

AMADOR SUPERIOR COURT CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Civil Cases
4/7/2021

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.

Case Number	Primary Party / Attorney	Secondary Party / Attorney
20-CVC-11820	AGUIRRE, KATIE/ ELKE, TOM	MELLO, PENNY/

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.

20-CVC-11821

KUSER, JOSEPH/ REDKEY, JUDE

SAM ORLANDO INC/ BLAISDELL, BENJAMIN

TENTATIVE RULING: No appearances necessary. A First Amended Complaint was filed 2/10/2021 and Answer thereto filed 3/19/2021. After review of the CMC statements, the case is continued for further case management and trial setting conference 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.

20-CVC-11823

BRUSASCHETTI, MARINA/ STOKES, BONNIE

MARSHALL, CAROLYN/ ROSENQUEST, NILS

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.

20-CVC-11824

LCS CAPITOL LLC/ BROWN, KATRINA

SELLI, LILIBETH/

TENTATIVE RULING: No appearances necessary. After review of the CMC statement and file, the case is continued for further case management to September 22, 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.

20-CVC-11827

MIDLAND CREDIT MANAGEMENT INC/ POGOSIAN, JACK

THOMPSON, ADAM/

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 September 21, 2020. 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).) Failure to obtain default judgment by or before the next case management conference will result in the matter being set for OSC for failure to comply with the rules of court, and the imposition of sanctions. This matter is continued for further case management to September 8, 2021 at 1:30 p.m. in Dept 3.

20-CVC-11828

SECOND ROUND LP ASSIGNEE OF COMENITY CAPITOL BANK/
MANDARICH, CHRIS

WINTON, TAYLOR/

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 September 21, 2020. 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).) Failure to obtain default judgment by or before the next case management conference will result in the matter being set for OSC for failure to comply with the rules of court, and the imposition of sanctions. This matter is continued for further case management to September 22, 2021 at 1:30 p.m. in Dept 3.

20-CVC-11830

SMS FINANCIAL JDC LP A DELAWARE LIMITED PARTNERSHI/
RYMSZA, CHRISTINA

CLINGMAN, KEVIN/

TENTATIVE RULING: No appearances necessary. After review of the file, and to allow time for the hearing of the pending law and motion matter, 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.

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

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed September 28, 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 25, 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. The matter is continued for further case management to September 1, 2021 at 1:30 p.m. in Dept. 3.

19-CVC-11303

CROCKER, CAMERON/ THOMAS, RANDY

BLAKE, MICHAEL/ SWETT, THOMAS

TENTATIVE RULING: No appearances necessary. The matter is on appeal on defendant/appellant's motion to strike. The matter is continued for further case management to October 6, 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.

20-CVC-11530

TILLMAN, WILLIAM/ CASSELMAN, GARY

STATE OF CALIFORNIA/

TENTATIVE RULING: No appearances necessary. The plaintiff has not filed a Proof of Service as to any named defendants . Plaintiff must file proofs of service prior to the next hearing . The court will not set the matter out to December 2022. Failure to timely serve or to obtain an order extending the time to serve the summons is required. The matter is continued for case management to August 4, 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.

20-CVC-11661

TD BANK USA NA AS SUCCESSOR IN INTEREST TO TARGET/
BERK, CAMRYN

PADGETT, CHARLES/ HARUTYUNYAN, SHAHANE

TENTATIVE RULING: The parties, or counsel if represented, are ordered to appear personally or telephonically to discuss the status of the case, and to select a trial date. The complaint was filed 4/13/2020. An Answer was filed 11/19/2020. The case is At-Issue. Parties are ordered to meet and confer in advance regarding mutually available dates.