

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

1. MARK BARRY V. JENNIFER BARRY

25FL0627

On October 1, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders, support orders, and an order for the sale of the marital residence. He filed his Income and Expense Declaration concurrently therewith. All required documents were served on October 2nd.

The parties attended Child Custody Recommending Counseling (CCRC) on November 3, 2025. The parties were unable to reach any agreements therefore a report with recommendations was prepared and mailed to the parties on December 19th.

Respondent filed and served her Responsive Declaration to Request for Order on December 23rd.

Petitioner filed and served a Reply Declaration on December 31st.

Respondent's Supplemental Declaration Re: CCRC Report was filed on December 31st however there is no Proof of Service for this document therefore the court cannot consider it.

Petitioner asks the court to modify the visitation schedule to a week-on/week-off schedule. He requests child and spousal support be modified to impute Respondent with full time minimum wage as she has failed to obtain gainful employment after receiving a *Gavron* Warning in January of 2024. Finally, Petitioner is requesting an order for the marital residence located on Azalea Circle in Pollock Pines to be listed for sale. Petitioner asks that he be allowed to propose the name of three real estate agents and Respondent to select one of them. If she does not make a selection within two weeks of receiving Petitioner's list, then Petitioner requests authority to choose the agent.

Respondent asks the court to deny all of the requests made by Petitioner. She further asks that court order that child and spousal support be paid through an Income Withholding Order.

The request to impute Respondent with full-time minimum wage income is denied. Support may be reduced based on the imputation of income to the lower earning spouse where that spouse unreasonably delays or refuses to seek employment when the spouse has both the ability and opportunity for employment. *In re Marriage of Simpson*, 4 Cal. 4th 225 (1992). In the matter at hand, the letter from Respondent's physician establishes that she has a medical condition which limits her ability to work to 0-15 hours per month. This is

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in line with what she appears to be earning and with the imputation of income under the current orders. As such, the request to modify support is denied.

The request for an Income Withholding Order is granted.

Regarding the sale of the marital residence, it is a longstanding tenant of the law that the court shall divide the community estate of the parties equally. Cal. Fam. Code 2550. Inherent in the court's authority to ensure that community assets are divided equally, the court holds broad discretion to “[a]t any time during the proceeding...order the liquidation of community or quasi-community assets so as to avoid unreasonable market or investment risks...” Cal. Fam. Code § 2108. Here, the residence does not appear to be in any present danger of foreclosure or destruction. Thus, the court sees no reason to order the sale of the home to preserve the community asset. This is especially true while the young children continue to reside in the home. As such, the request to sell the marital residence is denied.

Finally, regarding the request to increase Petitioner's parenting time, the parties are ordered to appear to select dates for an evidentiary hearing.

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

**TENTATIVE RULING #1: THE REQUEST TO IMPUTE RESPONDENT WITH FULL-TIME
MINIMUM WAGE INCOME IS DENIED. THE REQUEST FOR AN INCOME WITHHOLDING
ORDER IS GRANTED. THE REQUEST TO SELL THE MARITAL RESIDENCE IS DENIED.
REGARDING THE REQUEST TO INCREASE PETITIONER'S PARENTING TIME, THE
PARTIES ARE ORDERED TO APPEAR TO SELECT DATES FOR AN EVIDENTIARY HEARING.
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.**

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2. ALEXANDRA CARRERO V. JOSE CARRERO

24FL0924

On October 7, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders and a Section 3111 evaluation of Respondent. All required documents were served on October 29th. Petitioner filed and served a Declaration with documents in support of her RFO on November 7th.

Respondent filed and served his Responsive Declaration to Request for Order on December 15th.

The parties attended Child Custody Recommending Counseling (CCRC) on November 6, 2025. A report with recommendations was prepared on December 26, 2025. It was mailed to the parties on December 29th.

Petitioner filed and served a Supplemental Declaration on December 30th.

Petitioner filed her RFO asking the court to stay its prior order for a 2-2-3 parenting plan until Respondent completes an in-person, age-focused, parenting course and provides proof of completion thereof. She further requested a 3111 Evaluation of Respondent. As of the filing of her Supplemental Declaration, Petitioner has withdrawn her affirmative requests. She asks the court to deny the requests for affirmative relief made by Respondent which are as follows.

Respondent asks the court to deny Petitioner's custody request and maintain the current 2-2-3 parenting plan with some modification to match the schedule of Respondent's other children. He asks the court to confirm the holiday schedule moving forward and enforce the order for all exchanges to occur at the El Dorado County Sheriff's Office at 4pm. Respondent asks the court to admonish Petitioner for her behavior and allegations of harassment and deny her request for a 3111 Evaluation. Instead, he asks that Petitioner undergo a 3111 Evaluation. Finally, he asks the court to confirm Donelle Anderson as the coparenting counselor.

After reviewing the filings as outlined above, the court finds the current 2-2-3 parenting schedule remains in the best interests of the minor. The court is adopting the weekly schedule as stated in Exhibit A to Respondent's Responsive Declaration to Request for Order, as well as the holiday schedule contained therein.

The court is adopting the recommendations as set forth in the December 26, 2025, CCRC report with the exception of the recommendation to continue coparenting counseling with Donelle Anderson. The parties are ordered to meet and confer and agree

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upon a new coparenting counselor. Coparenting counseling shall be at a frequency and duration as ordered by the counselor. Petitioner is admonished that the court will not be inclined to change the coparenting counselor again in the future.

Regarding Respondent's request for a 3111 Evaluation of Petitioner, the court does not find a 3111 Evaluation of Petitioner to be in the minor's best interests at this time. However, the court does recognize that a 3111 Evaluation may be warranted in the future. As such, the request is denied without prejudice.

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

TENTATIVE RULING #2: THE COURT FINDS THE CURRENT 2-2-3 PARENTING SCHEDULE REMAINS IN THE BEST INTERESTS OF THE MINOR. THE COURT IS ADOPTING THE WEEKLY SCHEDULE AS STATED IN EXHIBIT A TO RESPONDENT'S RESPONSIVE DECLARATION TO REQUEST FOR ORDER, AS WELL AS THE HOLIDAY SCHEDULE CONTAINED THEREIN.

THE COURT IS ADOPTING THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 26, 2025 CCRC REPORT WITH THE EXCEPTION OF THE RECOMMENDATION TO CONTINUE COPARENTING COUNSELING WITH DONELLE ANDERSON. THE PARTIES ARE ORDERED TO MEET AND CONFER AND AGREE UPON A NEW COPARENTING COUNSELOR. COPARENTING COUNSELING SHALL BE AT A FREQUENCY AND DURATION AS ORDERED BY THE COUNSELOR. PETITIONER IS ADMONISHED THAT THE COURT WILL NOT BE INCLINED TO CHANGE THE COPARENTING COUNSELOR AGAIN IN THE FUTURE.

REGARDING RESPONDENT'S REQUEST FOR A 3111 EVALUATION OF PETITIONER, THE COURT DOES NOT FIND A 3111 EVALUATION OF PETITIONER TO BE IN THE MINOR'S BEST INTERESTS AT THIS TIME. HOWEVER, THE COURT DOES RECOGNIZE THAT A 3111 EVALUATION MAY BE WARRANTED IN THE FUTURE. AS SUCH, THE REQUEST IS DENIED WITHOUT PREJUDICE.

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

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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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3. STEPHANI DUMAS-BRONNER V. SEAN GRAY

25FL0884

Petitioner filed a Request for Order (RFO) on September 5, 2025, seeking custody and visitation orders. All required documents were personally served on Respondent on October 28th.

Respondent has not filed a Response to the Petition for Dissolution, nor has he filed a Responsive Declaration to Request for Order. Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure "as an admission that the motion or other application is meritorious." El Dorado County, Local Rule 7.10.02(C). Here, it appears the RFO and the CCRC referral were both timely and properly served on Respondent. He had notice of the pending request and the CCRC appointment and chose not to appear at CCRC nor file an opposition to the RFO. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFO are meritorious.

With Respondent's absence from the minor's life, Petitioner's requests for sole legal and sole physical custody are granted. Respondent shall not have any visitation with the minor until he completes a parenting course and provides Petitioner with evidence of his completion. Once he has done so, Respondent may have professionally supervised visits with the minor once per week for a period of two hours per visit.

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

TENTATIVE RULING #3: PETITIONER'S REQUESTS FOR SOLE LEGAL AND SOLE PHYSICAL CUSTODY ARE GRANTED. RESPONDENT SHALL NOT HAVE ANY VISITATION WITH THE MINOR UNTIL HE COMPLETES A PARENTING COURSE AND PROVIDES PETITIONER WITH EVIDENCE OF HIS COMPLETION. ONCE HE HAS DONE SO, RESPONDENT MAY HAVE PROFESSIONALLY SUPERVISED VISITS WITH THE MINOR ONCE PER WEEK FOR A PERIOD OF TWO HOURS PER VISIT.

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

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4. TIFFANY HENDERSON V. SAMUEL HENDERSON

24FL1253

Custody and Visitation

On October 1, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders.

Petitioner filed and served a Responsive Declaration to Request for Order on November 4th.

The parties attended Child Custody Recommending Counseling (CCRC) on November 5th. A report with recommendations was prepared on December 23rd and mailed to the parties on December 24th.

On December 29th, Respondent filed and served the following: Supplemental Declaration of Respondent, Income and Expense Declaration, Objection/Request to Strike, and a Declaration of Clare Henderson-Mercadal.

Respondent is requesting conjoint counseling between him and the children with a therapist of his choice. He further requests joint legal and physical custody of the children. In the event the court orders continued supervised visits, he asks that the visits be nonprofessionally supervised.

Respondent objects to Petitioner's Responsive Declaration as it is based on hearsay and is 16 pages in length, which violates Rule of Court 5.111(a). He asks the court to strike it in its entirety. The objection is sustained in part. The court is only considering the first 10 pages of the declaration. The hearsay objection is overruled as Respondent is objecting to the entirety of the document instead of specifying which portions of the document he actually alleges is hearsay.

Petitioner asks the court to suspend all visits between Respondent and the minors. She notes the Section 3044 presumption and states that it has not been rebutted. She further asks the court to prohibit Respondent from making social media posts about the children and limit his family's contact with the children.

Given the active Domestic Violence Restraining Order (DVRO) against Respondent, the court finds the provisions of Family Code Section 3044 to be applicable. Section 3044 gives rise to a rebuttable presumption that an award of sole or joint physical or legal custody to an individual who has perpetrated domestic violence is not in the best interest of the child. *Id.* To overcome the presumption, the perpetrator bears the burden of proving

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(1) giving sole or joint legal or physical custody to the perpetrator is in the best interest of the child; and (2) a balancing of the factors listed in Section 3044(b)(2) supports the legislative findings in Section 3020. Fam. Code § 3044(b).

Respondent has not addressed any of the Section 3044 factors in his pleadings and therefore, he has rebutted the presumption. Accordingly, the court does not find that unsupervised visits are in the best interests of the children. However, while the presumption has not been rebutted, the court does not find the need for continued professionally supervised visits. Respondent shall have non-professionally supervised visits with the children twice per week for a period of two hours each time. The parties are to meet and confer to select a non-professional supervisor. The selected individual must complete and file an FL-324(NP) prior to supervising any such visits.

Both parties are ordered not to discuss these proceedings or any of the issues related to these proceedings, support, or custody and visitation with or within earshot of the children. The parties shall not make any disparaging remarks about one another to or around the children and they shall not allow others to do so.

In addition to the above, the court does find the recommendations contained in the December 23, 2025 CCRC report to be in the best interests of the minors. As such, they are hereby adopted as the orders of the court.

All prior orders not in conflict with this order remain in full force and effect.

Child and Spousal Support

On October 7, 2025, the court granted a DVRO with Respondent as the restrained party. As part of its order, the court set the matter for hearing on the issues of spousal and child support. Thereafter, Petitioner filed her Income and Expense Declaration on November 25th. It was served on November 26th. Respondent filed and served his Income and Expense Declaration on December 29th.

Utilizing the same figures as outlined above, the court finds that spousal support per the Alameda formula is \$519 per month and child support is \$2,692 per month. The court adopts the attached Xspouse report and orders Respondent to pay Petitioner \$3,212 per month as and for child support and 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 October 15, 2025.

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The court finds the above order results in arrears in the amount of \$9,636 through and including December 15, 2025. Respondent shall receive a credit for amounts paid toward support from October through December of 2025. The parties are to meet and confer to establish a payment schedule for any remaining arrears amounts owed.

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

TENTATIVE RULING #4: THE COURT DOES NOT FIND THAT THE 3044 PRESUMPTION HAS BEEN REBUTTED OR THAT UNSUPERVISED VISITS ARE IN THE BEST INTERESTS OF THE CHILDREN. HOWEVER, WHILE THE PRESUMPTION HAS NOT BEEN REBUTTED, THE COURT DOES NOT FIND THE NEED FOR CONTINUED PROFESSIONALLY SUPERVISED VISITS. RESPONDENT SHALL HAVE NON-PROFESSIONALLY SUPERVISED VISITS WITH THE CHILDREN TWICE PER WEEK FOR A PERIOD OF TWO HOURS EACH TIME. THE PARTIES ARE TO MEET AND CONFER TO SELECT A NON-PROFESSIONAL SUPERVISOR. THE SELECTED INDIVIDUAL MUST COMPLETE AND FILE AN FL-324(NP) PRIOR TO SUPERVISING ANY SUCH VISITS.

BOTH PARTIES ARE ORDERED NOT TO DISCUSS THESE PROCEEDINGS OR ANY OF THE ISSUES RELATED TO THESE PROCEEDINGS, SUPPORT, OR CUSTODY AND VISITATION WITH OR WITHIN EARSHOT OF THE CHILDREN. THE PARTIES SHALL NOT MAKE ANY DISPARAGING REMARKS ABOUT ONE ANOTHER TO OR AROUND THE CHILDREN AND THEY SHALL NOT ALLOW OTHERS TO DO SO.

IN ADDITION TO THE ABOVE, THE COURT DOES FIND THE RECOMMENDATIONS CONTAINED IN THE DECEMBER 23, 2025 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. AS SUCH, THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$519 PER MONTH AND CHILD SUPPORT IS \$2,692 PER MONTH. THE COURT ADOPTS THE ATTACHED XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$3,212 PER MONTH AS AND FOR CHILD SUPPORT AND 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 OCTOBER 15, 2025.

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THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$9,636 THROUGH AND INCLUDING DECEMBER 15, 2025. RESPONDENT SHALL RECEIVE A CREDIT FOR AMOUNTS PAID TOWARD SUPPORT FROM OCTOBER THROUGH DECEMBER OF 2025. THE PARTIES ARE TO MEET AND CONFER TO ESTABLISH A PAYMENT SCHEDULE FOR ANY REMAINING ARREARS AMOUNTS OWED.

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

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Fixed Shares	Father	Mother	Monthly figures	Cash Flow	Guideline	Proposed
#of children	0	2	2026			
% time with NCP	1.00 %	0.00 %		Comb. net spendable	12570	12618
Filing status	SINGLE	HH/MLA	GUIDELINE	Percent change	0%	0%
# exemptions	1 *	3 *	Nets(adjusted)	Father		
Wages+salary	15554	4548	Father	Payment cost/benefit	-3163	-3069
Self-employed income	0	0	Mother	Net spendable income	4544	4638
Other taxable income	0	1250	Total	Change from guideline	0	94
TANF+CS received	0	0		% of combined spendable	36%	37%
Other nontaxable income	0	0	Support	% of saving over guideline	0%	193%
New spouse income	0	0	Addons	Total taxes	4108	3623
401(k) employee contrib	0	0	Guideln CS	Dep. exemption value	0	0
Adjustments to income	0	0	Alameda SS	# withholding allowances	0	0
SS paid prev marriage	0	0	Total	Net wage paycheck	10001	10001
CS paid prev marriage	0	0		Mother		
Health insurance	294	32		Payment cost/benefit	3212	3166
Other medical expense	0	0		Net spendable income	8026	7980
Property tax expense	0	478		Change from guideline	0	-45
Ded interest expense	0	865	Proposed	% of combined spendable	64%	63%
Charitable contributions	0	0	Tactic 9	% of saving over guideline	0%	-93%
Misc tax deductions	0	0	CS	Total taxes	374	811
Qual bus income ded	0	0	SS	Dep. exemption value	0	0
Required union dues	173	0	Total	# withholding allowances	0	0
Mandatory retirement	3223	578		Net wage paycheck	3713	3713
Hardship deduction	0 *	0 *	Saving			
Other GDL deductions	0	0	Releases			
Child care expenses	0	0	Released to Father			

Father pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	0 - 100	0	0	0	Father	2692	Father	2692	Father
	1 - 99	0	0	0	Father	995	Father	995	Father
	1 - 99	0	0	0	Father	1697	Father	1697	Father

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5. ALEXANDER R. HILL V. SABRINA LEE HILL

23FL0714

On April 24, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. On August 28, 2025, the court made orders on all issues and set a review hearing for the present date.

Respondent's Supplemental Declaration Regarding Petitioner's Visitation Step-Up Plan was filed and served on December 19th.

Petitioner's Supplemental Declaration Regarding Petitioner's Visit Step-Up Plan was filed and served on December 29th.

According to Respondent, Petitioner has not complied with any of the court's August 28th orders. She therefore requests the court find that a step-up plan is not in the best interests of the children.

Petitioner requests an order allowing his brother, Jason, to be the non-professional supervisor for visits. He asks that he be allowed to continue using BACtrack testing as opposed to SoberLink before and after his visits. He further asks that Respondent be ordered to choose a reunification therapist from Cameron Park Counseling Center. Finally, he asks that the order for an AOD assessment be vacated so he can use the funds for reunification therapy.

Given the recent setbacks in Petitioner's compliance with the court's prior orders, the court does not find a step-up plan to be in the best interests of the children at this time. As such, the request for a step-up plan is denied.

Petitioner's brother Jason may act as the non-professional supervisor for visits after he has completed and filed an FL-324(NP).

Petitioner's request to use BACtrack testing instead of SoberLink is granted. Petitioner must test 30 minutes prior to any visits and within 30 minutes following any visits. Documentation of all tests shall be sent directly to Respondent and her attorney. Respondent is admonished that the results of the tests are confidential and not to be shared with anyone other than her attorney and the court. If Petitioner tests positive at any time, his next scheduled visit shall be forfeited, and he will not be given a make-up visit.

The request to vacate the order for an AOD assessment is denied.

All prior orders not in conflict with this order remain in full force and effect.

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TENTATIVE RULING #5: THE COURT DOES NOT FIND A STEP-UP PLAN TO BE IN THE BEST INTERESTS OF THE CHILDREN AT THIS TIME. AS SUCH, THE REQUEST FOR A STEP-UP PLAN IS DENIED.

PETITIONER'S BROTHER JASON MAY ACT AS THE NON-PROFESSIONAL SUPERVISOR FOR VISITS AFTER HE HAS COMPLETED AND FILED AN FL-324(NP).

PETITIONER'S REQUEST TO USE BACTRACK TESTING INSTEAD OF SOBERLINK IS GRANTED. PETITIONER MUST TEST 30 MINUTES PRIOR TO ANY VISITS AND WITHIN 30 MINUTES FOLLOWING ANY VISITS. DOCUMENTATION OF ALL TESTS SHALL BE SENT DIRECTLY TO RESPONDENT AND HER ATTORNEY. RESPONDENT IS ADMONISHED THAT THE RESULTS OF THE TESTS ARE CONFIDENTIAL AND NOT TO BE SHARED WITH ANYONE OTHER THAN HER ATTORNEY AND THE COURT. IF PETITIONER TESTS POSITIVE AT ANY TIME, HIS NEXT SCHEDULED VISIT SHALL BE FORFEITED AND HE WILL NOT BE GIVEN A MAKE UP VISIT.

THE REQUEST TO VACATE THE ORDER FOR AN AOD ASSESSMENT IS DENIED.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER 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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6. JONATHAN KLEIN V. CALLIE KLEIN

PFL20160213

On December 18, 2024, Petitioner filed a Request for Order (RFO) seeking child support orders. He filed his Income and Expense Declaration concurrently therewith. All required documents were electronically and mail served on Respondent's attorney on December 18th. However, this is a post-judgment request and therefore documents were required to be personally served on Respondent in compliance with Family Code Section 215. Nevertheless, the parties have stipulated to continue this matter three times without Respondent raising any objection regarding service; therefore, the court finds that Respondent has actual knowledge of the pending requests and the matter may be reached on the merits.

Other than the stipulations to continue, there have been no substantive filings on this matter in over a year and Petitioner's Income and Expense Declaration is no longer current and cannot be considered by the court. See Cal. Rule Ct. 5.260(1) ("For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration."); See also Cal. Fam. Code §2100 and Cal. Rule Ct. 5.260(3) ("'Current' means the form has been completed within the past three months providing no facts have changed."). For the foregoing reasons, this matter is dropped from calendar.

TENTATIVE RULING #6: THIS MATTER IS DROPPED FROM CALENDAR.

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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7. GABRIELLA LUNDQVIST V. DANIEL POPPERS

22FL0193

Petitioner filed a Request for Order (RFO) on October 2, 2025, seeking property division orders. She filed a Memorandum of Points and Authorities concurrently therewith. All required documents were personally served on Respondent on October 15th as required by Family Code § 215. They were electronically served on Respondent's attorney as well.

Respondent filed and served a Responsive Declaration to Request for Order on December 23, 2025.

The Reply Declaration of Petitioner Gabriella Lundqvist was filed and served on December 30th.

According to Petitioner, there was unamortized goodwill from the parties' joint advisory business in the amount of \$1,267,554 that was not disclosed by either party nor included in the Judgment. Petitioner now requests the court make a finding dividing the goodwill equally as a community property asset.

Respondent opposes the request. He argues the unamortized goodwill is part of the business contract for Ideal Life Advisors and therefore he is entitled to 100% of the asset given that he is the owner of Ideal Life Advisors. He requests an order directing Petitioner to amend her IRS tax filing removing the 50% of the asset that she claimed. Finally, he seeks reimbursement for payments made on the "bonus loan" and an order for Petitioner to assume her fair share of the associated financial responsibilities.

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

TENTATIVE RULING #7: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO SELECT DATES FOR AN EVIDENTIARY HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

8. SCOTT DAVID RUSSELL V. OLIVIA ELENA RUSSELL

23FL0133

On September 16, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. All required documents were mail served on September 18, 2025. However, this is a post-judgment request and therefore service was to comply with Family Code § 215. Nevertheless, Respondent filed and served a Responsive Declaration to Request for Order on December 22nd thereby waiving any objection regarding a defect in service.

Petitioner filed and served a Supplemental Declaration of Scott Russell on November 18th and a Declaration of Scott D. Russell on December 30th.

The parties attended Child Custody Recommending Counseling (CCRC) on November 10th and were able to reach several agreements. A report containing the agreements and several recommendations was prepared and mailed to the parties on November 12th.

After reviewing the filings as outlined above, the court finds the agreements and recommendations contained in the November 12, 2025 CCRC report to be in the best interests of the minors with one modification. The court is adopting the agreements and recommendations contained in the CCRC report with the exception of the holiday schedule. The parties are to follow the holiday schedule attached as Exhibit A to Petitioner's November 18th Supplemental Declaration.

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

TENTATIVE RULING #8: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE, THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE NOVEMBER 12, 2025 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS WITH ONE MODIFICATION. THE COURT IS ADOPTING THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE CCRC REPORT WITH THE EXCEPTION OF THE HOLIDAY SCHEDULE. THE PARTIES ARE TO FOLLOW THE HOLIDAY SCHEDULE ATTACHED AS EXHIBIT A TO PETITIONER'S NOVEMBER 18TH SUPPLEMENTAL DECLARATION. 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

January 8, 2026

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

January 8, 2026

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

9. BRYN SCHARF-WILLIAMS V. WADE AUDENE WILLIAMS

23FL0375

On October 8, 2024, Petitioner filed a Request for Order (RFO) seeking orders for support and attorney's fees, orders regarding the sale of the rental property, and a business evaluation. She filed her Income and Expense Declaration concurrently therewith.

Respondent filed an RFO on December 13, 2024, seeking an order compelling discovery responses and sanctions. He filed another RFO the same day seeking an order for the residential rental properties to be managed by a third party. Both RFOs were served on December 16th.

A hearing was held and orders made on all issues on May 29, 2025 and then again on September 4, 2025. At the September 4th hearing the court was informed that the parties had reached a full stipulation which they would be filing soon. As such, the matter was continued to the present date and the court continued to reserve jurisdiction on the issue of retroactivity of support.

Respondent filed and served an Updating Declaration on December 29th. Petitioner has not filed a declaration since the last hearing.

Respondent requests the following: (1) Modification of child and spousal support consistent with each party's earnings retroactive to September 4, 2025 or, alternatively, a brief continuance to allow the parties to file updated Income and Expense Declarations; (2) Set the matter for trial in early summer 2026; (3) Continue to reserve jurisdiction over spousal support retroactive to September 4, 2025; and (4) Order Petitioner to finance the roof repair/replacement.

Regarding the request for trial setting, the request is denied. Respondent may file the requisite trial setting conference form once the matter is ready to be set for trial.

The request for an order directing Petitioner to finance the roof repair/replacement is denied as this request is outside the scope of the original RFO filed in October of 2024.

The parties are ordered to appear on the issues of child and spousal support and to update the court on the status of the stipulation.

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

TENTATIVE RULING #9: REGARDING THE REQUEST FOR TRIAL SETTING, THE REQUEST IS DENIED. RESPONDENT MAY FILE THE REQUISITE TRIAL SETTING CONFERENCE FORM ONCE THE MATTER IS READY TO BE SET FOR TRIAL.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

THE REQUEST FOR AN ORDER DIRECTING PETITIONER TO FINANCE THE ROOF REPAIR/REPLACEMENT IS DENIED AS THIS REQUEST IS OUTSIDE THE SCOPE OF THE ORIGINAL RFO FILED IN OCTOBER OF 2024.

THE PARTIES ARE ORDERED TO APPEAR ON THE ISSUES OF CHILD AND SPOUSAL SUPPORT AND TO UPDATE THE COURT ON THE STATUS OF THE STIPULATION.

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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
January 8, 2026
8:30 a.m./1:30 p.m.

10. JEREMIAS SMITH V. NICOLE HAMPTON

25FL0954

All Requests for Order will be heard at 1:30 PM in Department 5. Please see Tentative Ruling #20.

**TENTATIVE RULING # 10: ALL REQUESTS FOR ORDER WILL BE HEARD AT 1:30 PM.
PLEASE SEE TENTATIVE RULING # 20.**

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

January 8, 2026

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

11. DCSS v. CHRISTOPHER SOULE

22FL1219

On May 30, 2025, Respondent filed a Request for Order (RFO) seeking child custody and child support orders. Hearing on the RFO was held on August 21, 2025, at which time the court made custody and visitation orders. Several review hearings have been held since that time, the most recent of which was held on October 30, 2025.

At the October 30th hearing, the parties agreed to adopt the recommendations of Minor's Counsel with several modifications. A review hearing was set for the present date.

Neither party has filed a Supplemental Declaration updating the court on the status of visits. As such, this matter is dropped from calendar. All prior orders remain in full force and effect.

TENTATIVE RULING #11: THIS 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.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

12. DEBRA STANLEY V. ROBERT STANLEY

PFL20210202

On October 2, 2025, Petitioner filed a Request for Order (RFO) seeking entry of judgment. All required documents were mail served the same day as filing.

Respondent has not filed a Responsive Declaration to Request for Order. Where a party fails to timely file opposition papers the court, in its discretion, may treat said failure “as an admission that the motion or other application is meritorious.” El Dorado County, Local Rule 7.10.02(C). Here, the RFO was timely and properly served on Respondent. He had notice of the pending request and chose not to file an opposition. As such, the court finds good cause to treat his failure to do so as an admission that the claims made in the RFO are meritorious.

Petitioner is requesting the court enter judgment in the matter without Respondent’s signature. The proposed judgment is attached to her moving papers.

Where the parties to a pending litigation enter into an oral stipulation before the court, for settlement of a case, or part thereof, the court may enter judgment pursuant to the terms of the settlement. Cal. Civ. Pro. § 664.6(a). That said, “...judgment shall not be entered with respect to the parties’ property rights without each party, or the attorney for that party in this matter, having executed and served a copy of the final declaration of disclosure and current income and expense declaration.” Family Code § 2106.

Here, the parties did enter into an oral stipulation to settle the case on March 11, 2024. The court therefore finds good cause to waive the final declarations of disclosure and enter judgment. The court will sign the Judgment submitted.

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

TENTATIVE RULING #12: HERE, THE PARTIES DID ENTER INTO AN ORAL STIPULATION TO SETTLE THE CASE ON MARCH 11, 2024. THE COURT THEREFORE FINDS GOOD CAUSE TO WAIVE THE FINAL DECLARATIONS OF DISCLOSURE AND ENTER JUDGMENT. THE COURT WILL SIGN THE JUDGMENT SUBMITTED.

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

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January 8, 2026

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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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DEPARTMENT 5

January 8, 2026

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

13. DAVID BELL V. MEGAN GUERRERO

24FL0556

Respondent filed an ex parte application for emergency orders on November 13, 2025. The court denied the ex parte application on November 17, 2025. The parties were referred to an emergency set Child Custody Recommending Counseling (CCRC) appointment on December 9, 2025, with a review hearing scheduled for January 8, 2026. On November 17th Respondent filed a Request for Order (RFO) seeking custody and parenting plan orders, as well as a finding that Family Code section 3044 has been rebutted. Proof of Service shows Petitioner was mail served on November 25, 2025.

Both parties attended the CCRC appointment on December 9, 2025. A report with recommendations was filed with the court on December 31, 2025. Copies were mailed to the parties the same day.

Parties are ordered to appear for the hearing.

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

14. NATHANIEL DEPEE V. CHERYL COVINGTON

23FL0491

Respondent filed an ex parte application for emergency orders on October 1, 2025. On October 6, 2025, the court denied the request. On October 6, 2025, Respondent filed a Request for Order (RFO) requesting the same orders as set forth in the ex parte application. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 6, 2025, and a review hearing on January 8, 2026. Upon review of the court file there is no Proof of Service showing Petitioner was properly served.

Both parties appeared at the CCRC appointment and fully participated. The parties were able to reach several agreements. A report with the parties' agreements as well as further recommendations was filed with the court on December 11, 2025. Copies were mailed to the parties on December 17th.

Petitioner filed a Responsive Declaration on October 28, 2025. There is no Proof of Service for this document, therefore, the court has not considered it.

The court finds good cause to proceed with the hearing despite the lack of proper service. Both parties fully participated in the CCRC appointment. The court finds the parties' agreements and recommendations to be in the best interests of the minor. The court adopts the agreements and recommendations as set forth in the December 11th CCRC report.

All prior orders not in conflict with this order remain in full force and effect. Respondent shall prepare and file the Findings and Orders After Hearing for the October 6th RFO.

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on October 17, 2025. Respondent was personally served on November 1, 2025. The parties are ordered to appear on the OSC.

TENTATIVE RULING #14: PARTIES ARE ORDERED TO APPEAR ON THE OSC.

THE COURT FINDS THE PARTIES' AGREEMENTS AND RECOMMENDATIONS TO BE IN THE BEST INTERESTS OF THE MINOR. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 11TH CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING FOR THE OCTOBER 6TH RFO.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

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

January 8, 2026

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

15. 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 to Request for Order, therefore, the court deems his failure to do so as an admission that Petitioner's moving papers have merit. See El Dorado County, Local Rule 7.10.02(C).

Parties appeared for the hearing on October 23, 2025. Respondent waived the defect in service and parties were rereferred to CCRC. A review hearing was set for the present date and the parties were directed to file and serve any Supplemental Declarations at least 10 days prior to the hearing.

Only Petitioner appeared at the CCRC appointment, despite Respondent being present in court when the appointment was set and verifying that he was available to attend. As single parent report was filed with the court on December 24, 2025. Copies were mailed to the parties the same day.

The court adopts Petitioner's proposed custody orders as set forth in attachment 2a and 2b of the RFO filed on August 27th, as they are in the best interest of the minor. All prior orders not in conflict with these orders remain in full force and effect. Petitioner shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #15: THE COURT ADOPTS PETITIONER'S PROPOSED CUSTODY ORDERS AS SET FORTH IN ATTACHMENT 2A AND 2B OF THE RFO FILED ON AUGUST 27TH, AS THEY ARE IN THE BEST INTEREST OF THE MINOR. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE 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

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DEPARTMENT 5

January 8, 2026

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

**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

January 8, 2026

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

16. JUSTIN NEFF V. KAYLA LATTIMER

22FL0990

Respondent filed a Request for Order (RFO) on October 8, 2025, seeking modification of the current custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 10, 2025 and a review hearing on January 8, 2026. There is no Proof of Service showing Petitioner was properly served.

Nevertheless, both parties appeared at the CCRC appointment and reached a full agreement. A copy of the parties' agreement was filed with the court on December 22, 2025, and mailed to the parties the same day.

The court finds good cause to proceed with the RFO, despite the lack of proper service, as both parties appeared at CCRC and reached a full agreement. The court finds the agreement to be in the best interests of the minors. The court adopts the agreement as set forth in the December 22nd CCRC report.

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

TENTATIVE RULING #16: THE COURT FINDS THE AGREEMENT OF THE PARTIES TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE AGREEMENT AS SET FORTH IN THE DECEMBER 22ND CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER 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.

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DEPARTMENT 5

January 8, 2026

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

17. KATRINA NEILSEN V. MORGAN HOLLIS

24FL0907

Petitioner filed a Request for Order (RFO) on October 10, 2025, seeking modification of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 7, 2025, and a review hearing on January 8, 2026. Proof of Service shows Respondent was personally served on October 22, 2025. Petitioner is seeking sole legal and physical custody of the minor as well as limiting Respondent's parenting time to his days off work. Petitioner also seeks an order preventing Respondent from bringing the minor to work.

Respondent filed a Responsive Declaration on October 31, 2025. Petitioner was mail served on November 1, 2025. Respondent requests the current orders remain in full force and effect.

Respondent filed a Declaration on November 3, 2025, which included a certificate of completion of a parenting class. It was served on Petitioner on November 1, 2025.

Petitioner filed a Declaration on November 12, 2025. It was mail served on November 14th.

Both parties attended CCRC on November 7th and were unable to reach any agreements. A report with recommendations was filed with the court on December 19, 2025. Copies were mailed to the parties the same day.

Petitioner filed an additional Declaration on December 24, 2025. Petitioner's declaration contains requests for additional orders which exceed the scope of the original RFO. Unrelated relief must be sought by scheduling a separate hearing and using the mandatory FL-300. See cal. Rule ct. § 5.92. Accordingly, the court declines to rule on these requests.

Respondent filed a Declaration on December 26, 2025. Petitioner was served electronically on December 26, 2025. Respondent requests the court adopt the recommendations of the CCRC report. Respondent also requests the court investigate and sanction Petitioner.

The court has read and considered the filings as outlined above. The court joins the CCRC counselor's concerns. The court adopts the recommendations as set forth in the December 19th CCRC report as they are in the best interest of the minor. The court is setting a further CCRC appointment on 1/23/2026 at 1:00 PM with Rebecca Nelson for the minor to be interviewed. The court sets a further review hearing 3/19/2026 at 8:30 AM in

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DEPARTMENT 5

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

Department 5. Supplemental Declarations are to be filed and served at least 10 days prior to the hearing. Respondent is to immediately enroll the minor in counseling if she is not already enrolled. Petitioner shall be responsible for the cost of professional supervision.

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

TENTATIVE RULING #17: THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 19TH CCRC REPORT AS THEY ARE IN THE BEST INTEREST OF THE MINOR. THE COURT IS SETTING A FURTHER CCRC APPOINTMENT ON 1/23/2026 AT 1:00 PM FOR THE MINOR TO BE INTERVIEWED. THE COURT SETS A FURTHER REVIEW HEARING 3/19/2026 AT 8:30 AM IN DEPARTMENT 5. SUPPLEMENTAL DECLARATIONS ARE TO BE FILED AND SERVED AT LEAST 10 DAYS PRIOR TO THE HEARING. RESPONDENT IS TO IMMEDIATELY ENROLL THE MINOR IN COUNSELING IF SHE IS NOT ALREADY ENROLLED. PETITIONER SHALL BE RESPONSIBLE FOR THE COST OF PROFESSIONAL SUPERVISION. 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.

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DEPARTMENT 5

January 8, 2026

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

18. ROSS SCROGGINS V. RANDY SCROGGINS

25FL0877

Petitioner filed a request for ex parte emergency custody orders on October 7, 2025. Respondent filed a Responsive Declaration on October 10, 2025. The court denied the request on October 13th. Petitioner filed a Request for Order (RFO) on October 13, 2025, seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 10, 2025, and a review hearing on January 8, 2025. Proof of Service shows Respondent was personally served on October 13th.

Respondent filed an ex parte request for emergency custody orders and an application for an Order Shortening Time on October 16, 2025. Petitioner filed a Responsive Declaration the same day. On October 17, 2025, the court denied both requests and confirmed the previously set CCRC and review hearing.

Petitioner filed another ex parte application for emergency orders on October 24, 2025. Respondent filed a Responsive Declaration on October 27, 2025. On October 27, 2025, the court again denied the ex parte application and cautioned the parties to refrain from abusing ex parte filings.

Petitioner filed a Supplemental Declaration on November 21, 2025. It was mail served on November 21, 2025. Petitioner requests the court maintain the minor in the Happy Kids Preschool, because it offers full-day care at an early enough time for Petitioner to drop off the minor, and has less frequent closures. Petitioner asserts it is not merely a day care, but a full preschool.

Both parties attended the CCRC appointment and were unable to reach any agreements. A report with recommendations was filed with the court on December 26, 2025. Copies were mailed to the parties on December 29th.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the December 26th CCRC report to be in the best interest of the minor. The court adopts the recommendations as set forth with the following clarifications and modification. As to the parenting plan, the court is adopting a 2-2-5-5 plan. Petitioner shall have parenting time Monday and Tuesday. Respondent shall have parenting time Wednesday and Thursday. The parties shall rotate Friday, Saturday, and Sunday. All exchanges shall occur at the minor's school. If there is no school, all exchanges to take place of the Cuppa Coffee Cafe in Placerville at 5:00 PM. The minor is to remain at Happy Kids Preschool.

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January 8, 2026

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

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

TENTATIVE RULING #18: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 26TH CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH WITH THE FOLLOWING CLARIFICATIONS AND MODIFICATION. AS TO THE PARENTING PLAN, THE COURT IS ADOPTING A 2-2-5-5 PLAN. PETITIONER SHALL HAVE PARENTING TIME MONDAY AND TUESDAY. RESPONDENT SHALL HAVE PARENTING TIME WEDNESDAY AND THURSDAY. THE PARTIES SHALL ROTATE FRIDAY, SATURDAY, AND SUNDAY. ALL EXCHANGES SHALL OCCUR AT THE MINOR'S SCHOOL. IF THERE IS NO SCHOOL, ALL EXCHANGES TO TAKE PLACE OF THE CUPPA COFFEE CAFE IN PLACERVILLE AT 5:00 PM. THE MINOR IS TO REMAIN AT HAPPY KIDS PRESCHOOL. 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

January 8, 2026

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

19. KARI SMITH V. WILLIAM SMITH

25FL0009

Respondent filed a Request for Order on October 8, 2025, seeking child and spousal support orders as well as property control orders and an order compelling Petitioner's declarations of disclosure. Respondent concurrently filed an Income and Expense Declaration. There is no Proof of Service showing Petitioner was properly served.

Petitioner filed a Responsive Declaration on December 23, 2025. Respondent was served on the same day. Petitioner's Responsive Declaration does not raise the issue of service; therefore, the court deems the issue to be waived. Petitioner objects to all the requested orders. Petitioner has not filed an Income and Expense Declaration.

Parties are ordered to appear on the request for child and spousal support. Petitioner is ordered to bring a current Income and Expense Declaration with her.

Respondent's request for exclusive use and control of the home is denied. Respondent's request for equal division of the proceeds of the sale of the home is premature. The court reserves on that request until the time of final division or further agreement of the parties. The court denies Respondent's request for an order compelling Petitioner's preliminary declaration of disclosure. It appears those were served on Respondent on August 6, 2025.

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

TENTATIVE RULING #19: PARTIES ARE ORDERED TO APPEAR ON THE REQUEST FOR CHILD AND SPOUSAL SUPPORT. PETITIONER IS ORDERED TO BRING A CURRENT INCOME AND EXPENSE DECLARATION WITH HER.

RESPONDENT'S REQUEST FOR EXCLUSIVE USE AND CONTROL OF THE HOME IS DENIED. RESPONDENT'S REQUEST FOR EQUAL DIVISION OF THE PROCEEDS OF THE SALE OF THE HOME IS PREMATURE. THE COURT RESERVES ON THAT REQUEST UNTIL THE TIME OF FINAL DIVISION OR FURTHER AGREEMENT OF THE PARTIES. THE COURT DENIES RESPONDENT'S REQUEST FOR AN ORDER COMPELLING PETITIONER'S PRELIMINARY DECLARATION OF DISCLOSURE. IT APPEARS THOSE WERE SERVED ON RESPONDENT ON AUGUST 6, 2025. 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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

January 8, 2026

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

20. JEREMIAS SMITH V. NICOLE HAMPTON

25FL0009

Petitioner filed a Petition for Custody and Support on September 29, 2025. A summons was issued the same day. Petitioner concurrently filed an ex parte application for emergency orders. Respondent was personally served with the Petition and Summons as well as the ex parte documents on September 29th. Respondent filed a Responsive Declaration to the ex parte request on September 29th. Petitioner was personally served on September 30th.

On September 30th, the court granted a portion of the ex parte application, ordering that neither party shall discuss legal or financial matters with the minor, nor shall either parent disparage the other to the minor. The court denied the remaining requests, and admonished the parties that absent a custody order, neither party has the authority to withhold custody or contact with the minor from the other.

Petitioner filed a Request for Order (RFO) on September 30, 2026, seeking the same orders requested in the ex parte application. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 3, 2025, and a review hearing on January 8, 2026. Respondent was personally served on October 14, 2025.

Petitioner filed a second ex parte application for emergency orders on October 21, 2025. Respondent filed a Responsive Declaration on October 21, 2025. The court denied the request and admonished the parties to continue to utilize the established parenting plan and that failure to follow court orders could result in modification of custody orders, sanctions, and/or contempt proceedings. The court confirmed the previously set CCRC appointment and review hearing.

Respondent filed an ex parte application for emergency orders on November 25, 2025. Petitioner filed an opposition Declaration on November 25, 2025. On November 26, 2025, the court again denied the ex parte application and reserved on the request for Family Code section 271 sanctions. Respondent filed an RFO on November 26, 2025, requesting custody and parenting plan orders, despite the RFO pending for the same requests from September 29th. Petitioner was personally served on November 27, 2025 and mail served on December 9, 2025.

Petitioner filed a Responsive Declaration to Respondent's November 26th RFO on December 19, 2025.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

Both parties attended the CCRC appointment on November 3, 2025. A report was filed with the court on December 23, 2025. Copies were mailed to the parties on December 23rd.

Petitioner filed a Reply to the CCRC report on December 30, 2025. It was personally served on December 31, 2025. The court notes it exceeds the permitted page length and the court has not read or considered beyond page five.

Respondent filed a Reply Declaration to the CCRC report on December 31, 2025. It was personally served on December 31, 2025.

The court has read and considered the filings as outlined above. The court joins the parties' concerns raised in their Reply Declarations regarding the CCRC appointment and the accuracy of the report. As such, the parties are ordered to appear for the hearing.

TENTATIVE RULING #20: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

21. CELESTE SPINA V. ANTHONY CATALANO

24FL0448

Petitioner filed a Request for Order (RFO) on October 17, 2025, seeking a move away to San Diego and modification of custody orders. The parties were referred to Child custody Recommending Counseling (CCRC) with an appointment on November 14, 2025 and a review hearing on January 8, 2026. Proof of Service shows Respondent was only served with the RFO, and none of the other necessary documents.

Respondent filed a Responsive Declaration on November 5, 2025. Petitioner was served on the same day. Respondent does not raise the issue of the defect in service, therefore, the court deems any such objection to be waived. Respondent requests the RFO be denied in its entirety.

Both parties appeared at the CCRC appointment and reached a full agreement. A copy of the agreement was filed with the court on November 14, 2025. Copies were mailed to the parties on November 17, 2025.

The court has read and considered the filings as outlined above. The court finds the agreement of the parties to be in the best interests of the minors. The court adopts the agreement of the parties.

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

TENTATIVE RULING #21: THE COURT FINDS THE AGREEMENT OF THE PARTIES TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT ADOPTS THE AGREEMENT OF THE PARTIES. ALL PRIOR 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

January 8, 2026

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

22. CYNTHIA ZAMORA V. JESUS ZAMORA

25FL0213

Respondent filed a Request for Order (RFO) on October 17, 2025, seeking modification of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on November 13, 2025, and a review hearing on January 8, 2026. Petitioner was served with some of the necessary documents on October 23, 2025.

Petitioner filed a Responsive Declaration on November 13, 2025. It was served on Respondent on the same day. The Responsive Declaration does not raise the issue of the defect in service; therefore, the court deems it to be waived. Petitioner is opposed to Respondent's requested modifications. Petitioner requests the current orders remain in full force and effect.

Both parties attended CCRC and were unable to reach any agreements. A report with recommendations was filed with the court on December 17, 2025. Copies were mailed to the parties the same day.

Petitioner filed a Reply Declaration on January 5, 2026. There is no Proof of Service for this document. The court has not read or considered the Reply as it was not served and it is late filed.

The court has read and considered the filings as outlined above. The court does not find the recommendations set forth in the December 17th CCRC report to be in the best interests of the minors. The court is not adopting the recommendations. The court is maintaining the current orders. Respondent shall have therapeutically supervised visits. The therapeutically supervised visits shall be at a rate deemed appropriate by the minors' therapist. The cost for therapeutic visits shall be shared equally between the parties, subject to reallocation. Petitioner is to propose the names of three potential therapists by no later than January 22, 2026. Respondent shall select one of the three by no later than January 29, 2026, and notify Petitioner's counsel. The minors are to be scheduled for the first available intake appointment.

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 #22: THE COURT DOES NOT FIND THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 17TH CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. THE COURT IS NOT ADOPTING THE RECOMMENDATIONS. THE COURT IS

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

January 8, 2026

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

MAINTAINING THE CURRENT ORDERS. RESPONDENT SHALL HAVE THERAPEUTICALLY SUPERVISED VISITS. THE THERAPEUTICALLY SUPERVISED VISITS SHALL BE AT A RATE DEEMED APPROPRIATE BY THE MINORS' THERAPIST. THE COST FOR THERAPEUTIC VISITS SHALL BE SHARED EQUALLY BETWEEN THE PARTIES, SUBJECT TO REALLOCATION. PETITIONER IS TO PROPOSE THE NAMES OF THREE POTENTIAL THERAPISTS BY NO LATER THAN JANUARY 22, 2026. RESPONDENT SHALL SELECT ONE OF THE THREE BY NO LATER THAN JANUARY 29, 2026, AND NOTIFY PETITIONER'S COUNSEL. THE MINORS ARE TO BE SCHEDULED FOR THE FIRST AVAILABLE INTAKE APPOINTMENT. 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.

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