

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

Civil Cases  
3/24/2021

**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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Case Number	Primary Party / Attorney	Secondary Party / Attorney
20-CVC-11745	POSNER, ALAN/ MONHAN, CHELSEA	KNOWLES, MATTHEW/ MUNTER, GAVAN

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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20-CVC-11751

ONEMAIN FINANCIAL GROUP LLC SUCCESSOR BY MERGER  
TO/ KENNARD, ROBERT

CREASEY, JOSEPH/

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed July 14, 2020. 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 May 11, 2021 at 10:00 a.m. in Department 3 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. Further case management shall be heard on August 11, 2021 at 1:30 p.m. in Dept. 3.

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20-CVC-11812

LANDIS-HARDE, ELAN/ DEITCHMAN, WILLIAM

CARLSON, DAVID/

TENTATIVE RULING: No appearances necessary. Default entered on November 9, 2020. This matter awaits entry of judgment. (CRC 3.110(h)). Failure to obtain default judgment shall result in the issuance of an OSC and the imposition of sanctions as to plaintiff. The matter is continued for further Case Management. If judgment enters in the interim the following date will be vacated: Dept. 3 at 1:30 p.m. on May 26, 2021.

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**20-CVC-11815**

**AVIDXCHANGE INC A DELAWARE CORPORATION/ HOROWITT,  
DARRYL**

**TMC GENERAL CONSTRUCTION INC A CALIFORNIA  
CORPORAT/**

TENTATIVE RULING: No appearances necessary. Proposed default judgment has been submitted and is being processed. The matter is continued for further case management to April 28, 2021 at 1:30 p.m. in Department 3 of this Court. Upon prior entry of default judgment, this date shall be vacated.

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**20-CVC-11818**

**BANK OF AMERICA NA/ SHAKIBI, KATHY**

**DAVIS, JEFFERY/**

TENTATIVE RULING: No appearances necessary. The matter is set for hearing on a motion to set aside default, with the hearing set for March 29, 2021 at 8:30 AM in Dept. 1. The matter is continued for further case management to May 26, 2021 at 1:30 p.m. in Department 3 of this Court. Updated CMC Statements must be filed and served at least 15 days prior to the CMC.

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**20-CVC-11819**

**CARLIE HOBSON AS PARENT AND GUARDIAN AD LITEM OF W/  
ELMER, JAMES**

**ESTATE OF THOMAS DIERMIER DORIS TOTH AND DOES 1  
TO/**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case. No proof of service of summons is filed. No Case Management Statement has been filed. 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 and 8.06, and subjects the party failing to comply to the imposition of sanctions.

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**18-CVC-10414**

**BERG, RANDOLPH/ ALLEN, JOHN**

**ALVISO, JOHN/ HOBSON, KEVIN**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case and to discuss settlement conference and trial dates. Parties are ordered to meet and confer in advance regarding mutually available dates.

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**19-CVC-11115**

**NEELEY, JAMES/ HOBSON, KEVIN**

**SCALIA, TODD/ SCALIA, JOSEPH**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case, and to discuss settlement conference and trial dates. Parties are ordered to meet and confer in advance regarding mutually available dates.

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**19-CVC-11132**

**ORTEGA, GRACIE/ NAZARYAN, EDVARD**

**CITY OF SUTTER CREEK/ PEARSE, CHARLETON**

TENTATIVE RULING: No appearances necessary. Defendant's Motion for Summary Judgment is set to be heard on the law and motion calendar on August 9, 2021. This matter is continued for further case management and trial setting conference to September 22, 2021 at 1:30 p.m. in Dept 3. Updated CMC Statements must be filed and served at least 15 days prior to the CMC.

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**19-CVC-11228**

**CALIFORNIA INSURANCE GUARANTEE ASSOCIATION AS ASSI/  
ORNELAS, SARAH**

**PEARSONS TREE SERVICE/ CARR, JOHN**

TENTATIVE RULING: The parties or counsel if represented are ordered to appear personally or by telephone to update the court on the status of the case and update following mediation. No Case Management Statement has been filed by any party. 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 and 8.06, and subjects the party failing to comply to the imposition of sanctions.

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**19-CVC-11234**

**RAMAGE, BRENDA/ FOYIL, DAVID**

**ROBLES, ROBERT/ SMITH, BLANE**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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19-CVC-11416

CHA DOR REALTY INC/ WIGHT, BRANDON

DOUGLAS, ROBERT/ HUDSON, GEOFFREY

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case, and to discuss mediation, settlement conference, and trial dates. Parties are ordered to meet and confer in advance regarding selection of mediator and mutually available settlement and trial dates.

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19-CVC-11446

THAWLEY, PATRICIA/ TIEMANN, PETER

ARIAS, CYNTHIA/

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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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 2, 2019. A proof of service is filed. Default has entered and the matter awaits default judgment. Plaintiff must obtain default judgment within 360 days of filing the complaint and has not done so. (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 shall be set for May 11, 2021 at 10:00 a.m. in Department 3 of this court. The clerk of the court shall mail separate notice re: same. This matter is continued for further case management to August 4, 2021 at 1:30 p.m. in Dept 3.

TENTATIVE RULING: No appearances necessary. After review of the CMC statements, the case is continued for further case management to July 14, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior to the CMC.

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**20-CVC-11519**

**STEPHENSON, LENDELL/ EASON, MATTHEW**

**HOTEL SUTTER LLLP/ DELAPENA, GREGORY**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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**20-CVC-11559**

**POWERS, BONNIE/ BRISCOE, JOHN**

**DAVID M MELNICZEK MD INC A CORPORATION/ JOOST,  
SHAWN**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case, and to discuss settlement conference and trial dates. Parties are ordered to meet and confer in advance regarding mutually available dates.

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**20-CVC-11609**

**PORTFOLIO RECOVERY ASSOCIATES LLC/ PIERCE, EMILY**

**DIANI, MICHAEL/**

TENTATIVE RULING: No appearances necessary. Notice of Conditional Settlement of Entire Case was filed September 4, 2020. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to CRC 3.1385 in Dept. 3 at 10:00 AM on April 27, 2021.

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**20-CVC-11632**

**VILLELLA, MICHAEL/ ALLEN, JOHN**

**FOGAL, HEATHER/**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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**20-CVC-11664**

**PANTAZIS, KAREN/ SHEFFER, CRAIG**

**MEINTZ, CHARLES/ MUNTER, GAVAN**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case, and to discuss settlement conference and trial dates. Parties are ordered to meet and confer in advance regarding mutually available dates.

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**20-CVC-11665**

**SEYLER, ANGELA/ GREEN, MICHAEL**

**JACKSON RANCHERIA BANK OF MIWUK INDIANS/**

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case.

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TENTATIVE RULING: No appearances necessary. After review of the CMC statements, the case is continued for further case management and trial setting conference to June 30, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior to the CMC.