

AMADOR SUPERIOR COURT CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Civil Cases

9/8/2021

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-12038 | LVNV FUNDING LLC/ ZIDE, FLINT | NIGRA, JOSEPH/ |

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court, filed February 22, 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 October 26, 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 calendar days prior to the OSC hearing, the OSC will be vacated. Further case management shall be heard on February 23, 2022 at 1:30 p.m. in Dept. 3.

21-CVC-12040

CALIFORNIA CAPITAL INSURANCE COMPANY AS SUBROGGE
F/

BROCKWAY, BRENT/

TENTATIVE RULING:

No appearance necessary. The plaintiff has not filed a Proof of Service. Plaintiff must file a Proof of Service prior to the next hearing. Further case management shall be heard on December 8, 2021 at 1:30 p.m. in Dept. 3. Updated CMC Statements must be filed and served at least 15 days prior.

21-CVC-12049

MIDLAND CREDIT MANAGEMENT INC/ ARNOLD, CHRISTINA

KOOS BREAZEAL, CATHY/

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 March 1, 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 may 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 February 23, 2022 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, and to select settlement conference and trial dates.

TENTATIVE RULING:

No appearances necessary. This is a collections case, as defined in Rule 3.740 of the California Rules of Court filed September 21, 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).) On the court's own motion, the court sets the matter for an Order to Show Cause hearing as to why reasonable monetary sanctions should not be issued for failure to timely obtain default judgment. (See CRC 3.740(f).) The OSC shall be set for October 26, 2021 at 10:00 a.m. in Department 3 of this court. The clerk of the court shall mail separate notice re: same. This matter is continued for further case management to February 23, 2022 at 1:30 p.m. in Dept. 3.