

AMADOR SUPERIOR COURT CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Civil Cases

7/28/2021

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
21-CVC-11969	CAVALRY SPV I LLC AS ASSIGNEE OF CITIBANK NA/ KENNARD, ROBERT	VALENTINE, BENJAMIN/

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 4, 2021. 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 Cal. Rules of Court, Rule 3.740(d) and (e). The OSC hearing will be set for September 14, 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 December 8, 2021 at 1:30 p.m. in Dept. 3.

21-CVC-11972

BALDWIN, JAMIE/ GARILLI, ANTHONY

SOTO, RICK/

TENTATIVE RULING:

No appearances are necessary. The matter is continued for further case management/trial setting conference to December 8, 2021 at 1:30 p.m. in Dept. 3. An updated CMC statement is required to be filed and served at least 15 days in advance.

21-CVC-11973

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY/
ESPINOSA, TRISTAN

MCLAREN, JOHN/

TENTATIVE RULING:

No appearances necessary. After review of the file, the court notes defendant was served on July 6, 2021 and has not yet filed a responsive pleading. The matter is continued for further case management to October 6, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior.

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 January 11, 2021. 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 January 12, 2022 at 1:30 p.m. in Dept 3.

TENTATIVE RULING:

No appearances necessary. The plaintiff has not filed a Proof of Service as to all named defendants. Plaintiff must file a Proof of Service prior to the next hearing. The matter is continued for further case management to October 6, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior.

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 19, 2021. 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 Cal. Rules of Court, Rule 3.740(d) and (e). The OSC hearing will be set for September 14, 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 December 8, 2021 at 1:30 p.m. in Dept. 3.

TENTATIVE RULING:

The parties, or counsel if represented, are ordered to appear personally or remotely to discuss the status of the case, and ADR options.

21-CVC-12001

FINE, MARY/ GORDON, ROBERT

SETTLEGE, DAVID/

TENTATIVE RULING:

No appearances necessary. The plaintiff has not filed a Proof of Service as to all named defendants . Plaintiff must file a Proof of Service prior to the next hearing. The matter is continued for further case management to October 6, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior.

21-CVC-12002

STARR, JOHN/ GORDON, ROBERT

SMART, APRIL/ MCFADDEN, JOHN

TENTATIVE RULING:

No appearances are necessary. The matter is referred to mediation pursuant to Local Rule 8.14. The parties shall select a mediator and complete mediation prior to further case management and trial setting. The Parties must notify the court of their mediator selection within 30 days by using the Stipulation to Mediator Form (see www.amadorcourt.org). If the court is not notified of the mediator within 30 days, the court will appoint a panel mediator. The matter is continued for further CMC/trial setting conference to December 1, 2021 at 1:30 p.m. in Dept. 3. An updated CMC statement is required to be filed and served at least 15 days in advance.

TENTATIVE RULING:

No appearances necessary. After review of the file, the court notes plaintiff was granted leave to file a Second Amended Complaint on July 12, 2021. The matter is continued for further case management to November 3, 2021 at 1:30 p.m. in Department 3. Updated CMC Statements must be filed and served at least 15 days prior.

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed July 17, 2020. A 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 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.