

## **FEBRUARY 9, 2009 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.**

### **ACA Receivables Co. v. Moore: 08CV5583**

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 23, 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.

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

### **Aldrich v. Mule Creek State Prison: 08CV5456**

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

### **Anway v. Boral Industries: 08CV5595**

This matter is continued to May 11, 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.

### **Atlantic Credit v. Tyree: 08CV5594**

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 April 20, 2009 at 9:00 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.

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

**Bonneau v. Bonneau: 08CV5611**

Plaintiffs 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 April 20, 2009 at 9:00 a.m. in Department 3. Plaintiffs are to provide notice of the continued hearing to the defendant at the time of service.

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

**Brecheen v. Doe: 08CV5571**

Pursuant to the order of February 2, 2009, which exempted this matter from the Trial Delay Reduction Act, no further case management conferences will be set in this matter at this time.

**Broekhoven v. County of Amador: 08CV5599**

This matter is continued to April 20, 2009 at 9:00 a.m. in Department 2. Plaintiffs are to provide notice of the continued hearing to defendant Doug Veerkamp General Engineering at the time of service.

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

**Chase Bank v. Knott: 08CV5603**

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 April 20, 2009 at 9:00 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.

**Citibank v. Estey: 08CV5602**

This matter is continued to October 19, 2009 at 9:00 a.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.

**Discover Bank v. Cormier: 08CV5513**

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 March 27, 2009 at 10:00 a.m. in Department 2. The court will provide notice of the hearing.

**Dodson v. Owens Mortgage: 08CV5612**

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 April 20, 2009 at 9:00 a.m. in Department 3. 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.

**DUC Development v. JTS Communities: 08CV5604**

Neither party complied 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 May 11, 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.

**Jennings Construction v. Barnard: 07CV5138**

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.

Neither party requested a jury trial. Therefore, This matter is set for a 3-day Court trial, commencing on July 14, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on June 12, 2009 at 8:30 a.m. in Department 2.

**McCann v. Taylor: 08CV5375**

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 July 7, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on June 5, 2009 at 8:30 a.m. in Department 2.

**Midland Funding v. Johnson: 08CV5598**

This matter is continued to October 19, 2009 at 9:00 a.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.

**Palisades Builders v. TML Development: 07CV5115**

This matter is continued to July 13, 2009 at 1:30 p.m. in Department 3. If a dismissal is filed prior to said hearing, the matter will be dropped from calendar.

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

**State Farm Mutual Automobile Insurance v. Wertenberger: 08CV5310**

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 March 27, 2009 at 10:00 a.m. in Department 2. The court will provide notice of the hearing.

**USA Bank v. Bell: 08CV5573**

This matter is continued to September 21, 2009 at 9:00 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.

**Watts v. California Parks Companies: 08CV5589**

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 May 11, 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.