

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 12
MAY 27, 2026
8:30 a.m.

1. EMMA GRIGORUK V. MICHAEL SMITH

22FL0632

This matter is before the court for a trial setting conference, as requested by the Respondent on April 21, 2026.

A hearing on Respondent's Request for Order (RFO) filed May 08, 2026, regarding child custody and visitation is currently set for August 05, 2026. Therefore, the court, on its own motion, and in the interest of judicial economy, continues the trial setting conference to August 05, 2026, to trail the RFO.

TENTATIVE RULING #1: THE COURT, ON ITS OWN MOTION, CONTINUES THE TRIAL SETTING CONFERENCE TO 8:30 A.M., WEDNESDAY, AUGUST 05, 2026, IN DEPARTMENT 12 TO TRAIL THE PENDING REQUEST FOR ORDER.

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.

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2. HERVE GOGUELY V. SYLVIE GOGUELY

24FL0466

This matter is before the court for hearing of four separate Requests for Order (RFO).

The first RFO, filed by the Petitioner on February 04, 2026, requests the court to modify spousal support.

The second RFO, filed by the Respondent on February 25, 2026, requests: (1) a finding that Petitioner breached his fiduciary duties by selling the Alameda Property, a community property asset, without Respondent's knowledge or consent, by refusing to account for the sale proceeds, and by failing to deposit the sale proceeds into an attorney trust account; (2) an order that Petitioner immediately account for the sale of the Alameda Property and return/deposit all proceeds into an attorney trust account held by Respondent's attorney; (3) an order sanctioning Petitioner in the amount of \$5,500 for the fees and cost associated with the filing of this RFO; and (4) an order for further need-based attorney fees in the amount of \$15,000.

The third RFO, filed by the Respondent on March 03, 2026, requests the court to: (1) set aside or vacate the April 24, 2025, Ruling (and Amended Ruling) regarding spousal support; and (2) re-calculate spousal support retroactive to November 1, 2024, setting spousal support at \$6,499 per month.

Lastly, the fourth RFO, also filed on March 03, 2026, by the Respondent, requests an additional \$75,000 of need-based attorney fees.

The court notes that the parties are currently set for trial on all issues for three dates in late August and early September 2026 (August 27 and 31, and September 3). Trial confirmation is currently set for August 19, 2026. The court intends to make interim orders on the submitted RFOs pending resolution of the case in its entirety.

Presently, the court is inclined to rule on the RFOs as follows: (1) the court denies Petitioner's RFO to modify spousal support without prejudice; (2) the court defers Respondent's breach of fiduciary claim and request for attorney fees as sanctions to the time of trial; (3) the court orders, without prejudice to further application, Petitioner to pay \$65,000 in need-based attorney fees to Respondent's attorney; (4) the court awards Respondent monthly spousal support in the amount of \$6,499 beginning April 01, 2026; (5) Petitioner is ordered to pay Respondent \$5,849.10 spousal support for the month of March 2026 (90 percent of the monthly spousal support amount); and (6) the court will reserve on the issue of retroactive spousal support to the time of trial.

**TENTATIVE RULING #2: APPEARANCES ARE REQUIRED AT 8:30 A.M.,
WEDNESDAY, MAY 27, 2026, IN DEPARTMENT 12 FOR ORAL ARGUMENT ON THE FOUR
SEPARATE REQUESTS FOR ORDER.**

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3. KJELEENA SMITH V. CRAIG SMITH

25FL0024

This matter is on calendar for a status conference following the Mandatory Settlement Conference (MSC) held on May 14, 2026. During the MSC, the parties reached a tentative settlement agreement with terms and conditions.

TENTATIVE RULING #3: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MAY 27, 2026, IN DEPARTMENT 12.

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4. MATTHEW MCGARRY V. ALLY HOFFMAN

25FL1256

This matter is before the court for hearing of the Request for Order (RFO) filed by the Petitioner on March 19, 2026, to set custody and visitation.¹ The filing of the RFO prompted the court to refer the parties to a CCRC session set for April 13, 2026.

There is no proof of service of the RFO in the court's file. However, the Respondent filed a Responsive Declaration and attended the CCRC appointment as scheduled. Therefore, the court finds the Respondent to have waived any defect in service.

The court is in receipt of a CCRC report dated April 17, 2026, a copy of which was mailed to both parties per the Clerk's Certificate of Mailing filed April 20, 2026. The court notes, however, that the copy mailed to the Petitioner appears to have been sent to Petitioner's address listed in the CCRC report (not Petitioner's mailing address on file with the court). The copy mailed to the Petitioner was returned to the court as undeliverable. Therefore, it is unclear whether the Petitioner has reviewed a copy of the CCRC report.

On April 20, 2026, Respondent filed a Responsive Declaration. On May 13, 2026, Respondent filed a supplemental declaration.² Proof of service filed May 13, 2026, shows that both the Responsive Declaration and supplemental declaration were personally served upon Petitioner that same day.

On May 18, 2026, Petitioner filed a supplemental declaration but to date, there is no proof of service for this filing in the court's file.

Later on May 18, 2026, Respondent filed another supplemental declaration, which was personally served upon the Petitioner that same day according to the proof of service, also filed May 18, 2026.

On May 19, 2026, Petitioner filed another supplemental declaration, but again, without any proof of service on the Respondent.

The CCRC report contains agreements on some issues and recommendations of the CCRC counsellor on remaining issues. With one modification outlined below, the court finds the agreements and recommendations contained within the CCRC report as being in the best interest of the parties' child and so adopts them as the orders of the court.

The court modifies the recommendation in the CCRC report under "Parenting Plan," which currently states, "Once the child is no longer breastfed, Mother and Father may file a motion to be referred back to CCRC to create a structured parenting plan." With respect to this recommendation, the court makes the following modification: instead of having the parties file a new motion, the court will instead set a review hearing for October 14, 2026 (the day after the child's first birthday). The parties shall file and serve an updated

¹ On April 15, 2026, while the instant RFO was pending, Petitioner filed a separate RFO requesting temporary visitation orders, which the court denied.

² The court notes that the Respondent's supplemental declaration raises new issues (i.e., child support, last name, etc.) that are not presently before the court and would need to be raised in a separate affirmative RFO.

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declaration at least 10 days before this review hearing to update the court and submit their respective parenting plans. The court will issue a new tentative ruling by 2:00 p.m. the day prior to the review hearing.

TENTATIVE RULING #4: THE RFO IS GRANTED IN PART. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE CCRC REPORT DATED APRIL 17, 2026, WITH THE FOLLOWING MODIFICATION: THE COURT SETS A REVIEW HEARING AT 8:30 A.M., WEDNESDAY, OCTOBER 14, 2026, IN DEPARTMENT 12. THE PARTIES SHALL FILE AND SERVE AN UPDATED DECLARATION AT LEAST 10 DAYS BEFORE THIS REVIEW HEARING TO UPDATE THE COURT AND SUBMIT THEIR RESPECTIVE PARENTING PLANS.

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