

**DECEMBER 8, 2008 CASE MANAGEMENT CONFERENCE  
TENTATIVE RULINGS**

**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.**

**AMERICAN EXPRESS V. VERDOORN: 08CV5385**

Plaintiff has failed to serve the defendant in the time required by CRC 3.110. Therefore, this matter is set for an order to show cause, pursuant to CRC 3.110 (f), and further case management conference on January 23, 2009 at 10:00 a.m. in Department 2. The court will provide notice of the hearing.

**AMERICAN GENERAL FINANCIAL SERVICE V. SCHMITZ: 08CV5359**

Plaintiff indicates the parties have reached a conditional settlement. Plaintiff must submit a Notice of Conditional Settlement to the Court.

This matter is continued to February 9, 2009 at 1:30 p.m. in Department 3. If the above notice is submitted prior to said date, the matter will be dropped from calendar.

**BORING V. OTT: 07CV5008**

This matter is set for a 5-day jury trial, commencing on May 5, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on April 30, 2009 at 8:30 a.m. in Department 2.

**CALIFORNIA CAPITOL INSURANCE Co. V. TOP QUALITY INSULATION & FIREPLACES, INC.: 08CV5354**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is hereby referred to mediation, pursuant to Local Rule 8.14. The parties are to complete mediation within 60 days of the date of this referral. The parties may stipulate to the use of a mediator from the court-approved panel or use a non-panel mediator at their own cost. Parties must notify the court of their selection within 10 days by using the Stipulation to Mediator Form (see [www.amadorcourt.org](http://www.amadorcourt.org)). If the court is not notified of the selected mediator within 10 days, the court will appoint a panel mediator.

This matter is set for a 3-day jury trial, commencing on March 17, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on February 27, 2009 at 8:30 a.m. in Department 2.

**CAPITOL ONE BANK V. PADGETT: 08CV5500**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. If Plaintiff has not served defendant or obtained an order for service by publication prior to the next hearing, this matter will be set for an order to show cause and sanctions may be imposed. Plaintiff is to provide notice of the continued hearing at the time of service.

**CITIBANK V. LOONEY-WHITNEY: 08CV5428**

Plaintiff failed to comply with CRC 3.740 (e). Therefore, this matter is set for an order to show cause and further case management conference on January 30, 2009 at 10:00 a.m. in Department 2. The court will provide notice of the hearing.

**CONFER V. SNOOKS: 08CV5399**

This matter is hereby referred to arbitration. Discovery will remain open until 30 days before trial.

This matter is set for a 5-day jury trial, commencing on May 12, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on April 10, 2009 at 8:30 a.m. in Department 2.

**DENNIS ADAMS CONSTRUCTION V. ANDERSON: 08CV5511**

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. The parties should be prepared to discuss ADR options and set a trial date at that time.

New case management conference statements, in compliance with Rule 8.05, are required.

**DISCOVERY BANK V. CORMIER: 08CV5513**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to February 22, 2009 at 1:30 p.m. in Department 3. If Plaintiff has not served defendant or obtained an order for service by publication prior to the next hearing, this matter will be set for an order to show cause and sanctions may be imposed. Plaintiff is to provide notice of the continued hearing at the time of service.

**GANDY V. MAYAR: 07CV5149**

This matter is continued to January 12, 2009 at 1:30 p.m. in Department 3. Plaintiff is to have the default of defendant Mayar taken prior to the next hearing if he has not yet appeared.

The parties should be prepared to discuss ADR options and set a trial date at the next hearing.

New case management conference statements, in compliance with Rule 8.05, are required.

**GE MONEY BANK V. VANDERPOOL: 08CV5501**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. If Plaintiff has not served defendant or obtained an order for service by publication prior to the next hearing, this matter will be set for an order to show cause and sanctions may be imposed. Plaintiff is to provide notice of the continued hearing at the time of service.

**GE MONEY BANK V. EARP: 08CV5506**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. If Plaintiff has not served defendant or obtained an order for service by publication prior to the next hearing, this matter will be set for an order to show cause and sanctions may be imposed. Plaintiff is to provide notice of the continued hearing at the time of service.

**JENNINGS CONSTRUCTION V. BARNARD: 07CV5138**

This matter is continued to January 12, 2009 at 1:30 p.m. in Department 3. The parties should be prepared to discuss ADR options and set a trial date at that time.

New case management conference statements, in compliance with Rule 8.05, are required.

**KENERSON V. UNION PACIFIC RAILROAD: 07CV4874**

All parties are to appear, personally or telephonically, for the purpose of trial and mandatory conference setting.

**CLEM V. HUNT: 08CV5384**

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. The plaintiff is to have the defendants served prior to the next hearing. Plaintiff is to provide notice of the continued hearing at the time of service.

New case management conference statements, in compliance with Rule 8.05, are required.

**LVNV FUNDING V. FITZPATRICK: 08CV5515**

Defendant failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2008 at 10:00 a.m. in Department 3. The parties should be prepared to set a trial date at that time.

New case management conference statements, in compliance with Rule 8.05, are required.

**MOZINGO V. REED: 07CV5023**

This matter is hereby designated Track III.

The order allowing the plaintiff to file the first amended complaint was entered on November 25, 2008. Plaintiff is to file and serve the first amended complaint as ordered.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. The parties should be prepared to discuss ADR options and set a trial date at that time.

New case management conference statements, in compliance with Rule 8.05, are required.

**RESURGENCE FINANCIAL V. BANDUCCI: 08CV5502**

This matter is continued to August 10, 2009 at 1:30 p.m. in Department 3. If the plaintiff has not obtained a default judgment by said date, this matter will be set for an order to show cause and sanctions may be imposed. (CRC 3.740 (f).)

New case management conference statements, in compliance with Rule 8.05, are required.

**SCHREMSER V. GARDUNO: 08CV5378**

Defendant failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is hereby referred to mediation, pursuant to Local Rule 8.14. The parties are to complete mediation within 60 days of the date of this referral. The parties may stipulate to the use of a mediator from the court-approved panel or use a non-panel

mediator at their own cost. Parties must notify the court of their selection within 10 days by using the Stipulation to Mediator Form (see [www.amadorcourt.org](http://www.amadorcourt.org)). If the court is not notified of the selected mediator within 10 days, the court will appoint a panel mediator.

This matter is set for a 2-day court trial, commencing on March 10, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on January 2, 2009 at 8:30 a.m. in Department 2.

**SHAW INDUSTRIES V. M&L CARPET SERVICE: 08CV5361**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. If the plaintiff has obtained a default judgment prior to said date, the hearing will be dropped from calendar.

New case management conference statements, in compliance with Rule 8.05, are required.

**THOMPSON MAHAN & ASSOC. V. CROWE: 08CV5507**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. Plaintiff is to provide notice of the continued hearing if the defendant appears.

New case management conference statements, in compliance with Rule 8.05, are required.

**UNIFUND V. PEASE: 08CV5222**

Plaintiff has failed to serve the defendant in compliance with CRC 3.740 (d). Therefore, this matter is set for an order to show cause on January 30, 2009 at 10:00 a.m. in Department 3. The Court will provide notice of the hearing.

**WELLS FARGO V. PLANNED SIERRA RESOURCES: 08CV5325**

Plaintiff failed to comply with Local Rule 8.05. Should there be any further violations of Rule 8.05, this matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to March 16, 2009 at 10:00 a.m. in Department 3. If the plaintiff has obtained a default judgment prior to said date, the hearing will be dropped from calendar.

New case management conference statements, in compliance with Rule 8.05, are required.

**WELLS FARGO V. EATON: 08CV5497**

This matter is continued to February 9, 2009 at 1:30 p.m. in Department 3. If judgment is entered prior to said date, the hearing will be dropped from calendar.

**TUCKER V. MOSQUEDA: 07CV4773**

There is no tentative ruling in this matter, pursuant to Local Rule 8.05 (F).