

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

1. BRIAN CAMBRIDGE V. JORDAN FIERRO

25FL0981

On February 10, 2026, Petitioner filed a Request for Order (RFO) seeking child support orders, custody and visitation orders, property orders and an order for attorney's fees. He filed his Income and Expense Declaration concurrently therewith. He filed an Amended Request for Order on February 13th. All required documents were personally served on February 17th.

Respondent filed a Responsive Declaration to Request for Order and an Income and Expense Declaration on April 16th. Respondent filed another Responsive Declaration to Request for Order on April 17th. There is a Proof of Service filed April 16th for "Respondent's Declaration," it is unclear which, if either, of the responsive declarations was actually served.

Petitioner filed and served an updated Income and Expense Declaration on April 21st.

Parties and counsel appeared for the hearing on April 30, 2026. The court advanced the May 14, 2026 hearing and continued all matters to be heard on July 9, 2026, at 1:30 PM. The court reserved jurisdiction to retroactively modify support to the date of the filing of the RFO.

Parties continued the child custody, child support, holiday schedule, sale of the community vehicle, attorney's fees, and sanctions by stipulation to October 1, 2026, at 8:30 AM in Department 5.

Respondent filed an RFO on August 4, 2026, seeking a motion to compel and sanctions. Respondent concurrently filed an Income and Expense Declaration as well as a Memorandum of Points and Authorities, and three declarations in support of the RFO. Petitioner was served electronically and by mail on August 11, 2026.

Petitioner has not filed a Responsive Declaration to Respondent's August 4th RFO or an Income and Expense Declaration. The court deems Respondent's failure to do so as an admission that Petitioner's moving papers have merit. See El Dorado County, Local Rule 7.10.02(C).

Regarding the requests for custody and parenting plan orders, as well as a holiday schedule, the court finds Respondent filed ex parte applications as well as Orders Shortening Time, to address child custody issues. The court finds those issues were

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

addressed on August 27, 2026. As such, the court finds the issues of child custody, a parenting plan, and the holiday schedule to be moot.

As to Petitioner's request for child support and attorney's fees, upon review of the court file, Petitioner has not filed an updated Income and Expense Declaration. The court finds the last Income and Expense Declaration filed by Petitioner was filed on April 21, 2026. The court finds this is more than 90 days ago, and therefore, not current. As such, the court denies Petitioner's request for child support and attorney's fees.

As to the request for the sale of the Toyota 4Runner, the court denies the request. The court finds it is a longstanding tenant of the law that the court shall divide the community estate of the parties equally. Cal. Fam. Code § 2550. Inherent in the court's authority to ensure that community assets are divided equally, the court holds broad discretion to "[a]t any time during the proceeding...order the liquidation of community or quasi-community assets so as to avoid unreasonable market or investment risks..." Cal. Fam. Code § 2108. The court finds Petitioner has failed to set forth any facts to support the need to dispose of this asset prior to trial.

The court reserves on Petitioner's request for Family Code section 271 sanctions until the time of trial.

Respondent's motion seeks to compel "further" responses and production of documents. A motion to compel further responses must be filed and served within 45 days of the date the responses were served. Cal. Civ. Pro. §2031.310(c). Here, parties reached a stipulation to extend the time for responses to be completed. Petitioner agreed to serve verified supplemental responses and produce all responsive, non-privileged documents identified in the June 10 and July 10 letters by not later than July 24, 2026, at 5:00 PM. Parties also stipulated to extend Respondents deadline to move to compel. Respondent has met the meet and confer requirements as well.

In conducting discovery, each "party is permitted to use multiple methods of obtaining discovery..." *Irvington-Moore, Inc. v. Sup. Ct.*, 14 Cal. App. 4th 733 (1993). Requests for Production of Documents and Form Interrogatories are both forms of discovery authorized by the Civil Discovery Act. See Cal. Civ. Pro. § 2031.010 et. seq.; See *also* Cal. Civ. Pro. § 2030.010. Verified and complete responses to both forms of discovery are due within 30 days of the date of the requests. Cal. Civ. Pro. §§ 2030.260, 2031.260. Where a party fails to timely respond to discovery, the responding party waives "any objection...including one based on privilege or on the protection of work product..." and

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

“[t]he party making the demand may move for an order compelling response[s]...” Cal. Civ. Pro. §§ 2030.290, 2031.300.

Here, Respondent has successfully established grounds for an order compelling discovery responses. The requests were properly served on Petitioner and after further meet and confer efforts, Petitioner agreed to provide further responses. Petitioner then failed to provide any supplemental responses. Therefore, Petitioner is ordered to provide full and complete further responses to Request for Production, Inspection, and Photocopying of Documents, Records, and Things, Set One Nos. 1, 2, 5, 6, 7, 8, 10, 11, 13, 14, 15, 16, 18, 19, and 20, no later than October 22, 2026 at 5:00 PM.

Sanctions are mandatory for one who “*unsuccessfully makes or opposes* a motion to compel a response...unless [the court] finds that one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust” Cal. Civ. Pro. §2030.290 (interrogatories) & § 2031.300(c)(requests for production). In all other circumstances, the imposition of discovery sanctions is permissive. See Cal. Civ. Pro. § 2023.030 (the court *may* impose monetary sanctions for misuse of the discovery process). Conduct subject to discretionary sanctions includes, but is not limited to, “[f]ailing to respond or submit to an authorized method of discovery.” Cal. Civ. Pro. § 2023.010(d).

Where sanctions are awarded, the amount imposed is to include “...the reasonable expenses, including attorney’s fees, incurred by anyone *as a result of...*” the conduct of the party subject to sanction. Cal. Civ. Pro. 2023.030(a). A party requesting sanctions must establish that the amount requested is reasonable, was incurred as a result of discovery abuse, and the requesting party must already be liable for those expenses before the court can award the costs as sanctions. See *Tucker v. Pacific Bell Mobile Servs.*, 186 Cal. App. 4th 1548 (2010) (anticipated costs for future deposition could not be included in award of sanctions). Notwithstanding the foregoing, the court is obligated to “...impose a one-thousand-dollar \$1,000 sanction, payable to the requesting party...” if the court finds that the noncompliant party did not respond in good faith to a request for production of documents. Cal. Civ. Pro. § 2023.050(a).

Here, Petitioner did not oppose the motion to compel, therefore, discovery sanctions are not mandatory. However, the court does find that Petitioner engaged in the misuse of the discovery process by failing to submit to authorized forms of discovery. He provides no justification for his actions. The court finds that the imposition of sanctions is warranted. The court has reviewed Respondent’s billing statement as set forth in Exhibit M.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

The court finds \$5,985 to be reasonable fees and costs. The court also imposes the mandatory sanction of \$1,000. Therefore, the total sanctions awarded is \$6,985, payable from Petitioner to Respondent. The sanctions may be paid in one lump sum, or in monthly payments of \$200 with the first payment due on October 15, 2026. All future payments are due on the 15th of each month until paid in full. If any payment is missed or late, the entire amount shall become immediately due and owing with legal interest.

Respondent has also requested attorney's fees pursuant to Family Code section 271. "Section 271 provides that a family court may impose an award of attorney fees and costs 'in the nature of a sanction' where the conduct of a party or attorney 'frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation between the parties and attorneys.' (§ 271, subd. (a).)" In re Marriage of Tharp, 188 Cal.App.4th 1295, 1316 (2010). "Expressed another way, section 271 vests family law courts with an additional means with which to enforce this state's public policy of promoting settlement of family law litigation, while reducing its costs through mutual cooperation of clients and their counsel." *Id.* at 1318.

There is no question that Petitioner's actions have frustrated the policy of the law to promote settlement and cooperation and thereby reduce litigation costs. However, the imposition of sanctions under this section are within the discretion of the court. After the award of \$6,985 in discovery sanctions already awarded to Respondent hereunder, the court feels that an additional sanction under this section would constitute an unreasonable financial burden. As such, Respondent's request for Family Code Section 271 sanctions is denied.

All prior orders remain in full force and effect.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #1: REGARDING THE REQUESTS FOR CUSTODY AND PARENTING PLAN ORDERS, AS WELL AS A HOLIDAY SCHEDULE, THE COURT FINDS RESPONDENT FILED EX PARTE APPLICATIONS AS WELL AS ORDERS SHORTENING TIME, TO ADDRESS CHILD CUSTODY ISSUES. THE COURT FINDS THOSE ISSUES WERE ADDRESSED ON AUGUST 27, 2026. AS SUCH, THE COURT FINDS THE ISSUES OF CHILD CUSTODY, A PARENTING PLAN, AND THE HOLIDAY SCHEDULE TO BE MOOT.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

AS TO PETITIONER'S REQUEST FOR CHILD SUPPORT AND ATTORNEY'S FEES, UPON REVIEW OF THE COURT FILE, PETITIONER HAS NOT FILED AN UPDATED INCOME AND EXPENSE DECLARATION. THE COURT FINDS THE LAST INCOME AND EXPENSE DECLARATION FILED BY PETITIONER WAS FILED ON APRIL 21, 2026. THE COURT FINDS THIS IS MORE THAN 90 DAYS AGO, AND THEREFORE, NOT CURRENT. AS SUCH, THE COURT DENIES PETITIONER'S REQUEST FOR CHILD SUPPORT AND ATTORNEY'S FEES.

AS TO THE REQUEST FOR THE SALE OF THE TOYOTA 4RUNNER, THE COURT DENIES THE REQUEST.

THE COURT RESERVES ON PETITIONER'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS UNTIL THE TIME OF TRIAL.

RESPONDENT HAS SUCCESSFULLY ESTABLISHED GROUNDS FOR AN ORDER COMPELLING DISCOVERY RESPONSES. PETITIONER IS ORDERED TO PROVIDE FULL AND COMPLETE FURTHER RESPONSES TO REQUEST FOR PRODUCTION, INSPECTION, AND PHOTOCOPYING OF DOCUMENTS, RECORDS, AND THINGS, SET ONE NOS. 1, 2, 5, 6, 7, 8, 10, 11, 13, 14, 15, 16, 18, 19, AND 20, NO LATER THAN OCTOBER 22, 2026, AT 5:00 PM.

THE COURT FINDS THAT THE IMPOSITION OF SANCTIONS IS WARRANTED. THE TOTAL SANCTIONS AWARDED ARE \$6,985, PAYABLE FROM PETITIONER TO RESPONDENT. THE SANCTIONS MAY BE PAID IN ONE LUMP SUM, OR IN MONTHLY PAYMENTS OF \$200 WITH THE FIRST PAYMENT DUE ON OCTOBER 15, 2026. ALL FUTURE PAYMENTS ARE DUE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL. IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND OWING WITH LEGAL INTEREST.

RESPONDENT'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS IS DENIED.

ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

October 1, 2026

8:30 AM/1:30 PM

BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

2. STEVE GIRDLESTONE V. ASHLEY A. GIRDLESTONE

PFL20160763

On July 24, 2026, Petitioner filed a Request for Order (RFO) seeking to transfer venue. He filed a Memorandum of Points and Authorities concurrently therewith. There is a Notice and Acknowledgement of Receipt signed by Respondent indicating service of the RFO on July 24th. There is no indication that the required Notice of Tentative Ruling or the required blank FL-320 was served.

Minor's Counsel filed and served a Responsive Declaration to Request for Order on August 5, 2026.

Respondent filed and served her Responsive Declaration to Request for Order on September 17, 2026.

Petitioner is requesting the matter be transferred to Placer County as neither party currently resides in El Dorado County.

Minor's Counsel is in support of the transfer and asks that Placer County appoint a new Minor's Counsel in her stead.

Respondent opposes the request and argues that Placer County would not be a more convenient forum and that Petitioner is forum shopping.

In matters of child custody, venue is typically tied to the child's residence or "home state" as defined under the UCCJEA. *K.R.L. Partnership v. Sup. Ct.*, 120 Cal. App. 4th 490 (2004). The burden is on the moving party to establish grounds for a change of venue. *Fontaine v. Sup. Ct.*, 175 Cal. App. 4th 830 (2009).

Here, while Respondent's arguments are compelling, the fact remains that the minor's residence is Placer County. Given that the minor is no longer a resident of El Dorado County, the court does find that Placer County is the proper venue and as such, the change of venue is granted. Petitioner is ordered to file the requisite paperwork to complete the change of venue as well as pay the fees associated with the transfer of venue.

Regarding Minor's Counsel's request, the court cannot order Placer County to appoint a new Minor's Counsel. Instead, if the parties wish to have a new Minor's Counsel appointed an RFO will need to be brought once the venue transfer has been completed.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

TENTATIVE RULING #2: THE CHANGE OF VENUE IS GRANTED. PETITIONER IS ORDERED TO FILE THE REQUISITE PAPERWORK TO COMPLETE THE CHANGE OF VENUE AS WELL AS PAY THE FEES ASSOCIATED WITH THE TRANSFER OF VENUE.

REGARDING MINOR'S COUNSEL'S REQUEST, THE COURT CANNOT ORDER PLACER COUNTY TO APPOINT A NEW MINOR'S COUNSEL. INSTEAD, IF THE PARTIES WISH TO HAVE A NEW MINOR'S COUNSEL APPOINTED AN RFO WILL NEED TO BE BROUGHT ONCE THE VENUE TRANSFER HAS BEEN COMPLETED.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

3. CYNTHIA JACKS V. TODD V. JACKS

23FL0881

On May 15, 2026, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) alleging one count of contempt. She filed a Declaration of Due Diligence on May 26th.

On August 13, 2026, the parties appeared before the court and Petitioner requested substitute service of Respondent by way of his counsel. The request was granted and the matter was continued to the present date.

In accordance with the court's ruling, the OSC was served by substitute service on September 1, 2026.

The parties are ordered to appear for the arraignment.

TENTATIVE RULING #3: THE PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

4. DAVID KNIGHT V. AUBREY KNIGHT

23FL0645

On April 28, 2026, Respondent filed a Request for Order (RFO) seeking orders to enforce payment of the \$600,000 equalization payment and an order for the court clerk to sign the QDRO as elisor. All required documents were served by mail and electronically on April 28th, however this is a post-judgment request and therefore service was to comply with Family Code § 215. There is no Declaration Regarding Address Verification as required.

The parties appeared before the court for hearing on the RFO on July 23, 2026 at which time they agreed to continue the matter for 60 days to allow them time to obtain the transcript from the April 9, 2026 hearing.

Neither party has filed a supplemental declaration since the last hearing.

Respondent asks that the clerk of court be appointed as elisor to sign the Qualified Domestic Relations Order (QDRO) for \$1,530,000 immediately. Respondent further requests enforcement of the court's April 9, 2026 order wherein Petitioner was ordered to use his retirement account to pay the \$600,000 equalization payment.

Petitioner opposes the request and states that he is willing to pay the \$600,000 equalization payment plus legal interest, \$5,000 in attorney's fees, and \$3,000 in Family Code § 271 sanctions however he disputes Respondent's request for \$1,530,000 which he argues is an attempt to shift the tax consequences to Petitioner. He asks that the parties be ordered to cooperate in preparing and executing a proper QDRO or other plan-compliant order that implements the Judgment and the April 9th ruling without any additional funds awarded for tax liability. He asks that court to deny Respondent's request for additional attorney's fees and costs not already ordered and award Petitioner reasonable attorney's fees and costs incurred in responding to the RFO. He further asks that Respondent be ordered to execute all documents necessary to transfer the family residence located on Hamblen Way in Cool, to Petitioner and, if she fails to do so, appoint the clerk of court to act as elisor and sign any such documents. He asks the court to deny any request for open-ended access to his property and make any further orders as deemed just and proper to enforce the terms of the Judgment.

Respondent's requests are denied. The Judgment awarded Respondent \$600,000 gross. It does not assign Petitioner the tax liability for the equalization payment. In fact, much to the contrary, the judgment states that "[e]ach party shall timely file and pay his/her tax liability in connection with the tax return filed by said party." Judgement, § 10.02. Nothing in the Judgment awards Respondent additional monies to account for her tax

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

liability. Accordingly, the parties are ordered to work together, in good faith, to prepare a QDRO that properly implements the terms of the Judgment and the court's April 9, 2026 orders only. Each party is to bear his or her tax liability on the amounts awarded therein.

Petitioner's request for an order directing Petitioner to execute all documents necessary to transfer the family residence to Respondent is outside the scope of the RFO and therefore, the court declines to rule on it in accordance with California Rule of Court rule 5.92(g)(2), "unrelated relief must be sought by scheduling a separate hearing using *Request for Order* (form FL-300)..." Cal. Rule Ct. § 5.92(g)(2). Nevertheless, Respondent is admonished to comply with the terms of the Judgment and failure to do so may result in award of attorney's fees to Petitioner if he is forced to bring a motion on this issue.

Petitioner's request for attorney's fees associated with responding to the present motion is denied as Petitioner failed to assert the statutory basis for his request, the amount requested, or any argument whatsoever to support this request.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #4: RESPONDENT'S REQUESTS ARE DENIED. THE PARTIES ARE ORDERED TO WORK TOGETHER, IN GOOD FAITH, TO PREPARE A QDRO THAT PROPERLY IMPLEMENTS THE TERMS OF THE JUDGMENT AND THE COURT'S APRIL 9, 2026 ORDERS ONLY. EACH PARTY IS TO BEAR HIS OR HER TAX LIABILITY ON THE AMOUNTS AWARDED THEREIN.

PETITIONER'S REQUEST FOR AN ORDER DIRECTING PETITIONER TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER THE FAMILY RESIDENCE TO RESPONDENT IS OUTSIDE THE SCOPE OF THE RFO AND THEREFORE THE COURT DECLINES TO RULE ON IT.

PETITIONER'S REQUEST FOR ATTORNEY'S FEES ASSOCIATED WITH RESPONDING TO THE PRESENT MOTION IS DENIED AS PETITIONER FAILED TO ASSERT THE STATUTORY BASIS FOR HIS REQUEST, THE AMOUNT REQUESTED, OR ANY ARGUMENT WHATSOEVER TO SUPPORT THIS REQUEST.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

5. ANGELIKA KOROL V. SERGEY KOROL

26FL0354

On July 17, 2026, Petitioner filed a Request for Order (RFO) seeking attorney's fees and orders for a business evaluation and an evaluation of Respondent's income. On July 30, 2026, Petitioner filed another RFO seeking to compel discovery responses, and monetary sanctions. Both RFOs and all required documents were served on September 4th.

On September 17th Respondent filed his Responsive Declaration to Request for Order in response to each RFO along with his Income and Expense Declaration, Memorandums of Points and Authorities and declarations of attorney Stutz.

Petitioner filed and served reply declarations for both RFOs and her Income and Expense Declaration on September 23rd.

July 17th RFO

Petitioner brings her RFO requesting the following orders: (1) Attorney's fees and costs in the amount of \$15,450 pursuant to Family Code §§ 2030 and 2032; (2) An order for a business evaluation pursuant to Family Code § 2552 to be completed by an expert of Petitioner's choosing and the parties to evenly split the cost of the valuation; (3) An order for Respondent to respond to any and all requests from the evaluator within 10 days thereof; (4) Should Respondent fail to respond to any such requests within 10 days then the clerk of the court to be appointed as elisor to sign on Respondent's behalf; (5) Should Respondent fail to disclose the necessary documents to the evaluator, then Respondent to be sanctioned in an amount equal to the cost of preparing a subpoena for the information; (6) The court to reserve jurisdiction over the final reallocation of the expense of the business valuation and analysis of income available following completion of the valuation and determination of the date of separation; (7) An order for the same forensic accountant to perform an analysis of Respondent's income available for support and Respondent ordered to comply with that analysis as well.

Respondent opposes the requests. He asks that the court outright deny the request for attorney's fees or, alternatively, continue it until the hearing on child and spousal support, or order Petitioner to disclose the amount of fees incurred, the source of the fees paid, and whether the fees relate to the dissolution or the DVRO. He asks that the parties meet and confer on selecting a business evaluator and on how to handle the 2025 tax filings. He further asks that the parties be ordered to equally share in the cost of the evaluation subject to reallocation. Finally, he asks that only Korol Inc., Elegant Surfaces, S&A Tile, Inc., and Falcon 1 FL LLC be included in the evaluation.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

Petitioner's request for a business evaluation is granted. Petitioner shall provide Respondent with the names of three evaluators no later than October 8, 2026. Respondent is to select one of the three and inform Petitioner of his selection no later than October 15, 2026. If Respondent fails to timely select an evaluator then Petitioner shall choose one of the three. The parties are to equally share in the cost of the evaluation subject to reallocation at trial. The evaluation may, if deemed necessary by the forensic accountant, include Korol, Inc., Elegant Surfaces, Axis Building Solutions, Falcon 1 FL LLC, Sergey Homes Holdings LLC, Journey Supply Chain Management, LLC, and S&A Tile Inc. Respondent is ordered to comply with all requests for information or documents within 10 calendar days of the request. Respondent is admonished that failure to timely comply with the evaluator's requests in any way may result in monetary sanctions.

Petitioner's request for the forensic accountant to conduct an analysis of Respondent's income available for support is also granted. Respondent is ordered to comply with all requests for information or documents within 10 calendar days of the request. Respondent is admonished that failure to timely comply with the evaluator's requests in any way may result in monetary sanctions.

Regarding the request for the clerk to act as elisor to sign any documents that Respondent refuses to sign, assuming he refuses, and the request to essentially pre-sanction Respondent for failing to disclose documents, neither of these requests are ripe for decision. Petitioner asks the court to make orders based on presupposed outcomes and actions that Respondent *might* engage in. The court is not inclined to do so. Furthermore, the court is not willing to give the clerk blanket authority to sign any and all documents that Respondent refuses to sign without the necessary information to determine if appointing elisor is appropriate. Given that neither request is ripe, both are denied without prejudice.

The parties are ordered to meet and confer on the handling of their 2025 taxes.

The court is reserving jurisdiction to make a determination on the date of separation.

Turning to the request for attorney's fees, the request is granted. Looking at the respective monthly income of each of the parties there is quite clearly a significant disparity. Add to that the fact that Respondent has access to the community businesses and, by his own admission, has withdrawn \$16,000 from Elegant Surfaces. Given Respondent's access to the income of the companies, the court finds that he has the

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

ability to pay the attorney fees for both parties. As such, Respondent is ordered to pay, directly to Petitioner's attorney, \$15,000 as and for attorney's fees and costs. This amount may be paid in one lump sum or in monthly increments of \$625 commencing on October 15, 2026 and continuing on the 15th of each month thereafter until paid in full (approximately 24 months). If any payment is missed or late the entire amount shall become immediately due and payable.

July 30th RFO

By way of her July 30th RFO, Petitioner is requesting an order compelling Respondent to serve further verified written responses to Petitioner's Special Interrogatories, Set One, Form Interrogatories – Family Law, Set One, and Form Interrogatories – General, Set One served on May 15, 2026. She further requests and order for Respondent to produce all responsive documents within his possession, custody, and control related to the further verified responses to the aforementioned discovery. She requests monetary sanctions in the amount of \$5,400 pursuant to Civil Procedure § 2030.300 and Family Code § 271.

Respondent asks that Petitioner's motion to compel be denied as untimely. He requests discovery sanctions in the amount of \$2,370 as well as additional sanctions pursuant to Family Code § 271.

At issue here are responses to special interrogatories and form interrogatories. "On receipt of a response to interrogatories, the propounding party may move for an order compelling a further response if the propounding party deems..." the responses to be evasive or incomplete. Cal. Civ. Pro. § 2030.300. However, notice of such a motion must be given within 45 days of the service of the verified response. Cal. Civ. Pro. § 2030.300(c). The deadline is extended by two court days if service of the responses was via electronic means (Cal. Civ. Pro. § 1010.6(a)(3)(B)) or five court days where service of the original responses is made by mail within the state of California. Cal. Civ. Pro. § 1013.

Here, the discovery was served on May 15, 2026 and verified responses were served electronically on June 15, 2026. Thus, the time to file a motion to compel further responses was 45 days from June 15th plus two court days to account for electronic service. This would have made August 3rd the deadline to file and serve the motion. Petitioner timely filed her motion on July 30th but it was not served until September 4th, a month after the deadline to provide notice of the motion. As such, the motion is untimely.

Petitioner relies on Civil Procedure § 1005(b) which mandates service of the moving papers at least 16 days prior to the hearing date. However, Section 1005(b) only applies to

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

those motions enumerated in Section 1005(a) including any proceeding where “no other time or method is prescribed by law or by court or judge.” Because Section 2030.300 provides its own notice requirement, motions brought under that section are excluded from the timeline established by Section 1005 and thus, Petitioner’s reliance is misplaced.

Because the motion to compel was not timely filed, the motion and Petitioner’s accompanying request for discovery sanctions are denied. That said, Petitioner has also made a request for sanctions pursuant to Family Code § 271. While the discovery motion cutoff dates do apply, the disclosure obligations in family law are different than regular civil litigation in that, “...each party has a continuing duty to *immediately, fully, and accurately...*” disclose all material information. Fam. Code § 2100(c). The court has reviewed Respondent’s responses to the discovery, as well as statements made by counsel during the meet and confer process and his opposition papers, and the court does find that the conduct of Respondent, and his counsel, has frustrated the policy of the law to promote settlement and reduce the cost of litigation. Respondent’s refusal to provide information regarding his business dealings, financial assets, employment, and other requested information necessitated the filing of the motion, albeit untimely, and has clearly increased the cost of litigation for both parties and hindered any efforts towards settlement. For these reasons, Petitioner’s request for sanctions pursuant to Family Code § 271 is granted. Respondent shall pay Petitioner \$5,400 as and for sanctions.

Turning to Respondent’s request for discovery sanctions, sanctions for are mandatory for one who “unsuccessfully makes or opposes a motion to compel a response...unless [the court] finds that one subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust” Cal. Civ. Pro. §2030.290 (interrogatories) & § 2030.300(d). Here, because Petitioner’s motion was untimely based on well settled law the court does find the imposition of discovery sanctions to be warranted. Accordingly, Petitioner is ordered to pay Respondent \$2,370 in sanctions pursuant to Civil Procedure §§ 2030.290 and 2030.300.

Respondent may offset the sanctions he owes by the amount owed to him. This would result in a net payment of \$3,030 from Respondent to Petitioner to satisfy each party’s obligations under this order. Respondent is directed to pay directly to Petitioner’s counsel sanctions in the amount of \$3,030 on or before October 15, 2026, in one lump sum, or in monthly payments of \$252.50 beginning on October 15, 2026. Further payments are due on the 15th of each month until paid in full (approximately 12 months). If there is any missed or late payment the full amount is due an owing with legal interest.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #5: PETITIONER'S REQUEST FOR A BUSINESS EVALUATION IS GRANTED. PETITIONER SHALL PROVIDE RESPONDENT WITH THE NAMES OF THREE EVALUATORS NO LATER THAN OCTOBER 8, 2026. RESPONDENT IS TO SELECT ONE OF THE THREE AND INFORM PETITIONER OF HIS SELECTION NO LATER THAN OCTOBER 15, 2026. IF RESPONDENT FAILS TO TIMELY SELECT AN EVALUATOR THEN PETITIONER SHALL CHOOSE ONE OF THE THREE. THE PARTIES ARE TO EQUALLY SHARE IN THE COST OF THE EVALUATION SUBJECT TO REALLOCATION AT TRIAL. THE EVALUATION MAY, IF DEEMED NECESSARY BY THE FORENSIC ACCOUNTANT, INCLUDE KOROL, INC., ELEGANT SURFACES, AXIS BUILDING SOLUTIONS, FALCON 1 FL LLC, SERGEY HOMES HOLDINGS LLC, JOURNEY SUPPLY CHAIN MANAGEMENT, LLC, AND S&A TILE INC. RESPONDENT IS ORDERED TO COMPLY WITH ALL REQUESTS FOR INFORMATION OR DOCUMENTS WITHIN 10 CALENDAR DAYS OF THE REQUEST. RESPONDENT IS ADMONISHED THAT FAILURE TO TIMELY COMPLY WITH THE EVALUATOR'S REQUESTS IN ANY WAY MAY RESULT IN MONETARY SANCTIONS.

PETITIONER'S REQUEST FOR THE FORENSIC ACCOUNTANT TO CONDUCT AN ANALYSIS OF RESPONDENT'S INCOME AVAILABLE FOR SUPPORT IS ALSO GRANTED. RESPONDENT IS ORDERED TO COMPLY WITH ALL REQUESTS FOR INFORMATION OR DOCUMENTS WITHIN 10 CALENDAR DAYS OF THE REQUEST. RESPONDENT IS ADMONISHED THAT FAILURE TO TIMELY COMPLY WITH THE EVALUATOR'S REQUESTS IN ANY WAY MAY RESULT IN MONETARY SANCTIONS.

REGARDING THE REQUEST FOR THE CLERK TO ACT AS ELISOR TO SIGN ANY DOCUMENTS THAT RESPONDENT REFUSES TO SIGN, ASSUMING HE REFUSES, AND THE REQUEST TO ESSENTIALLY PRE-SANCTION RESPONDENT FOR FAILING TO DISCLOSE DOCUMENTS, NEITHER OF THESE REQUESTS ARE RIPE FOR DECISION AND THEREFORE BOTH ARE DENIED WITHOUT PREJUDICE.

THE PARTIES ARE ORDERED TO MEET AND CONFER ON THE HANDLING OF THEIR 2025 TAXES.

THE COURT IS RESERVING JURISDICTION TO MAKE A DETERMINATION ON THE DATE OF SEPARATION.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

TURNING TO THE REQUEST FOR ATTORNEY'S FEES, THE REQUEST IS GRANTED. RESPONDENT IS ORDERED TO PAY, DIRECTLY TO PETITIONER'S ATTORNEY, \$15,000 AS AND FOR ATTORNEY'S FEES AND COSTS. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$625 COMMENCING ON OCTOBER 15, 2026 AND CONTINUING ON THE 15TH OF EACH MONTH THEREAFTER UNTIL PAID IN FULL (APPROXIMATELY 24 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

THE MOTION TO COMPEL AND PETITIONER'S ACCOMPANYING REQUEST FOR DISCOVERY SANCTIONS ARE DENIED AS UNTIMELY. PETITIONER'S REQUEST FOR SANCTIONS PURSUANT TO FAMILY CODE § 271 IS GRANTED. RESPONDENT SHALL PAY PETITIONER \$5,400 AS AND FOR SANCTIONS. RESPONDENT'S REQUEST FOR SANCTIONS IS ALSO GRANTED. PETITIONER IS ORDERED TO PAY RESPONDENT \$2,370 IN SANCTIONS PURSUANT TO CIVIL PROCEDURE §§ 2030.290 AND 2030.300. RESPONDENT MAY OFFSET THE SANCTIONS HE OWES BY THE AMOUNT OWED TO HIM. THIS WOULD RESULT IN A NET PAYMENT OF \$3,030 FROM RESPONDENT TO PETITIONER TO SATISFY EACH PARTY'S OBLIGATIONS UNDER THIS ORDER. RESPONDENT IS DIRECTED TO PAY DIRECTLY TO PETITIONER'S COUNSEL SANCTIONS IN THE AMOUNT OF \$3,030 ON OR BEFORE OCTOBER 15, 2026, IN ONE LUMP SUM, OR IN MONTHLY PAYMENTS OF \$252.50 BEGINNING ON OCTOBER 15, 2026. FURTHER PAYMENTS ARE DUE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF THERE IS ANY MISSED OR LATE PAYMENT THE FULL AMOUNT IS DUE AN OWING WITH LEGAL INTEREST.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

October 1, 2026

8:30 AM/1:30 PM

**THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE
8.05.07.**

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

6. PATRICIA KOWALSKI V. BRAD KOWALSKI

24FL0773

On July 1, 2026, Petitioner filed a Request for Order (RFO) seeking property orders. The RFO was served on July 2nd, however none of the other required documents were served.

Respondent filed and served his Responsive Declaration to Request for Order on September 14, 2026.

Petitioner filed and served her reply declaration on September 24th. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which states all reply papers are to be filed at least five court days before the hearing date. Section 12c states, “[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12.” Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made September 23rd the last day for filing the reply therefore it is late and has not been read or considered by the court.

Petitioner is asking the court to order Respondent’s removal from the community property residence pending its sale or, in the alternative, that Respondent be ordered to pay rent in the amount of \$3,500 per month, to be reduced from his portion of the sale proceeds. Petitioner further requests final authority to decide whether or not to make price adjustments for offers within \$8,000 of the asking price and an order precluding reimbursement to Respondent for any unauthorized work done on the home. Finally, Petitioner is requesting an order allowing either party to return to court on an ex parte basis to resolve any disagreement which may arise delaying the effective marketing of the home.

Respondent opposes the requests and notes that the court already reserved jurisdiction over *Watts/Epstein* credits and charges. He further opposes the request precluding reimbursement for work done on the home. He does not oppose the request to give Petitioner authority to accept an offer up to \$8,000 below the agreed upon listing price.

The request to charge Respondent monthly rent of \$3,500 is denied without prejudice. As stated in the court’s prior order, the court is reserving jurisdiction on the issue of *Watts/Epstein* credits and charges until the time of trial.

The court is reserving jurisdiction on Petitioner’s request to deny reimbursements to Respondent for any unauthorized work done on the home. First and foremost this issue is

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

not ripe for decision as, to the court's knowledge, Respondent has not made a request for reimbursement to date. Furthermore, the court is not inclined to make a blanket prohibition without having specifics regarding the requested reimbursements. For these reasons, the court reserves on this issue until the time of trial.

The request for an order that Respondent vacate the residence is denied. The court does not find grounds to make such an order at this time. However, in keeping with the court's prior order, the parties are ordered to select a new listing agent forthwith. Petitioner shall have authority to accept offers up to \$8,000 below the asking price.

The request regarding ex parte applications is denied. Ex parte requests will only be considered where the requirements for an ex parte application have been met.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #6: THE REQUEST TO CHARGE RESPONDENT MONTHLY RENT OF \$3,500 IS DENIED WITHOUT PREJUDICE. AS STATED IN THE COURT'S PRIOR ORDER, THE COURT IS RESERVING JURISDICTION ON THE ISSUE OF WATTS/EPSTEIN CREDITS AND CHARGES UNTIL THE TIME OF TRIAL.

THE COURT IS RESERVING JURISDICTION ON PETITIONER'S REQUEST TO DENY REIMBURSEMENTS TO RESPONDENT FOR ANY UNAUTHORIZED WORK DONE ON THE HOME.

THE REQUEST FOR AN ORDER THAT RESPONDENT VACATE THE RESIDENCE IS DENIED. THE PARTIES ARE ORDERED TO SELECT A NEW LISTING AGENT FORTHWITH. PETITIONER SHALL HAVE AUTHORITY TO ACCEPT OFFERS UP TO \$8,000 BELOW THE ASKING PRICE.

THE REQUEST REGARDING EX PARTE APPLICATIONS IS DENIED. EX PARTE REQUESTS WILL ONLY BE CONSIDERED WHERE THE REQUIREMENTS FOR AN EX PARTE APPLICATION HAVE BEEN MET.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

7. JEREMY NICHOLS V. OLIVIA NICHOLS

23FL1221

The parties were scheduled to commence trial on, among other things, child and spousal support on August 17, 2026 however it was brought to light that Respondent had not served her Final Declaration of Disclosure therefore the court was unable to proceed. The trial was vacated but the issues of child and spousal support were continued to the law and motion calendar and set to be heard on the present date.

On August 12, 2026, Respondent filed an Income and Expense Declaration. There is no Proof of Service for this document therefore it cannot be considered.

Petitioner filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on September 16th.

Respondent filed her reply declaration on September 22nd, it was served on September 21st.

The parties are ordered to appear for the hearing and bring with them proposed Xspouse reports. Respondent is ordered to bring her completed Income and Expense Declaration with supporting documents.

TENTATIVE RULING #7: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING AND BRING WITH THEM PROPOSED XSPOUSE REPORTS. RESPONDENT IS ORDERED TO BRING HER COMPLETED INCOME AND EXPENSE DECLARATION WITH SUPPORTING DOCUMENTS.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

8. APRIL ROBINSON V. GORDON ROBINSON

PFL20210147

On April 9, 2026 Respondent filed a Request for Order (RFO) seeking enforcement of the Judgment and reimbursements. All required documents were personally served on April 29th in accordance with Family Code § 215.

Petitioner filed and served her Responsive Declaration to Request for Order on July 2, 2026.

On July 8th, Petitioner filed and served a Declaration of Petitioner in Opposition to Respondent's Request for Order, and her Income and Expense Declaration.

This matter came before the court for hearing on July 16, 2026 at which time the court continued the matter to the present date.

Respondent filed and served a supplemental declaration on September 21st.

Petitioner filed and served her reply declaration on September 23rd.

Respondent is requesting an order for the immediate sale of the community residence located at 1100 Campbell Court in Rescue. He asks that he be given sole control over the sale and for the clerk to be appointed as elisor. He requests reimbursements from the sale proceeds in accordance with the Judgment for *Watts* charges, HOA costs, property taxes, pool maintenance, health insurance costs (Ollie Health), unreimbursed healthcare costs, and Petitioner's credit card bill, with an offset for Respondent's half of the homeowner's insurance, which totals \$103,810.34 in credits to Respondent. Finally, he asks for \$7,500 in sanctions pursuant to Civil Code § 1717 and Family Code § 271.

Petitioner asks the court to deny Respondent's request for \$21,771 in medical reimbursements as the request was ambiguous when raised in the initial RFO, the reimbursement request was not properly made using the FL-420 and the FL-192, and to the extent it was raised in the supplemental declaration, it violates Petitioner's due process rights. She asks the court to reserve on the issues of *Watts* charges, credits and reimbursements until after the home sells. She asks the court to deny Respondent's request for sanctions and instead award her \$7,500 as and for attorney's fees. Finally, she requests a review hearing following the close of escrow on the home.

In reviewing the filings of the parties, it is unclear to the court if the house has been listed for sale. The parties are ordered to appear to update the court on the status of the sale.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

October 1, 2026

8:30 AM/1:30 PM

The court is reserving jurisdiction on the requests for reimbursements until after the sale of the home. The court is reserving jurisdiction on Respondent's request for Section 271 sanctions however, upon review of the pleadings, it does appear that Petitioner has unreasonably delayed the sale given that she waited two months prior to letting the listing agent review the interior of the home. Petitioner is strongly cautioned that further unreasonable delays on her part may result in monetary sanctions.

Regarding Petitioner's request for attorney's fees, the request is denied. In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2). Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032. "In determining what is just and reasonable under the relative circumstances, the court shall take into consideration the need for the award to enable each party, to the extent practical, to have sufficient financial resources to present the party's case adequately." *Id.* at (b). Financial resources are only one factor to be considered though. *Id.* In addition to the parties' financial resources, the court may consider the parties' trial tactics. In *Re Marriage Of Falcone & Fyke*, 203 Cal. App. 4th 964; 975 (2012).

Here, while the court does find there to be a disparity in income, the court is not inclined to award Petitioner attorney's fees when it is her actions that have necessitated the filing of the RFO by Respondent in the first place. There is a judgment in this matter which clearly calls for the home to be sold and enumerates each party's respective financial obligations. It seems to be Petitioner's failure to abide by those terms that has resulted in both parties incurring additional attorney's fees. For that reason, the request is denied.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #8: THE PARTIES ARE ORDERED TO APPEAR TO UPDATE THE COURT ON THE STATUS OF THE SALE.

THE COURT IS RESERVING JURISDICTION ON THE REQUESTS FOR REIMBURSEMENTS UNTIL AFTER THE SALE OF THE HOME. THE COURT IS RESERVING JURISDICTION ON RESPONDENT'S REQUEST FOR SECTION 271 SANCTIONS

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

HOWEVER UPON REVIEW OF THE PLEADINGS IT DOES APPEAR THAT PETITIONER HAS UNREASONABLY DELAYED THE SALE GIVEN THAT SHE WAITED TWO MONTHS PRIOR TO LETTING THE LISTING AGENT REVIEW THE INTERIOR OF THE HOME. PETITIONER IS STRONGLY CAUTIONED THAT FURTHER UNREASONABLE DELAYS ON HER PART MAY RESULT IN MONETARY SANCTIONS.

REGARDING PETITIONER'S REQUEST FOR ATTORNEY'S FEES, THE REQUEST IS DENIED.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

9. TERESA SANCHEZ V. ERNEST SANCHEZ

22FL0180

On July 23, 2026, Counsel for Respondent filed a Notice of Motion and Motion to be Relieved as Counsel. The motion was served on both parties on August 3, 2026.

Counsel states that there has been an irreparable breakdown of the attorney-client relationship. The motion is granted pursuant to *Aceves v. Sup. Ct.*, 51 Cal. App. 4th 584 (1996) which states that the court may rely on Counsel's representation that there is a conflict, or that the attorney-client relationship has suffered an irreparable breakdown, without knowing the underlying facts behind those statements. Withdrawal will be effective as of the date of filing the Proof of Service of the formal, signed order upon the client.

TENTATIVE RULING #9: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER UPON THE CLIENT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

10. NICHOLE C. SIMERLY V. ERIC S. SIMERLY

25FL0842

On June 1, 2026, Petitioner filed a Request for Order (RFO) seeking orders for child custody, visitation, and support. She did not file her Income and Expense Declaration on July 1st. All required documents were served on July 1st.

The parties attended Child Custody Recommending Counseling (CCRC) on July 10, 2026. The parties reached some agreements but could not agree on all issues therefore a report with the agreements and recommendations was prepared on July 16th and mailed to the parties on July 17th.

Respondent filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on September 16th.

Petitioner filed an updated Income and Expense Declaration on September 17th and she filed and served her reply declaration on September 22nd.

Petitioner is requesting joint legal and joint physical custody with a 50/50 timeshare. She further requests guideline child support and spousal support.

Respondent asks the court to adopt the agreements and recommendations in the CCRC report with some modifications. He also asks that Petitioner be ordered to maintain health insurance for the minors. He asks that the court order guideline child support payable to him in the amount of \$159 per month and that spousal support be set to \$0.

After reviewing the filings as outlined above the court finds the agreements and recommendations contained in the July 16, 2026 CCRC report to be in the best interests of the minors and they are hereby adopted as the orders of the court with the following modifications. All non-school custody exchanges are to occur at the Chevron gas station located at 3940 Cambridge Road in Cameron Park. The court is not granting the request to preclude Petitioner's father from participating in exchanges as the parties are already being ordered to remain in their vehicles during the exchange and are not to have any contact with one another, including verbally, during the exchange. Petitioner is ordered to ensure her father abides by these terms if he participates in any exchanges. The parties are to park as close as reasonably possible to one another during exchanges to ensure the safe transfer of the children without either party exiting their vehicle. The party arriving first is to park as close as possible to the front of the gas station.

Regarding the visitation schedule, the court is amending the CCRC recommendations as follows: Week 1 – Father will have the children from school drop off

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

(9am if no school) on Monday to Wednesday at school pick-up (2:00pm if no school). Mother will have the children from Wednesday at school pick-up (2:00pm if no school) to Friday at 6:00pm. Week 2: Father shall have from Friday at 6:00pm to Wednesday at school pick-up (2:00 pm if no school) and Mother shall have from Wednesday at school pick-up (2:00pm if no school) to Monday at school drop off (9:00am if no school).

Regarding support, it appears there has been a recent change in Respondent's income. In order to allow the parties additional time to conduct discovery on this issue the court is continuing the issues of child and spousal support to Thursday, December 31st at 1:30pm in Department 5. Parties are ordered to file updated Income and Expense Declarations proposed Xspouse reports, and any supplemental declarations no later than 10 days prior to the date for the review hearing. The court reserves jurisdiction to retroactively modify support to the date of the filing of the RFO.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #10: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE JULY 16, 2026 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT WITH THE FOLLOWING MODIFICATIONS. ALL NON-SCHOOL CUSTODY EXCHANGES ARE TO OCCUR AT THE CHEVRON GAS STATION LOCATED AT 3940 CAMBRIDGE ROAD IN CAMERON PARK. THE COURT IS NOT GRANTING THE REQUEST TO PRECLUDE PETITIONER'S FATHER FROM PARTICIPATING IN EXCHANGES AS THE PARTIES ARE ALREADY BEING ORDERED TO REMAIN IN THEIR VEHICLES DURING THE EXCHANGE AND ARE NOT TO HAVE ANY CONTACT WITH ONE ANOTHER, INCLUDING VERBALLY, DURING THE EXCHANGE. PETITIONER IS ORDERED TO ENSURE HER FATHER ABIDES BY THESE TERMS IF HE PARTICIPATES IN ANY EXCHANGES. THE PARTIES ARE TO PARK AS CLOSE AS REASONABLY POSSIBLE TO ONE ANOTHER DURING EXCHANGES TO ENSURE THE SAFE TRANSFER OF THE CHILDREN WITHOUT EITHER PARTY EXITING THEIR VEHICLE. THE PARTY ARRIVING FIRST IS TO PARK AS CLOSE AS POSSIBLE TO THE FRONT OF THE GAS STATION.

REGARDING THE VISITATION SCHEDULE, THE COURT IS AMENDING THE CCRC RECOMMENDATIONS AS FOLLOWS: WEEK 1 – FATHER WILL HAVE THE CHILDREN FROM SCHOOL DROP OFF (9AM IF NO SCHOOL) ON MONDAY TO WEDNESDAY AT

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

SCHOOL PICK-UP (2:00PM IF NO SCHOOL). MOTHER WILL HAVE THE CHILDREN FROM WEDNESDAY AT SCHOOL PICK-UP (2:00PM IF NO SCHOOL) TO FRIDAY AT 6:00PM. WEEK 2: FATHER SHALL HAVE FROM FRIDAY AT 6:00PM TO WEDNESDAY AT SCHOOL PICK-UP (2:00 PM IF NO SCHOOL) AND MOTHER SHALL HAVE FROM WEDNESDAY AT SCHOOL PICK-UP (2:00PM IF NO SCHOOL) TO MONDAY AT SCHOOL DROP OFF (9:00AM IF NO SCHOOL).

REGARDING SUPPORT, IT APPEARS THERE HAS BEEN A RECENT CHANGE IN RESPONDENT'S INCOME. IN ORDER TO ALLOW THE PARTIES ADDITIONAL TIME TO CONDUCT DISCOVERY ON THIS ISSUE THE COURT IS CONTINUING THE ISSUES OF CHILD AND SPOUSAL SUPPORT TO THURSDAY, DECEMBER 31ST AT 1:30 PM IN DEPARTMENT 5. PARTIES ARE ORDERED TO FILE UPDATED INCOME AND EXPENSE DECLARATIONS PROPOSED XSPOUSE REPORTS, AND ANY SUPPLEMENTAL DECLARATIONS NO LATER THAN 10 DAYS PRIOR TO THE DATE FOR THE REVIEW HEARING. THE COURT RESERVES JURISDICTION TO RETROACTIVELY MODIFY SUPPORT TO THE DATE OF THE FILING OF THE RFO.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

11. ESTEFANIA SIMMONS V. RONALD SIMMONS

25FL0176

On September 21, 2026, Petitioner filed a Request for Order (RFO) seeking an order to sell two community property residences. She filed a Memorandum of Points and Authorities in support thereof on September 22nd. All documents were served on September 21st however she failed to serve the requisite blank FL-320 and the required Notice of Tentative Ruling.

Respondent has not filed a Responsive Declaration to Request for Order. However, due to the fact that Petitioner failed to serve all of the required documents this matter is dropped from calendar.

TENTATIVE RULING #11: THIS MATTER IS DROPPED FROM CALENDAR DUE TO PETITIONER'S FAILURE TO SERVE ALL OF THE REQUIRED DOCUMENTS.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO* LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

12. RILEY BEBITA V. NICHOLAS BEBITA

26FL0071

Petitioner filed a Request for Order (RFO) on February 5, 2026, seeking custody and parenting time orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on March 4, 2026, and a review hearing on April 30, 2026.

Petitioner appeared for the hearing on April 30, 2026, and requested the matter be continued to allow additional time to properly serve Respondent. Petitioner confirmed Respondent is on active duty in the military and is currently deployed. The court granted the request to continue the matter and rereferred the parties to CCRC with an appointment on June 8, 2026, and set a further review hearing for July 16, 2026.

Respondent was personally served all required documents, including the Petition and Summons, on April 30, 2026. Respondent was subsequently personally served with the amended referral to CCRC, changing the appointment to June 11th.

Only Petitioner appeared at the June 11, 2026, CCRC appointment. A single parent report was lodged with the court on June 11, 2026, and mailed to the parties the same day. Respondent's copies were returned by the postal service.

On July 17, 2026, under the Servicemembers Relief Act (50 USC §§§ 3901-4026) the court appointed Kelly Bently as counsel to Respondent. The court found good cause to continue the matter to allow counsel to contact Respondent to determine his position as to a stay of these proceedings.

Respondent filed a declaration on August 31, 2026. Petitioner was served the same day. Respondent has returned from his deployment and is now available to participate in CCRC. Respondent requests the parties be referred to CCRC and that he be able to participate remotely. Respondent also requests interim custody orders pending the review hearing.

The court finds good cause to refer the parties to CCRC with an appointment on Thursday, December 10TH at 1:00 PM. The court sets a further review hearing on Thursday, February 18th, 2027, at 8:30 AM in Department 5. Pending the review hearing, the parties shall have joint legal custody. Petitioner shall have primary physical custody. Respondent may have reasonable parenting time in the state of California.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #12: THE COURT FINDS GOOD CAUSE TO REFER THE PARTIES TO CCRC WITH AN APPOINTMENT ON THURSDAY, DECEMBER 10TH AT 1:00 PM. THE COURT SETS A FURTHER REVIEW HEARING ON THURSDAY, FEBRUARY 18TH AT 8:30 AM IN DEPARTMENT 5. PENDING THE REVIEW HEARING, THE PARTIES SHALL HAVE JOINT LEGAL CUSTODY. PETITIONER SHALL HAVE PRIMARY PHYSICAL CUSTODY. RESPONDENT MAY HAVE REASONABLE PARENTING TIME IN THE STATE OF CALIFORNIA.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

13. ROBERT CLARK V. VICTORIA CLARK

26FL0467

Petitioner filed a Request for Order (RFO) on May 19, 2026, requesting child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 1, 2026, and a review hearing on August 13, 2026. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Respondent filed a Responsive Declaration on June 23, 2026. There is no Proof of Service for this document, therefore, the court cannot consider it.

On July 14, 2026, the court issued an ex parte minute order rescheduling the CCRC appointment and review hearing. Parties were served electronically on July 15, 2026.

Only Petitioner appeared at the CCRC appointment.

Petitioner filed a declaration on September 14, 2026. There is no Proof of Service for this document, therefore, the court cannot consider it.

The court notes the parties in this matter have filed two additional petitions, including a Petition for Nullity (26FL0873) and a Petition to Establish a Parental Relationship (26FL0913). The court, on its own motion, orders the cases 26FL0467 and 26FL0873 to be consolidated with 26FL0873 to be the lead case. The court, on its own motion, is striking the Petition to Establish a Parental Relationship in 26FL0913, as that case was accepted for filing in error.

The court drops the RFO from calendar due to the lack of proper service.

TENTATIVE RULING #13: THE COURT NOTES THE PARTIES IN THIS MATTER HAVE FILED TWO ADDITIONAL PETITIONS, INCLUDING A PETITION FOR NULLITY (26FL0873) AND A PETITION TO ESTABLISH A PARENTAL RELATIONSHIP (26FL0913). THE COURT, ON ITS OWN MOTION, ORDERS THE CASES 26FL0467 AND 26FL0873 TO BE CONSOLIDATED WITH 26FL0873 TO BE THE LEAD CASE. THE COURT, ON ITS OWN MOTION, STRIKES THE PETITION TO ESTABLISH A PARENTAL RELATIONSHIP IN 26FL0913, AS THAT CASE WAS ACCEPTED FOR FILING IN ERROR. THE CLERK OF THE COURT IS DIRECTED TO STRIKE THE PETITION IN CASE 26FL0913. THE CLERK OF THE COURT IS DIRECTED TO CONSOLIDATE CASES 26FL0467 AND 26FL0873 WITH 26FL0873 AS THE LEAD CASE.

THE RFO IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

14. JENNIFER COWLES V. BENJAMINE COWLES

PFL20180808

Petitioner filed a Request for Order (RFO) on May 4, 2026, seeking modification of child custody and parenting plan orders as well as modification of child support orders. Petitioner did not concurrently file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on June 10, 2026 and a review hearing on July 23, 2026. Proof of Service shows Respondent was personally served in accordance with Family Code section 215 on June 26, 2026.

Only Petitioner appeared at the CCRC appointment. A single parent report was prepared and mailed to the parties on June 10th.

Petitioner subsequently filed a new RFO seeking custody orders on June 30, 2026. The parties were again referred to CCRC with an appointment on August 20, 2026 and a review hearing on October 1, 2026. Respondent was personally served on August 4, 2026. Respondent was again served on August 6, 2026, electronically and by certified mail.

Respondent filed a Responsive Declaration on June 29, 2026. There is no Proof of Service for this document, therefore, the court cannot consider it.

Respondent has not filed an Income and Expense Declaration.

Both parties and the minors attended CCRC. The parties were unable to reach any agreements. A report with recommendations was prepared on September 10, 2026. Copies were mailed to the parties on September 14th.

As to the request to modify child support, the request is denied. "For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration." Cal. Rule Ct. 5.260(1); See *also* Cal. Fam. Code §2100. The party requesting support shall file and serve their Income and Expense Declaration with the initial moving papers. El Dorado Sup. Ct. Rule 8.03.01. Petitioner failed to comply with the Rule of Court, the statute, and the Local Rule. As such, the request is denied.

As to the request to modify child custody the court finds it will need to take testimony on the matter. Parties are ordered to appear for the hearing to select settlement conference and trial dates. Further, the court notes the minors were previously represented by Minors' Counsel. Given the information set forth in the September 10th CCRC report, the court finds it is appropriate at this time to reappoint Minors' Counsel. Minors' Counsel Kelly

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

Bentley is appointed to the minors. The court reserves on the allocation of the costs of Minors' Counsel.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #14: AS TO THE REQUEST TO MODIFY CHILD SUPPORT, THE REQUEST IS DENIED AS PETITIONER FAILED TO COMPLY WITH THE RULE OF COURT, THE STATUTE, AND THE LOCAL RULE.

AS TO THE REQUEST TO MODIFY CHILD CUSTODY THE COURT FINDS IT WILL NEED TO TAKE TESTIMONY ON THE MATTER. PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO SELECT SETTLEMENT CONFERENCE AND TRIAL DATES. FURTHER, THE COURT NOTES THE MINORS WERE PREVIOUSLY REPRESENTED BY MINORS' COUNSEL. GIVEN THE INFORMATION SET FORTH IN THE SEPTEMBER 10TH CCRC REPORT, THE COURT FINDS IT IS APPROPRIATE AT THIS TIME TO REAPPOINT MINORS' COUNSEL. MINORS' COUNSEL KELLY BENTLEY IS APPOINTED TO THE MINORS. THE COURT RESERVES ON THE ALLOCATION OF THE COSTS OF MINORS' COUNSEL.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

15. THOMAS LUTZ V. KAREN LUTZ

23FL1270

Petitioner filed a Request for Order (RFO) on July 2, 2026, seeking modification of temporary spousal support. Petitioner concurrently filed an Income and Expense Declaration. Proof of Service shows Respondent was only served with the RFO. The court drops the matter from calendar due to the lack of proper service.

Respondent filed an RFO on July 13, 2026, seeking compliance with spousal support orders as well as an order compelling Petitioner to serve his preliminary and final declarations of disclosure. Respondent concurrently filed an Income and Expense Declaration. Proof of Service shows Petitioner was served with some, but not all the required documents on July 13, 2026. The court drops the matter from calendar due to the lack of proper service.

All prior orders remain in full force and effect.

TENTATIVE RULING #15: PETITIONER'S JULY 2, 2026 RFO IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

RESPONDENT'S JULY 13, 2026 RFO IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

16. AMANDA PARKER V. DAKOTA HENDERSON

25FL1120

Petitioner filed a Request for Order (RFO) on July 2, 2026, requesting modification of the parenting plan orders. Proof of Service shows Respondent was served some, but not all the required documents on July 2, 2026.

Respondent has not filed a Responsive Declaration.

The court drops the matter from calendar due to the lack of proper service.

TENTATIVE RULING #16: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

17. JUSTIN SIMARRO V. YAJAIRA SIMARRO

PFL20200099

On November 6, 2025, Respondent filed a Request for Order (RFO) seeking an order for Petitioner to pay credit card debts.

On November 17th, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC).

Respondent filed another RFO on January 16, 2026.

On February 13, 2026, Respondent filed a Proof of Service indicating service of an “FL300, ex parte” and an “FL300.” There are currently three RFOs pending before the court and the Proof of Service does not specify which one was served. Additionally, the Notice of Tentative Ruling was not served, nor was a blank Responsive Declaration to Request for Order.

According to the Proof of Service, the “FL410” was personally served on Petitioner.

Parties appeared for the hearing on February 26, 2026. The court arraigned Petitioner on the OSC. Petitioner requested additional time to hire counsel. The court continued the OSC for further arraignment to April 23, 2026 at 1:30 PM.

The court continued the November 6, 2025, RFO to allow Respondent time to file a corrected Proof of Service.

Respondent filed a Proof of Service on April 1, 2026 showing Respondent was personally served with all the required documents.

On April 23, 2026, the court appointed the office of the Public Defender to Petitioner and continued the arraignment.

On June 18, 2026, the office of the Public Defender declared an overwork conflict and they were thanked and relieved. The court appointed the office of the Alternate Public Defender to Petitioner and once again continued the arraignment.

On July 16, 2026, only Respondent appeared for the hearing. The court found good cause to continue the hearing to October 1, 2026. The court issued a Bench Warrant for Petitioner and stayed the Bench Warrant pending the next hearing. The court directed the clerk of the court to send notice of the continued hearing to the Alternate Public Defender as well as to Petitioner by way of minute order.

The parties are ordered to appear on the RFO.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

TENTATIVE RULING #17: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

18. ALYSSA SWOBODA V. JOSHUA SWOBODA

PFL20210472

Petitioner filed a Request for Order (RFO) on June 30, 2026, seeking modification of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 21, 2026, and a review hearing on October 1, 2026. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Neither party appeared at the CCRC appointment.

The court drops the matter from calendar due to the lack of proper service as well as Petitioner's failure to appear at CCRC.

All prior orders remain in full force and effect.

TENTATIVE RULING #18: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AS WELL AS PETITIONER'S FAILURE TO APPEAR AT CCRC. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
October 1, 2026
8:30 AM/1:30 PM

19. AUDRIA WELLS V. WILLIAM WELLS

26FL0644

Petitioner filed a Request for Order (RFO) on July 17, 2026, seeking child and spousal support. Petitioner concurrently filed an Income and Expense Declaration.

Upon review of the court file, there is no Proof of Service showing the Petition and Summons have been properly served. Further, there is no Proof of Service showing the RFO was properly served. The court drops the matter from calendar as it has not obtained jurisdiction over the parties and for the failure to properly serve the RFO.

TENTATIVE RULING #19: THE COURT DROPS THE MATTER FROM CALENDAR AS IT HAS NOT OBTAINED JURISDICTION OVER THE PARTIES AND FOR THE FAILURE TO PROPERLY SERVE THE RFO.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.