaintiff obtains an order for publication of the summons and/or serves defendant and files proof of service, or dismisses the case, at least 10 days prior to the OSC hearing, the OSC will be vacated. The matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept. 3.

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed June 17, 2019. Defendant has not been served in a timely manner pursuant to Cal. Rules of Court, Rule 3.740(d) (requiring service within 180 days from filing the complaint). The matter is set for an Order to Show Cause (OSC) hearing as to why monetary sanctions should not be imposed re: failure to timely serve as per Cal. Rules of Court, Rule 3.740(d) and (e). The OSC hearing will be set for February 21, 2020 at 10:00 a.m. in Department 2 of this Court and the Clerk of the Court shall send plaintiff notice of the same. If plaintiff obtains an order for publication of the summons and/or serves defendant and files proof of service, or dismisses the case, at least 10 days prior to the OSC hearing, the OSC will be vacated. The matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept. 3.

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**19-CVC-11190**

**DAGOSTINI, ROBIN/ RUNTE, JOHN**

**DAGOSTINI, WILLIAM/ HOBSON, KEVIN**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court on the status of the case, and to discuss ADR options. No Case Management Statement was filed by Plaintiff. The failure to file a Case Management Statement constitutes a violation of CRC rules 3.712-3.715 and 3.721-3.730 and Local Court Rules, Rule 8.05 - 8.06, and subjects the party failing to comply to sanctions.

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**19-CVC-11191**

**SAETEURN, STACY/ CROWELL, HENDRICK**

**SCHELLER, LESLEY/ WETTERS, MARK**

TENTATIVE RULING: No appearances necessary. Upon review of the file, the matter is continued for further case management to April 22, 2020 at 1:30 p.m. in Dept. 3. An updated CMC statement is required to be filed at least 15 days in advance of CMC.

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TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed June 25, 2019. Defendant has not been served in a timely manner pursuant to Cal. Rules of Court, Rule 3.740(d) (requiring service within 180 days from filing the complaint). The matter is set for an Order to Show Cause (OSC) hearing as to why monetary sanctions should not be imposed re: failure to timely serve as per Cal. Rules of Court, Rule 3.740(d) and (e). The OSC hearing will be set for February 21, 2020 at 10:00 a.m. in Department 2 of this Court and the Clerk of the Court shall send plaintiff notice of the same. If plaintiff obtains an order for publication of the summons and/or serves defendant and files proof of service, or dismisses the case, at least 10 days prior to the OSC hearing, the OSC will be vacated. The matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept. 3.

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court on the status of the case, and to discuss ADR options. No Case Management Statement was filed by Defendant/Cross-Complainant. The failure to file a Case Management Statement constitutes a violation of CRC rules 3.712-3.715 and 3.721-3.730 and Local Court Rules, Rule 8.05 - 8.06, and subjects the party failing to comply to sanctions.

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**19-CVC-11202**

**RAMIREZ, CZUN/ HELSEL, JASON**

**THAYER, JESSE/ LEONARD, BRUCE**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the case, discuss ADR, and select settlement conference and trial dates.

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**18-CVC-10569**

**WILKERSON, STEWART/ REDKEY, JUDE**

**WAYNE, LARRY/ SCHELEY, P**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case and to select settlement conference and trial dates.

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**18-CVC-10630**

**CALCOTE, DEBBIE/ AIKEN, LELAND**

**CATALANO, JUSTIN/ BELL, TINA**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the case, discuss ADR, and select settlement conference and trial dates.

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**18-CVC-10654**

**BLAKE, MICHAEL/ SWETT, THOMAS**

**YARBOROUGH, JUSTIN/ JAIME, MATTHEW**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the case, discuss ADR, and select settlement conference and trial dates.

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**18-CVC-10789**

**DEANDA, ANGELA/ SODHI, JAKRUN**

**SUTTER MEDICAL FOUNDATION A CALIFORNIA  
CORPORATION/ PERRY, THOMAS**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the case, discuss ADR, and select settlement conference and trial dates.

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**18-CVC-10815**

**JH PORTFOLIO DEBT EQUITIES LLC/ VOS, RYAN**

**MEYER, LONI/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed October 9, 2018. Proof of service is filed. Plaintiff has not obtained default judgment within 360 days of filing the complaint. (Cal. Rules of Court, Rule 3.740(f).) On the court's own motion, the court sets the matter for an order to show cause hearing as to why reasonable monetary sanctions should not be issued for failure to timely obtain default judgment. (See CRC 3.740(f).) The OSC hearing will be set for February 21, 2020 at 10:00 a.m. in Department 2 of this Court and the Clerk of the Court shall send plaintiff notice of the same. The matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept. 3.

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**18-CVC-10835**

**TREHEARNE, THOMAS/ KEENE, PATRICK**

**SCHAUER, DEBBIE/**

TENTATIVE RULING: No appearances necessary. Upon review of the file, the matter is continued to allow the parties to complete mediation. Further case management/trial setting conference is set for March 2, 2020 at 3:00 p.m. in Dept. 3 . An updated CMC statement is required to be filed at least 15 days in advance of CMC.

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**18-CVC-10886**

**FARRAN, JAMES/ CARRILLO, RAFAEL**

**MCKINNEY, TONIE/**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case. Plaintiff shall provide an update regarding intent to request entry of default .

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TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed December 17, 2018. Proof of service is filed. Plaintiff has not obtained default judgment within 360 days of filing the complaint. (Cal. Rules of Court, Rule 3.740(f).) On the court's own motion, the court sets the matter for an order to show cause hearing as to why reasonable monetary sanctions should not be issued for failure to timely obtain default judgment. (See CRC 3.740(f).) The OSC hearing will be set for February 21, 2020 at 10:00 a.m. in Department 2 of this Court and the Clerk of the Court shall send plaintiff notice of the same. The matter is continued for further case management to June 3, 2020 at 1:30 p.m. in Dept. 3.

TENTATIVE RULING: No appearances necessary. Notice of Conditional Settlement of Entire Case was filed September 17, 2019. A request for dismissal will be filed no later than December 23, 2019. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to CRC 3.1385 in Dept. 2 at 10:00 AM on February 14, 2020.

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**19-CVC-11060**

**WELLS FARGO BANK NA/ SAMTANI, SHIV**

**BALL, KEVIN/**

TENTATIVE RULING: No appearances necessary. Upon review of the file, the matter is continued for further case management to March 2, 2020 at 3:00 p.m. in Dept. 3. An updated CMC statement is required to be filed at least 15 days in advance of CMC.

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**19-CVC-11070**

**JEFF AND SUSAN HOWARD/**

**SCOTT AND CHELSIE WHITTENBURG/**  
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TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case.  
  
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**19-CVC-11080**

**JUDSON, ERIC/ GRAZIANI, BRIAN**

**SALERNO, GIOVANNI/ SALENKO, BRUCE**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case.

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**19-CVC-11081**

**JOHN DEERE CONSTRUCTION AND FORESTRY COMPANY/  
WHITEFORD, KEVIN**

**CARUSO, STEVEN/**

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case.

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19-CVC-11103

LOPEZ, HARMONY/ REDKEY, JUDE

SPEAR, SHON/ SEARS, DOUGLAS

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case, and to discuss ADR. Plaintiff shall update the court regarding the status of defendant Shon Thomas Spear II.

19-CVC-11110

FC MARKETPLACE LLC A DELAWARE LIMITED LIABILITY COM/  
HYNICK, GEORGE

GET RIPPED NUTRITION INC A CORPORATION/

TENTATIVE RULING: Parties, or counsel if represented, are ordered to appear personally or by telephone to update the court regarding the status of the case. Plaintiff shall provide an update regarding service .