

Tentative Rulings
July 29, 2024
Department 42

Tentative Rulings for Guardianship cases can be found in the link titled, “Department Guardianships - Tentative Rulings.”

This Court does not follow the procedures described in Rules of Court, Rule 3.1308(a). Tentative rulings appear on the calendar outside the court department on the date of the hearing, pursuant to California Rule of Court, Rule 3.1308(b)(1). As a courtesy to counsel, the court also posts tentative rulings no less than 12 hours in advance of the time set for hearing. The rulings are posted on the court’s website (www.shasta.courts.ca.gov) and are available by clicking on the “Tentative Rulings” link. A party is not required to give notice to the Court or other parties of intent to appear to present argument.

Per Local Rule 5.13, telephonic appearances through CourtCall (888-882-6878; courtcall.com) are generally permitted on the Law & Motion and Resolution Review calendars and can be made without leave of Court.

1:30 p.m. – Case Management Conference

SIERRA PACIFIC WAGE AND HOUR CASES

Case Number: 5235

Tentative Ruling on Case Management Conference: This coordinated proceeding is on calendar for a Case Management Conference. The Court has reviewed the Case Management Conference Statements filed by all parties.

STAY. The *McDonald* matter remains stayed pending appeal. The Court notes that the parties in the *Smith* case recently submitted a Stipulation and Order seeking a stay of that matter. This was returned by the clerk due the proposed order not being lodged separately. Additionally, the Stipulation was not fax filed and did not contain original signatures.

STAFFING AGENCY EMPLOYEES. The Court anticipates receiving a Stipulation and Order in the *McDonald* case that seeks to change the Court’s previous ruling that employees placed at SPI by staffing agencies fall under the class definitions. The Court has an obligation to all class members and intends to discuss the reasons for this change at today’s hearing. The Court expects that any Stipulation presented will clearly provide valid reasons for this proposed change.

DISCOVERY. The Courts notes Plaintiff *McDonald’s* frustration with not receiving discovery from SPI during the stay. The Court is not able to rule on any discovery issues during the stay and parties are not obligated to provide discovery during the stay.

FURTHER CASE MANAGEMENT CONFERENCE DATE. The Court intends to set a further Case Management Conference and will discuss available dates with counsel.