

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

Civil Cases

6/3/2020

**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>
<b>19-CVC-11416</b>	<b>CHA DOR REALTY INC/ WRIGHT, BRANDON</b>	<b>DOUGLAS, ROBERT/ HUDSON, GEOFFREY</b>

TENTATIVE RULING: No appearances necessary. After review of the case management conference statements filed, and in light of discovery delays related to Covid-19, the court grants the parties additional time to conduct discovery and discuss ADR options. This matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept 3.

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19-CVC-11418

DISCOVER BANK/ BROWN, JANET

PADGETT, CHRISTINE/ HARUTYUNYAN, SHAHANE

TENTATIVE RULING: No appearances necessary. Notice of Conditional Settlement of Entire Case was filed May 15, 2020. A request for dismissal will be filed no later than December 11, 2020. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to CRC 3.1385, on December 15, 2020 at 10:00 AM in Department 3.

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19-CVC-11419

UNIFUND CCR LLC A LIMITED LIABILITY COMPANY/  
KENOSIAN, JOHN

STRICKLAND, WILLIAM/

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed November 12, 2019. 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 December 2, 2020 at 1:30 p.m. in Dept 3.

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19-CVC-11424

THORPE, RENELL/

PARHAM, C/

TENTATIVE RULING: No appearances necessary. The plaintiff has not filed a proper Proof of Service as to all named defendants. Plaintiff must file a proper Proof of Service prior to the next hearing. The matter is continued for further case management to the inmate case management conference calendar on September 30, 2020 at 10:30 a.m. in Dept. 3.

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19-CVC-11427

FENNEL, BARBETTE/ CARR, BRANDON

VILLA TOSCANO INC/ MCDONOUGH, DAVID

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.

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19-CVC-11428

AMERICAN EXPRESS NATIONAL BANK/ BALDARO, AARON

SUNDAY, TORRI/

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed November 6, 2019. Defendant has not been served. The matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept. 3. Continued failure to timely serve shall result in 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).

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19-CVC-11433

GARCIAPETERS, MICHAEL/ MCGEE, WILLIAM

NISSAN NORTH AMERICA INC/ LECKY, PAUL

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.

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**19-CVC-11442**

**ONEMAIN FINANCIAL GROUP LLC SUCCESSOR BY MERGER  
TO/ SLEEZER, KRISTEN**

**LYLE, TONI/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed November 12, 2019. 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 December 2, 2020 at 1:30 p.m. in Dept 3.

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**19-CVC-11446**

**THAWLEY, PATRICIA/ TIEMANN, PETER**

**ARIAS, CYNTHIA/**

TENTATIVE RULING: No appearances necessary. No proof of service of the summons/complaint on defendant is filed. The matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept. 3.

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**19-CVC-11448**

**VISCONTI, NADINE/ WEINBERGER, JOSEPH**

**ONETO, STEPHEN/**

TENTATIVE RULING: No appearances necessary. No proof of service of the summons/complaint on defendant is filed. The matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept. 3.

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**19-CVC-11451**

**FINANCE HOLDING COMPANY LLC SUCCESSOR IN INTEREST/  
BOOSKA, STEVEN**

**PELLIZZER, WADE/**

TENTATIVE RULING: No appearances necessary. No proof of service of the summons/complaint on defendant is filed. The matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept. 3.

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**19-CVC-11453**

**CAPITAL ONE BANK USA NA/ HUNT, MICHAEL**

**AREVALO, JOSHUA/**

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.

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**19-CVC-11454**

**MORKAL, TROY/**

**ADULT PROTECTIVE SERVICES AMADOR COUNTY/**

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.

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**19-CVC-11456**

**BYERS, VIVIAN/ RAINSBURY, DANIEL**

**SAFEWAY INC/ JACOBSEN, KAREN**

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.

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**19-CVC-11458**

**LOVE, PATRICIA/ KNAPP, LAWRENCE**

**IONE MEMORIAL DISTRICT/ GELINI, THOMAS**

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.

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**18-CVC-10447**

**MEDERIOS, KORRIE/ STROUD, TRAVIS**

**GAREAU, SASCHA/**

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

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**18-CVC-10898**

**ALVAREZ, BLACKIE/**

**SUTTER CREEK POLICE CHIEF INDIVIDUAL AND  
OFFICIAL/ LONGYEAR, VAN**

TENTATIVE RULING: No appearances necessary. The matter is calendared for defendants' demurrer on July 20, 2020. The matter is continued for further case management to August 26, 2020 at 1:30 p.m. in Dept 3.

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**19-CVC-11113**

**AMERICAN EXPRESS NATIONAL BANK SUCCESSOR BY  
MERGER/ MICHAEL, LINA**

**LYON, AARON/**

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.

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**19-CVC-11146**

**MIDLAND FUNDING LLC/ ARNOLD, CHRISTINA**

**ALEXANDER, TERESA/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed May 17, 2019. 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 before the next CMC shall result in the matter being set on the court's own motion for an order to show cause hearing and imposition of monetary sanctions. This matter is continued for further case management to July 1, 2020 at 1:30 p.m. in Dept 3.

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**19-CVC-11175**

**MIDLAND FUNDING LLC/ JUNG, HYO**

**CLAYS, DAVID/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed June 6, 2019. 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 before the next CMC shall result in the matter being set on the court's own motion for an order to show cause hearing and imposition of monetary sanctions. This matter is continued for further case management to July 1, 2020 at 1:30 p.m. in Dept 3

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**19-CVC-11248**

**MIDLAND FUNDING LLC/ VOS, RYAN**

**JOHNSON, KYLE/**

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. The matter is set for both case management conference as well as Order to Show Cause as to why sanctions should not issue for failure to timely serve the summons/complaint pursuant to Cal. Rules of Court, Rule 3.740(d) (requiring service within 180 days from filing the complaint).

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19-CVC-11322

CAPITAL ONE BANK USA NA ASSIGNEE OF HSBC BANK/  
DANIELYAN, ELMIRA

THURLKILL, THOMAS/

TENTATIVE RULING: No appearances necessary. Notice of Conditional Settlement of Entire Case was filed March 6, 2020. A request for dismissal will be filed no later than May 30, 2022. The court vacates all future court hearings and sets the matter for Court's Motion to Dismiss pursuant to CRC 3.1385, date to be set by separate minute order.

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19-CVC-11425

SCHNEIDER, CHRISTOPHER/

BANK OF AMERICA NA/ SUMMERFIELD, ADAM

TENTATIVE RULING: No appearances necessary. The matter is continued for further case management to August 5, 2020 at 1:30 p.m. in Dept. 3.