

AMADOR SUPERIOR COURT CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Civil Cases

5/26/2021

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-11889	MIDLAND FUNDING LLC/ ARNOLD, CHRISTINA	SCIRE, KIP/

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed October 19, 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 July 13, 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 October 6, 2021 at 10:00 a.m. in Dept. 3.

20-CVC-11893

BURNS, LEONARD/ REDKEY, JUDE

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 and to discuss ADR.

20-CVC-11895

UNIFUND CCR LLC/ HANEY, RACHEL

ESTES, JAMES/

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed November 9, 2020. A proof of service of Summons/Complaint is filed. Plaintiff must obtain default judgment within 360 days of filing the complaint. (Cal. Rules of Court, Rule 3.740(f).) Failure to timely obtain default judgment shall result in the matter being set on the court's own motion for an order to show cause hearing and potential imposition of monetary sanctions. This matter is continued for further case management to October 6, 2021 at 1:30 p.m. in Dept 3.

20-CVC-11898

AMERICAN EXPRESS NATIONAL BANK FKA AMERICAN
EXPRES/ PENUELA, SPENCER

STONE, AMANDA/

TENTATIVE RULING:

No appearances necessary. Order for Entry of Stipulation for Conditional Entry of Judgment and Dismissal Pursuant to CCP § 664.6 entered on May 7, 2021. Upon satisfaction of the conditional settlement terms, plaintiff is ordered to file the mandatory CIV-110. No further case management shall be set.

20-CVC-11899

MEYER, DYLAN/ DAVIS, KIM

GOMEZ, FILIPE/

TENTATIVE RULING:

No appearances necessary. Defendant has been served but has not yet appeared. After review of the file, the matter is continued for further case management to August 25, 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.

19-CVC-11297

MUSSABINI, KAREN/ FLAHAVAN, BRIAN

TREASURES MERCANTILE/

TENTATIVE RULING:

No appearances necessary. Bankruptcy stay remains in place as to the Hendricks defendants. The matter is continued for further case management to August 25, 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.

19-CVC-11510

GLENN, PATRICK/ PERNICK, JOHN

PARZYCH, MATT/ PETERS, THEODORE

TENTATIVE RULING:

No appearances necessary. After review of the file, the matter is continued for further 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.

TENTATIVE RULING:

Plaintiff, or counsel if represented, is ordered to appear personally or telephonically to discuss the status of the case. Default entered as requested on November 9, 2020. The Court notes plaintiff's opposition to defendant's motion to set aside default, which opposition was filed by plaintiff on May 13, 2021. However, there is no such motion by defendant on file and no motion to set aside currently set on the Court's calendar. The matter awaits default judgment.