JUNE 28, 2023

1:30 P.M.

22CF13840MIDLAND CREDIT MANAGEMENT. INC. vs. BASILIO GARCIAOn for Case Management Conference and OSC re: Failure to Obtain Default Judgment within 360 Days (CRC 3.740). A review of file shows that no service has been completed, OSC was sent to Plaintiff on June 27, 2022. Tentative ruling: The complaint will be dismissed without prejudice.22CF13844CAPITAL ONE BANK (USA), N.A. vs. REED B OVERSHINEROn for Case Management Conference and OSC re: (CRC 3.740). A review of file shows that service has been completed, an Answer has been filed, the OSC that was sent to Plaintiff on June 28, 2022 is vacated. Further Case Management and Trial Setting conference to October 11, 2023 at 1:30 pm in Dept. 423CV46596MELISSA FLORY v. VESTRA LABS LLCDefendant has filed a Notice of Removal to Federal District Court. No further action is required.22CV46383Butler v. Commercial Site ImprovementsDefendant to file a properly noticed Demurrer (See ruling dated Feb. 24, 2023) or an Answer to Complaint. Further Case Management Conference set for October 11, 2023 at 1:30 pm in Dept. 421CV45655Shannon O. Murphy Esq. SR. v Winco Holdings, Inc.Tentative Ruling: There is no valid Proof of Service as to the Summons and Complaint. Regarding the Plaintiff's Memorandum filed 11-12-2021, it is not clear to the Court what Plaintiff is requesting. Plaintiff has been advised at past CMCs (2/16/2022, 6/8/2022, 9/22/2022, and 2/22/2023) to seek legal counsel. If Plaintiff is seeking to dismiss this case; a Request of Dismissal is to be filed. Finally, plaintiff is to update their mailing address with the court. The next CMC is scheduled for October 11, 2023 at 1:30 pm in Dept. 4 where the Court with Plaintiff is to update their mailing	220542040		On fair Case Management Cast Stress and OCC
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Court will consider setting OSC re. Dismissal pursuant			Court will consider setting OSC re: Dismissal pursuant
to CCP §583.420 (a)(1).			
22CF13839 Rocky Top Rentals, LLC In reviewing court file, the plaintiff has been advised	22CF13839	Rocky Top Rentals, LLC	
v Arbour, et al at two previous CMCs to file proof of service. A proof			
of service is to be filed by the next Case Management			

		Conference set for October 11, 2023 at 1:30 pm in Dept. 4. Court to provide notice to plaintiff's counsel.
22CV45845	Shoffstal v Valdez, et al	In reviewing defendant's Case Management Conference Statement the OSC re Dismissal (CRC 3.1385) and Case Management Conference will be reset for October 11, 2023 at 1:30 pm in Dept. 4. These will be vacated if Dismissal is filed prior to date set.
22CV45872	Joseph Mirante, et al. v Nathan Fyock, et al.	Upon review of the CMC statement, the next CMC is set for October 11, 2023 at 1:30 pm in Dept. 4. Plaintiff to properly name and serve defendants so that names and capacities match and then resubmit Requests for Entry of Default
22CV46114	Scott Frazier v Tri-Dam	Reviewed file, including Ninth Circuit Court of Appeals documents. Plaintiff has asked for a continuance of this CMC, which is granted. The next CMC is set for October 11, 2023 at 1:30 pm in Dept. 4.
22CV46116	Phillips v Rader- Coleman	Upon review of the CMC statements, the next CMC and Trial Setting Conference is set for October 11, 2023 at 1:30 pm in Dept. 4.
22CV46119	Michael Dvorak & Lindsey Goosherst v. Joseph Bors; Victoria Bors; Robin Swortfiguer; Shelby French	Upon review of the CMC statements, it appears that parties are conducting discovery and all have indicated a willingness to mediate this matter. Court will continue CMC to CMC is set for October 11, 2023 at 1:30 pm in Dept. 4 to assist in setting ADR, including mediation.
22CV46130	Fasolis v. Gladys	Upon review of file, there are hearings set for July 21, 2023 at 9:00 in Department 2. The next CMC is set for October 11, 2023 at 1:30 pm in Dept. 4.
22CV46366	Deling v Corson	Upon review of the CMC statements, it appears that parties are conducting discovery and all have indicated a willingness to mediate this matter. Court will continue CMC to CMC is set for October 11, 2023 at 1:30 pm in Dept. 4 to assist in setting ADR, including mediation.

2:00 P.M.

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21FL45596	Zeyen v Pesakovic-Zeyen	There is a Proof of Service, but no Response or Default has been filed. Prior to the next Case Management Conference, unless a Response is filed, petitioner is to file a request for default or dismiss the action.
		The Case Management Conference is set for Dept. 4 at 2:00 p.m. on October 11, 2023. Petitioner is referred to the Self-
		Help Center for assistance.
21PA45185	Marr v. Phelps	The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023. Petitioner is referred to the Self-Help Center for assistance, if needed.
22FL45772	Bower v Bower	Petitioner has set a noticed hearing for August 22, 2023. The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023, if necessary.
22FL45894	Luyster v. Luyster	There is a Proof of Service and a Declaration of Disclosure filed by Petitioner. The Response of Respondent (Kristin Luyster) has not been filed. Petitioner is to file a dismissal or a default. It appears from correspondence in file that Petitioner attempted to file documents, but such were returned. Petitioner is referred to the Self- Help Center for assistance, if needed. The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023. Petitioner is referred to the Self- Help Center for assistance, if needed.
22FL45900	Rogalski v Elliott	Respondent's Declaration of Disclosure is incomplete. File by next Case Management Conference which is continued to Dept. 4 at 2:00 p.m. on October 11, 2023.
22FL45917	Neu v Neu	Upon review of court file, matter has been settled with follow-up review hearings. Matter is set for Review Hearing on Custody and Visitation, Tax Liability on 09-19-23 at 1:30 p.m. Dept 2. Any documents counsel with the court to consider shall be served and filed by 3:00 p.m. 09/08/23. Bifurcated child and spousal support is set for 10/05/23 at 8:30 a.m. in Department 4. Court reserves jurisdiction to 11/01/23.
22FL46394	Queirolo v Queirolo	Upon review of file, Petitioner may submit the default judgment paperwork, and Form FL-165. Petitioner is referred to the Self- Help Center for assistance, if needed. The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023.
22FL46394	Frederick v Foster	At last CMC it was represented that the may be able to resolve this matter with a global resolution, that the lease to the renters expires on 05-30-23, and the proposal is for Petitioner to move into the Volcano home on 06-01-23 unless there is a resolution. As to spousal support, court leaves the current order in place as is. Respondent is to continue to pay the mortgage. The Case

		Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023.
22FL46396	Johnson v Johnson	Hearing is presently set for July 18, 2023 at 1:30 pm in Dept 2. The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on August 30, 2023.
22FL46397	Sargent v Sargent	Petitioner has attempted to serve documents but materials missing. Petitioner directed to Self-Help Center to address these filing issues. The Case Management Conference is continued to Dept. 4 at 2:00 p.m. on October 11, 2023.
23FL46612	Anderson v Anderson	Matter has recently been served, parties to file initial Declarations of Disclosure. Matter has been consolidated 23FL46699.