

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

Civil Cases

8/5/2020

**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-11388</b>	<b>JACKSON VIEW OWNERS ASSOCIATION/ EPSTEIN, BRADLEY</b>	<b>JACKSON VIEW LLC A CALIFORNIA LIMITED LIABILITY CO/</b>

TENTATIVE RULING: No appearances necessary. After review of the file, the case is continued for case management to November 4, 2020 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-11552**

**MID CENTURY INSURANCE COMPANY/ SARRAIL, MEGAN**

**GRAY, KERRI/ RAYMUNDO, LARISA**

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 to discuss settlement conference availability and 2021 trial dates.

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**20-CVC-11553**

**BANK OF AMERICA NA/ COLLINS, EMILY**

**WHALEY, CLAYTON/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 23, 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). Continued failure to timely serve defendant shall result in the matter being 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 matter is continued for further CMC to October 21, 2020 at 1:30 p.m. in Department 3.

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20-CVC-11554

BANK OF AMERICA NA/ ZIDE, FLINT

RODACKER, BRANDON/

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 27, 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). Continued failure to timely serve defendant shall result in the matter being 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 matter is continued for further CMC to October 21, 2020 at 1:30 p.m. in Department 3.

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20-CVC-11555

ALLEN, WILLIAM/

HORN, HOLLY/

TENTATIVE RULING: No appearances necessary. Plaintiff is an inmate at MCSP. Proofs of service have been filed as to two of the five named defendants. After review of the file, the matter is continued for case management to September 30, 2020 at 10:30 a.m. in Department 3. Plaintiff is to file proofs of service as to remaining defendants. A CMC Statement must be filed and served at least 15 days prior to the CMC.

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**20-CVC-11557**

**CAPITAL ONE BANK USA NA/ KENNARD, ROBERT**

**SOUZA, ALICE/**

TENTATIVE RULING: No appearances necessary. Notice of Conditional Settlement of Entire Case was filed June 15, 2020. A request for dismissal will be filed no later than April 29, 2021. On the court's own motion, the court sets the matter for the Court's Motion to Dismiss pursuant to CRC 3.1385 on May 5, 2021 at 10:00 a.m. in Department 3. The OSC hearing scheduled for August 5, 2020 is vacated.

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**20-CVC-11558**

**UNIFUND CCR LLC/ KENOSIAN, JOHN**

**PETRETTI, ANDREA/**

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 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). Continued failure to timely serve defendant shall result in the matter being 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 matter is continued for further CMC to October 21, 2020 at 1:30 p.m. in Department 3.

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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 by telephone to update the court on the status of the case. No Case Management Statement has been filed by either 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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18-CVC-10752

TORRES, VANESSA/ ROMANO, MARK

FCA US LLC A DELAWARE LIMITED LIABILITY COMPANY/  
UNIVERSAL, JON

TENTATIVE RULING: No appearances necessary. After review of the file, the matter is continued for case management to December 30, 2020 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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18-CVC-10857

RAMOS, ARMANDO/

VAUGHN, WESLEY/

TENTATIVE RULING: No appearances necessary. Plaintiff filed a Request for Dismissal form on June 20, 2020. The form needs to be re-filed with the following changes: (1) Plaintiff must check a box at #1.a. as to whether the dismissal is with or without prejudice. (2) Plaintiff must include the date at the signature blocks at #2 and #3. The matter is continued for case management to September 30, 2020 at 10:30 a.m. in Department 3. If the Request for Dismissal is re-filed prior, this date shall be vacated.

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19-CVC-11206

DISCOVER BANK/ WONG, JENNIFER

WEAN, JOHN/

TENTATIVE RULING: No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed January 23, 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). Continued failure to timely serve defendant shall result in the matter being 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 matter is continued for further CMC to October 21, 2020 at 1:30 p.m. in Department 3.

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**19-CVC-11234**

**RAMAGE, BRENDA/ FOYIL, DAVID**

**ROBLES, ROBERT/**

TENTATIVE RULING: Plaintiffs, or counsel if represented, are ordered to appear personally or by telephone to update the court on the status of the case and to provide an update regarding service of the summons and complaint.

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**19-CVC-11416**

**CHA DOR REALTY INC/ WIGHT, BRANDON**

**DOUGLAS, ROBERT/ HUDSON, GEOFFREY**

TENTATIVE RULING: No appearances necessary. After review of the file, the court notes the parties have engaged a private mediator. The case is continued for case management and trial setting conference to November 4, 2020 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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19-CVC-11425

SCHNEIDER, CHRISTOPHER/

BANK OF AMERICA NA/ SUMMERFIELD, ADAM

TENTATIVE RULING: No appearances necessary. After review of the file, the court notes the matter is set to be heard on demurrer on August 10, 2020. The matter is continued for case management to November 4, 2020 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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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 in a timely manner pursuant to Cal. Rules of Court, Rule 3.740(d) (requiring service within 180 days from filing the complaint). Continued failure to timely serve defendant shall result in the matter being 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 matter is continued for further CMC to October 21, 2020 at 1:30 p.m. in Department 3.

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TENTATIVE RULING: No appearances necessary. Defendant has not been served. Continued failure to serve shall result in this matter being set for an Order to Show Cause re Dismissal pursuant to CRC Rule 3.1340 (dismissal after two years for delay in prosecution). The matter is continued for case management to November 4, 2020 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 by telephone to update the court on the status of the case and to provide an update regarding service of the summons and complaint.