



**THE COURT ORDERS:**

1.  The Case Management Conference ("CMC") is continued to \_\_\_\_\_ at \_\_\_\_\_

Parties desiring to appear telephonically at the Case Management Conference ("CMC") shall comply with Cal. Rules of Court, Rule 3.670, Local Rule 4, and are responsible for making timely arrangements with CourtCall, LLC. CourtCall, LLC may be reached at: (888) 882-6878. Notices of Telephonic Appearance may be placed on the CMC Statement itself, or may be filed independently with the Court NOT LESS THAN FIVE (5) COURT DAYS prior to the Case Management Conference. A Notice of Telephonic Appearance is deemed valid on any subsequent, continued CMCs.

**JUDICIAL ARBITRATION (Arbitration Fee of \$300 Due Within 15 Days Of This Order)**

2.  The matter is ordered to judicial arbitration (\$50,000.00 Cap) to be completed by:  
 Good cause shown, discovery to remain open post-arbitration (to be completed 30 days prior to trial)

**TRIAL**

1.  The matter is set for trial call on 12/16/08 at 1:30 p.m. in Courtroom 2.  
 Mandatory Settlement Conf. (MSC) shall be held on 12/01/08 at 10:00 a.m. in Courtroom 4.  
MSC Statements are due five (5) Court days prior to the MSC per Cal. Rules of Ct., Rule 3.1380.  
 Discovery proceedings must be completed 30 days prior to the date set for trial.  
 Law and motion shall be held open 15 days prior to the date set for trial except where specific statutes provide otherwise (e.g., summary judgment motions).  
 Motions in limine must be filed and served no later than six (6) Court days prior to trial.  
 Parties demanding a jury must deposit jury fees 25 days prior to trial or right to jury is waived.

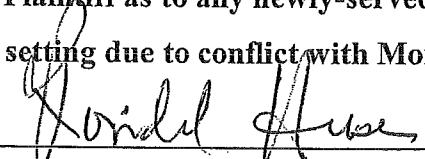
**MISCELLANEOUS**

2.  Parties who have not done so to file CMC Statements (completely) 15 days before next CMC.  
3.  Parties to meet and confer per Cal. Rules of Court, Rule 3.724 prior to the next CMC.  
4.  All Doe, Roe, and other unserved parties will be dismissed by \_\_\_\_\_ if not served previously.  
5.  Parties are not required to appear at next CMC if dismissal of entire action is filed previously.  
6.  Mediation to be completed by: (ADR Stip. to be filed within 15 days).  
7.  Case is referred for an Order to Show Cause re Dismissal on \_\_\_\_\_  
at 8:15 a.m. in Courtroom 4, pursuant to Cal. Rules of Court, Rule \_\_\_\_\_

**FAILURE TO APPEAR AT OSC MAY RESULT IN DISMISSAL OF THIS ACTION.**

8.  Notice of continued CMC shall be given by Plaintiff as to any newly-served Parties.  
9.  Other: Court notes Plaintiff objects to trial setting due to conflict with Monterey Co. court case.

Date: July 28, 2008

  
\_\_\_\_\_  
 RONALD W. HANSEN, JUDGE  
 KELLY FINCHER, TEMPORARY JUDGE  
 SHERRYE SCARLETT, TEMPORARY JUDGE

**CERTIFICATE OF MAILING**  
(CCP1013(a), 2015.5)

Superior Court of California,  
County of Merced

I, the undersigned, certify (or declare) under penalty of perjury, under the laws of the State of California, that I am a Deputy Clerk of the above entitled Court and not a party to the within action; that a true and correct copy of Case Management Conference Findings & Order was served on each of the persons listed below, by depositing such notice in the United States Mail or by placing the envelope for collection and mailing following our ordinary business practices or by Interoffice Mail, enclosed in sealed envelopes with postage prepaid. For attorneys who have established boxes at the Courthouse, a copy of said document may be placed in the appropriate box in the Superior Court Clerk's Office.

*Eugene E. Forte, (In Pro Per)*  
688 Birch Court  
Los Banos, CA 93635

*Benjamin L. Ratliff, Esq.*  
THE LAW FIRM OF WEAKLEY, RATLIFF,  
ARENDT & McGUIRE, LLP  
1630 East Shaw Avenue, Suite 176  
Fresno, CA 93710

Executed this day in  Merced,  Los Banos, California.

Date: JUL 29 2008

Kathleen Goetsch, Court Executive Officer

**CONSTANTINO J. HERRERA**

Printed Name

By: 

Deputy Clerk