

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

October 23, 2025

8:30 a.m./1:30 p.m.

1. MICHAEL P. BAKER V. ELSIE K. BAKER

24FL0619

Petitioner filed a request for bifurcation on August 19, 2025. There is no Proof of Service for this document therefore this matter is dropped from calendar.

TENTATIVE RULING #1: THIS MATTER IS DROPPED FROM CALENDAR DUE TO 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.

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October 23, 2025

8:30 a.m./1:30 p.m.

2. STEPHEN CASS V. PAMELA CASS

24FL0586

On May 23, 2025, Respondent filed a Request for Order (RFO) seeking to compel disclosures and discovery responses. She filed a Memorandum of Points and Authorities and a Declaration of Attorney concurrently therewith. All required documents were personally served on July 22nd.

On June 30th, the parties filed a stipulation vacating the trial date and agreeing to the appointment of Christopher Whitaker to provide forensic services.

Petitioner filed and served a Responsive Declaration to Request for Order on July 30th.

The Declaration of Attorney Layla Cordero in Support of Respondent's Reply Declaration was filed and served on August 7th.

Respondent's Reply Declaration was filed on August 13th.

Respondent asks that Petitioner be ordered to produce his full and complete Preliminary Declaration of Disclosure (PDD) and sanctions in the amount of \$6,300 pursuant to Family Code § 2107. She argues that Respondent's initial PDD is legally deficient, and Respondent must be compelled to correct the deficiencies. She states she has incurred a total of \$3,370 in attorney fees associated with the preparation and filing of her Motion to Compel. She anticipates incurring an additional \$1,987.50 preparing a Reply declaration and appearing for the hearing. She asks for \$882.50 in sanctions in excess of her attorney's fees as a deterrent to Petitioner's continued evasiveness.

Petitioner opposes the motion. He argues that the parties agreed to retain the assistance of a forensic accountant given his inability to obtain the requested documents. He further argues that the motion was filed in bad faith and has caused him to incur unnecessary attorney's fees. He requests sanctions in the amount of \$15,000 pursuant to Family Code § 271.

On August 14th the parties appeared before the court for hearing on the RFO. At that time the parties requested to continue the matter as the parties were of the belief that they may be able to resolve all issues informally. The request was granted, and the hearing was continued to the present date.

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Neither party has filed a declaration updating the court on the status of their agreements and whether or not the issues in the RFO have been resolved. The parties are ordered to appear for the hearing.

TENTATIVE RULING #2: THE PARTIES ARE ORDERED TO APPEAR TO UPDATE THE COURT ON WHETHER OR NOT THE PARTIES HAVE BEEN ABLE TO RESOLVE ALL ISSUES IN THE RFO.

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October 23, 2025

8:30 a.m./1:30 p.m.

3. MARIEL DEZZANI-FORD V. DOMINIQUE DEZZANI-FORD

25FL0349

On August 18, 2025, Counsel for Respondent filed a Notice of Motion and Motion to be Relieved as Counsel. The motion was served on Respondent and on Petitioner's counsel the same day as filing.

Counsel states that there has been an irreparable breakdown of the attorney-client relationship due to a conflict of interest that cannot be waived. 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 unrepairable 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 #3: 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.

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8:30 a.m./1:30 p.m.

5. TYLER HARRISON V. HANNAH STEVENS

25FL0638

On July 8, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. All required documents were personally served on August 27th. Respondent has not filed a Responsive Declaration to Request for Order.

Petitioner is requesting 50/50 custody with a week on/week off schedule and several other orders as stated in the attachments to his RFO, including a holiday schedule. He requests the minor be enrolled in school to commence in the Fall of 2025 and he requests orders for the minor to be vaccinated in order to do so.

The parties attended Child Custody Recommending Counseling (CCRC) on September 3, 2025 and were able to reach several agreements. A report was prepared containing the agreements of the parties on September 11th, it was mailed to the parties on September 12th. The court has reviewed those agreements and finds them to be in the best interests of the minor. They are hereby adopted as the orders of the court.

In addition to adopting the agreements of the parties, the court is ordering that the minor be vaccinated in order to attend school, and that he be enrolled in school forthwith. The court is also adopting the holiday schedule as set forth in the FL-341(C) filed by Petitioner with his RFO.

Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #5: THE AGREEMENTS OF THE PARTIES AS CONTAINED IN THE SEPTEMBER 11, 2025 CCRC REPORT ARE FOUND TO BE IN THE BEST INTERESTS OF THE MINOR AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. IN ADDITION TO ADOPTING THE AGREEMENTS OF THE PARTIES, THE COURT IS ORDERING THAT THE MINOR BE VACCINATED IN ORDER TO ATTEND SCHOOL, AND THAT HE BE ENROLLED IN SCHOOL FORTHWITH. THE COURT IS ALSO ADOPTING THE HOLIDAY SCHEDULE AS SET FORTH IN THE FL-341(C) FILED BY PETITIONER WITH HIS 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

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8:30 a.m./1:30 p.m.

6. CAROLINE HICKS V. TIMOTHY HICKS

25FL0280

On August 5, 2025, Respondent filed a Request for Order (RFO), an amended RFO, and a Memorandum of Points and Authorities. All required documents were electronically served on August 8th.

Petitioner filed and served her Responsive Declaration to Request for Order on October 10th.

Respondent is requesting an order for Petitioner to undergo a vocational evaluation. He asks that a review hearing be set for receipt of the evaluation. He further asks that he be allowed to claim both of the children as dependents for tax purposes.

According to Petitioner, the parties have reached agreements regarding a vocational evaluation and claiming the children as dependents on tax returns. As of the date of the Responsive Declaration, Petitioner states she has not yet received a written stipulation codifying the agreements. Petitioner requests \$2,000 in sanctions pursuant to Family Code § 271 for having to respond to the RFO when the parties already resolved the issues in the RFO but for a written stipulation which Respondent was supposed to prepare. She further requests attorneys' fees in the amount of \$3,000 pursuant to Family Code § 2032.

The parties are ordered to appear for the hearing on all issues except for the issue of need-based attorneys' fees. Petitioner's request for attorneys' fees pursuant to Family Code § 2032 is denied for failure to file the requisite paperwork. Petitioner did not file an Income and Expense Declaration, and the court does not have a current one on file for her. Furthermore, she has not filed an FL-158 or an equivalent declaration. As such, the request is denied.

Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #6: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON ALL ISSUES EXCEPT FOR THE ISSUE OF NEED-BASED ATTORNEYS' FEES. PETITIONER'S REQUEST FOR ATTORNEYS' FEES PURSUANT TO FAMILY CODE § 2032 IS DENIED FOR FAILURE TO FILE THE REQUISITE PAPERWORK. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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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.

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8:30 a.m./1:30 p.m.

7. IRENE RIEGO-KLAUER V. PETER KLAUER

25FL0557

On July 23, 2025, Petitioner filed a Request for Order (RFO) seeking attorney's fees and spousal support. She filed her Income and Expense Declaration concurrently therewith. All required documents were mail served on July 30th.

Respondent filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on September 30th. He filed an Amended Responsive Declaration to Request for Order on October 16th.

Petitioner requests guideline spousal support and need-based attorney's fees in the amount of \$7,500.

Respondent does not oppose the request for guideline support but asks that Petitioner be imputed with full-time minimum wage as she does have an obligation to self-support. He asks that Petitioner's request for attorney's fees be denied. If the court is inclined to award attorney's fees, he asks that he be allowed to access his separate property Charles Schwab brokerage account to pay for them.

An award of temporary spousal support lies solely within the trial court's discretion regarding each party's respective need and ability to pay. See *Marriage of Tong & Samson*, 197 Cal. App. 4th 23, 29 (2011). As such, it is not an abuse of discretion for the court to decrease an award for support, or deny it altogether, based on the requesting spouse's unreasonable delay or refusal to seek employment consistent with *existing* marketable skills and ability. In re *Marriage of Dennis*, 35 Cal. App. 3d 279, 283 (1973); See also *Marriage of Mason*, 93 Cal. App. 3d 215, 221 (1979).

Here, the court does find it appropriate to impute income to Petitioner. She retired early and Respondent has established that she has both the ability and opportunity to work. Petitioner has not opposed these contentions therefore, the request to impute full-time minimum wage is granted.

The court is adopting the Xspouse Report and bonus table attached as Exhibit A to Respondent's Responsive Declaration. Utilizing the same figures as outlined therein, the court finds that spousal support per the Alameda formula is \$1,497 per month. Respondent is ordered to pay Petitioner \$1,497 per month as and for temporary spousal support, payable on the 1st of the month until further order of the court or legal termination. This order is effective as of August 1, 2025.

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The court finds the above order results in arrears in the amount of \$4,491 through and including October 1, 2025. The court orders Respondent pay Petitioner \$374.25 on the 15th of each month commencing on November 15, 2025 and continuing until paid in full (approximately 12 months). If any payment is late or missed the remaining balance shall become immediately due and payable with legal interest.

The court further finds Respondent routinely earns bonus pay and therefore, the court is adopting the bonus table attached as Exhibit A to Respondent's Responsive Declaration to Request for Order. Respondent is to pay Petitioner a true up of any overtime earned no later than fourteen days from the date the overtime payment is received.

Regarding Petitioner's request for attorney's fees, the request is granted. The public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In *Re Marriage of Keech*, 75 Cal. App. 4th 860, 866 (1999). This ensures each party has access to legal representation to preserve each party's rights. 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).

Given the significant disparity in income, the court does find that attorney's fees are appropriate. Respondent notes his concerns regarding his ability to pay, however he does have his Charles Schwab account and one of the homes may be sold if need be. That said, the court does not find \$7,500 to be a reasonable amount at this time. Litigation is still in its infancy and the court does not find anything in the case that would be exceedingly difficult or costly to litigate. Accordingly, Respondent is ordered to pay Petitioner's attorney \$5,000 as and for attorney's fees. This amount may be paid in one lump sum or in monthly increments of \$500 commencing on November 15th and continuing until paid in full (approximately 10 months). Respondent may access his Charles Schwab brokerage account to cover the attorney's fees payment.

Petitioner shall prepare and file the Findings and Orders After Hearing.

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TENTATIVE RULING #7: THE COURT IS ADOPTING THE XSPOUSE REPORT AND BONUS TABLE ATTACHED AS EXHIBIT A TO RESPONDENT'S RESPONSIVE DECLARATION. UTILIZING THE SAME FIGURES AS OUTLINED THEREIN, THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$1,497 PER MONTH. RESPONDENT IS ORDERED TO PAY PETITIONER \$1,497 PER MONTH AS AND FOR TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF AUGUST 1, 2025.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$4,491 THROUGH AND INCLUDING OCTOBER 1, 2025. THE COURT ORDERS RESPONDENT PAY PETITIONER \$374.25 ON THE 15TH OF EACH MONTH COMMENCING ON NOVEMBER 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF ANY PAYMENT IS LATE OR MISSED THE REMAINING BALANCE SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

THE COURT FURTHER FINDS RESPONDENT ROUTINELY EARNS BONUS PAY AND THEREFORE, THE COURT IS ADOPTING THE BONUS TABLE ATTACHED AS EXHIBIT A TO RESPONDENT'S RESPONSIVE DECLARATION TO REQUEST FOR ORDER. RESPONDENT IS TO PAY PETITIONER A TRUE UP OF ANY OVERTIME EARNED NO LATER THAN FOURTEEN DAYS FROM THE DATE THE OVERTIME PAYMENT IS RECEIVED.

RESPONDENT IS ORDERED TO PAY PETITIONER'S ATTORNEY \$5,000 AS AND FOR ATTORNEY'S FEES. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$500 COMMENCING ON NOVEMBER 15TH AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 10 MONTHS). RESPONDENT MAY ACCESS HIS CHARLES SCHWAB BROKERAGE ACCOUNT TO COVER THE ATTORNEY'S FEES PAYMENT.

PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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LAW & MOTION TENTATIVE RULINGS

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October 23, 2025

8:30 a.m./1:30 p.m.

8. BETSY MACGILLIVRAY V. TIMOTHY HICKS

PFL20110540

On May 14, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. On June 16th, Caroline Hicks also filed an RFO seeking to join the action and seeking custody and visitation orders. On August 7th, Ms. Hicks' request to join the action was granted and the parties were re-referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date.

The parties attended CCRC on September 4th and were unable to reach any agreements. A report with recommendations was prepared on October 9th. It was mailed to the parties on October 10th. None of the parties have filed a response to the CCRC report or a Supplemental Declaration.

After reviewing the CCRC report, the court does find the recommendations contained therein to be in the best interests of the minor. They are hereby adopted as the orders of the court.

Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #8: THE RECOMMENDATIONS CONTAINED IN THE OCTOBER 9, 2025 CCRC REPORT ARE FOUND TO BE IN THE BEST INTERESTS OF THE MINOR AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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.

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October 23, 2025

8:30 a.m./1:30 p.m.

9. DCSS V. BRIAN ORTEGA (OTHER PARTY: REBECCA GIERHART) PFS20160102

On August 13, 2025, Other Party filed a Request for Order (RFO) seeking custody and visitation orders and an order for Respondent to undergo therapy. All required documents were served on August 20th.

The parties attended Child Custody Recommending Counseling (CCRC) on September 8, 2025. They were able to reach agreements on some issues. As such, a report containing those agreements and recommendations was prepared and mailed to the parties on September 29, 2025.

Respondent filed and served his Responsive Declaration to Request for Order on October 3rd. He filed and served an additional Declaration on October 10th.

Other Party filed and served a Reply Declaration to Respondent's Responsive Declaration, a Reply Declaration to CCRC Report, and two additional declarations on October 14th.

Respondent filed and served two additional declarations on October 16th.

Other Party filed her RFO requesting a reduction in the frequency of reunification sessions to remain at three times a week until Respondent transitions to unsupervised visits. Other Party asks that this transition only occur after both the reunification therapist and the children's primary individual therapist agree in writing that unsupervised visits are in the best interests of the children. She also requests Respondent complete individual therapy and provide documentation of such prior to unsupervised visits occurring. After her receipt of the CCRC report, Other Party updated her requests in response to the CCRC recommendations.

Respondent requests the court order a transition to unsupervised parenting time. Alternatively, he requests the court continue Step 4 of the current step-up plan and transition to unsupervised parenting time on the 2nd, 4th, and 5th weekends of every month within 60 days, without having a return to CCRC. In the event the court considers any further modification of the parenting plan, he requests the matter be set for trial. He also requests the children be assigned a new therapist as per the CCRC recommendation.

Respondent objects to Other Party's Exhibits 2 and 3 (letters from Sara Schifano), Exhibit 5 (May 2015 Findings and Orders After Hearing), and Exhibit 6 (text from Shannon). The objections are sustained and the foregoing will not be considered.

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The parties are ordered to appear for the hearing to select dates for an evidentiary hearing.

TENTATIVE RULING #9: RESPONDENT OBJECTS TO OTHER PARTY'S EXHIBITS 2 AND 3 (LETTERS FROM SARA SCHIFANO), EXHIBIT 5 (MAY 2015 FINDINGS AND ORDERS AFTER HEARING), AND EXHIBIT 6 (TEXT FROM SHANNON). THE OBJECTIONS ARE SUSTAINED AND THE FOREGOING WILL NOT BE CONSIDERED. THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO SELECT DATES FOR AN EVIDENTIARY HEARING.

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8:30 a.m./1:30 p.m.

10. MICHAEL L. SOUDERS V. DONNA JUNE SOUDERS

25FL0270

Respondent filed a Request for Order (RFO) on August 18, 2025, seeking temporary guideline spousal support, Family Code § 2030 attorney's fees, and an equal division of the 2024 state and federal tax returns. She filed his Income and Expense Declaration and an Attorney's Declaration in Support of Attorney Fees concurrently with the RFO. There is no Proof of Service for any of the aforementioned. As such, this matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #10: THIS MATTER IS DROPPED FROM CALENDAR DUE TO 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.

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8:30 a.m./1:30 p.m.

11. TODD STANLEY V. HANNAH COLE

24FL0221

On July 30, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. It was served on July 31st.

Respondent filed and served a Responsive Declaration to Request for Order and a Declaration of Rebekah A. Frye on July 29th.

Petitioner filed another RFO on September 17th seeking an order to vacate, an evidentiary hearing, and reallocation of payment responsibility for the \$730 Evaluator. He filed a Memorandum and Argument and a Memorandum of Points and Authorities concurrently therewith. All required documents were mail-served on September 25th.

The parties attended Child Custody Recommending Counseling (CCRC) on September 3, 2025. They were unable to reach agreements therefore, a report with recommendations was prepared on October 8th. It was mailed to the parties on October 9th.

On October 10, 2025, Respondent filed and served her Memorandum of Points and Authorities in Opposition to Request to Set Aside, and for Alternative Affirmative Relief, a Declaration of Rebekah A. Frye, and a Responsive Declaration to Request for Order.

Petitioner filed and served an Objection to Respondent, Hannah Cole's, Memorandum of Points and Authorities on October 20, 2025.

RFO Filed July 30, 2025

In his July 30th RFO, Petitioner requests an order prohibiting Respondent from removing the children from the State of California "or its surrounding counties." He also requests an order prohibiting any changes to the children's school pending further court orders, and an order shortening time regarding an alleged conflict of interest involving the court evaluator Dr. Davis.

Respondent states the court denied her request for an interim relocation and she understands that she is not to leave the State of California. She further states that she has not changed the children's school and she does not intend to do so. She further argues that there are no grounds for removal of Dr. Davis as the evaluator. Respondent asks that the motion be denied in full and for sanctions in the amount of \$5,000 pursuant to Family Code § 271.

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Petitioner's requests are denied. His request regarding the removal of the children from the state is denied based on res judicata as this issue has already been ruled on. His request regarding changing the children's school is denied as the issue is not ripe given that Respondent has made no attempt to remove the children from their school in the first place. And it seems clear that Petitioner failed to meet and confer with Respondent on the issue since she clearly states she has no intention of changing the children's school. Finally, the request to remove Dr. Davis as the evaluator is denied as the court does not find any conflict of interest nor violation of the rules of court by Dr. Davis. Communications between one party and a custody evaluator for purposes of filling out intake forms and conducting the evaluation are not ex parte communications and Petitioner has provided no valid legal basis for his position otherwise. Moreover, in light of the messages from Dr. Davis requesting a phone call on the issue, it seems Petitioner once again failed to meet and confer to resolve this issue without the need for court intervention.

The request for monetary sanctions is addressed below.

RFO Filed September 17, 2025

Petitioner is requesting an order to set aside the stipulation and order entered on June 30, 2025 and to set the matter for a new hearing with proper inquiry into the financial circumstances of both parties. He asks that the court reallocate responsibility for payment of the § 730 evaluation to Respondent or, in the alternative, for the court to enforce its prior order for a § 3111 evaluation instead. He argues his attorney did not give him adequate time to review the stipulation prior to signing. He further argues that the court failed to conduct an ability-to-pay inquiry and that "equitable principles dictate that the costs of a move-away custody evaluation should be borne by the parent initiating the relocation request." Moreover, he claims that Respondent's attorney prepared the stipulation which "materially altered the court's ruling by converting the Family Code § 3111 evaluation into an Evidence Code § 730 evaluation."

Respondent requests the following: (1) Petitioner's request to set aside be denied as untimely; (2) Deny Petitioner's request to replace Dr. Davis; (3) Petitioner be ordered to contact Dr. Davis in no less than 24 hours by email copied to counsel to set a date for his initial appointment and accept the first appointment offered by Dr. Davis; (4) Petitioner be ordered to fully comply with the process initiated by Dr. Davis; (5) Alternatively, vacate the stipulation and order for a custody evaluation and confirm the parties will proceed to trial on December 15, 16, 17; (6) If the court proceeds with the evaluation and removal of Dr.

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Davis, Respondent renews her request for an interim relocation; and (7) Sanctions in the amount of \$2,500 pursuant to Family Code § 271.

Petitioner filed an “objection” to Respondent’s Memorandum of Points and Authorities however, his document fails to actually assert any such objection. Instead, he disputes the contents of Respondent’s pleading without attacking any alleged procedural or evidentiary basis which would make its consideration improper. The objection is overruled.

Petitioner is requesting a set aside of the stipulation and a court order, each of which is subject to its own separate legal standard for a set aside though neither standard has been met here. Stipulations between parties constitute valid, binding contracts, and are treated as such for purposes of enforceability and rescission. See *In re Marriage of Egedi*, 88 Cal. App. 4th 17, 22 (2001); See also Civil Code § 1689 (setting forth grounds for rescinding a contract). Petitioner has failed to address any of the grounds upon which the contractual stipulation between the parties may be rescinded, and the court finds no such grounds. Instead, Petitioner focuses his argument on setting aside a court order pursuant to Civil Procedure § 473.

Civil Procedure Section 473(b) governs the circumstances in which a party may be relieved of the terms of a judgment, dismissal, order or other proceeding in instances of mistake, inadvertence or excusable neglect. Cal. Civ. Pro. § 473(b). Generally speaking, “...Section 473 only permits relief from attorney error ‘fairly imputable to the client, i.e., mistakes anyone could have made.’ [Citations]. ‘Conduct falling below the professional standard of care, such as failure to timely object or to properly advance an argument, is not therefore excusable. To hold otherwise would be to eliminate the express statutory requirement of excusability and effectively eviscerate the concept of attorney malpractice.’ [Citation].” *Zamora v. Clayborn Contracting Group, Inc.*, 28 Cal. 4th 249 (2002) *citing* *Garcia v. Hejmadi*, 58 Cal. App. 4th 674, 682 (1997).

Here, Petitioner argues that his attorney did not give him sufficient time to review the contents of the stipulation prior to signing. Notwithstanding the clear credibility issues with Petitioner’s statements, even if Petitioner were not afforded the opportunity to review the stipulation this is not grounds for a set aside under Section 473. Failing to explain the contents of a stipulation to one’s client is not simply a clerical error anyone could have made. Instead, doing so is more akin to conduct falling below the professional standard of care and thus not within the scope of Section 473 and not grounds to set aside the order.

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Petitioner makes a myriad of other arguments seemingly attacking the stipulation and order as unjust but without directly addressing how these arguments relate to the set aside standard set forth in Section 473(b) or in Civil Code § 1689. Nevertheless, the court addresses these arguments as follows.

Petitioner's arguments that the court did not conduct an "ability to pay" analysis and that it is equitable for the parent requesting a move-away to pay for the evaluation ignore the fact that the stipulation which he signed states "[f]ees and expenses of the evaluator shall be shared advanced by Father subject to the court's inherent discretion to reallocate those fees and expenses..." and the advance shall be "\$35,000 payable in two installments..." Stip., June 30, 2025, pg. 5:1-8. He argues that the court "ordered Father to pay a \$35,000 evaluator retainer without reviewing his income and expenses" yet he fails to address the fact that he agreed to the \$35,000 retainer. Petitioner provides no legal authority for his position that the court must conduct an ability to pay analysis where a party has already agreed to bear the costs at issue. Furthermore, Petitioner fails to account for the fact that the parties agreed to the 3111 Evaluation in January of 2025 as the result of an RFO filed by himself on March 13, 2024 long before the move away request was even at issue.

Petitioner's argument that counsel "materially altered the court's ruling" is also without merit as he relies on the Findings and Orders After Hearing for the January 9, 2024 hearing. However, on April 1, 2025, Petitioner himself acknowledged the agreement for a 730 evaluation stating "[p]er our agreement and order of the court, we were ordered to participate in an FC 730 evaluation." Pet. Supp. Dec'l, April 1, 2025, pg. 2:10-11. Furthermore, had Petitioner reviewed the Minute Order dated June 12, 2025 he would have seen that the court added the issue of parenting time to the § 730 evaluation thereby effectively increasing the scope of the evaluation to include the § 3111 evaluation. The stipulation of the parties is dated June 23, 2025, after the court's June 12th ruling. Thus, the stipulation did not improperly alter the court's ruling by including a § 730 evaluation.

While the court finds no legal basis for setting aside the stipulation or order, it is noted that the parties are set to commence trial on the move away request in December of this year and Respondent is concerned that the delay in completing the evaluation will lead to a delay in the trial. Given that a 730/3111 Evaluation is not necessary for that trial to commence and given that Respondent is agreeable to vacating the order for the evaluation so long as the trial dates are confirmed, the request to vacate is granted. The parties are confirmed to commence trial on the move away request starting December 15, 2025.

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Sanctions

Respondent's request for sanctions is granted in part. An award for attorney's fees and sanctions may be made pursuant to Family Code section 271 which states, in pertinent part, "...the court may base an award of attorney's fees and costs on the extent to which the conduct of each party or attorney furthers or frustrates the policy of the law to promote settlement of litigation and, where possible, to reduce the cost of litigation by encouraging cooperation of the parties and attorneys. An award of attorney's fees and costs pursuant to this section is in the nature of a sanction." Fam. Code § 271(a). While the purpose of Section 271 is to impose a punitive sanction, the court is not to impose a sanction that would create an "unreasonable financial burden on the party against whom the sanction is imposed." *Id.*

The court does find that filing the above RFOs without the requisite meet and confer process, without regard for prior court orders, and without any real legal authority did frustrate the policy of the law to promote settlement and reduce litigation costs. That said, the court is concerned that \$7,500 (\$5,000 for the July RFO and \$2,500 for the September RFO) would create an unreasonable financial burden on Petitioner. As such, Petitioner shall directly to Respondent's attorney \$1,000 in sanctions. This amount may be paid in one lump sum or in monthly increments of \$50 commencing on November 1, 2025 and continuing on the 1st of each month thereafter until paid in full (approximately 20 months).

Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #11: PETITIONER'S JULY 30TH RFO REQUESTS ARE DENIED. HIS REQUEST REGARDING THE REMOVAL OF THE CHILDREN FROM THE STATE IS DENIED BASED ON RES JUDICATA AS THIS ISSUE HAS ALREADY BEEN RULED ON. HIS REQUEST REGARDING CHANGING THE CHILDREN'S SCHOOL IS DENIED DUE TO HIS CLEAR FAILURE TO MEET AND CONFER WITH RESPONDENT ON THE ISSUE PRIOR TO FILING HIS RFO. FINALLY, THE REQUEST TO REMOVE DR. DAVIS AS THE EVALUATOR IS DENIED AS THE COURT DOES NOT FIND ANY CONFLICT OF INTEREST NOR VIOLATION OF THE RULES OF COURT BY DR. DAVIS.

PETITIONER'S OBJECTION TO RESPONDENT'S MEMORANDUM OF POINTS AND AUTHORITIES IS OVERRULED.

THE ORDER FOR A 730/3111 EVALUATION IS VACATED. THE PARTIES ARE CONFIRMED TO COMMENCE A 3-DAY MOVE AWAY TRIAL ON DECEMBER 15, 2025.

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PETITIONER SHALL PAY RESPONDENT'S ATTORNEY \$1,000 IN SANCTIONS. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$50 COMMENCING ON NOVEMBER 1, 2025 AND CONTINUING ON THE 1ST OF EACH MONTH THEREAFTER UNTIL PAID IN FULL (APPROXIMATELY 20 MONTHS).

RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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.

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12. JAMES VERANDES V. ALLISON VERANDES

PFL20170788

On April 30, 2025, the parties reached a stipulation regarding Respondent's request for a Domestic Violence Restraining Order and participation in a Family Code section 3111 evaluation. The court accepted the parties' stipulation and set a review hearing for July 31, 2025.

The matter has since been continued several times while the parties await their receipt of the 3111 report.

The court received the 3111 Report on October 13, 2025. Minor's Counsel filed and served a Statement of Issues and Contentions and Request for Orders the same day. An Amended 3111 Report was filed with the court on October 15th and Respondent's Reply to Minors' Counsel SOIC and 3111 Report was filed and served on October 17th.

Minors' Counsel requests the following: (1) An evidentiary hearing on the issue of custody and visitation and whether a third-party placement would be in the best interests of the children; (2) Pending the evidentiary hearing, Petitioner to have non-agency supervised visits. If the parties cannot agree on a non-professional supervisor then they can each submit three names to Minors' Counsel and Minors' Counsel will choose; (3) Petitioner to continue with individual counseling; (4) Respondent to attend individual counseling; (5) The parties to undergo co-parenting counseling via Zoom (due to the restraining order); and (6) The children to remain in therapy.

Respondent asks that she continue to have temporary sole legal and sole physical custody of the children.

The parties are ordered to appear on the issues of custody and visitation. Specifically, the court would like the parties to address the issue of whether the § 3044 presumption has been rebutted and whether an evidentiary hearing regarding third-party placement is necessary.

TENTATIVE RULING #12: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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

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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.

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13. KARIN HIMES V. TONY HIMES

PFL20190051

Respondent filed a Request for Order (RFO) on August 22, 2025, requesting post-judgement modification of spousal support. Respondent concurrently filed an Income and Expense Declaration therewith. Proof of Service shows Petitioner was personally served in accordance with Family Code section 215, on August 27, 2025.

Petitioner has not filed a Responsive Declaration or an Income and Expense Declaration.

The court finds it is required to take testimony on the request to modify permanent spousal support to address the Family Code section 4320 factors. Therefore, the parties are ordered to appear for the hearing to select Mandatory Settlement Conference and Trial dates.

TENTATIVE RULING #13: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO SELECT MANDATORY SETTLEMENT CONFERENCE AND TRAIL DATES.

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8:30 a.m./1:30 p.m.

14. BREANDEN KIMBRIEL V. CHELSEA CISCOE

24FL1124

On June 3, 2025, Respondent filed a Request for Order (RFO) seeking a variety of custody and visitation orders. Hearing on this RFO was set for August 21, 2025. The RFO was served on June 19th.

Respondent filed another RFO for custody and visitation orders on July 7th. That RFO was filed on an ex parte basis and as such, Respondent was granted temporary sole physical custody of the minors, Petitioner was ordered to have professionally supervised visits, and the parties were referred to an emergency set Child Custody Recommending Counseling (CCRC) appointment. A review hearing was set for the present date.

Petitioner filed and served a Responsive Declaration to Request for Order on July 9th.

The parties attended CCRC on July 15th. They were unable to reach an agreement, therefore a report with recommendations was prepared on August 5th and mailed to the parties on August 6th.

In her June 3rd RFO, Respondent makes the following requests: (1) The children not to be left along in the care of parental grandmother, Janeen Kimbriel; (2) Appointment of Minor's Counsel at the shared cost of both parties; (3) All communications to be held through Talking Parents and messages to be responded to within 48 hours; (4) No tracking of the children on phones, or other electronic devices; (5) Petitioner to have visits every 2nd and 4th weekend from Thursday after school or 3:00pm if there is no school to Monday at drop off at school or 8:00am if there is no school; (6) Petitioner to take an age appropriate parenting class; (7) A holiday schedule; and (8) If any corporal punishment is reported by the children, then all visitation with Petitioner to be professionally supervised at Petitioner's cost. As of her July 7th RFO, Respondent changed her requests to sole legal and sole physical custody of the children. She proposes Petitioner have professionally supervised visits, at his sole cost, twice per week for up to two hours per visit. She asks for a stay away order between the children and the paternal grandmother Ms. Kimbriel.

Petitioner opposes the requests. He states that the tracking feature on his phone is disabled, though he does not reference the tracking of the minors' on their devices. He further states that he has already enrolled in a parenting class. He too requests the appointment of Minor's Counsel. He asks the court to order a week-on/week-off schedule and to order the children be enrolled in a school equidistant between the parties. He also asks for a stay away order from the maternal grandfather. He proposes the parties each

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claim one child on taxes until Bentley reaches the age of majority, then they will alternate claiming Bella annually. Finally, he requests oral argument on the issue of custody and visitation.

Parties appeared for the hearing on August 14, 2025. The court adopted the recommendations of the CCRC report and ordered the current orders to remain in full force and effect pending the outcome of the investigation of the Roseville Police Department. The court appointed Minors' Counsel, Aaron Dosh to represent the minors. The court continued the matter for a further review hearing on September 25, 2025 at 1:30 PM in Department 5. The court ordered parties to file Supplemental Declarations at least 10 days prior to the review hearing.

Respondent filed a Supplemental Declaration on September 15, 2025. Petitioner and Minors' Counsel were served the same day. It does not appear there has been any progress as to the investigation by the Roseville Police Department.

Petitioner filed a Supplemental Declaration on September 15, 2025. Respondent was served the same day. However, there is no Proof of Service showing Minors' Counsel was served. As such, the court cannot consider this document.

Parties appeared for the hearing on September 25, 2025. The court ordered Petitioner to have four hours of supervised visitation per week, as well as, a video call weekly. The court set a further review hearing for October 23, 2025 at 1:30 PM with Supplemental Declarations due at least 10 days prior.

Minors' Counsel filed a Statement on October 13, 2025. Parties were served the same day. Minors' Counsel recommends the prior custody and parenting plan be reinstated, the minors not to be left alone with paternal grandmother, family counseling with a co-parenting component, and an order for neither parent to discuss court proceedings or court orders with the minors or within earshot of the minors.

Petitioner filed a Supplemental Declaration on October 13, 2025. Parties were served the same day. Petitioner asserts the visits with the minors have gone very well.

Respondent has not filed a Supplemental Declaration.

The court has read and considered the filings as outlined above. The court finds the recommendations from Minors' Counsel to be in the best interests of the minors. The court adopts the recommendations as set forth.

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All prior orders not in conflict with these orders remain in full force and effect.
Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #14: THE COURT FINDS THE RECOMMENDATIONS FROM MINORS' COUNSEL TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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8:30 a.m./1:30 p.m.

16. EMMA MILO V. ROBERT MILO

PFL20150565

Petitioner filed a Request for Order (RFO) on August 27, 2025, seeking a modification of custody orders. Petitioner concurrently filed an Income and Expense Declaration. The parties were not referred to Child Custody Recommending Counseling (CCRC) as they have been referred within the prior six months. Proof of Service shows Respondent was mail served on September 8, 2025, without address verification.

Respondent has not filed a Responsive Declaration.

The court drops the matter from calendar due to the lack of proper service. This is a post-judgement request for modification, and as such Family Code section 215 applies. Family Code section 215 requires service to be either personal or if by mail, with address verification.

All prior orders remain in full force and effect.

TENTATIVE RULING #16: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. THIS IS A POST-JUDGEMENT REQUEST FOR MODIFICATION, AND AS SUCH FAMILY CODE SECTION 215 APPLIES. FAMILY CODE SECTION 215 REQUIRES SERVICE TO BE EITHER PERSONAL OR IF BY MAIL, WITH ADDRESS VERIFICATION. 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.

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8:30 a.m./1:30 p.m.

17. MATT MORTON V. ANNE MORTON

25FL0296

Petitioner filed a Request for Order (RFO) on September 8, 2025, seeking an order compelling Respondent to serve her Preliminary Declarations of Disclosure. Petitioner served Respondent with his disclosure on July 7, 2025. Proof of Service shows Respondent was personally served with the RFO on September 21, 2025.

Respondent filed a Responsive Declaration as well as a FL-141 Proof of Service of Preliminary Declarations of Disclosure on October 10, 2025. Petitioner was served on October 8, 2025.

The court finds the issue raised in Petitioner's RFO to be moot with the filing of Respondent's FL-141. As such, the matter is dropped from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #17: THE COURT FINDS THE ISSUE RAISED IN PETITIONER'S RFO TO BE MOOT WITH THE FILING OF RESPONDENT'S FL-141. AS SUCH, THE MATTER IS DROPPED FROM CALENDAR. 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.

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8:30 a.m./1:30 p.m.

18. THOMAS PULVINO V. AMBUR MORRISON

23FL0764

Respondent filed a Request for Order (RFO) on August 22, 2025, making numerous requests, including spousal support, attorney's fees, minors' counsel, properly control, consolidation of cases, for Petitioner to pay 50% of the minors' medical expenses, child support arrears, and what appears to be a request regarding tax returns. Respondent also filed four separate declarations on August 22nd. Respondent did not file an Income and Expense Declaration concurrently with the RFO, though it does appear to be an attachment to the RFO. Proof of Service shows Petitioner was mail served on September 2, 2025. There is no Proof of Service showing the Department of Child Support Services (DCSS), who is a party to the action, was properly served.

Petitioner filed a Responsive Declaration on October 6, 2025. There is no Proof of Service for this document and therefore, it has not been considered.

Petitioner filed a subsequent Responsive Declaration on October 10, 2025. There is no Proof of Service for this document and therefore, it has not been considered.

The court drops the matter from calendar due to the failure to serve DCSS.

All prior orders remain in full force and effect.

TENTATIVE RULING #18: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO PROPERLY SERVE DCSS. 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.

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8:30 a.m./1:30 p.m.

19. MANDALYN RICHARDS V. JUSTIN RICHARDS

24FL0966

On June 10, 2025, the parties appeared before the court for hearing on a request for Domestic Violence Restraining Order (DVRO) filed by Petitioner. The parties stipulated to the DVRO for a period of 1.5 years. They further stipulated to a referral to Child Custody Recommending Counseling (CCRC) with a review hearing, and a hearing on child support, set for the present date.

Only Petitioner appeared for CCRC therefore a single parent report without recommendations was prepared on June 27th.

On July 8, 2025, Petitioner filed a Request for Order (RFO) seeking attorneys' fees pursuant to Family Code § 6344. It was served on July 23rd. On August 14th, she filed and served Petitioner's Supplemental Declaration and an Income and Expense Declaration.

Parties appeared on August 28, 2025. The court continued the matter regarding the request for child support and attorney's fees to October 23rd. The court reserved jurisdiction to retroactively modify support to the date of the filing of the DVRO. The court also reserved jurisdiction on Family Code section 271 sanctions for Respondent's failure to timely file and serve an Income and Expense Declaration.

Respondent filed an Income and Expense Declaration on September 17, 2025. It was personally served on Petitioner, not her counsel, on October 14, 2025. The court finds this service to not be effective. Further, the court notes, it does not appear to be complete, as Respondent has failed to attach any paystubs, Profit and Loss statement, and/or tax returns.

Petitioner filed an updated Income and Expense Declaration on October 13, 2025. Respondent was mail served on October 13th.

The court orders parties to appear for the hearing.

TENTATIVE RULING #19: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING. RESPONDENT IS ORDERED TO BRING WITH HIM A COMPLETED INCOME AND EXPENSE DECLARATION WITH THE REQUIRED SUPPORTING DOCUMENTS.

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8:30 a.m./1:30 p.m.

20. AARON STEINER V. TARA STEINER

25FL0646

Respondent filed a Request for Order (RO), on August 19, 2025, seeking temporary guideline spousal support. Respondent filed an Income and Expense Declaration concurrently therewith. Petitioner was served by mail on August 22nd.

Petitioner filed a Responsive Declaration and Income and Expense Declaration on September 30, 2025. Respondent was mail served the same day. Petitioner objects to the request for spousal support asserting Respondent's Income and Expense Declaration is incomplete. Petitioner also asserts Respondent is capable of earning a salary which would make her self-supporting but is voluntarily remaining underemployed. Petitioner requests the court impute income to Respondent if the court is inclined to grant temporary guideline spousal support. Petitioner also seeks a Gavron warning, and a limitation on the duration of spousal support. Petitioner seeks an order for Respondent to remove his name from the business lease and utility account for Peak Nutrition. Last Petitioner seeks Family Code section 271 sanctions.

The court has reviewed the filings as outlined above. The court finds Respondent has failed to file a complete Income and Expense Declaration, as it is missing paystubs, a Profit and Loss statement, and/or tax returns. "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. The court denies Respondent's request for temporary guideline spousal support due to Respondent's failure to comply with the Rule of Court and Local rule referenced above.

The court finds Petitioner's request to remove his name from the lease and utilities of Peak Fitness to be beyond the scope of the original RFO, and therefore, those requests are denied.

The court reserves on the request for Family Code section 271 sanctions.

TENTATIVE RULING #20: THE COURT FINDS RESPONDENT HAS FAILED TO FILE A COMPLETE INCOME AND EXPENSE DECLARATION, AS IT IS MISSING PAYSTUBS, A PROFIT AND LOSS STATEMENT, AND/OR TAX RETURNS. "FOR ALL HEARINGS INVOLVING CHILD, SPOUSAL, OR DOMESTIC PARTNER SUPPORT, BOTH PARTIES MUST COMPLETE, FILE, AND SERVE A CURRENT INCOME AND EXPENSE DECLARATION."

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October 23, 2025

8:30 a.m./1:30 p.m.

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. THE COURT DENIES RESPONDENT'S REQUEST FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT DUE TO RESPONDENT'S FAILURE TO COMPLY WITH THE RULE OF COURT AND LOCAL RULE REFERENCED ABOVE. THE COURT FINDS PETITIONER'S REQUEST TO REMOVE HIS NAME FROM THE LEASE AND UTILITIES OF PEAK FITNESS TO BE BEYOND THE SCOPE OF THE ORIGINAL RFO, AND THEREFORE, THOSE REQUESTS ARE DENIED. THE COURT RESERVES ON THE REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS.

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 23, 2025

8:30 a.m./1:30 p.m.

21. RYAN TOPP V. HAIDEE ANDERSON

25FL0538

Respondent filed a Request for Order (RFO) on August 18, 2025, seeking dismissal of the Petition for Custody and Support. Upon review of the court file, there is no Proof of Service.

The matter is dropped from calendar due to the failure to properly serve Petitioner.

TENTATIVE RULING #21: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO PROPERLY SERVE PETITIONER.

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 23, 2025

8:30 a.m./1:30 p.m.

22. IAN WILKINSON V. CHELSEY WILKINSON

24FL1222

Petitioner filed a Request for Order (RFO) on August 14, 2025, seeking an order compelling Respondent to serve her Preliminary Declarations of Disclosure. Petitioner served Respondent with his disclosure on July 7, 2025. Proof of Service shows Respondent was personally served with the RFO on August 15, 2025.

Respondent filed a Responsive Declaration as well as a FL-141 Proof of Service of Preliminary Declarations of Disclosure on October 3rd and 2nd respectively. Petitioner was served on October 3, 2025. Respondent also filed and served an Income and Expense Declaration on October 3rd.

The court finds the issue raised in Petitioner's RFO to be moot with the filing of Respondent's FL-141. As such, the matter is dropped from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #22: THE COURT FINDS THE ISSUE RAISED IN PETITIONER'S RFO TO BE MOOT WITH THE FILING OF RESPONDENT'S FL-141. AS SUCH, THE MATTER IS DROPPED FROM CALENDAR. 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.