

AUGUST 17, 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.

ABED V. WILLIAMS: 09CV5831

This matter is continued to September 22, 2009 at 1:30 in Department 2 to be heard in conjunction with the continued default hearing.

ARROW FINANCIAL SERVICES V. FALCONER: 09CV5836

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

ATLANTIC CREDIT AND FINANCE V. ECKHOFF: 09CV5960

This matter is continued to November 9, 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.

BUSANO V. MOEUN: 09CV5805

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.

Plaintiff is to have the remaining defendants served and a proof of service on file prior to the next hearing or the matter will be set for an order to show cause and sanctions may be imposed. Similarly, the cross-complainant is to have the cross-defendant served and a proof of service on file prior to the next hearing or the matter will be set for an order to show cause and sanctions may be imposed.

This matter is continued to October 19, 2009 at 9:00 a.m. in Department 3. Plaintiff is to provide notice of the continued hearing to the remaining defendants at the time of service.

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

CACH V. JOHNSON: 09CV5965

Plaintiff failed to comply with 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 October 19, 2009 at 9:00 a.m. in Department 3. Plaintiff is to provide notice of the continued hearing to the defendant if he appears.

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

CALIFORNIA CAPITOL INSURANCE CO. V. PEREZ: 09CV5817

Plaintiff failed to comply with 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). 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 January 12, 2010 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on December 11, 2009 at 8:30 a.m. in Department 2.

CALIFORNIA ROCK CRUSHERS V. SALOMON: 09CV5865

This matter is continued to November 16, 2009 at 9:00 a.m. in Department 3. The parties are to 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.

CAPITOL ONE V. JEKABSONS: 09CV5814

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

CAPITOL ONE BANK V. GROOMS: 09CV5974

This matter is continued to November 9, 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.

CAPITOL ONE V. GROVER: 09CV5963

This matter is continued to October 19, 2009 at 10:00 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.

CAPITOL ONE V. BOHRER: 09CV5972

This matter is continued to October 19, 2009 at 10:00 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.

CAPITOL ONE V. CHAVES: 09CV5973

This matter is continued to May 10, 2010 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.

CAPITOL ONE V. ADAMS: 09CV5964

This matter is continued to October 19, 2009 at 10:00 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.

CITIBANK V. LEMLEY: 09CV5812

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

CITIBANK V. PURSE: 09CV5976

This matter is continued to October 19, 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. MURPHY: 09CV5970

This matter is continued to October 19, 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. MENDOZA: 09CV5971

This matter is continued to October 19, 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.

CUMMINGS INC. V. KFC CORPORATION: 09CV5776

Defendant Wall Management Tahoe, Inc. failed to comply with Local Rule 8.05. Should there be any further violation 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 November 9, 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.

FIA CARD SERVICES V. MOLIN: 09CV5979

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 December 14, 2009 at 1:30 p.m. in Department 3. The parties are to update the Court on the status of the bankruptcy stay.

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

FOSTER BUILDING MATERIALS V. FAIR OAKS CONSTRUCTION: 07CV4673

This matter is continued to November 9, 2009 at 1:30 p.m. in Department 3. The parties are to update the Court on the status of the bankruptcy stay at that juncture.

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

GARCIA V. FOYIL: 09CV5981

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 November 16, 2009 at 9:00 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.

KEANE V. 21ST CENTURY INSURANCE Co.: 08CV5731

This matter is designated Track II.

This matter is continued to November 16, 2009 at 9:00 a.m. in Department 2. 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.

KELLY V. GARRETT PROPERTIES: 09CV5809

It is unclear whether all parties agree to mediation. The parties are to meet and confer on this issue. If the parties agree to mediation, they are to execute a stipulation regarding mediation to the court. (see www.amadorcourt.org)

This matter is set for a further case management conference on September 14, 2009 at 1:30 p.m. in Department 3. If a stipulation to mediation is filed prior to said hearing, the court will order the matter to mediation, pursuant to the stipulation, and issue a tentative ruling setting trial and mandatory settlement conference dates. If the parties do not agree to mediation, the parties should be prepared to discuss further ADR options and set a trial date at said hearing.

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

MIDLAND CREDIT MANAGEMENT V. GARCIA: 08CV5528

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

MOZINGO CONSTRUCTION V. GEORGE REED, INC.: 07CV5023

This matter is continued to November 16, 2009 at 9:00 a.m. in Department 3. The parties are to update the Court on the status of the stay at that juncture.

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

PINNACLE CREDIT SERVICE V. WHITNEY: 08CV5519

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

SANTIAGO V. CURTIS: 08CV5411

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

Plaintiff has failed to request entry of default within the time allowed by CRC 3.110 (g). Therefore, this matter is set for an order to show cause and further case management conference on October 2, 2009 at 10:00 a.m. in Department 2. The clerk will provide notice of the hearing.

SCHREMSER V. GARDUNO: 08CV5378

This matter is designated Track II.

This matter is continued to November 16, 2009 at 9:00 a.m. in Department 3. If the issues regarding the stipulated agreement have not been resolved by said date, the matter will be set for trial.

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

SINAI V. TOWERS: 07CV4955

Cross-defendant failed to comply with Local Rule 8.05. Should there be any further violation 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 October 19, 2009 at 10:00 a.m. in Department 3. The parties should be prepared to discuss ADR options and set a trial date on the cross-complaint at that time.

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

STATE COMPENSATION INSURANCE FUND V. HOUSE: 08CV5760

Defendants 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.

It is unclear whether all parties agree to mediation. The parties are to meet and confer on this issue. If the parties agree to mediation, they are to execute a stipulation regarding mediation to the court. (see www.amadorcourt.org)

This matter is set for a further case management conference on September 21, 2009 at 9:00 a.m. in Department 3. If a stipulation to mediation is filed prior to said hearing, the court will order the matter to mediation, pursuant to the stipulation, and issue a tentative ruling setting trial and mandatory settlement conference dates. If the parties do not agree to mediation, the parties should be prepared to discuss further ADR options and set a trial date at said hearing.

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

Wachovia Dealer Services v. Neussendorfer: 09CV5968

This matter is continued to October 19, 2009 at 10:00 a.m. in Department 3. Plaintiff is 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.

WESTERMAN V. PATTERSON: 09CV5966

This matter is continued to October 19, 2009 at 10:00 a.m. in Department 3. Plaintiff is 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.

DIAZ & ASSOCIATES V. KIRKWOOD: 09CV5837

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 September 25, 2009 at 10:00 a.m. in Department 2. The court will provide notice of the hearing.

LUCUS V. CALIFORNIA DEPARTMENT OF CORRECTIONS: 09CV5883

This matter is designated Track II.

This matter is continued to October 19, 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.

MARTIN V. FERRIS: 09CV5834

This matter is designated Track II.

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). 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 5-day jury trial, commencing on February 9, 2010 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on January 8, 2010 at 8:30 a.m. in Department 2.

MENDOZA V. CLARK: 09CV5825

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 September 14, 2009 at 1:30 p.m. in Department 3. Plaintiff is to provide notice of the continued hearing to the defendant if she appears.

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

SUTTER CREEK VILLAGES V. GENEVA REAL ESTATE INVESTMENTS: 09CV5856

Neither party complied with 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.

Plaintiff has failed to submit the order after hearing as ordered by the Honorable Don F. Howard on March 23, 2009.

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

WETHERBY REYNOLDS CONSULTING ENGINEERS V. WESTERN HEALTHCARE INDUSTRIES: 09CV5845

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). 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 5-day jury trial, commencing on January 12, 2009 at 9:00 a.m. in Department 2. This matter is set for a mandatory settlement conference on December 11, 2009 at 8:30 a.m. in Department 2.