

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**1. CRYSTAL CORBETT V. SEAN CORBETT**

**PFL20110935**

On July 5, 2024, Respondent filed a Request for Order (RFO) seeking orders regarding reunification therapy, attorney's fees, and sanctions pursuant to Family Code Section 271. The RFO was served on March 25, 2025, over eight months after filing the RFO.

Petitioner filed and served a Responsive Declaration to Request for Order on August 28, 2025.

Hearing on the RFO was held on September 11<sup>th</sup> at which time the parties stipulated to continue the matter again to allow for additional discovery. The court granted the continuance but noted that no further continuances would be allowed.

The Supplemental Declaration of Respondent in Support of Request for Order was filed and served on November 20<sup>th</sup>. On November 24<sup>th</sup> Petitioner filed an Attorney Declaration of Taryn M. Scharf.

Respondent asks the court to order reunification therapy between himself and the minor. He further requests sanctions in the amount of \$5,000 pursuant to Family Code § 271.

Petitioner opposes the request and states the court already made orders regarding reunification therapy. She too requests \$5,000 in sanctions pursuant to Family Code § 271.

Given that the court has already ruled on the issue of reunification therapy, and Respondent has failed to establish how a change in the court's prior orders would be in the best interests of the minor, Respondent's request is denied. All prior orders regarding reunification therapy remain in full force and effect.

Each party's request for sanctions is denied as the court does not find that either party established grounds for sanctions pursuant to Section 271.

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

**TENTATIVE RULING #1: ALL PRIOR ORDERS REGARDING REUNIFICATION THERAPY REMAIN IN FULL FORCE AND EFFECT. EACH PARTY'S REQUEST FOR SANCTIONS IS DENIED AS THE COURT DOES NOT FIND THAT EITHER PARTY ESTABLISHED GROUNDS FOR SANCTIONS PURSUANT TO SECTION 271. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**2. GEINA CROOK V. GEORGE CROOK, JR**

**25FL0182**

On August 29, 2025, Petitioner filed a Request for Order (RFO) seeking to compel Respondent's Preliminary Declaration of Disclosure and sanctions. She filed a Declaration of Attorney and a Memorandum of Points and Authorities concurrently therewith. All required documents were electronically served on October 13<sup>th</sup>.

Respondent filed his Declaration Regarding Service of Declaration of Disclosure on November 12<sup>th</sup>. He filed and served his Responsive Declaration to Request for Order on November 21<sup>st</sup>.

Petitioner asks the court to compel Respondent's completion and service of his Preliminary Declaration of Disclosure. She further requests \$2,700 in sanctions pursuant to Family Code § 2107.

Respondent opposes the motion. He notes that his disclosure has already been served and he asks that no sanctions be imposed.

Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. Where a party fails to comply with Section 2104, the complying party may, among other things, file a motion to compel and seek sanctions against the noncomplying party. Fam. Code § 2107(b)(1). "...[T]he court shall...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and shall include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." Fam. Code § 2107(c).

Here, because the disclosure has already been served, the court declines to rule on the request for an order compelling the same as that request is now moot. The only issue left before the court is that of sanctions. Given that Respondent's failure to timely comply was due to his health and financial constraints, the court is not imposing sanctions at this time. That said, Respondent is admonished that future failure to comply with his legally imposed obligations will likely result in monetary sanctions.

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

**TENTATIVE RULING #2: THE REQUEST FOR AN ORDER COMPELLING RESPONDENT'S PRELIMINARY DECLARATION OF DISCLOSURE IS MOOT THEREFORE THE COURT DECLINES TO RULE ON IT. THE REQUEST FOR MONETARY SANCTIONS IS DENIED AS**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**THE COURT FINDS GOOD CAUSE FOR RESPONDENT'S DELAY DUE TO HIS FINANCIAL AND HEALTH CONSTRAINTS. RESPONDENT IS ADMONISHED THAT FUTURE FAILURE TO COMPLY WITH HIS LEGALLY IMPOSED OBLIGATIONS WILL LIKELY RESULT IN SANCTIONS. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**3. GREG HAWTHORNE V. KOREENA HAWTHORNE**

**24FL1162**

Respondent filed a Request for Order (RFO) and an Income and Expense Declaration on September 15, 2025. There is no Proof of Service for either document, however Petitioner filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on November 12<sup>th</sup>, thereby waiving any defect in service.

Respondent brings her RFO requesting spousal support and a vocational evaluation of Petitioner. She also requests a seek-work order and a *Gavron* Warning as well as the imputation of income to Petitioner.

Petitioner asks the court to deny all of the requests made by Respondent. He further asks the court to order spousal support based on the Xspouse calculation without any discretionary reductions.

The request for a vocational evaluation is granted. Petitioner is ordered to undergo a vocational evaluation at Respondent's cost. The requests for a seek-work order, a *Gavron* Warning and to modify/terminate support are continued to join with the trial which is set to begin on February 17, 2026 and which is already set to address spousal support. The court reserves jurisdiction to modify support back to the date of filing the RFO.

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

**TENTATIVE RULING #3: THE REQUEST FOR A VOCATIONAL EVALUATION IS GRANTED. PETITIONER IS ORDERED TO UNDERGO A VOCATIONAL EVALUATION AT RESPONDENT'S COST. THE REQUESTS FOR A SEEK-WORK ORDER, A GAVRON WARNING AND TO MODIFY/TERMINATE SUPPORT ARE CONTINUED TO JOIN WITH THE TRIAL WHICH IS SET TO BEGIN ON FEBRUARY 17, 2026 AND WHICH IS ALREADY SET TO ADDRESS SPOUSAL SUPPORT. THE COURT RESERVES JURISDICTION TO MODIFY SUPPORT BACK TO THE DATE OF FILING THE RFO.**

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

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LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**4. KIMBERLY JOHNSON V. JEFFREY JOHNSON**

**PFL20120645**

On September 9, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. The parties were referred to Child Custody Recommending Counseling (CCRC). The CCRC referral was mail served to two separate addresses, however there is no Proof of Service for the RFO.

On November 12, 2025, Petitioner filed a Declaration of Attorney Re: Service Efforts & Request for Substituted Service Per CCP § 415.20. The declaration was mail served the same day.

Respondent did not appear at the CCRC appointment. As such, a report was prepared but no recommendations could be made.

Petitioner concedes that because this is a post-judgment request for modification of custody orders the RFO must be personally served on Respondent. According to Petitioner, she has undertaken extensive efforts to personally serve Respondent, yet he continues to evade service. Petitioner now requests leave to serve Respondent via mail pursuant to Civil Procedure § 415.20 et. seq.

Section 415.20 allows for substituted service of the Summons and Complaint where such documents cannot, with “reasonable diligence” be personally served. The statute defines “reasonable diligence” as a good faith attempt made “on at least three occasions on three different days at three different times.” Cal. Civ. Pro. § 415.20(b)(2).

The public policy behind Family Code § 215 is to ensure actual notice to a party where matters such as custody are often ongoing past final judgment in a case. The policy is to treat the new motion as akin to a newly filed complaint. Because the policy of the law is to treat such a filing as a newly filed complaint it follows then that where the moving party establishes a good faith attempt to personally serve the post-judgment RFO and the receiving party successfully evades service, there is good cause to allow service in accordance with Civil Procedure § 415.20. Accordingly, the request is granted. The RFO shall be served in compliance with the terms of Civil Procedure § 415.20. This matter is continued to 02/19/2026 at 8:30 AM in department 5 to allow for service to be completed.

**TENTATIVE RULING #4: PETITIONER’S REQUEST IS GRANTED. THE RFO SHALL BE SERVED IN COMPLIANCE WITH THE TERMS OF CIVIL PROCEDURE § 415.20. THIS MATTER IS CONTINUED TO 02/19/2026 AT 8:30 AM IN DEPARTMENT 5 TO ALLOW FOR SERVICE TO BE COMPLETED.**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**5. HARISH MANCHANDA V. DEEPTI BEHL**

**25FL0765**

On September 30, 2025, Petitioner filed an Income and Expense Declaration and a Request for Order (RFO) seeking spousal support and attorney's fees. All required documents were electronically served on October 2<sup>nd</sup>.

Respondent filed a Responsive Declaration to Request for Order on November 14<sup>th</sup>. The Responsive Declaration was served on November 13<sup>th</sup> along with an Income and Expense Declaration however, upon review of the court's file it appears Respondent did not file his Income and Expense Declaration with the court.

The parties are ordered to appear for the hearing. Respondent is ordered to bring with him a full and complete copy of his Income and Expense Declaration with the required supporting documents.

**TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING. RESPONDENT IS ORDERED TO BRING WITH HIM A FULL AND COMPLETE COPY OF HIS INCOME AND EXPENSE DECLARATION WITH THE REQUIRED SUPPORTING DOCUMENTS.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**6. SVETLANA PROTSYUK V. OLEG PROTSYUK**

**23FL0358**

On September 3, 2025, Petitioner filed a Request for Order (RFO) seeking to value the community property business as of the date of separation. She filed a Memorandum of Points and Authorities concurrently therewith. All required documents were mail served on September 4th.

Respondent filed and served a Responsive Declaration to Request for Order on November 20<sup>th</sup>. He filed a Memorandum of Points and Authorities on November 21<sup>st</sup>.

Petitioner filed and served a Reply Declaration on November 26<sup>th</sup>. 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 November 25<sup>th</sup> the last day for filing Petitioner’s Reply. As such, this document is late filed and has not been considered.

Petitioner is requesting to value the community car sales business as of the date of separation, November 15, 2022. She argues this date of valuation is necessary to ensure a fair and reasonable value of the business. Respondent opposes the request.

After reviewing the filings of the parties, argument on this issue appears to be heavily fact based and therefore, the court must take evidence on the issue. As such, this matter is continued to join with the trial currently set to begin on January 15, 2026.

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

**TENTATIVE RULING #6: THIS MATTER IS CONTINUED TO JOIN WITH THE TRIAL WHICH IS CURRENTLY SET TO COMMENCE ON JANUARY 15, 2025.**

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LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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

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

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**7. KIRSTEN REIMAN V. SCOTT REIMAN**

**25FL0453**

On September 5, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. All required documents were mail served on September 11<sup>th</sup>.

Respondent filed and served a Responsive Declaration to Request for Order on November 17, 2025.

The parties attended Child Custody Recommending Counseling (CCRC) on October 8<sup>th</sup>. They were unable to reach any agreements therefore, a report with recommendations was prepared on November 18, 2025. It was mailed to the parties on the 19<sup>th</sup>.

Petitioner filed a Reply Declaration to CCRC Mediation Report on November 25<sup>th</sup>.

Petitioner seeks joint legal and physical custody, but she asks the court to limit or order supervision of Respondent's visits until he completes treatment for alcohol use, completes a parenting class, and demonstrates that he can provide a safe and supportive environment for the children. She further requests an order for Respondent to enroll in SoberLink and be tested prior to each visit. If the court is inclined to order 50/50 parenting time, she proposes a gradual increase and she requests the court take into consideration the input of the minor. She proposes the court set a review hearing on the issue of custody after the court has had the opportunity to receive the minor's input. She requests both parties be ordered to attend a co-parenting class and to use Talking Parents for all communications regarding the children. Finally, she asks that Respondent be ordered to undergo a vocational evaluation and be ordered to make a reasonable, good-faith effort to obtain and maintain employment.

Respondent opposes the request for SoberLink testing though he is in agreement with a co-parenting class, use of Talking Parents, and undergoing a vocational evaluation. He requests a 50/50 parenting plan and each party to obtain the consent of the other prior to taking the children out of the state of California.

After reviewing the filings of the parties as outlined above, the court does find portions of the CCRC recommendations to be in the best interests of the children. As such, the court is adopting the recommendations stated in the November 18, 2025 CCRC report as the orders of the court with the exception of the sections entitled Parenting Time and Alcohol or Substance Abuse.

It is the policy of the state to ensure that children have frequent and continuing contact with both parents. Fam. Code §3020. However, "frequent and continuing contact"

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

has never been construed as requiring a visitation schedule with equal timeshares. Instead, the court's primary concern is to ensure the health, safety, and welfare of the children. *Id.*

Here, the court is concerned with Respondent's living arrangement and the allegations of substance abuse. Given that Respondent currently resides in a 638 square foot apartment, the court does not find 50/50 custody to be in the best interests of a teenage girl and a pre-teen. As such, until Respondent obtains suitable housing with a separate bedroom for the children, Respondent shall have visits with the children every Wednesday from after school (or 3:00 pm if no school) until 8:00 pm. And every other Saturday from 9:00 am to 9:00 pm and Sunday from 9:00 am to 9:00 pm, no overnights. Once Respondent obtains suitable housing and provides Petitioner and her attorney evidence thereof, the parties are to utilize a 2-2-3 schedule for 90 days. After the completion of 90 days, the parties are to commence a 2-2-5-5 parenting schedule.

Respondent shall undergo alcohol testing within 2 hours prior to each of his visits. Results are to be sent to Petitioner and her attorney. Respondent is to pay for the costs of testing, whether he chooses urinalysis tests or SoberLink. However, Petitioner is to reimburse Respondent for any and all negative tests. After six consecutive months of negative tests, Respondent may discontinue testing. In the event of a positive test, Respondent's parenting time for that day shall be cancelled and he will not receive make-up time for that visit.

In addition to CCRC's recommendation for co-parenting counseling, Respondent is ordered to undergo a parenting class. He is ordered to file evidence of completion thereof with the court and provide such evidence to Petitioner and her attorney.

Petitioner's request for a vocational evaluation is granted. Respondent is ordered to undergo a vocational evaluation at Petitioner's cost. The cost of the evaluation is subject to reallocation.

Finally, Petitioner's request for a seek work order is granted. In furtherance of the state's goal that both parties become self-supporting and contribute to the support of the children, the legislature adopted Family Code § 3558 which states, in pertinent part, "a court may require either parent to attend job training, job placement and vocational rehabilitation, and work programs, as designated by the court, at regular intervals and times and for durations specified by the court and provide documentation of participation in the programs."

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

Respondent is ordered to make a diligent job search effort for jobs for which he is qualified. The court further orders Respondent to apply for a minimum of 3 jobs per week and to provide proof of said applications to Petitioner on a monthly basis, until he has secured stable employment.

The request for a review hearing is denied as the court does not find it is need of input from the minors on the issue of custody at this time and it is unclear when/if Respondent will obtain suitable housing, and visits will progress to overnights.

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

**TENTATIVE RULING #7: AFTER REVIEWING THE FILINGS OF THE PARTIES AS OUTLINED ABOVE, THE COURT DOES FIND PORTIONS OF THE CCRC RECOMMENDATIONS TO BE IN THE BEST INTERESTS OF THE CHILDREN. THE COURT IS ADOPTING THE RECOMMENDATIONS STATED IN THE NOVEMBER 18, 2025 CCRC REPORT AS THE ORDERS OF THE COURT WITH THE EXCEPTION OF THE SECTIONS ENTITLED PARENTING TIME AND ALCOHOL OR SUBSTANCE ABUSE.**

**UNTIL RESPONDENT OBTAINS SUITABLE HOUSING WITH A SEPARATE BEDROOM FOR THE CHILDREN, RESPONDENT SHALL HAVE VISITS WITH THE CHILDREN EVERY WEDNESDAY FROM AFTER SCHOOL (OR 3:00 PM IF NO SCHOOL) UNTIL 8:00 PM. AND EVERY OTHER SATURDAY FROM 9:00 AM TO 9:00 PM AND SUNDAY FROM 9:00 AM TO 9:00 PM, NO OVERNIGHTS. ONCE RESPONDENT OBTAINS SUITABLE HOUSING AND PROVIDES PETITIONER AND HER ATTORNEY EVIDENCE THEREOF, THE PARTIES ARE TO UTILIZE A 2-2-3 SCHEDULE FOR 90 DAYS. AFTER THE COMPLETION OF 90 DAYS, THE PARTIES ARE TO COMMENCE A 2-2-5-5 PARENTING SCHEDULE.**

**RESPONDENT SHALL UNDERGO ALCOHOL TESTING WITHIN 2 HOURS PRIOR TO EACH OF HIS VISITS. RESULTS ARE TO BE SENT TO PETITIONER AND HER ATTORNEY. RESPONDENT IS TO PAY FOR THE COSTS OF TESTING, WHETHER HE CHOOSES URINALYSIS TESTS OR SOBERLINK. PETITIONER IS TO REIMBURSE RESPONDENT FOR ANY AND ALL NEGATIVE TESTS. AFTER SIX CONSECUTIVE MONTHS OF NEGATIVE TESTS, RESPONDENT MAY DISCONTINUE TESTING. IN THE EVENT OF A POSITIVE TEST, RESPONDENT'S PARENTING TIME FOR THAT DAY SHALL BE CANCELLED AND HE WILL NOT RECEIVE MAKE-UP TIME FOR THAT VISIT.**

**IN ADDITION TO CCRC'S RECOMMENDATION FOR CO-PARENTING COUNSELING, RESPONDENT IS ORDERED TO UNDERGO A PARENTING CLASS. HE IS**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**ORDERED TO FILE EVIDENCE OF COMPLETION THEREOF WITH THE COURT AND PROVIDE SUCH EVIDENCE TO PETITIONER AND HER ATTORNEY.**

**PETITIONER'S REQUEST FOR A VOCATIONAL EVALUATION IS GRANTED. RESPONDENT IS ORDERED TO UNDERGO A VOCATIONAL EVALUATION AT PETITIONER'S COST. THE COST OF THE EVALUATION IS SUBJECT TO REALLOCATION.**

**FINALLY, PETITIONER'S REQUEST FOR A SEEK WORK ORDER IS GRANTED. RESPONDENT IS ORDERED TO MAKE A DILIGENT JOB SEARCH EFFORT FOR JOBS FOR WHICH HE IS QUALIFIED. THE COURT FURTHER ORDERS RESPONDENT TO APPLY FOR A MINIMUM OF 3 JOBS PER WEEK AND TO PROVIDE PROOF OF SAID APPLICATIONS TO PETITIONER ON A MONTHLY BASIS, UNTIL HE HAS SECURED STABLE EMPLOYMENT.**

**THE REQUEST FOR A REVIEW HEARING IS DENIED AS THE COURT DOES NOT FEEL IT IS NEED OF INPUT FROM THE MINORS ON THE ISSUE OF CUSTODY AT THIS TIME AND IT IS UNCLEAR WHEN/IF RESPONDENT WILL OBTAIN SUITABLE HOUSING AND VISITS WILL PROGRESS TO OVERNIGHTS.**

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

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LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**8. NADIA STAMOS V. PETER DONALD STAMOS**

**25FL0604**

On September 9, 2025, Petitioner filed a Request for Order (RFO) seeking spousal support, child support, attorney's fees, and an order to sell the marital residence. She filed her Income and Expense Declaration concurrently therewith. The RFO and a blank FL-320 were electronically served on September 16<sup>th</sup>, though she did not serve the required Notice of Tentative Ruling. An additional Income and Expense Declaration was filed on September 12<sup>th</sup> and served on the 16<sup>th</sup>.

On September 23<sup>rd</sup>, Petitioner filed a Stipulation and Order to Sell Real Property and Other.

Respondent filed his Responsive Declaration to Request for Order on September 21<sup>st</sup>, it was served on September 19<sup>th</sup>. Respondent has not filed an Income and Expense Declaration.

Petitioner is requesting guideline child support and spousal support with a bonus/overtime table and orders for child support add-ons. She requests attorney's fees in the amount of \$5,000 and an order to sell the marital residence located at 4089 Windsor Point Place in El Dorado Hills. She is also requesting the court order Respondent to immediately take all steps necessary to obtain and maintain a new automobile insurance policy with coverage equal to that of the prior policy. Finally, she asks that Respondent be ordered to immediately pay the past-due balance on the Lexus loan and to bring and keep the account current until such time that it can be paid off with the proceeds from the home.

Respondent consents to guideline child support but he does not consent to spousal support or the requested attorney's fees. He asks that the court continue the matter as he recently retained new counsel and he does not have a copy of the RFO to address the requests in more detail.

The request to continue has already been denied via ex parte; therefore, the court declines to rule on this request as res judicata. Additionally, the request to sell the marital residence is moot due to the stipulation of the parties and therefore, the court declines to rule on it too.

Turning to the requests regarding the Lexus, both requests are granted. Respondent is ordered to immediately obtain a new automobile insurance policy with coverage equal to or greater than the prior policy. The policy shall be issued through Mercury Insurance or

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

another insurance carrier with an AM Best rating of A or higher. Respondent shall ensure that this policy remains in full force and effect. Respondent is ordered to bear all costs of the insurance policy subject to reallocation at trial.

Respondent is further ordered to immediately pay the past-due balance on the Lexus loan. Respondent is ordered to ensure that future payments on the Lexus loan are to be made timely. Payments are subject to reallocation at trial.

Respondent is strongly admonished to comply with the court's orders, and to abide by the automatic temporary restraining orders. Failure to do so may result in contempt orders or monetary sanctions.

The parties are ordered to appear on the issues of spousal support, child support and attorney's fees. Respondent is ordered to bring with him a full and complete Income and Expense Declaration with the required supporting documents.

**TENTATIVE RULING #8: THE REQUEST TO CONTINUE HAS ALREADY BEEN DENIED VIA EX PARTE AND THEREFORE THE COURT DECLINES TO RULE ON THIS REQUEST AS RES JUDICATA. ADDITIONALLY, THE REQUEST TO SELL THE MARITAL RESIDENCE IS MOOT DUE TO THE STIPULATION OF THE PARTIES AND THEREFORE THE COURT DECLINES TO RULE ON IT TOO.**

**RESPONDENT IS ORDERED TO IMMEDIATELY OBTAIN A NEW AUTOMOBILE INSURANCE POLICY WITH COVERAGE EQUAL TO OR GREATER THAN THE PRIOR POLICY. THE POLICY SHALL BE ISSUED THROUGH MERCURY INSURANCE OR ANOTHER INSURANCE CARRIER WITH AN AM BEST RATING OF A OR HIGHER. RESPONDENT SHALL ENSURE THAT THIS POLICY REMAINS IN FULL FORCE AND EFFECT. RESPONDENT IS ORDERED TO BEAR ALL COSTS OF THE INSURANCE POLICY SUBJECT TO REALLOCATION AT TRIAL.**

**RESPONDENT IS FURTHER ORDERED TO IMMEDIATELY PAY THE PAST-DUE BALANCE ON THE LEXUS LOAN. RESPONDENT IS ORDERED TO ENSURE THAT FUTURE PAYMENTS ON THE LEXUS LOAN ARE MADE TIMELY. PAYMENTS ARE SUBJECT TO REALLOCATION AT TRIAL.**

**RESPONDENT IS STRONGLY ADMONISHED TO COMPLY WITH THE COURT'S ORDERS, AND TO ABIDE BY THE AUTOMATIC TEMPORARY RESTRAINING ORDERS. FAILURE TO DO SO MAY RESULT IN CONTEMPT ORDERS OR MONETARY SANCTIONS.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**THE PARTIES ARE ORDERED TO APPEAR ON THE ISSUES OF SPOUSAL SUPPORT, CHILD SUPPORT AND ATTORNEY'S FEES. RESPONDENT IS ORDERED TO BRING WITH HIM A FULL AND COMPLETE INCOME AND EXPENSE DECLARATION WITH THE REQUIRED SUPPORTING DOCUMENTS.**

**THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON THE ISSUES OF CHILD SUPPORT, SPOUSAL SUPPORT, AND ATTORNEY'S FEES. RESPONDENT IS ORDERED TO BRING WITH HIM A FULL AND COMPLETE INCOME AND EXPENSE DECLARATION WITH THE REQUIRED SUPPORTING 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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**9. DANIL TARASOV V. YEKATERINA TARASOV**

**PFL20210520**

This matter is before the court on Respondent's request for bifurcation. The Request for Order (RFO) was filed on September 5, 2025. There is no Proof of Service for this document. This matter is dropped from calendar due to lack of proper service.

**TENTATIVE RULING #9: 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.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**10. AMOR TORRES V. ROBERT TORRES**

**PFL20210332**

On November 10, 2025, Respondent filed and served a Request for Order (RFO) seeking and order compelling discovery responses and a variety of sanctions against Petitioner. The RFO was filed ex parte requesting an Order Shortening Time (OST) due to the pending trial. The OST was granted, and the matter was set to be heard on the present date.

Petitioner filed a Proof of Service on December 1<sup>st</sup> indicating service of responses to Requests for Admission and responses to Special Interrogatories. Both were served on November 25<sup>th</sup>.

Because the RFO was filed and set to be heard on a shortened time, Petitioner was given until December 1<sup>st</sup> to file a Responsive Declaration to Request for Order. As of the date of this writing, no such document has been filed with the court.

Respondent brings his RFO making the following requests: (1) An order for Requests for Admissions to be deemed admitted and monetary sanctions in the amount of \$1,500 pursuant to Civil Procedure § 2033.280(c); (2) An order compelling responses to Special Interrogatories, without objections, and sanctions pursuant to Civil Procedure § 2030.290 in the amount of \$1,500; (3) An order compelling Petitioner's responses to Requests for Production of Documents, Set One, without objections, and sanctions pursuant to Civil Procedure § 2031.300 in the amount of \$1,500; (4) An order for evidentiary sanctions precluding Petitioner from presenting any evidence at the time of trial in support of her case due to her failure to respond to discovery and her failure to appear at her noticed deposition; (5) An order compelling Petitioner to undergo a deposition; (6) an order for sanctions in the amount of \$3,000 pursuant to Civil Procedure § 2023.030 for Petitioner's failure to appear at her properly noticed deposition; and (7) An order for sanctions in the amount of \$3,500 pursuant to Family Code § 271.

Special Interrogatories and Requests for Production of Documents

Generally speaking, "...a party may obtain discovery regarding any matter, not privileged, that is relevant to the subject matter..." Cal. Civ. Pro. § 2017.010. The Civil Discovery Act sets forth mechanisms for conducting such discovery including the use of interrogatories and document requests. Responses to interrogatories are due within 30 days of the date of service. Cal. Civ. Pro. § 2030.260. If a party fails to provide timely responses, that party waives any right to object to the interrogatories, and waives the right to produce writings in response. Cal. Civ. Pro. §2030.290 (a). All responses to

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

interrogatories, with the exception of objections only, are required to be made under oath signed by the party responding. Cal. Civ. Pro. § 2030.250.

In addition to Special Interrogatories, the Civil Discovery Act authorizes all parties to request documents from the opposing party by way of a Request for Production of Documents. Cal. Civ. Pro. §2031.210. As with interrogatories, responses to requests for production are due within 30 days of the date of service. Where a party fails to provide timely responses the party to whom the discovery was directed waives “any objection...including one based on privilege or on the protection of work product...” and “[t]he party making the demand may move for an order compelling response[s]...” Cal Civ. Pro. §2031.300(a).

Here, Respondent has established Petitioner’s failure to comply with her discovery obligations by her failure to respond to either of the aforementioned authorized forms of discovery. Respondent has provided the court with copies of the discovery as well as the proofs of service thereof. While the court notes the Proof of Service filed by Petitioner indicating that responses to Special Interrogatories were served after the filing of the RFO, it is unclear to the court if the responses served were compliant and it appears she still has not responded to the propounded Request for Production of Documents. As such, Respondent’s Motion to Compel is granted. Petitioner shall provide full and complete verified responses, without objections, to Respondent’s Special Interrogatories to Petitioner, and Respondent’s Request for Production of Documents to Petitioner, Set One no later than December 11, 2025.

Requests for Admission

Civil Procedure Sections 2033 through 2033.5 govern the use of Requests for Admission in the discovery process. Where a party fails to timely respond to such requests, “[t]he requesting party may move for an order that the genuineness of any documents and the truth of any matters specified in the requests be deemed admitted...” Cal. Civ. Pro. § 2033.280(b). “The court shall make this order, unless it finds that the party to whom the requests for admission have been directed has served, before the hearing on the motion, a proposed response to the requests for admission that is in substantial compliance with Section 2033.220...” Cal. Civ. Pro. § 2033.280(c).

According to the Proof of Service, responses to the Requests for Admission were served prior to the hearing however, the court has not been provided with copies thereof therefore, the court cannot find that the proposed responses are in substantial compliance

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

with Section 2033.220. The parties are ordered to appear for the hearing on this issue and Petitioner is ordered to bring copies of her responses to Requests for Admission.

Deposition

It is well established law that any party may obtain discovery by way of an oral deposition. Cal. Civ. Pro. § 2019.010(a) & §2025.010. “The service of a deposition notice under Section 2025.240 is effective to require any deponent who is a party to the action or an officer, director, managing agent, or employee of a party to attend and to testify, as well as to produce any document, electronically stored information, or tangible thing for inspection and copying.” Cal Civ. Pro. § 2025.280(a).

If a party deponent fails to appear at a properly noticed deposition or fails to produce for inspection any document or tangible thing described in the deposition notice, then the party giving notice may move for an order compelling the deponent’s attendance and testimony. Cal. Civ. Pro. § 2025.450(a).

Here, Respondent has established the proper notice of Petitioner’s deposition as well as his attempts to meet and confer regarding a date and time for the deposition. For the foregoing reasons, the court finds grounds to order Petitioner to submit to her deposition and produce all documents responsive to the Notice of Deposition Duces Tecum. The deposition shall be held prior to the commencement of trial and at a date and time as determined by Respondent.

Evidentiary Sanctions

Civil Procedure Section 2023.030 vests the court with authority to order issue or evidentiary sanctions thereby deeming the facts of a matter established or precluding a party from introducing information into evidence if it would have otherwise been disclosed in discovery but for that party’s misuse of the discovery process. Failure to respond to authorized forms of discovery such as depositions, requests for production of documents and interrogatories constitutes a misuse of the discovery process. Cal. Civ. Pro. Section 2023.010.

Respondent requests evidentiary sanctions which would preclude Petitioner from putting on any evidence due to her failure to appear at her properly noticed deposition. While there is statutory authority to order the requested sanctions, the court in its discretion, feels that issue sanctions and evidentiary sanctions are premature at this juncture. However, should Petitioner fail to comply with the court orders herein, such sanctions may be appropriate in the future. As such, Respondent’s request for evidentiary sanctions is denied without prejudice.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

Monetary Sanctions

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) & 2031.300. 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. 4<sup>th</sup> 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, or failed to make a reasonable good faith attempt to informally resolve a discovery dispute. 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. She provides no justification for her actions therefore, the court finds that the imposition of sanctions is warranted.

In reviewing Respondent’s filings, the court finds an award of sanctions in the amount of \$1,500 is proper. This covers amounts that would otherwise not have been incurred *but for* Petitioner’s misuse of the discovery process. The court is not awarding sanctions for time spent appearing at the hearing as those costs have not yet, and may not, be incurred. However, sanctions are subject to increase in the event Respondent incurs additional costs for Counsel’s appearance at the hearing.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

In sum, Petitioner is sanctioned \$2,500 (\$1,500 for discovery sanctions plus the additional \$1,000 for failure to respond to requests for production). The court is concerned with Petitioner's ability to pay; as such, the court is reserving on setting a payment plan until the time of trial.

Section 271 Sanctions

Finally, Respondent is requesting Section 271 sanctions. Under Family Code Section 271, "...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 between the parties..." (emphasis added). In making an award under Section 271, "...the court shall take into consideration all evidence concerning the parties' incomes, assets, and liabilities. The court shall not impose a sanction pursuant to this section that imposes an unreasonable financial burden on the party against whom the sanction is imposed..." *Id.*

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 reviewing Petitioner's Income and Expense Declaration and noting the award of \$2,500 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.

Respondent shall prepare the Findings and Orders After Hearing.

**TENTATIVE RULING #10: RESPONDENT'S MOTION TO COMPEL IS GRANTED. PETITIONER SHALL PROVIDE FULL AND COMPLETE VERIFIED RESPONSES, WITHOUT OBJECTIONS, TO RESPONDENT'S SPECIAL INTERROGATORIES TO PETITIONER, AND RESPONDENT'S REQUEST FOR PRODUCTION OF DOCUMENTS TO PETITIONER, SET ONE NO LATER THAN DECEMBER 11, 2025.**

**THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON THE REQUEST TO HAVE REQUESTS FOR ADMISSION DEEMED ADMITTED. PETITIONER IS ORDERED TO BRING COPIES OF HER RESPONSES TO REQUESTS FOR ADMISSION.**

**PETITIONER IS ORDERED TO SUBMIT TO HER DEPOSITION AND PRODUCE ALL DOCUMENTS RESPONSIVE TO THE NOTICE OF DEPOSITION DUCES TECUM. THE**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**DEPOSITION SHALL BE HELD PRIOR TO THE COMMENCEMENT OF TRIAL AND AT A DATE AND TIME AS DETERMINED BY RESPONDENT.**

**RESPONDENT'S REQUEST FOR EVIDENTIARY SANCTIONS IS DENIED WITHOUT PREJUDICE.**

**PETITIONER IS SANCTIONED \$2,500 (\$1,500 FOR DISCOVERY SANCTIONS PLUS THE ADDITIONAL \$1,000 FOR FAILURE TO RESPOND TO REQUESTS FOR PRODUCTION). THE COURT IS CONCERNED WITH PETITIONER'S ABILITY TO PAY, AS SUCH, THE COURT IS RESERVING ON SETTING A PAYMENT PLAN UNTIL THE TIME OF TRIAL.**

**RESPONDENT'S REQUEST FOR SECTION 271 SANCTIONS IS DENIED.**

**RESPONDENT SHALL PREPARE 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.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**11. MICHELLE WREN V. JOSEPH WREN**

**25FL0850**

On August 28, 2025, Petitioner filed a Request for Order (RFO) seeking spousal support and attorney's fees. She filed her Income and Expense Declaration concurrently therewith. All required documents were personally served on September 26<sup>th</sup>.

Respondent filed and served his Income and Expense Declaration on November 4, 2025. He filed and served his Responsive Declaration to Request for Order on November 17<sup>th</sup>.

On November 24<sup>th</sup>, Petitioner filed and served a document entitled Update Declaration of Michelle Wren; Support Calculation and an updated Income and Expense Declaration.

Respondent filed a Supplemental Responsive Declaration of Respondent on November 26<sup>th</sup>. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which states all opposition papers are to be filed at least nine 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 November 19<sup>th</sup> the last day for filing opposition papers therefore this document is late and has not been considered by the court.

Petitioner is requesting guideline spousal support and \$5,000 in attorney's fees and costs. She asks the court to make an initial temporary support award and set a review hearing in March to consider any income she has been able to earn substitute teaching. In her Reply Declaration, Petitioner also requests an order for Respondent to transfer possession of the dog Ludo to her.

Respondent asks that Petitioner's request for support be denied due to procedural defects. Alternatively, he asks that Petitioner be imputed with income in the range of \$6,500 per month to \$7,000 per month. He asks that support not exceed Petitioner's estimated monthly expenses of \$1,247. Additionally, he requests acknowledgement that he is entitled to *Epstein* credits for amounts paid toward community debts. In the event the court orders more than his estimate for spousal support, Respondent asks that Petitioner be ordered to undergo a vocational evaluation with Patrick Sullivan at Respondent's cost but subject to reallocation. Respondent asks the court to deny Petitioner's request for attorney's fees due to her failure to address the Section 4320 factors.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

The request for possession of Ludo is not properly before the court as it was not raised until the Reply Declaration, and it is outside the scope of the requests made in the original RFO. The request is therefore denied without prejudice.

Regarding the request for support, 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. 4<sup>th</sup> 23, 29 (2011). While the factors listed in Family Code section 4320 may be considered by the court, an award for temporary support is generally unrestricted by any statutory authority. *Id.* As such, it is not an abuse of discretion for the court to decrease an award for support, or deny it altogether, where the court finds the requesting spouse has both the ability to earn and the opportunity available for employment. In re *Marriage of Simpson*, 4 Cal. 4<sup>th</sup> 225 (1992).

Here, the court does find that Petitioner has both the ability and opportunity to work. Her sudden refusal to maintain a full-time teaching position is not grounds to increase her monthly support. Accordingly, the request to impute income to Petitioner is granted in the amount of \$6,500 per month.

Utilizing the imposition of income as outlined above, the court finds that spousal support per the Alameda formula is \$1,362 per month. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$1,362 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 September 1, 2025.

The court finds the above order results in arrears in the amount of \$5,448 through and including December 1, 2025. The court orders Respondent pay Petitioner \$454 on the 15th of each month commencing on December 15, 2025 and continuing until paid in full (approximately 12 months). If any payment is missed or late the entire amount shall become immediately due and payable with legal interest.

The court reserves jurisdiction over the issues of *Watts* and *Epstein* credits and charges.

Respondent's request for a vocational evaluation of Petitioner is granted. Petitioner is ordered to undergo a vocational evaluation with Patrick Sullivan. Respondent is ordered to pay the cost of the evaluation, subject to reallocation.

Regarding the request for attorney's fees, the public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

the parties, parity between spouses in their ability to obtain effective legal representation.” In Re Marriage of Keech, 75 Cal. App. 4<sup>th</sup> 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).

Here, the court finds that not only is there a disparity in income, but Respondent does have the ability to pay Petitioner’s attorney’s fees. That said, given Respondent’s extensive credit card debt, the court is allowing for the payment of fees to be made pursuant to a payment plan as follows. Respondent is ordered to pay Petitioner’s attorney \$5,000 as and for attorney’s fees pursuant to Family Code § 2030. This amount may be paid in one lump sum or in monthly increments of \$250 commencing on December 15<sup>th</sup> and continuing on the 15<sup>th</sup> of each month until paid in full (approximately 20 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

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

**TENTATIVE RULING #11: THE REQUEST FOR POSSESSION OF LUDO IS NOT PROPERLY BEFORE THE COURT AS IT WAS NOT RAISED UNTIL THE REPLY DECLARATION AND IT IS OUTSIDE THE SCOPE OF THE REQUESTS MADE IN THE ORIGINAL RFO. THE REQUEST IS THEREFORE DENIED WITHOUT PREJUDICE.**

**THE COURT FINDS THAT PETITIONER HAS BOTH THE ABILITY AND OPPORTUNITY TO WORK. ACCORDINGLY, THE REQUEST TO IMPUTE INCOME TO PETITIONER IS GRANTED IN THE AMOUNT OF \$6,500 PER MONTH.**

**UTILIZING THE IMPUTATION OF INCOME AS OUTLINED ABOVE, THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$1,362 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$1,362 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 SEPTEMBER 1, 2025.**

**THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$5,448 THROUGH AND INCLUDING DECEMBER 1, 2025. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$454 ON THE 15TH OF EACH MONTH COMMENCING ON DECEMBER 15, 2025 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.**

**THE COURT RESERVES JURISDICTION OVER THE ISSUES OF *WATTS* AND *EPSTEIN* CREDITS AND CHARGES.**

**RESPONDENT'S REQUEST FOR A VOCATIONAL EVALUATION OF PETITIONER IS GRANTED. PETITIONER IS ORDERED TO UNDERGO A VOCATIONAL EVALUATION WITH PATRICK SULLIVAN. RESPONDENT IS ORDERED TO PAY THE COST OF THE EVALUATION, SUBJECT TO REALLOCATION.**

**RESPONDENT IS ORDERED TO PAY PETITIONER'S ATTORNEY \$5,000 AS AND FOR ATTORNEY'S FEES PURSUANT TO FAMILY CODE § 2030. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$250 COMMENCING ON DECEMBER 15<sup>TH</sup> AND CONTINUING ON THE 15<sup>TH</sup> OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 20 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.**

**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 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.**

Fixed Shares	Husband	Wife	Monthly figures	Cash Flow	Guideline	Proposed
#of children	0	0	2025			
% time with NCP	0.00 %	0.00 %		Comb. net spendable	13906	13906
Filing status	MFJ->	<-MFJ	GUIDELINE	Percent change	0%	0%
# exemptions	1 *	1	Nets(adjusted)	Husband		
Wages+salary	14671	6500	Husband	9239		
Self-employed income	0	0	Wife	4667	-1362	-1362
Other taxable income	0	0	Total	13906	7877	7877
TANF+CS received	0	0	Support		0	0
Other nontaxable income	0	0	Addons	0	57%	57%
New spouse income	0	0	Guideln CS	0	0%	0%
401(k) employee contrib	0	0	Alameda SS	1362	4137	4137
Adjustments to income	0	0	Total	1362	0	0
SS paid prev marriage	0	0	-	# withholding allowances	0w	0w
CS paid prev marriage	0	0	Settings changed	Net wage paycheck	10486	10486
Health insurance	0	0		Wife		
Other medical expense	0	0		Payment cost/benefit	1362	1362
Property tax expense	0	0		Net spendable income	6029	6029
Ded interest expense	797	0	Proposed	Change from guideline	0	0
Charitable contributions	0	0	Tactic 9	% of combined spendable	43%	43%
Misc tax deductions	0	0	CS	0	0%	0%
Qual bus income ded	0	0	SS	1362	1833	1833
Required union dues	0	0	Total	1362	0	0
Mandatory retirement	1295	0		Dep. exemption value	0	0
Hardship deduction	0 *	0 *	Saving	0	0w	0w
Other GDL deductions	0	0	Releases	0	5203	5203
Child care expenses	0	0				

Husband pays Guideline SS, Proposed SS

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**12. DCSS V. CHAD MCCrackEN (OTHER PARENT: YULIYA PALSSON) PFS20200179**

On October 3, 2025, Respondent filed an Order to Show Cause and Affidavit for Contempt alleging five counts of contempt. Other Parent was personally served on November 6, 2025. The Department of Child Support Services (DCSS) was electronically served on November 21, 2025. The court finds the service on DCSS to be deficient, as they were not personally served, nor were they served timely. As such, the court drops the matter from calendar.

All prior orders remain in full force and effect.

**TENTATIVE RULING #12: THE MATTER 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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**13. MEGAN CARMICHAEL V. AUSTIN CARMICHAEL**

**22FL1201**

Respondent filed a Request for Order (RFO) on September 12, 2025, seeking a modification of the current parenting plan as well as orders for child and spousal support, and a seek work order. Respondent concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 13, 2025, and a review hearing on December 4<sup>th</sup>. All required documents were mail served on Petitioner on September 15<sup>th</sup>.

Both parties attended CCRC on October 13<sup>th</sup> and were unable to reach agreements. A report with recommendations was filed with the court on November 19, 2025, and copies were mailed to the parties on November 20<sup>th</sup>.

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

The court has read and considered the filings as outlined above and makes the following findings and orders. The court adopts the recommendations set forth in the November 19<sup>th</sup> CCRC report, including the recommendation for co-parenting counseling, as they are in the best interests of the minors.

As to child support, the court has utilized the figures provided in Respondent's Income and Expense Declaration to reach the guideline calculations. The court finds that guideline child support is \$4,072 per month (see attached X-Spouse). The court orders Respondent to pay Petitioner \$4,072 as and for guideline child support effective September 15, 2025, with payments due on the 15<sup>th</sup> of each month. This order is effective until further order of the court or termination by operation of law.

The court finds the above order results in an arrears balance of \$12,216 for the months of September through November inclusive. The court orders Respondent to pay petitioner \$1,018 per month as and for arrears effective January 1, 2026, and due on the 1<sup>st</sup> of each month until paid in full (approximately 12 months). If there is any missed or late payment the full amount is due and owing with legal interest.

The court has utilized the same figures to calculate temporary guideline spousal support. The court finds temporary guideline spousal support to be \$1,403 per month per the Alameda formula (see attached X-Spouse). The court orders Respondent to pay Petitioner \$1,403 per month as and for temporary guideline spousal support effective

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

September 15, 2025, and payable on the 15<sup>th</sup> of each month. This order is effective until further order of the court or termination by operation of law.

The court finds the above order results in an arrears balance of \$4,209 for the months of September through November inclusive. The court orders Respondent to pay Petitioner \$350.75 per month as and for arrears effective January 1, 2026, with payments due on the 1<sup>st</sup> of each month until paid in full (approximately 12 months). If there is any missed or late payment the full amount is due and owing with legal interest.

Finally, Respondent's request for a seek work order is granted. In furtherance of the state's goal that both parties become self-supporting and contribute to the support of the children, the legislature adopted Family Code § 3558 which states, in pertinent part, "a court may require either parent to attend job training, job placement and vocational rehabilitation, and work programs, as designated by the court, at regular intervals and times and for durations specified by the court and provide documentation of participation in the programs."

Petitioner is ordered to make a diligent job search effort for jobs for which she is qualified. The court further orders Petitioner to apply for a minimum of 3 jobs per week and to provide proof of said applications to Respondent on a monthly basis, until she has secured stable employment. Petitioner is to notify Respondent within 72 hours of obtaining employment.

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 #13: THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH IN THE NOVEMBER 19<sup>TH</sup> CCRC REPORT, INCLUDING THE RECOMMENDATION FOR CO-PARENTING COUNSELING, AS THEY ARE IN THE BEST INTERESTS OF THE MINORS.**

**AS TO CHILD SUPPORT, THE COURT HAS UTILIZED THE FIGURES PROVIDED IN RESPONDENT'S INCOME AND EXPENSE DECLARATION TO REACH THE GUIDELINE CALCULATIONS. THE COURT FINDS THAT GUIDELINE CHILD SUPPORT IS \$4,072 PER MONTH (SEE ATTACHED X-SPOUSE). THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$4,072 AS AND FOR GUIDELINE CHILD SUPPORT EFFECTIVE SEPTEMBER 15, 2025, WITH PAYMENTS DUE ON THE 15<sup>TH</sup> OF EACH MONTH. THIS ORDER IS EFFECTIVE UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

THE COURT FINDS THE ABOVE ORDER RESULTS IN AN ARREARS BALANCE OF \$12,216 FOR THE MONTHS OF SEPTEMBER THROUGH NOVEMBER INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,018 PER MONTH AS AND FOR ARREARS EFFECTIVE JANUARY 1, 2026, AND DUE ON THE 1<sup>ST</sup> OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF THERE IS ANY MISSED OR LATE PAYMENT THE FULL AMOUNT IS DUE AND OWING WITH LEGAL INTEREST.

THE COURT HAS UTILIZED THE SAME FIGURES TO CALCULATE TEMPORARY GUIDELINE SPOUSAL SUPPORT. THE COURT FINDS TEMPORARY GUIDELINE SPOUSAL SUPPORT TO BE \$1,403 PER MONTH PER THE ALAMEDA FORMULA (SEE ATTACHED X-SPOUSE). THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,403 PER MONTH AS AND FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT EFFECTIVE SEPTEMBER 15, 2025, AND PAYABLE ON THE 15<sup>TH</sup> OF EACH MONTH. THIS ORDER IS EFFECTIVE UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT FINDS THE ABOVE ORDER RESULTS IN AN ARREARS BALANCE OF \$4,209 FOR THE MONTHS OF SEPTEMBER THROUGH NOVEMBER INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$350.75 PER MONTH AS AN FOR ARREARS EFFECTIVE JANUARY 1, 2026, WITH PAYMENTS DUE ON THE 1<sup>ST</sup> OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF THERE IS ANY MISSED OR LATE PAYMENT THE FULL AMOUNT IS DUE AND OWING WITH LEGAL INTEREST.

FINALLY, RESPONDENT'S REQUEST FOR A SEEK WORK ORDER IS GRANTED. IN FURTHERANCE OF THE STATE'S GOAL THAT BOTH PARTIES BECOME SELF-SUPPORTING AND CONTRIBUTE TO THE SUPPORT OF THE CHILDREN, THE LEGISLATURE ADOPTED FAMILY CODE § 3558 WHICH STATES, IN PERTINENT PART, "A COURT MAY REQUIRE EITHER PARENT TO ATTEND JOB TRAINING, JOB PLACEMENT AND VOCATIONAL REHABILITATION, AND WORK PROGRAMS, AS DESIGNATED BY THE COURT, AT REGULAR INTERVALS AND TIMES AND FOR DURATIONS SPECIFIED BY THE COURT AND PROVIDE DOCUMENTATION OF PARTICIPATION IN THE PROGRAMS."

PETITIONER IS ORDERED TO MAKE A DILIGENT JOB SEARCH EFFORT FOR JOBS FOR WHICH SHE IS QUALIFIED. THE COURT FURTHER ORDERS PETITIONER TO APPLY FOR A MINIMUM OF 3 JOBS PER WEEK AND TO PROVIDE PROOF OF SAID APPLICATIONS TO RESPONDENT ON A MONTHLY BASIS, UNTIL SHE HAS SECURED STABLE EMPLOYMENT. PETITIONER IS TO NOTIFY RESPONDENT WITHIN 72 HOURS OF OBTAINING EMPLOYMENT.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**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.**

**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.**

# 2025 Guideline Summary Monthly Figures

**Fixed Shares**

	<b>Father</b>	<b>Mother</b>
Number of children	0	3
Percent time with NCP	49.99%	0.00%
Filing status	MFJIN	MFJIN
Number of exemptions	1	4
Wages and salary	15416	0
Self employed income	0	0
Other taxable income	600	0
TANF CS received	0	0
Other nontaxable income	0	0
New spouse income	0	0
Employee 401-k contribution	0	0
Adjustments to income	0	0
SS paid prev marriage	0	0
CS paid prev marriage	0	0
Health insurance	0	0
Other medical expenses	0	0
Property tax expenses	0	0
Ded interest expense	0	0
Contribution deduction	0	0
Misc tax deductions	0	0
Qualified business income deduction	0	0
Required union dues	329	0
Mandatory retirement	0	0
Hardship deduction	0	0
Other GDL deductions	0	0
Child care expenses	0	0

**Monthly Figures****2025****Nets (adjusted)**

Father	12151
Mother	0
Total	12151
<b>Support</b>	
Addons	0
Guideln CS	4072
Alameda SS	1403
Total	5475

**Cash Flow**

Combined net spendable 12151

**Father**

Payment cost/benefit	-5475
Net spendable income	6676
Federal income tax	1548
Federal employment tax	1133
State income tax	669
State employment tax	185
Total taxes	3536
Federal filing status	MFJIN
State filing status	MFJIN

**Mother**

Payment cost/benefit	5475
Net spendable income	5475
Federal income tax	0
Federal employment tax	0
State income tax	0
State employment tax	0
Total taxes	0
Federal filing status	MFJIN
State filing status	MFJIN

FC 4055 checking: **ON****Per Child Information**

	<b>DOB</b>	<b>Timeshare</b>	<b>cce(F)</b>	<b>cce(M)</b>	<b>Addons Payor</b>	<b>Basic CS Payor</b>	<b>Pres CS Payor</b>
All children		50 - 50	0	0	0 Father	4,072 Father	4,072 Father
	0000-00-00	49 - 51	0	0	0 Father	841 Father	841 Father
	0000-00-00	49 - 51	0	0	0 Father	1,228 Father	1,228 Father
	0000-00-00	49 - 51	0	0	0 Father	2,002 Father	2,002 Father

Superior Court of California  
County of El Dorado

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**14. KRISTEN CECIL V. ANTHONY BAKER**

**PFL20190371**

Respondent filed an ex parte application for emergency orders on September 9, 2025, seeking orders for sole physical custody of the minors per the parties' April 29, 2025 stipulation. The court granted the request on September 10<sup>th</sup> ordering Respondent to have temporary sole physical custody. The court referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on October 9, 2025 and a review hearing on December 4, 2025. Respondent filed a Request for Order (RFO) on September 10<sup>th</sup> seeking the same orders as set forth in the ex parte application. Petitioner was personally served on September 18, 2025.

Petitioner filed a Responsive Declaration as well as a Declaration with drug test results on October 8, 2025. Respondent was served with the declarations on October 8, 2025. Petitioner requests joint physical custody of the minors and disputes all allegations raised by Respondent.

Petitioner filed a Declaration on November 18, 2025. There is no Proof of Service for this document, therefore, the court has not considered it.

Both parties attended CCRC on October 9<sup>th</sup> and were unable to reach agreements. A report with recommendations was filed with the court on November 21, 2025, and copies were mailed to the parties on November 24<sup>th</sup>.

The court has read and considered the filings as outlined above and makes the following findings and orders. The court finds the recommendations as set forth in the November 24<sup>th</sup> CCRC report to be in the best interest of the minors. The court adopts the recommendations as set forth.

All prior orders not in conflict with this order shall 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 AS SET FORTH IN THE NOVEMBER 24<sup>TH</sup> CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER SHALL REMAIN IN FULL FORCE AND EFFECT. 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**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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

**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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**15. JAMIE DUBY V. ADAM ARSLANIAN**

**25FL0969**

Petitioner filed a Petition for Custody and Support on October 1, 2025. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) seeking custody orders as well as child support. Petitioner did not concurrently file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 15, 2025 and a review hearing on December 4<sup>th</sup>. Proof of Service shows Respondent was served with the Summons and other documents on October 7, 2025. Respondent was served with the RFO and other documents, but not all the necessary documents, by mail on October 24, 2025.

Petitioner filed a subsequent RFO on October 10, 2025, requesting the minors be protected from Celest Spina. Proof of Service shows Respondent was mail served on October 24, 2025.

Petitioner filed an amended RFO on November 13, 2025. Petitioner concurrently filed an Income and Expense Declaration. Both were served by mail on November 14, 2025. Civil Procedure section 1005(b) states: “Unless otherwise ordered or specifically provided by law, all moving and supporting papers shall be served and filed at least 16 court days before the hearing. The moving and supporting papers served shall be a copy of the papers filed or to be filed with the court. However, if the notice is served by mail, the required 16-day period of notice before the hearing shall be increased by five calendar days if the place of mailing and the place of address are within the State of California...” This would have made November 2, 2025, the last day for mail service. As such, the court has not considered the amended RFO.

Respondent filed a Responsive Declaration on November 19, 2025. It was served on Petitioner on November 5<sup>th</sup>. It is unclear which RFO Respondent is responding to, as the response provided therein is vague. Respondent has not filed an Income and Expense Declaration.

The court finds service of the October 1, 2025, RFO to be deficient, as it was not served with all the required documents. However, the court finds good cause to proceed with the custody and parenting time portion of the RFO only, as both parties attended CCRC and Respondent is aware of the requested orders. The court drops the request for child support from calendar due to Petitioner’s failure to concurrently file and serve an Income and Expense Declaration. “For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

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 amended RFO is dropped from calendar due to the failure to timely serve.

Both parties fully participated in CCRC and were unable to reach any agreements. A report with recommendations was filed with the court on November 25, 2025. Copies were mailed to the parties the same day. The court has read and considered the November 25<sup>th</sup> CCRC report and finds the recommendations to be in the best interest of the minors. The court adopts the recommendations as set forth.

As to Petitioner’s October 10, 2025, RFO requesting protection from Celeste Spina, that request is denied. First and foremost, the court finds the issue to be *res judicata*. Petitioner requested and was denied a civil harassment restraining order against Ms. Spina in May of 2025. Petitioner had a full evidentiary hearing on her request. Petitioner does not get a second bite at the apple in this court. Further, the request is denied as Ms. Spina is not a party to this action. As such, the court does not have jurisdiction to make orders regarding Ms. Spina. The request is denied with prejudice.

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

**TENTATIVE RULING #15: THE COURT FINDS SERVICE OF THE OCTOBER 1, 2025, RFO TO BE DEFICIENT, AS IT WAS NOT SERVED WITH ALL THE REQUIRED DOCUMENTS. HOWEVER, THE COURT FINDS GOOD CAUSE TO PROCEED WITH THE CUSTODY AND PARENTING TIME PORTION OF THE RFO ONLY, AS BOTH PARTIES ATTENDED CCRC AND RESPONDENT IS AWARE OF THE REQUESTED ORDERS. THE COURT DROPS THE REQUEST FOR CHILD SUPPORT FROM CALENDAR DUE TO PETITIONER’S FAILURE TO CONCURRENTLY FILE AND SERVE AN INCOME AND EXPENSE DECLARATION. “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 AMENDED RFO IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO TIMELY SERVE.**

**BOTH PARTIES FULL PARTICIPATED IN CCRC AND WERE UNABLE TO REACH ANY AGREEMENTS. A REPORT WITH RECOMMENDATIONS WAS FILED WITH THE COURT ON**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**NOVEMBER 25, 2025. COPIES WERE MAILED TO THE PARTIES THE SAME DAY. THE COURT HAS READ AND CONSIDERED THE NOVEMBER 25<sup>TH</sup> CCRC REPORT AND FINDS THE RECOMMENDATIONS TO BE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH.**

**AS TO PETITIONER'S OCTOBER 10, 2025 RFO REQUESTING PROTECTION FROM CELESTE SPINA, THAT REQUEST IS DENIED. FIRST AND FOREMOST, THE COURT FINDS THE ISSUE TO BE RES JUDICATA. PETITIONER REQUESTED AND WAS DENIED A CIVIL HARASSMENT RESTRAINING ORDER AGAINST MS. SPINA IN MAY OF 2025. PETITIONER HAD A FULL EVIDENTIARY HEARING ON HER REQUEST. PETITIONER DOES NOT GET A SECOND BITE AT THE APPLE IN THIS COURT. FURTHER, THE REQUEST IS DENIED AS MS. SPINA IS NOT A PARTY TO THIS ACTION. AS SUCH, THE COURT DOES NOT HAVE JURISDICTION TO MAKE ORDERS REGARDING MS. SPINA. THE REQUEST IS DENIED WITH PREJUDICE. 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 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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**16. MELISSA FLANIGAN V. SHAUN FLANIGAN**

**23FL0255**

On October 3, 2025, Petitioner filed a Request for Order (RFO) seeking a modification of the current custody and parenting plan orders to allow the minor to travel to attend her grandfather's 85<sup>th</sup> birthday. Additionally, the RFO requests Family Code section 2030 attorney fees as well as Family Code section 271 sanctions. Petitioner concurrently filed an Income and Expense Declaration. Upon review of the court file, there does not appear to be a Proof of Service for this RFO and Income and Expense Declaration.

Petitioner filed an ex parte application for emergency travel orders on October 13, 2025. Respondent filed a Responsive Declaration on October 13<sup>th</sup>. The court heard the matter on October 14<sup>th</sup> and granted the travel request. Petitioner filed a further RFO on October 14, 2025, which appears to be duplicative of the October 3, 2025 RFO. Upon review of the court file, there is no Proof of Service of this RFO.

Respondent filed a Responsive Declaration and Income and Expense Declaration on November 12, 2025. Petitioner was served the same day.

Respondent filed an Order Shortening Time (OST) and RFO seeking a motion to compel and clarification of current orders on November 13, 2025. Respondent concurrently filed a Declaration and Memorandum of Points and Authorities. Petitioner was served on November 14, 2025. The court granted the OST on November 14, 2025, setting the RFO for a hearing to join with Petitioner's RFO.

Petitioner filed a Responsive Declaration and Reply Declaration on November 25, 2025. Both were served the same day. The court notes Petitioner's Declaration in both the Responsive Declaration as well as the Reply Declaration exceed the length permitted. As such, the court has only considered the first 10 and 5 pages respectively.

The court orders parties to appear for the hearing.

**TENTATIVE RULING #16: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.**

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**17. ASHLYN HIGAREDA V. ISSAC HIGAREDA**

**25FL0250**

Respondent filed a Request for Order (RFO) on May 22, 2025, seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on June 23, 2025, and a review hearing on August 21, 2025. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

Nevertheless, both parties appeared for the CCRC appointment on June 23<sup>rd</sup>. The parties were unable to reach any agreements. A report with recommendations was filed with the court on August 8, 2025. Copies were mailed to the parties on August 11, 2025.

Petitioner filed a Responsive Declaration on August 7, 2025. Respondent was served on the same day. Petitioner does not assert a defect in service; therefore, the court deems this issue to be waived. Petitioner requests sole physical custody with parenting time to Respondent in California once a month. Petitioner requests joint legal custody with final decision-making authority if the parties are unable to reach an agreement after good faith discussions. Petitioner also requests Respondent's sister be excluded from visits. Petitioner also requests video or phone calls between Respondent and the minor once a week at reasonable times.

Parties appeared for the hearing on August 21, 2025. After meeting and conferring the parties reached a full agreement. This included a review hearing to determine whether there should be a step up in Respondent's parenting time. Parties were directed to file and serve Supplemental Declarations at least 10 days prior to the review hearing; they were admonished that failure to do so may result in the matter being dropped from calendar.

Petitioner filed a "Responsive Declaration" which the court deems to be a Supplemental Declaration on November 24, 2025. Respondent was served the same day. Petitioner requests all current orders remain in full force and effect. Petitioner states the current orders are working well and remain in the minor's best interest.

Respondent has not filed a Supplemental Declaration.

The court finds the current orders remain in the minor's best interest. All current orders remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**TENTATIVE RULING #17: THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE MINOR'S BEST INTEREST. ALL CURRENT ORDERS REMAIN IN FULL FORCE AND EFFECT. 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 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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**18. SHANE SHEPARD V. AMBER BALL**

**25FL0509**

Petitioner filed a Petition to Establish a Parental Relationship on June 5, 2025. A Summons was filed the same day. Petitioner concurrently filed a Request for Order (RFO) seeking custody and parenting plan orders. The parties were not referred to Child Custody Recommending Counseling (CCRC) as parentage had not yet been established. Respondent was served on September 9, 2025.

Parties appeared for the hearing on September 25, 2025. The court directed Respondent to file a Response within 10 days. The court continued the review hearing for the RFO to December 4, 2025.

Respondent filed a Response on October 17, 2025. Petitioner was served on October 7, 2025. Respondent requests the court dismiss the Petition with prejudice. Respondent further requests Petitioner pay her fees associated with filing a Response in this matter.

The court has read and considered the filings as outlined above. The court dismisses the Petition to Establish a Parental Relationship. The court finds there is no minor that would be the subject of the petition. The Petition is dismissed with prejudice. The court denies Respondent's request for fees, as Respondent incurred no fees in filing her Response.

**TENTATIVE RULING #18: THE COURT DISMISSES THE PETITION TO ESTABLISH A PARENTAL RELATIONSHIP. THE COURT FINDS THERE IS NO MINOR THAT WOULD BE THE SUBJECT OF THE PETITION. THE PETITION IS DISMISSED WITH PREJUDICE. THE COURT DENIES RESPONDENT'S REQUEST FOR FEES, AS RESPONDENT INCURRED NO FEES IN FILING HER RESPONSE.**

**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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**19. DANE SIMS V. LISA SMITH**

**25FL0666**

Petitioner filed a Petition to Establish a Parental Relationship on July 18, 2025. A Summons was issued the same day. Petitioner concurrently filed a Request for Order (RFO) requesting the court make child custody and parenting plan orders. Respondent was personally served with the Petition, Summons, and RFO with the other necessary papers on August 3, 2025.

Parties appeared for the hearing on October 9, 2025. The court found Petitioner to be the presumed parent of the minor. The court referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on October 22, 2025, and a further review hearing was set for December 4, 2025. The court made interim custody and parenting plan orders pending the review hearing. The court directed any Supplemental Declarations to be filed and served at least 10 days prior to the review hearing.

Both parties attended CCRC on October 22<sup>nd</sup>. The parties were able to reach a partial agreement. A report with the parties' agreement as well as additional recommendations was filed with the court on November 20, 2025, and mailed to the parties the same day.

Neither party has filed a Supplemental Declaration.

The court has read and considered the filings as outlined above. The court finds the agreements and recommendations as set forth in the November 20<sup>th</sup> CCRC report to be in the best interest of the minor. The court adopts the agreements and recommendations as set forth.

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

**TENTATIVE RULING #19: THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN THE NOVEMBER 20<sup>TH</sup> CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. 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**

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

December 4, 2025

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

**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  
December 4, 2025  
8:30 a.m./1:30 p.m.

**20. NATHAN SPEARS V. ASHLEY SPEARS**

**PFL20190707**

On August 25, 2025, Respondent filed a Request for Order (RFO) seeking permission to claim the child on taxes and requesting child support. It was served on Petitioner and Minor's Counsel on August 29<sup>th</sup>, however there is no Proof of Service for the Department of Child Support Services (DCSS).

Petitioner filed a Responsive Declaration to Request for Order and a Financial Statement (Simplified) on October 17<sup>th</sup>. The Proof of Service is faulty in that it does not specify the date on which these documents were served.

Respondent filed a Reply Declaration on October 22<sup>nd</sup>. It was electronically served on Minor's Counsel and on Petitioner on October 22<sup>nd</sup>, but there is no Proof of Service evidencing service on DCSS.

Petitioner filed and served another Declaration on October 23<sup>rd</sup>. Proof of Service shows it was served on October 23, 2025.

DCSS filed and served a Responsive Declaration on October 29, 2025. DCSS requests the matter be set to be heard by the Child Support Commissioner pursuant to Family Code section 4251.

Petitioner appeared for the hearing on October 30, 2025 and requested the matter be continued to perfect service. The court granted the request and continued the matter to December 4, 2025. Petitioner appeared remotely via Zoom after the matter had already been called. Petitioner was informed that the matter had already been heard and was continued.

Respondent filed two additional declarations on November 5, 2025. Both were mail served on November 5<sup>th</sup>.

Respondent filed Proof of Service of the October 30<sup>th</sup> minute order as well as service of the RFO and other necessary documents on November 5, 2025.

The court finds this is a child support issue and as such is to be heard by the child support commissioner pursuant to Family Code section 4251. The court continues the matter to 1/12/2026 at 8:30 AM in Department 10.

All prior orders remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing.

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
December 4, 2025  
8:30 a.m./1:30 p.m.

**TENTATIVE RULING #20: THE COURT FINDS THIS IS A CHILD SUPPORT ISSUE AND AS SUCH IS TO BE HEARD BY THE CHILD SUPPORT COMMISSIONER PURSUANT TO FAMILY CODE SECTION 4251. THE COURT CONTINUES THE MATTER TO 1/12/2026 AT 8:30 AM IN DEPARTMENT 10. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. 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.**