

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 12  
JUNE 18, 2025  
8:30 a.m.

**1. ALLISON STEINMETZ V. JOHN STEINMETZ**

**24FL1038**

On May 22, 2025, Petitioner submitted a Request for Trial Setting Conference. The issues to be addressed at trial are: (1) dissolution of marriage; (2) division of assets; (3) division of debts; (4) *Epstein*<sup>1</sup> credits; and (5) *Watts*<sup>2</sup> charges.

According to the proofs of service filed March 13, 2025, on October 31, 2024, Petitioner and Respondent each served on the other party their preliminary and final declarations of disclosure.

The parties are ordered to appear to select trial and mandatory settlement conference dates.

**TENTATIVE RULING #1: APPEARANCES ARE REQUIRED AT 8:30 A.M.,  
WEDNESDAY, JUNE 18, 2025, IN DEPARTMENT 12 TO SELECT TRIAL AND MANDATORY  
SETTLEMENT CONFERENCE DATES.**

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<sup>1</sup> *In re Marriage of Epstein* (1979) 24 Cal.3d 76.

<sup>2</sup> *In re Marriage of Watts* (1985) 171 Cal.App.3d 366.

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**2. ASHLEY SUZANNE JOHNSON V. BRANDON LEE JOHNSON**

**25FL0237**

This matter is before the court on the Petitioner's Request for Order (RFO) filed on April 02, 2025. The RFO included a request for Temporary Emergency Orders which the court granted pending the hearing. The RFO requests orders for Custody and Visitation and Child Support. Petitioner filed an Income and Expense Declaration (I&E) on April 01, 2025. The RFO, I&E, and other documents were personally served on the Respondent on April 05, 2025, according to the Proof of Service filed on April 09, 2025. There is no responsive declaration filed by the Respondent.

Because the RFO raises Custody/Visitation as an issue, the court referred the parties to CCRC with an appointment set for April 15, 2025. Only the Petitioner attended the CCRC session for which reason the CCRC counsellor could not make any recommendation. A CCRC "One Parent" report was submitted to the court on April 16, 2025, and copies were mailed to the parties that same date per the Clerk's Certificate of Mailing also filed on April 16, 2025.

Respondent filed a request to appear remotely "throughout the case" on April 11, 2025. The court struck from the Order on Respondent's request the appearance for CCRC, as the correct form (Local Form F-102) was not used for requesting a remote appearance for CCRC.

At the hearing on April 30, 2025, the court re-referred the parties to a CCRC session set for May 06, 2025, and ordered the Respondent to file and serve an updated I&E on or before June 08, 2025. Additionally, the court modified the Temporary Emergency Orders to allow the Respondent to have in-person visitation with the minor son (HJ, age 6) every other weekend with a four-hour block of time beginning the weekend of May 10, 2025. The parties stipulated that Petitioner may be present during the Respondent's visits.

Both parties attended the CCRC session on May 06, 2025. The court received a report from the CCRC counsellor dated May 13, 2025. A copy of the CCRC report was sent to both parties that same day per the Certificate of Mailing. The report indicates the parties reached certain agreements regarding custody, visitation, and individual therapy.

The court finds that the agreements and recommendations of the CCRC report are in HJ's best interest and therefore adopts the CCRC report as its orders.

The court now turns to the issue of Child Support. To date, the Respondent has not filed an updated I&E, as ordered. The only evidence of the Respondent's income is contained in the Petitioner's I&E, which estimates the Respondent's gross monthly income to be \$4,800. The court will use this estimate for purposes of calculating Child Support.

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Petitioner's I&E states that her income is \$11,445.20 per month. However, her most recent paystub has a YTD total of \$35,046 for the period of December 15, 2024, through February 22, 2025, which is 2.3 months. Thus, the court calculates Petitioner's gross monthly income as \$15,237.39 ( $\$35,046 / 2.3 = \$15,237.39$ ).

Also, Petitioner's I&E identifies the following monthly deductions: (1) \$200 for required union dues; (2) \$400 for required retirement payments; and (3) \$535 for health insurance premiums. However, the court calculates the following amounts based on Petitioner's most recent paystubs: (1) \$119 for required union dues; (2) \$697 for 401(k) employee contribution (as opposed to mandatory retirement); and (3) \$750 for health insurance premiums.

As shown in the attached XSpouse calculation printout, Respondent is ordered to pay Child Support to the Petitioner in the amount of \$784 beginning May 01, 2025, and the first of each month thereafter until further order of the court. The court orders the Respondent to pay \$731 for the month of April 2025 (93% of the monthly amount).

**TENTATIVE RULING #2: THE COURT ADOPTS THE AGREEMENTS AND  
RECOMMENDATIONS OF THE CCRC REPORT DATED MAY 13, 2025.**

**THE RESPONDENT IS ORDERED TO PAY CHILD SUPPORT TO THE PETITIONER IN THE AMOUNT OF \$784 BEGINNING MAY 01, 2025, AND THE FIRST OF EACH MONTH THEREAFTER UNTIL FURTHER ORDER OF THE COURT. THE COURT ORDERS THE RESPONDENT TO PAY \$731 FOR THE MONTH OF APRIL 2025 (93% OF THE MONTHLY AMOUNT).**

**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) 573-3042 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 (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	Father	Mother	Monthly figures	CASH FLOW	
#of children	0	1	2025		
% time with NCP	0.00 %	0.00 %		Combined net spendable	14428
Filing status	SINGLE	HH/MLA	Nets(adjusted)		
# exemptions	1 *	4	Father	3843	Father
Wages+salary	4800	15237	Mother	10585	Payment Cost/Benefit
Self-employed income	0	0	Total	14428	Net spendable income
Other taxable income	0	0			3060
TANF+CS received	0	0	Support		Federal income tax
Other nontaxable income	0	0	Addons	0	Federal employment tax
New spouse income	0	0	Guideln CS	-784	State income tax
401(k) employee contrib	0	697	Alameda SS	0	State employment tax
Adjustments to income	0	0	Total	-784	Total taxes
SS paid prev marriage	0	0	-		Federal filing status
CS paid prev marriage	0	0	Settings changed		State filing status
Health insurance	0	750			
Other medical expense	0	0			Mother
Property tax expense	0	0			Payment Cost/Benefit
Ded interest expense	0	0			Net spendable income
Contribution deduction	0	0			Federal income tax
Misc tax deductions	0	0			Federal employment tax
Qual bus income ded	0	0			State income tax
Required union dues	0	119			State employment tax
Mandatory retirement	0	0			Total taxes
Hardship deduction	0 *	0 *			Federal filing status
Other GDL deductions	0	0			State filing status
Child care expenses	0	0			

Father pays child support

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	784	Father	784	Father
	0 - 100	0	0	0	Father	784	Father	784	Father

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**3. BROOKS PETERS V. CASEY COSTA**

**SFL20190231**

This matter is before the court on two Requests for Orders (RFO) filed by the Respondent on May 19, 2025, one requesting an order for Sanctions against the Respondent, and the other requesting that the Respondent be declared a vexatious litigant.

The RFO for sanctions was personally served on the attorney of record for the Petitioner on June 04, 2025, according to the Proof of Service filed on that same date.

The RFO requesting that the Petitioner be declared a vexatious litigant was also personally served on the attorney of record for the Petitioner on June 04, 2025, per the Proof of Service filed that same date. Neither service was accomplished at least 16 court days prior to the scheduled hearing as required.

The Petitioner filed a Responsive Declaration to each RFO on June 10, 2025, in which he objects to the untimely service of both RFOs. There is no Proof of Service showing that either Responsive Declaration was served on the Respondent.

The court denies each RFO because neither was timely served.

While denying the RFOs on a procedural basis, the court, in hopes of avoiding needless litigation, states that it would not have granted either request as the court does not find that any conduct of the Petitioner to date justifies imposition of sanctions or a declaration that he is a vexatious litigant.

**TENTATIVE RULING #3: THE RESPONDENT'S REQUEST FOR ORDERS ARE DENIED DUE TO UNTIMELY 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) 573-3042 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.4<sup>TH</sup> 1232 (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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**4. JEFFERY TILLMAN V. DOLLY TILLMAN**

**24FL0109**

This matter is before the court on the Respondent's Request for Order (RFO) filed April 25, 2025. The RFO requests orders for Temporary Spousal Support, Attorney's Fees and Disbursement of Community Funds to Satisfy Debts. The Respondent filed an Income and Expense Declaration (I&E) and an Attorney's fees declaration on the same date as the RFO.

The RFO was originally set for hearing on May 28, 2025, but was continued by stipulation to this date.

The attorney of record for the Petitioner was served by email with the Respondent's filings per the Proofs of Electric Service filed May 05, 2025.

The Petitioner filed a Responsive Declaration and a Memorandum of Points and Authorities on May 27, 2025, which were served on the attorney of record for the Respondent by email on May 27, 2025, per the Proof of Service filed that same date. The Petitioner filed his I&E on June 04, 2025, and it was served on the attorney of record for the Respondent by email on that same date per the Proof of Service filed on June 05, 2025.

The court has read and considered the above referenced documents.

Temporary Spousal Support:

The RFO seeks to modify the court's order (by stipulation) for Temporary Spousal Support entered herein on October 16, 2024. That order awards the Respondent Temporary Spousal Support of \$7,527 per month, though deducting \$3,776.15 from which the Petitioner is to pay the monthly expenses assigned to him by the same order.

The above stipulation for order was executed by the parties **after** the court had issued a Restraining Order After Hearing against the Respondent on July 17, 2024.

The RFO asserts that the current Spousal Support order does not consider S-Corp passthrough distributions of \$14,172.83 per month. In Respondent's declaration attached to her RFO she acknowledges that she was previously aware of the passthrough, but agreed to a Spousal Support calculation that did not consider it to be income. The Respondent's declaration states that "the parties' expressly reserved jurisdiction to retroactively modify Husband's monthly temporary spousal support obligation in the event that Husband's additional monthly S-Corp pass through distribution income was deemed to be additional income available for support." That is not true. The order reserves jurisdiction ". . . to make further orders regarding: (a) modifications to the calculation of temporary spousal support, (b) retroactivity of temporary spousal support . . ." No specific mention of the implications of the passthrough was made.

The Respondent asserts that she has requested that the Petitioner provide documentation to establish that his position that the passthrough is not income is correct. She further asserts that no documentation has been provided.

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Thus, the Respondent was unsure about the passthrough previously when she signed the stipulation. She remains uncertain as to the passthrough but now seeks modification on the basis that she should have asserted it to be income for purposes of temporary Spousal Support. There is no change in circumstances regarding the S-Corp.

In his Responsive declaration, the Petitioner does not address the S-Corp passthrough distributions. Instead, the Petitioner reports to the court of pending criminal charges against the Respondent for violations of the ROAH against the Respondent issued by the court on July 17, 2024, and points the court to the presumptions of FC 4325.

The court notes that the pending criminal charges (of which the court takes judicial notice) are for violations of the ROAH and do not allege new domestic violence. Thus, the provisions of FC 4325 are not triggered because there is no **conviction** for domestic violence, nor is there a pending charge that would, if conviction were obtained, trigger FC4325.

More pertinent is FC 4320(i) which directs the court to consider “. . . evidence of any history of domestic violence, as defined in Sections 6211, between the parties . . .” While there is a DV ROAH against the Respondent, as noted above, the Petitioner was aware of that when he signed the stipulation for the current order.

The only change in circumstance that the court finds since the order of October 16, 2024, is a slight change in the Petitioner’s income from that used for the current order (\$26,966). Petitioner asserts on his I&E that his income is \$25,692 per month. However, the one paystub he attaches to his I&E shows gross income (apparently a salary) of \$6,668.36 for the pay period May 18, 2025, through May 24, 2025, which is one week. That weekly salary yields monthly pay of \$28,896 ( $\$6,668.36 \times 52 = \$346,754.72 / 12 = \$28,896$ ). The I&E also shows a contribution of \$611 which is \$2,648 per month ( $\$611 \times 52 = \$31,772 / 12 = \$2,648$ ). Attached is the court’s XSpouse calculation using the new information.

The Petitioner’s Temporary Spousal Support obligation is modified to \$8,361 per month beginning May 01, 2025, and the 1<sup>st</sup> of each month thereafter. He will still pay the obligations assigned to him per the prior order (\$3,776.15) and send the balance \$ 4,584.85 directly to the Respondent.

Attorney’s Fees:

The court orders Petitioner to pay, at the direction of counsel for the Respondent, an additional \$10,000 in interim fees, without prejudice to further request by either party and without prejudice to allocation of Respondent’s share of community property funds per FC 4325(a)(2).

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Disbursement of Community Funds:

The court denies this request, without prejudice, as an issue better suited to Trial on the underlying dissolution at which time all property issue will be adjudicated.

All previous orders not modified by this ruling shall remain in full force and effect.

**TENTATIVE RULING #4: THE RESPONDENT'S TEMPORARY SPOUSAL SUPPORT PAYMENT IS MODIFIED TO \$8,361 PER MONTH BEGINNING MAY 01, 2025, AND THE FIRST OF EACH MONTH THEREAFTER. RESPONDENT IS ORDERED TO PAY \$10,000 IN INTERIM ATTORNEY'S FEES, AS DIRECTED BY RESPONDENT'S ATTORNEY, WITHIN 30 DAYS OF ENTRY OF AN ORDER BASED UPON THIS RULING. RESPONDENT'S REQUEST FOR DISBURSEMENT OF COMMUNITY FUNDS IS DEFERRED TO TIME OF TRIAL.**

**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) 573-3042 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.4<sup>TH</sup> 1232 (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

Xspouse 2025-1-CA

Monthly Figures

Fixed Shares	Husband	Wife	Monthly Figures		Cash Flow		
			2025			Guideline	Proposed
Number of children	0	0			Combined net spendable	20902	20902
Percent time with NCP	0.00%	0.00%			Percent change	0%	0%
Filing status	MFJIN	MFJIN	GUIDELINE				
Number of exemptions	1	1	Nets (adjusted)		Husband		
Wages and salary	28896	0	Husband	20902	Payment cost/benefit	-8361	-8361
Self employed income	0	0	Wife	0	Net spendable income	12541	12541
Other taxable income	0	0	Total	20902	Change from guideline	0	0
TANF CS received	0	0	Support		% of combined spendable	60%	60%
Other nontaxable income	0	0	Addons	0	% of saving over guideline	0%	0%
New spouse income	0	0	Guideln CS	0	Total taxes	7994	7994
Employee 401-k contribution	2648	0	Alameda SS	8361	Dep. exemption value	0	0
Adjustments to income	0	0	Total	8361	# withholding allowances	0	0
SS paid prev marriage	0	0			Net wage paycheck	16897	16897
CS paid prev marriage	0	0					
Health insurance	0	0	Proposed		Wife		
Other medical expenses	0	0	Tactic 9		Payment cost/benefit	8361	8361
Property tax expenses	0	0	CS	0	Net spendable income	8361	8361
Ded interest expense	0	0	SS	8361	Change from guideline	0	0
Contribution deduction	0	0	Total	8361	% of combined spendable	40%	40%
Misc tax deductions	0	0	Saving	0	% of saving over guideline	0%	0%
Qualified business income deduction	0	0	Releases	0	Total taxes	0	0
Required union dues	0	0			Dep. exemption value	0	0
Mandatory retirement	0	0			# withholding allowances	0	0
Hardship deduction	0	0			Net wage paycheck	0	0
Other GDL deductions	0	0					
Child care expenses	0	0					

Husband pays Guideline SS, Proposed SS

FC 4055 checking: **ON**

## Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		0 - 0	0	0	0 Husband	0 Husband	0 Husband

Superior Court of California  
County of El Dorado

Tillman

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**5. YESSALIN MONDRAGON V. RICARDO ORBEGOSO**

**25FL0474**

This matter is before the court on the Petitioner's Request for Order (RFO) filed May 27, 2025, in which she requests an order for Child Support for the parties' two children (Leah, age 4 and Liam age 2). The Petitioner filed an Income and Expense Declaration (I&E) with her RFO. Both documents were personally served on the Respondent on June 02, 2025, as shown in the Proof of Service of Summons filed on June 05, 2025. The court granted the Petitioner's request for an order shortening time and ordered service prior to June 06, 2025, and a Responsive Declaration filed by June 13, 2025.

The Respondent filed a Responsive Declaration and an I&E on June 10, 2025. Both documents were served on the Petitioner by mail on June 07, 2025, as shown by the Proof of Service by Mail filed on June 10, 2025.

The court has read and considered each of the documents referenced above.

While the Respondent states in his I&E that he would like additional parenting time with the parties' children he acknowledges that his current time is limited to a few hours on Tuesdays and Thursdays and most of the day each Sunday. This is consistent with the timeshare the Petitioner states in her I&E. The court agrees with the Petitioner that the Respondent's timeshare is 11%.

Respondent works two jobs. He works 40 hours per week for Perennial Vacation Club and is paid \$25 per hour. He works 27 hours per week for Casey's and is paid \$24.50 per hour. The Respondent's gross monthly income is \$1,661.50 per week. That is \$7,200 per month ( $\$1,661.50 \times 52 = \$86,398 / 12 = \$7,200$ ). The respondent contributes \$25 per week to a 401K and \$95 a week to a 401K Roth for his job with Perennial Vacation Club.

Petitioner also works at Casey's. She is paid \$21 per hour and works 32 hours per week which is \$2,912 per month ( $\$21 \times 32 = \$672/\text{week}; \$672 \times 52 = \$34,944 / 12 = \$2,912$ ).

The attached XSpouse calculation uses these factors and yields child support payable by the Respondent of \$1,973 per month (\$729 for Leah and \$1,244 for Liam). The court exercises its discretion and reduces the guideline amount to \$1,500 (\$555 for Leah and \$945 for Liam) per month beginning June 01, 2025 and the first of each month thereafter until a child reaches age 18 and is no longer a full time student, or reaches age 19, dies, is emancipated, marries, or joins the armed forces, whichever is first. The reduction is because the Respondent is working an overly burdensome number of hours per week and will need to reduce his workload to take a larger role in parenting. Additionally, the Respondent asserts that he is paying the monthly loans on the vehicle that the Petitioner is using.

**TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR TO CONFIRM THAT THEY ARE NO LONGER COHABITATING AND TO ADDRESS ADDITIONAL QUESTIONS CONCERNING THE VEHICLE BEING USED BY THE PETITIONER.**

2025

## Xspouse 2025-1-CA

## Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow		
Number of children	0	2	2025			Guideline	Proposed
Percent time with NCP	11.00%	0.00%			Combined net spendable	8674	8752
Filing status	SINGLE HH/MLA		GUIDELINE		Percent change	0%	1%
Number of exemptions	1	3	Nets (adjusted)		Father		
Wages and salary	7200	2912			Payment cost/benefit	-1973	-1740
Self employed income	0	0	Father	5397	Net spendable income	3424	3657
Other taxable income	0	0	Mother	3277	Change from guideline	0	233
TANF CS received	0	0	Total	8674	% of combined spendable	39%	42%
Other nontaxable income	0	0	Support		% of saving over guideline	0%	296%
New spouse income	0	0	Addons	0	Total taxes	1803	1391
Employee 401-k contribution	120	0	Guideln CS	1973	Dep. exemption value	0	0
Adjustments to income	0	0	Alameda SS	-0	# withholding allowances	0	0
SS paid prev marriage	0	0	Total	1973	Net wage paycheck	5028	5028
CS paid prev marriage	0	0	-		Mother		
Health insurance	0	0	Settings changed		Payment cost/benefit	1973	1818
Other medical expenses	0	0	Proposed		Net spendable income	5249	5095
Property tax expenses	0	0	Tactic 9		Change from guideline	0	-154
Ded interest expense	0	0	CS	2152	% of combined spendable	61%	58%
Contribution deduction	0	0	SS	0	% of saving over guideline	0%	-196%
Misc tax deductions	0	0	Total	2152	Total taxes	-365	-31
Qualified business income deduction	0	0	Saving	79	Dep. exemption value	0	0
Required union dues	0	0	Releases	2	# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	2472	2472
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Father pays Guideline CS, Proposed CS

FC 4055 checking: **ON**

## Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		11 - 89	0	0	0 Father	1,973 Father	1,973 Father
	0000-00-00	11 - 89	0	0	0 Father	729 Father	729 Father
	0000-00-00	11 - 89	0	0	0 Father	1,244 Father	1,244 Father

Superior Court of California  
County of El Dorado

Mondragon v. Orbegoso