

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

1. CAITLIN OSBORNE V. CAMERON SANTO

22FL0257

Petitioner filed a Request for Order (RFO) on November 26, 2024. It was mail served on Respondent on December 5th.

Respondent has not filed a Responsive Declaration to Request for Order.

This is a post-judgment request for modification of custody orders. As such, it was required to be personally served or, if served by mail, Petitioner was required to complete and file a Declaration Regarding Address Verification – Post Judgment Request to Modify a Child Custody, Visitation, or Child Support Order, which she has not done. See Fam. Code § 215. As such, this matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #1: THIS MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

2. CLARISSA KIESEL V. MICHAEL BECKER

23FL0291

Petitioner filed a Request for Order (RFO) on December 3, 2024, requesting modification of the child custody and parenting plan orders, child support and spousal support, property control, possession of the dog, Rollo, vacate an order requiring counseling verification, and attorney's fees and costs. Petitioner concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on January 2, 2025, and a review hearing on February 27th. Respondent was mail served on December 3, 2024.

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

Both parties attended CCRC on January 2, 2025, and were unable to reach any agreements. A report with recommendations was filed with the court on February 14, 2025, and mailed to the parties the same day. Respondent has lodged an objection to the court considering the CCRC report.

Child Custody and Parenting Plan

Due to Respondent's objection to the court considering the CCRC report, the court orders parties to appear on this matter.

Child and Spousal Support

Due to Respondent's failure to file an Income and Expense Declaration, the parties are ordered to appear. Respondent is ordered to bring a completed Income and Expense Declaration with him.

Property Control

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, due to Respondent's failure to file a Responsive Declaration despite the fact that the RFO was properly and timely served, the court finds he has acquiesced to this request. Therefore, the court grants Petitioner's request for property control of the 2022 Toyota 4-Runner. Petitioner shall be responsible for the car payments, if any. The court reserves on the characterization of the property until final division. Respondent shall turn the vehicle and both keys over to Petitioner by 5:00 PM on February 28th.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

Petitioner's request for possession of the dog Rollo, is also granted. Respondent shall turn the dog over to Petitioner by 5:00 PM February 28th.

Counseling Verification

Pursuant to El Dorado County, Local Rule 7.10.02(C) and due to Respondent's failure to file a Responsive Declaration, the court finds he has acquiesced to this request. Petitioner's request to vacate the order for counseling verification is granted.

Attorney's Fees

Due to Respondent's failure to file an Income and Expense Declaration, the parties are ordered to appear on this issue. Respondent is ordered to bring a completed Income and Expense Declaration with him.

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 #2: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON CHILD CUSTODY AND PARENTING PLAN, CHILD AND SPOUSAL SUPPORT, AND ATTORNEY'S FEES.

THE COURT GRANTS PETITIONER'S REQUEST FOR PROPERTY CONTROL OF THE 2022 TOYOTA 4-RUNNER. PETITIONER SHALL BE RESPONSIBLE FOR THE CAR PAYMENTS, IF ANY. THE COURT RESERVES ON THE CHARACTERIZATION OF THE PROPERTY UNTIL FINAL DIVISION. RESPONDENT SHALL TURN THE VEHICLE AND BOTH KEYS OVER TO PETITIONER BY 5:00 PM ON FEBRUARY 28TH. PETITIONER'S REQUEST FOR POSSESSION OF THE DOG ROLLO, IS ALSO GRANTED. RESPONDENT SHALL TURN THE DOG OVER TO PETITIONER BY 5:00 PM FEBRUARY 28TH. PETITIONER'S REQUEST TO VACATE THE ORDER FOR COUNSELING VERIFICATION IS GRANTED.

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LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

3. DELFINO GARCIA V. DEBORAH GARCIA

PFL20050048

On November 27, 2024, Petitioner filed a Request for Order (RFO) seeking to terminate spousal support. According to the Proof of Service, the RFO was served on November 27th, however the Proof of Service was not signed until February 11th and the court is concerned with the reliability of the document. Additionally, the Notice of Tentative Ruling was not served with the RFO as was required.

Given that this is a post-judgment request for modification of support, the RFO was required to be served by personal service on the opposing party directly, not counsel. Family Code section 215. This matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #3: THIS MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

4. ELIZA ZORN V. JOSEPH ZORN

23FL1114

On December 5, 2024, the parties appeared before the court for hearing on a Request for Order (RFO) filed by Petitioner on November 14, 2023. At that time, the parties stipulated to continue the issues of child support, spousal support, and child custody until after the DVRO hearing in Department 8. While a ruling was issued on the DVRO matter, it did not address issues of child support and spousal support. Both of which were previously reserved back to November 14, 2023. The parties were referred to Child Custody Recommending Counseling (CCRC) and a review hearing was set for the present date to be heard along with the issues of child and spousal support.

A Supplemental Declaration of Joseph Zorn was filed and served on February 13, 2025 along with his Income and Expense Declaration. Petitioner filed and served her Supplemental Declaration of Eliza Zorn and her Income and Expense Declaration on February 14th.

The parties attended CCRC on December 13, 2024. While they were able to reach some agreements, they were unable to agree on all issues therefore a report with the agreements and recommendations was prepared on February 3, 2025. It was mailed to the parties on February 11th.

A Declaration of Danyell Meyers in Support of Reply to CCRC Report was filed and served on February 18, 2025 along with a Memorandum of Points and Authorities and Petitioner's Reply Declaration to Child Custody Recommending Counseling Report.

Petitioner asks that the court continue the current parenting plan as-is with a review hearing set for 90 days out to address Respondent's progress in a batterer's intervention program and his compliance with the DVRO and court orders. She asks that the court not adopt the CCRC recommendations as Respondent has not rebutted the Family Code § 3044 presumptions.

Respondent is in agreement with the CCRC report, but he requests step 1 of the step-up plan start with 6 hours per week instead of the recommended 4 hours. He also asks to modify the Friday parenting time to Wednesday and to push the Sunday parenting time to later in the day. He requests the court strike #3 of the agreements under Child Counseling/Therapy and asks that the court order reunification therapy with Jack to commence immediately.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

February 27, 2025

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

The court has reviewed the filings as outlined above and does not find the recommendations contained in the CCRC report to be in the best interests of the children as there is a DVRO in place and Respondent has not established that he has effectively rebutted the Family Code § 3044 presumption. That said, the court is adopting the agreements of the parties as stated in the CCRC report as the orders of the court. All prior orders not in conflict with those agreements remain in full force and effect. A review hearing is set for 7/10/2025 at 8:30am in Department 5 to assess Respondent's progress in rebutting the § 3044 presumption and determine if his visitation should be increased. Parties are to submit Supplemental Declarations no later than 10 days prior to the hearing date. If neither party submits a declaration, the court may drop the matter from calendar.

Regarding support, Utilizing the same figures as outlined in the attached DissoMaster report, the court finds that child support is \$4,599 and spousal support per the Alameda formula is \$529 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$5,128 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 November 15, 2023.

The court finds the above order results in arrears in the amount of \$82,048 through and including February 15, 2025. However, from November 2023 through December of 2024, Respondent was paying \$6,498 per month (\$2,500 + mortgage on the home). From January of 2025 through February of 2025, he has been paying \$4,493 per month in child support. Collectively this results in an arrears credit of \$99,958. Given that \$55,972 of this amount was payment towards the mortgage, the court is not ordering Petitioner to pay back the overage. Instead, the court is finding arrears to have been fully paid.

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

TENTATIVE RULING #4: THE COURT IS ADOPTING THE AGREEMENTS OF THE PARTIES AS STATED IN THE CCRC REPORT AS THE ORDERS OF THE COURT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THOSE AGREEMENTS REMAIN IN FULL FORCE AND EFFECT. A REVIEW HEARING IS SET FOR 7/10/2025 AT 8:30AM IN DEPARTMENT 5 TO ASSESS RESPONDENT'S PROGRESS IN REBUTTING THE § 3044 PRESUMPTION AND DETERMINE IF HIS VISITATION SHOULD BE INCREASED. PARTIES ARE TO SUBMIT SUPPLEMENTAL DECLARATIONS NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE. IF NEITHER PARTY SUBMITS A DECLARATION, THE COURT MAY DROP THE MATTER FROM CALENDAR.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

UTILIZING THE SAME FIGURES AS OUTLINED IN THE ATTACHED DISSOMASTER REPORT, THE COURT FINDS THAT CHILD SUPPORT IS \$4,599 AND SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$529 PER MONTH. SEE ATTACHED DISSOMASTER REPORT. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$5,128 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 NOVEMBER 15, 2023. ARREARS HAVE BEEN FULLY PAID. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California,County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father		
DISSOMASTER REPORT 2025, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother
Number of children	0	5	Nets (adjusted)	Guideline		
% time with Second Parent	2%	0%	Father	11,686	Payment (cost)/benefit	(5,078) 5,078
Filing status	Single	HH/MLA	Mother	8,105	Net spendable income	6,559 13,232
# Federal exemptions	1*	6*	Total	19,791	% combined spendable	33.1% 66.9%
Wages + salary	17,892	8,916	Support (Nondeductible)	Total taxes	6,026	1,163
401(k) employee contrib	0	114	CS Payor	Father	Comb. net spendable	19,792
Self-employment income	0	461	Presumed	4,599	Proposed	
Other taxable income	0	0	Basic CS	4,599	Payment (cost)/benefit	(5,078) 5,078
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	6,559 13,232
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0 0
Other gains (and losses)	0	0	Child 1	355	% combined spendable	33.1% 66.9%
Ordinary dividends	0	0	Child 2	542	% of saving over gdl	0% 0%
Tax. interest received	0	0	Child 3	731	Total taxes	6,026 1,163
Social Security received	0	0	Child 4	1,108	Comb. net spendable	19,792
Unemployment compensation	0	0	Child 5	1,862	Percent change	0.0%
Operating losses	0	0	SS Payor	Father	Default Case Settings	
Ca. operating loss adj.	0	0	Alameda	529		
Roy, partnerships, S corp, trusts	0	0	Total	5,128		
Rental income	0	0	Proposed, tactic 9			
Misc ordinary tax. inc.	0	0	CS Payor	Father		
Other nontaxable income	0	0	Presumed	4,599		
New-spouse income	0	0	Basic CS	4,599		
SS paid other marriage	0	0	Add-ons	0		
CS paid other relationship	0	0	Presumed Per Kid			
Adj. to income (ATI)	0	0	Child 1	355		
9.3% elective PTE payment	0	0	Child 2	542		
Ptr Support Pd. other P'ships	0	0	Child 3	731		
Health insurance	0	109	Child 4	1,108		
Qual. Bus. Inc. Ded.	0	0	Child 5	1,862		
Itemized deductions	0	0	SS Payor	Father		
Other medical expenses	0	0	Alameda	529		
Property tax expenses	0	0	Total	5,128		
Ded. interest expense	0	0	Savings	0		
Charitable contribution	0	0	Mother	0		
Miscellaneous itemized	0	0	Father	0		
State sales tax paid	0	0	No releases			
Required union dues	180	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF,SSI and CS received	0	0				

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

5. JASON GOLDMAN V. MARLENE GOLDMAN

24FL0699

On September 26, 2024, Respondent filed a Request for Order (RFO) seeking child support, spousal support, and attorney's fees.

On October 24, 2024, the parties appeared before the court for hearing on a request for a Domestic Violence Restraining Order (DVRO) filed by Petitioner. The parties stipulated to dismiss the request, and they were instead referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date.

The parties attended CCRC on January 16, 2025, and were able to reach agreements regarding custody and visitation. A report codifying the agreements was prepared the same day. It was mailed to the parties on January 17th.

Petitioner filed and served a Responsive Declaration to Request for Order on February 13th. Respondent filed and served her Income and Expense Declaration and her Supplemental Declaration of Respondent on February 14th.

Respondent filed her RFO making the following requests: (1) Spousal support in the amount of \$4,272 and child support in the amount of \$4,108 commencing on February 1, 2025; (2) Arrears in the amount of \$47,099 to be applied as an offset at global settlement of dissolution, this is based on a 70% timeshare; (3) Retention of jurisdiction over support back to September 26, 2024; (4) Joint physical and legal custody with a week on/week off schedule, exchanges to occur at 6:00 pm on Sundays unless otherwise agreed upon by the parties; (5) a holiday schedule; (6) no requirement for Respondent to test for alcohol; (7) an order for both parties to abstain from their use of alcohol during their respective parenting time; and (8) attorney's fees in the amount of \$3,000.

Petitioner consents to the agreements reached in CCRC. He further consents to guideline support based on his actual earnings and Respondent's ability to earn and her ski income including cash tips. He states the parties have already reached an agreement regarding attorney's fees. He states he filed an Income and Expense Declaration concurrently with his February 13th declaration though the court does not have this.

First and foremost, regarding custody, the court has reviewed the filings as outlined above and finds the agreements of the parties as contained in the January 16, 2025 CCRC report to be in the best interests of the minors, they are hereby adopted as the orders of the court.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

Given that it appears Respondent received a copy of Petitioner's Income and Expense Declaration, but the court did not, the parties are ordered to appear on the issues of support and attorney's fees.

TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR ON THE ISSUES OF SUPPORT AND ATTORNEY'S FEES. THE COURT FINDS THE AGREEMENTS OF THE PARTIES AS CONTAINED IN THE JANUARY 16, 2025 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS, THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT.

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
February 27, 2025
8:30 a.m./1:30 p.m.

6. JENNIFER WIDAU V. TOM SANDOVAL

PFL20210301

On February 19, 2025, the court issued the tentative ruling as set forth below. Respondent requested oral argument on the issue of sanctions. However, due to the court's unavailability on February 20th, the matter was continued to February 27th. The court is reissuing its prior tentative ruling as set forth below. Parties are ordered to appear for oral argument.

On August 23, 2023, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. The parties attended Child Custody Recommending Counseling (CCRC) on November 1st and a report was prepared dated December 7, 2023. At the June 20, 2024 hearing, the court adopted the recommendations as stated in the December 7th CCRC report. A review hearing was set for September 12, 2024 to address the status of reunification therapy. Parties were ordered to file and serve supplemental declarations no later than 10 days prior to the review hearing and the court reserved on Petitioner's request for Family Code § 271 sanctions. At the review hearing, the court granted the requested sanctions in the amount of \$5,000. An additional review hearing was set for the present date to address Petitioner's request for the remaining sanctions amount and to determine the amount of monthly payments for the \$5,000.

On February 3, 2025, Respondent filed a Declaration and his Income and Expense Declaration. The Proofs of Service indicate these documents were served on February 3rd.

On February 5th, Petitioner's Supplemental Declaration and a Declaration of Attorney Layla Cordero Re: Fees and Costs were filed and served.

On February 14th, Petitioner filed and served an Objection to Respondent's Supplemental Declaration filed 2/3/2025 and Respondent's Income and Expense Declaration Filed 2/3/2025 and Motion to Strike.

Petitioner is renewing her request for a total of \$13,000 as and for Section 271 sanctions. She asks that the court award the remaining \$8,000 and order monthly payments at \$500 per month. Petitioner notes that attached to Respondent's Income and Expense Declaration was a character letter from his spouse, Veronica Ronquillo. Petitioner objects to the letter and asks that the court strike it from the record. She also objects to the contents of Respondent's declaration as the matters contained therein are not properly pending before the court.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

Petitioner's objections are granted. The only matter pending before the court is the extent and payment plan for the Section 271 sanctions. The court has not considered either Mrs. Ronquillo's letter or the portions of Respondent's declaration regarding reunification therapy, school accounts, or BacTrack testing.

Respondent asks that the court vacate its prior ruling for sanctions as he is unable to pay.

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

Given the history of this case, the court does, and has, found that Respondent's actions have frustrated the policy of the law to reduce the cost of litigation and promote cooperation among the parties. That said, the purpose of a sanctions award under Section 271 is to deter future sanctionable conduct. The court is concerned that Respondent does not have the ability to pay the entirety of the \$13,000, however, the court is awarding a total of \$6,000 as and for sanctions in hopes that this will act as a deterrent for Respondent. Sanctions are to be paid in monthly installments of \$300 commencing on March 1st and continuing monthly thereafter on the 1st of each month until paid in full. If any payment is late or missed the entire amount shall become immediately due and payable.

The parties are ordered to appear for oral argument.

TENTATIVE RULING #6: THE PARTIES ARE ORDERED TO APPEAR FOR ORAL ARGUMENT.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

7. KARLY GENTRY V. PAUL GENTRY

22FL0745

On September 25, 2024, the parties appeared before the court for a long cause trial on the issue of custody and visitation. The court made a variety of orders, one of which included an order for reunification therapy between Respondent and the minors. The court set a review hearing for the present date to address the progress of reunification therapy and whether Respondent may have visitation during spring break. Parties were ordered to file updating declarations no later than 10 days prior to the hearing date.

Judgment in this matter was entered on January 14, 2025 and neither party has filed a status declaration with the court therefore this matter is dropped from calendar.

TENTATIVE RULING #7: 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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

8. KEVIN CROTSLEY V. JUDY CROTSLEY

24FL0208

On December 2, 2024, Respondent filed a Request for Order (RFO) seeking child support, spousal support, and attorney's fees. She filed her Income and Expense Declaration concurrently therewith. There is no Proof of Service for the RFO, however the Income and Expense Declaration was mail served on the same day as filing. Despite the potential defect in service, Petitioner filed and served a Responsive Declaration to Request for Order, an Income and Expense Declaration and a Memorandum of Points and Authorities. On February 5, 2025, Petitioner filed and served Corrections/Additions to Petitioner's Responsive Declaration. Petitioner filed and served a Supplemental Declaration (Timeshare) on February 12th. On February 20th, Respondent filed Reply Declaration to Petitioner's Supplemental Declaration (Timeshare).

On December 6, 2024, Petitioner filed an RFO seeking to change venue of the case. The RFO and a supporting Memorandum of Points and Authorities were mail served on December 9, 2024. Respondent filed her Responsive Declaration to Request for Order on February 7th. Petitioner filed and served her Reply Declaration (Venue); Points and Authorities on February 11th.

Support

Respondent is requesting guideline child support based on a 50/50 timeshare. She requests that Petitioner be ordered to pay the school tuition for the children through graduation from high school and agreed upon extracurricular activities. She is requesting guideline spousal support as well. She asks for support orders back to the date of filing the Petition for Dissolution. As such, she is requesting \$79,077 in arrears.

Petitioner states that he receives a base salary as well as commission payments. He is therefore requesting an overtime schedule. He also requests the court order Respondent to seek full time work commensurate with her work history and submit to a vocational evaluation. He asks that school tuition and extracurricular activities be split evenly between the parties. He also asks to offset Respondent's \$640 car loan payment and her car insurance payment from the support order and that Respondent be imputed with full time minimum wage. Finally, he argues the children spend 70% of their time with him as of July 2024.

The court has reviewed the filings of the parties as outlined above and makes the following orders.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

An award of temporary spousal support lies solely within the trial court's discretion regarding each party's respective need and ability to pay. See *Marriage of Tong & Smson*, 197 Cal. App. 4th 23, 29 (2011). Support may be reduced based on the imputation of income to the lower earning spouse. The amount of income imputed is to be based on that spouse's measurable earning capacity which is determined by (1) the ability of the spouse to earn consistent with the spouse's health, age, education, marketable skills, and employment history; and (2) the opportunity available for employment. *In re Marriage of Simpson*, 4 Cal. 4th 225 (1992).

Here, while Respondent is earning income, she states she is only working 12-24 hours per week. She has not established any reason why she would be unable to work a full-time position, nor has she established that there are no full time positions available to her. As such, the court does find Respondent has the ability and opportunity to work and Petitioner's request to impute full time minimum wage to Respondent is granted. Likewise, Petitioner's request for a seek-work order is also granted.

In furtherance of the state's goal that both parties become self-supporting, the legislature adopted Family Code § 3558 which states, in pertinent part, "a court may require either parent to attend job training, job placement and vocational rehabilitation, and work programs, as designated by the court, at regular intervals and times and for durations specified by the court and provide documentation of participation in the programs." In accordance with Section 3558, Respondent is ordered to make a diligent job search effort for jobs for which she is qualified. The court further orders, Respondent to apply for a minimum of 5 jobs per week and to provide proof of said applications to Petitioner on a monthly basis until she has secured stable employment.

"In a proceeding for dissolution of marriage or for legal separation of the parties, the court may order a party to submit to an examination by a vocational training counselor..." Fam. Code § 4331(a). Prior to making an order for a vocational rehabilitation assessment, the court must make a finding of good cause to do so. Here, the court does not find good cause at this time. Petitioner states only that Respondent "ran a childcare center and earned substantially more than she reports now," however he provides no additional information. It is unclear how long ago Respondent held this job, if she holds any specific degrees or licenses that would make it viable for her to do so again. In light of the foregoing, the request for a vocational evaluation is denied.

Finally, regarding timeshare, the parties appear to have agreed upon a week-on/week-off timeshare though in practice Petitioner argues the children spend the majority

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

of their time with him, and Respondent argues that she has the majority of time. Given the inconsistencies, the court is utilizing a 50/50 timeshare based on the original agreement of the parties.

Utilizing the same figures as outlined above, the court finds that child support is \$1,007 and spousal support per the Alameda formula is \$755 per month. See attached DissoMaster report. The court adopts the attached DissoMaster report and orders Petitioner to pay Respondent \$1,762 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. These orders are effective as of December 2, 2024.

The court finds the above order results in arrears in the amount of \$5,286 through and including February 1, 2025. The court is aware that Petitioner was making voluntary support payments during this time, however, because the court does not know the amount of commission payments received by Petitioner during the relevant time period, the parties are to meet and confer to agree upon the outstanding arrears amount, if any, and a payment plan.

The court further finds Petitioner routinely earns commission pay and therefore, has included an overtime table with the DissoMaster. Petitioner is to pay Respondent a true up of any commissions earned no later than fourteen days from the date the commission payment is received. Petitioner is to provide Respondent with documentation of the amount of all commission payments received.

Regarding the school tuition and extracurricular activities, the parties are ordered to equally share in the costs of high school tuition and agreed upon extracurricular activities for the children.

Attorney's Fees

Respondent is requesting \$10,000 as and for attorney's fees pursuant to Family Code § 2030. Petitioner opposes the request for attorney's fees as he argues Respondent has the ability to pay.

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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

is to make findings on “whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties.” Fam. Code § 2030(a)(2).

Here, while there is a disparity in income, the court notes that Respondent does have sufficient liquid assets to pay for legal counsel at this time. Additionally, given the support orders made herein, the court finds that the disparity in income is significantly decreased. As such, the request for attorney’s fees is denied.

Venue

Petitioner is requesting to change venue from El Dorado County to Sacramento County. She notes that the parties have sold their El Dorado Hills home and each has moved to Sacramento. The children attend school in Sacramento and there are no temporary orders in effect. Petitioner has agreed to pay the transfer fee and the Sacramento County filing fees.

Respondent opposes the change of venue request. She notes that her request for support was already pending at the time the request to change venue was filed.

“In any proceeding for dissolution or nullity of marriage or legal separation of the parties under the Family Code, *where it appear that both petitioner and respondent have moved from the county rendering the order*, the court may, when the ends of justice and the convenience of the parties would be promoted by the change, order that the proceedings be transferred to the county of residence of either party.” Cal. Civ. Pro. § 397.5 (emphasis added). The burden is on the moving party to establish grounds for a change of venue. *Fontaine v. Sup. Ct.*, 175 Cal. App. 4th 830 (2009).

Here, given that both parties have moved to Sacramento County and the children reside in and are attending school in Sacramento County, the court does find Sacramento County to be proper venue moving forward. As such, the request for a change of venue is granted. Petitioner shall bear the costs associated with the change of venue.

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

TENTATIVE RULING #8: PETITIONER’S REQUEST TO IMPUTE FULL-TIME MINIMUM WAGE TO RESPONDENT IS GRANTED. PETITIONER’S REQUEST FOR A SEEK-WORK ORDER IS ALSO GRANTED. RESPONDENT IS ORDERED TO MAKE A DILIGENT JOB SEARCH EFFORT FOR JOBS FOR WHICH SHE IS QUALIFIED. THE COURT FURTHER ORDERS, RESPONDENT TO APPLY FOR A MINIMUM OF 5 JOBS PER WEEK AND TO

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

PROVIDE PROOF OF SAID APPLICATIONS TO PETITIONER ON A MONTHLY BASIS, UNTIL SHE HAS SECURED STABLE EMPLOYMENT. PETITIONER'S REQUEST FOR A VOCATIONAL EVALUATION IS DENIED.

THE COURT FINDS THAT CHILD SUPPORT IS \$1,007 AND SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$755 PER MONTH. SEE ATTACHED DISSOMASTER REPORT. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS PETITIONER IS TO PAY RESPONDENT \$1,762 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. THESE ORDERS ARE EFFECTIVE AS OF DECEMBER 2, 2024.

THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN THE AMOUNT OF \$5,286 THROUGH AND INCLUDING FEBRUARY 1, 2025. THE COURT IS AWARE THAT PETITIONER WAS MAKING VOLUNTARY SUPPORT PAYMENTS DURING THIS TIME, HOWEVER, BECAUSE THE COURT DOES NOT KNOW THE AMOUNT OF COMMISSION PAYMENTS RECEIVED BY PETITIONER DURING THE RELEVANT TIME PERIOD, THE PARTIES ARE TO MEET AND CONFER TO AGREE UPON THE OUTSTANDING ARREARS AMOUNT, IF ANY, AND A PAYMENT PLAN.

THE COURT FURTHER FINDS PETITIONER ROUTINELY EARNS COMMISSION PAY AND THEREFORE, HAS INCLUDED AN OVERTIME TABLE WITH THE DISSOMASTER. PETITIONER TO PAY RESPONDENT A TRUE UP OF ANY COMMISSIONS EARNED NO LATER THAN FOURTEEN DAYS FROM THE DATE THE COMMISSION PAYMENT IS RECEIVED. PETITIONER IS TO PROVIDE RESPONDENT WITH DOCUMENTATION OF THE AMOUNT OF ALL COMMISSION PAYMENTS RECEIVED.

REGARDING THE SCHOOL TUITION AND EXTRACURRICULAR ACTIVITIES, THE PARTIES ARE ORDERED TO EQUALLY SHARE IN THE COSTS OF HIGH SCHOOL TUITION AND AGREED UPON EXTRACURRICULAR ACTIVITIES FOR THE CHILDREN.

RESPONDENT'S REQUEST FOR ATTORNEY'S FEES AND COSTS IS DENIED.

THE REQUEST FOR A CHANGE OF VENUE IS GRANTED. PETITIONER SHALL BEAR THE COSTS ASSOCIATED WITH THE CHANGE OF VENUE.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

February 27, 2025

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.

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California,County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father		
DISSOMASTER REPORT 2025, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2025)	Cash Flow Analysis	Father	Mother
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Father	7,674	Payment (cost)/benefit	(1,692) 1,762
Filing status	Single	HH/MLA	Mother	3,267	Net spendable income	5,911 5,029
# Federal exemptions	1*	3*	Total	10,941	% combined spendable	54% 46%
Wages + salary	12,500	2,860	Support (Nondeductible)	Total taxes	3,543	(407)
401(k) employee contrib	1,000	0	CS Payor	Father	Comb. net spendable	10,941
Self-employment income	0	0	Presumed	1,007	Proposed	
Other taxable income	0	0	Basic CS	1,007	Payment (cost)/benefit	(2,012) 2,082
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	6,003 5,016
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	92 (13)
Other gains (and losses)	0	0	Child 1	316	% combined spendable	54.5% 45.5%
Ordinary dividends	0	0	Child 2	691	% of saving over gdl	117.5% -17.5%
Tax. interest received	0	0	SS Payor	Father	Total taxes	3,116 (58)
Social Security received	0	0	Alameda	755	Comb. net spendable	11,018
Unemployment compensation	0	0	Total	1,762	Percent change	0.7%
Operating losses	0	0	Proposed, tactic 9		Default Case Settings	
Ca. operating loss adj.	0	0	CS Payor	Father		
Roy, partnerships, S corp, trusts	0	0	Presumed	1,177		
Rental income	0	0	Basic CS	1,177		
Misc ordinary tax. inc.	0	0	Add-ons	0		
Other nontaxable income	0	0	Presumed Per Kid			
New-spouse income	0	0	Child 1	433		
SS paid other marriage	0	0	Child 2	745		
CS paid other relationship	0	0	SS Payor	Father		
Adj. to income (ATI)	0	0	Alameda	921		
9.3% elective PTE payment	0	0	Total	2,098		
Ptr Support Pd. other P'ships	0	0	Savings	78		
Health insurance	1,283	0	Mother	92		
Qual. Bus. Inc. Ded.	0	0	Father	-14		
Itemized deductions	0	0	Total releases to Father	2		
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF,SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): California		TELEPHONE NO:	Superior Court Of The State of California, County of
ATTORNEY FOR: Father			COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
Father Monthly Overtime Wages Report 2025 Monthly			CASE NUMBER:

"R" denotes that Father is a recipient for the corresponding support

"CS%" is the percentage of Overtime paid as additional Child Support

"SS%" is the percentage of Overtime paid as additional Spousal Support

Total columns indicate the Total support due, support on reported income plus the incremental support due on additional income.

Father's Gross Overtime	Basic CS%	Basic CS	Alameda SS%	Alameda SS	Total Basic CS	Total SS	Total Support CS+SS
0	0.00	0	0.00	0	1,007	755	1,762
10,000	10.60	1,060	13.77	1,377	2,067	2,132	4,200
20,000	9.51	1,903	13.34	2,667	2,910	3,422	6,332
30,000	8.96	2,688	13.40	4,019	3,696	4,774	8,470
40,000	8.62	3,448	13.43	5,373	4,455	6,128	10,583
50,000	8.35	4,176	13.40	6,700	5,184	7,455	12,639
60,000	8.13	4,876	13.38	8,029	5,884	8,784	14,667
70,000	7.96	5,572	13.33	9,329	6,579	10,084	16,663
80,000	7.82	6,253	13.30	10,641	7,261	11,396	18,657
90,000	7.70	6,930	13.26	11,938	7,937	12,693	20,630
100,000	7.60	7,604	13.22	13,221	8,612	13,976	22,588
110,000	7.53	8,278	13.19	14,505	9,285	15,260	24,545
120,000	7.46	8,950	13.16	15,791	9,957	16,545	26,503
130,000	7.40	9,622	13.14	17,076	10,629	17,831	28,460
140,000	7.35	10,293	13.12	18,363	11,300	19,118	30,417
150,000	7.31	10,963	13.10	19,649	11,970	20,404	32,375
160,000	7.27	11,633	13.09	20,936	12,640	21,691	34,332
170,000	7.24	12,302	13.07	22,224	13,310	22,979	36,289
180,000	7.21	12,972	13.06	23,512	13,979	24,267	38,246
190,000	7.18	13,641	13.05	24,800	14,648	25,555	40,203
200,000	7.15	14,309	13.04	26,088	15,317	26,843	42,160
210,000	7.13	14,978	13.04	27,377	15,985	28,132	44,117
220,000	7.11	15,646	13.03	28,665	16,653	29,420	46,074
230,000	7.09	16,314	13.02	29,954	17,321	30,709	48,031
240,000	7.08	16,982	13.02	31,243	17,989	31,998	49,987
250,000	7.06	17,650	13.01	32,532	18,657	33,287	51,944
260,000	7.05	18,317	13.01	33,821	19,325	34,576	53,901
270,000	7.03	18,985	13.00	35,111	19,992	35,866	55,858
280,000	7.02	19,652	13.00	36,400	20,660	37,155	57,815
290,000	7.01	20,320	13.00	37,689	21,327	38,444	59,772
300,000	7.00	20,987	12.99	38,979	21,994	39,734	61,728
310,000	6.99	21,654	12.99	40,278	22,662	41,033	63,695
320,000	6.98	22,321	12.99	41,577	23,329	42,332	65,661
330,000	6.97	22,988	12.99	42,876	23,996	43,631	67,627
340,000	6.96	23,655	12.99	44,175	24,663	44,930	69,593

PETITIONER:	CASE NUMBER:
RESPONDENT:	

Father Monthly Overtime Wages Report, cont'd

Father's Gross Overtime	Basic CS%	Basic CS	Alameda SS%	Alameda SS	Total Basic CS	Total SS	Total Support CS+SS
350,000	6.95	24,322	12.99	45,474	25,330	46,229	71,559
360,000	6.94	24,989	12.99	46,774	25,997	47,529	73,525
370,000	6.93	25,656	12.99	48,078	26,664	48,833	75,497
380,000	6.93	26,323	13.00	49,387	27,330	50,142	77,473
390,000	6.92	26,990	13.00	50,696	27,997	51,451	79,448
400,000	6.91	27,657	13.00	52,005	28,664	52,760	81,424



LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

9. KIMBERLY GUILLON V. PHILIPPE GUILLON

24FL1108

On December 5, 2024, the parties appeared before the court for hearing on a Domestic Violence Restraining Order (DVRO) filed by Petitioner. The DVRO was granted, and the parties were referred to Child Custody Recommending Counseling (CCRC). A review hearing was set for the present date.

On December 19, 2024, the parties filed a Stipulation and Order for Custody and/or Visitation of Children. In the stipulation it was noted that Respondent requested to keep the review hearing on calendar “to provide the court with documentation of completed courses.” No such documentation has been filed therefore this matter is dropped from calendar.

TENTATIVE RULING #9: 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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

10. KRISTA HARDWICK V. CHRISTOPHER HARDWICK

24FL0251

On October 11, 2024, Petitioner filed a Request for Order (RFO) seeking prevailing party attorney's fees. The RFO was mail served on October 16th though there was no Notice of Tentative Ruling served. Petitioner filed and served Income and Expense Declaration on November 26, 2024. She filed and served an updated Income and Expense Declaration on February 10, 2025. Respondent filed a Responsive Declaration to Request for Order and an Income and Expense Declaration on February 25th which the court finds to be late filed therefore, the court has not read or considered them.

Petitioner brings her RFO requesting \$19,271.21 in attorney's fees pursuant to Family Code section 6344. Family Code section 6344 is the mechanism by which a prevailing party on a DVRO request may recover their attorney's fees and costs. If the prevailing party was the party that filed for the DVRO then, "[a]fter notice and a hearing, a court, upon request *shall issue and order for the payment of attorney's fees and costs.*" Cal. Fam. Code § 6344 (a). However, "[b]efore a court awards attorney's fees and costs pursuant to this section, the court shall first determine pursuant to Section 270 that the party ordered to pay has, or is reasonably likely to have, the ability to pay." *Id.* at (c).

Given the extremely late filing of Respondent's Responsive Declaration and his Income and Expense Declaration, the parties are ordered to appear for the hearing.

TENTATIVE RULING #10: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

11. MEGAN GUERRERO V. BELL DAVID

24FL1214

On November 25, 2024, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. The RFO was filed concurrently with a Petition to Determine Parental Relationship. The RFO, the Petition, and all other required documents were personally served on December 11th.

Respondent has not filed a Response to the Petition, but he did file his Responsive Declaration to Request for Order on January 27th, it was mail served on January 28th.

The Supplemental Declaration of Megan Guerrero was filed and served on February 18, 2025.

It appears from the court's file that there are two outstanding case numbers for these parties which have created some confusion regarding the logistics of moving forward. The parties are ordered to appear for the hearing.

TENTATIVE RULING #11: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

12. SARAH CRAIG V. RYAN CRAIG

PFL20170099

On January 6, 2025, Respondent filed a Request for Order (RFO) seeking 17 specified custody and visitation orders. Petitioner filed her Responsive Declaration to Request for Order on February 5, 2025.

Respondent makes a variety of requests mostly alleging that Petitioner is not complying with the court's prior orders and requesting modifications to the court's prior orders regarding therapy. Respondent has not established any change in circumstances or any reason that the prior orders themselves are not still in the best interests of the children. As such, Respondent's RFO is denied in its entirety. All prior orders remain in full force and effect. Both parties are admonished to comply with the court's orders.

On November 26, 2024, Respondent filed an RFO seeking to have the court clerk correct the filing date on Respondent's Objection to Statement of Decision. The Proof of Personal Service indicates that "241126 R's Notice of Motion" was served by Sarah Craig. The court is concerned that the RFO was improperly served, if served at all, however, Petitioner filed her Responsive Declaration to Request for Order on February 5, 2025, thereby waiving any potential defect in service. It was mail served on February 7th.

Respondent asks that the court correct the date of filing his objections to the court's Statement of Decision to show a filing date of October 8th. Petitioner opposes the request and asks that the court issue sanctions in the amount of \$1,500 for her having to defend against this motion.

In reviewing the filings of the parties as outlined above, the court does find good cause to accept the objections for filing. The clerk mistakenly rejected the filing citing no Statement of Decision having been given, however one was given orally. As such, Respondent's request is granted. The clerk of court is directed to file Respondent's Objection to Court's Oral Statement of Decision Re Vexatious Litigant as of October 8, 2024.

Petitioner's request for sanctions is denied. Respondent was granted permission to file the foregoing RFOs and therefore the court does not find his actions to be sanctionable.

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

TENTATIVE RULING #12: RESPONDENT'S JANUARY 6, 2025 RFO IS DENIED IN ITS ENTIRETY. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. BOTH PARTIES ARE ADMONISHED TO COMPLY WITH THE COURT'S ORDERS. RESPONDENT'S

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

NOVEMBER 26, 2024 RFO IS GRANTED. THE CLERK OF COURT IS DIRECTED TO FILE RESPONDENT'S OBJECTION TO COURT'S ORAL STATEMENT OF DECISION RE VEXATIOUS LITIGANT AS OF OCTOBER 8, 2024. PETITIONER'S REQUEST FOR SANCTIONS IS DENIED. RESPONDENT WAS GRANTED PERMISSION TO FILE THE FOREGOING RFOS AND THEREFORE THE COURT DOES NOT FIND HIS ACTIONS TO BE SANCTIONABLE.

RESPONDENT SHALL PREPARE AND FILE THE FININGS 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
February 27, 2025
8:30 a.m./1:30 p.m.

13. SARAH ZAMBRUNO V. NICK ZAMBRUNO

PFL20210341

On August 1, 2024, the court adopted its tentative ruling granting Respondent's request for an Evidence Code section 730 evaluation. The court set December 5th as a review hearing for receipt of the evaluation report, however the December 5th hearing was continued by stipulation of the parties.

Respondent filed a Supplemental Declaration on November 21, 2024. Proof of Service shows Petitioner was served on November 21, 2024. Respondent asserts there have been delays in initiating the evaluation. Respondent requests Dr. Nelson be appointed to conduct the evaluation and that parties be ordered to pay their respective deposits within five days. Respondent requests that the court set a further review hearing in January or February for receipt of the evaluation and/or compliance with the evaluation.

Petitioner filed a Reply Declaration on November 25, 2024. Respondent was served on November 22, 2024. Petitioner asserts that she is not responsible for the delays and has attempted to move the evaluation forward. Petitioner has communicated with Dr. Nelson's office and received an estimate of three to four months from the time the evaluation is initiated to the time a report may be prepared. Petitioner requests the court continue the review to join with the trial currently set to begin April 29, 2025. Petitioner requests the court affirm the cost of the evaluation is to be split evenly between the parties.

The court has read and considered the filings as outlined above. The court appoints Dr. Nelson to conduct the evaluation. The parties are ordered to each pay one half of the initial retainer by no later March 6, 2025 if they have not already been paid. The parties are to schedule the intake appointments for the first available dates and are ordered to comply with the directives of Dr. Nelson to complete the evaluation in a timely fashion. The custody and parenting plan issues are continued along with the review of the Evidence Code section 730 evaluation to join with the trial set for April 29, 2025, at 8:30 AM in Department 5.

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

TENTATIVE RULING #13: THE COURT APPOINTS DR. NELSON TO CONDUCT THE EVALUATION. THE PARTIES ARE ORDERED TO EACH PAY ONE HALF OF THE INITIAL RETAINER BY NO LATER THAN MARCH 6, 2025 IF THEY HAVE NOT ALREADY BEEN PAID. THE PARTIES ARE TO SCHEDULE THE INTAKE APPOINTMENTS FOR THE FIRST AVAILABLE DATES AND ARE ORDERED TO COMPLY WITH THE DIRECTIVES OF DR.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

NELSON TO COMPLETE THE EVALUATION IN A TIMELY FASHION. THE CUSTODY AND PARENTING PLAN ISSUES ARE CONTINUED ALONG WITH THE REVIEW OF THE EVIDENCE CODE SECTION 730 EVALUATION TO JOIN WITH THE TRIAL SET FOR APRIL 29, 2025, AT 8:30 AM IN DEPARTMENT 5. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

15. ALLISON MURBACH V. DENNY MURBACH

22FL0815

On February 19, 2025, the parties were ordered to appear for the hearing set for February 20th on the bifurcation and the court granted Petitioner's request for property control of personal property items. There was no request for oral argument. However, due to the court's unavailability on February 20th, the matter was continued to February 27th. The court is reissuing its prior tentative ruling as set forth below. Parties are ordered to appear for the bifurcation.

Petitioner filed an ex parte application for emergency orders on January 3, 2025, requesting the court grant a bifurcation of status and requesting property control of personal property items. On January 6, 2025, the court denied the request as the pension plan had not been joined. The court set the matter for a hearing on February 20, 2025. Proof of Service shows Respondent was served by mail on January 6, 2025.

Respondent has not filed a Responsive Declaration.

In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. *Id.* at (c)(7); Fam. Code § 2337. Prior to granting such a request the court must ensure “[a]ll pension plans that have not been divided by court order that require joinder ...” have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315 evidencing such. Cal. Rule Ct. 5.390(a).

Upon review of the court file, it appears that a joinder and summons have been issued for the Lockheed Martin Pension Plan. Proof of Service shows the plan was served by mail on January 9, 2025. More than 30 days have elapsed.

Here, Petitioner has not completed and filed the requisite FL-315, and it is unclear that all known pension plans have been joined. The parties are ordered to appear for the hearing on this issue.

Petitioner's request for property control of personal property items is granted, subject to final determination of the items and equalization by the court.

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

TENTATIVE RULING #15: PARTIES ARE ORDERED TO APPEAR FOR THE BIFURCATION.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

PETITIONER'S REQUEST FOR PROPERTY CONTROL OF PERSONAL PROPERTY ITEMS IS GRANTED, SUBJECT TO FINAL DETERMINATION OF THE ITEMS AND EQUALIZATION BY THE COURT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE 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
February 27, 2025
8:30 a.m./1:30 p.m.

16. DANIELLE MARIE HASAN V. TALIB HASAN

23FL0370

On September 30, 2024, Respondent filed a Request for Order (RFO) seeking child and spousal support orders as well as monetary sanctions. He filed his Income and Expense Declaration concurrently therewith. There is no Proof of Service for either document.

The Department of Child Support Services (DCSS) filed its Responsive Declaration to Request for Order on October 17, 2024. It was served on October 16th.

Petitioner filed and served her Income and Expense Declaration on November 27, 2024. Respondent filed and served an updated Income and Expense Declaration on December 9th.

On December 20th, Petitioner filed her Responsive Declaration to Request for Order and a Memorandum of Points and Authorities Regarding Petitioner's Request for Denial of Respondent's Motion for Spousal Support. Both documents were mail served the same day as filing.

By filing their respective Responsive Declarations, the court finds that DCSS and Petitioner waived any defect in service of the RFO; therefore, the matter may be reached on the merits.

On January 9, 2025, the court adopted its tentative ruling dropping Respondent's Order to Show Cause and Affidavit for Contempt, due to the failure to properly serve Petitioner. The court continued Respondent's RFO on the issue of sanctions to February 27, 2025.

Petitioner filed a Declaration on February 18, 2025. Respondent was served electronically the same day. Petitioner objects to the imposition of any sanctions.

Respondent filed a Reply Declaration on February 21, 2025. Petitioner was served the same day. The court finds this to be late filed and therefore, has not considered it.

The court notes Respondent filed a new contempt citation on January 30th. It is currently set for a hearing on April 10th at 8:30 AM in Department 5. The court finds the issues raised in the contempt citation to be inextricably linked to the request for monetary sanctions. Therefore, for judicial economy, the court continues the request for sanctions to join with the hearing on the contempt citation set for April 10, 2025, at 8:30 AM in

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

Department 5. Parties are reminded that failure to comply with court orders may result in sanctions, contempt, and/or a change in custody.

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

TENTATIVE RULING #16: FOR JUDICIAL ECONOMY, THE COURT CONTINUES THE REQUEST FOR SANCTIONS TO JOIN WITH THE HEARING ON THE CONTEMPT CITATION SET FOR APRIL 10, 2025, AT 8:30 AM IN DEPARTMENT 5. PARTIES ARE REMINDED THAT FAILURE TO COMPLY WITH COURT ORDERS MAY RESULT IN SANCTIONS, CONTEMPT, AND/OR A CHANGE IN CUSTODY. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

17. GRAYSON HOWARD V. NATALIE PETERSEN

PFL20210468

Petitioner filed a Request for Order (RFO) on November 26, 2024, requesting the court modify the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on December 30, 2024, and a review hearing on February 27, 2025. There are two Proofs of Service showing respondent was personally served, at two different addresses approximately 30 minutes apart on December 17th. There is no Proof of Service showing Minors' Counsel was properly served. Petitioner is seeking joint physical and legal custody with a week on/week off schedule.

Respondent filed a Responsive Declaration on February 13, 2025. It was personally served on Petitioner and electronically served on Minors' Counsel. Respondent 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 February 14, 2024. Copies were mailed to the parties the same day.

Respondent filed a Reply Declaration to the CCRC report on February 19, 2025. Proof of Service shows Petitioner was personally served on February 20th. There is no Proof of Service showing Minors' Counsel was properly served. Therefore, the court cannot consider this document.

The court drops the matter from calendar due to Petitioner's failure to serve Minors' Counsel.

TENTATIVE RULING #17: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE FAILURE TO SERVE MINORS' COUNSEL.

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
February 27, 2025
8:30 a.m./1:30 p.m.

18. JESSICA CROXTON V. ADAM CROXTON

22FL0907

On February 19, 2025, the parties were ordered to appear for the hearing on February 20th on the bifurcation. Additionally, Petitioner requested oral argument regarding Respondent's proof of receipt from the Savings Plus/Nationwide pension plan of the Summons/Joinder. However, due to the court's unavailability on February 20th, the matter was continued to February 27th. The court is reissuing its prior tentative ruling as set forth below. Parties are ordered to appear for the bifurcation and for oral argument.

Respondent filed a Request for Order (RFO) along with an Order Shortening Time (OST) on October 4, 2024, requesting that the bifurcation of status be set on a shortened basis. On October 7, 2024, the court set the matter to be heard on November 14, 2024, and directed Respondent to serve Petitioner no later than October 22, 2024. Proof of Service shows Petitioner was served by mail on October 10th. The court notes Respondent refers to a declaration in his pleadings, however, no such declaration is attached.

Petitioner filed a Responsive Declaration to the ex parte application on October 4, 2024. Respondent was served on October 4, 2024. Petitioner filed an additional declaration on November 8, 2024. It was served on November 7th. Although the November 8th Declaration was late filed, the court finds it mirrors much of what was included in the October 4, 2024, Responsive Declaration and raises issues regarding service on Petitioner. Therefore, the court finds good cause to consider the Declaration. Petitioner objects to bifurcation. She asserts Respondent has not served her with Preliminary or Final Declarations of Disclosure. Additionally, she asserts there are retirement plans that have not been joined. Petitioner states that if the need to bifurcate is due to Respondent's desire to purchase a home, she is willing to sign an interspousal transfer deed or a quit claim deed. Therefore, a bifurcation is not necessary.

The parties appeared for the hearing on November 14, 2024, and agreed to continue the matter. The parties reached additional agreements. As well.

Upon review of the court file, Respondent filed a Request for Joinder for the pension plan on January 17, 2025. A Summons was issued the same day. The Proof of Service indicates a mailing date of January 10, 2025, a week prior to the summons being issued.

Respondent filed a Declaration on January 17, 2025, stating that all plans have now been properly joined. Petitioner was served with the Declaration as well as the joinder pleadings on February 3, 2025.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

Petitioner has not filed a Supplemental Declaration.

In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. *Id.* at (c)(7); Fam. Code § 2337. Prior to granting such a request the court must ensure “[a]ll pension plans that have not been divided by court order that require joinder ...” have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315 evidencing such. Cal. Rule Ct. 5.390(a). The court is concerned with the Proof of Service of the Summons and joinder.

Parties are ordered to appear for the hearing on the bifurcation and for oral argument.

TENTATIVE RULING #18: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

19. JOSEPH CARLISLE V. GINA CARLISLE

PFL20170803

Respondent filed a Request for Order (RFO) on December 9, 2024, seeking the court enter judgment pursuant to Code of Civil Procedure 664.6 and that Petitioner be deemed a vexatious litigant. Petitioner was personally served on December 11, 2024.

Respondent asserts the parties reach a full settlement agreement on February 19, 2020. The agreement included all issues. However, Petitioner has since refused to sign the agreement, and therefore, judgment has not been entered. Respondent also seeks a determination of Petitioner to be a vexatious litigant.

Petitioner filed a Responsive Declaration on February 13, 2025. There is no Proof of Service for this document, therefore, the court has not considered it.

The court notes this matter is currently pending trial on April 15, 2025, at 8:30 AM on Petitioner's claim for Annulment. The court finds the issues raised in this RFO are inextricably linked to those of the trial. Therefore, the court joins the RFO with the trial set for April 15, 2025, at 8:30 AM.

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 #19: THE COURT FINDS THE ISSUES RAISED IN THIS RFO ARE INEXTRICABLY LINKED TO THOSE OF THE TRIAL. THEREFORE, THE COURT JOINS THE RFO WITH THE TRIAL SET FOR APRIL 15, 2025, AT 8:30 AM. 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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

20. LETICIA BROWN V. JEFFERY BROWN

PFL20170091

On October 30, 2024, Respondent filed a Request for Order (RFO) seeking to set aside the judgment entered on October 31, 2023, and the Marital Settlement Agreement (MSA) on which the judgment was based. The RFO was served along with all other required documents on November 4th.

Petitioner filed her Responsive Declaration to Request for Order on January 24, 2025. It was served the day prior on January 23rd. Respondent has not filed a Reply Declaration.

Respondent brings his RFO requesting the court set aside the judgment entered on October 31, 2023, and the corresponding MSA or, in the alternative set aside only the portion thereof regarding the equalization payment which Respondent agreed to pay Petitioner. He also requests attorney's fees in the amount of \$5,000 and translator fees in the amount of \$1,180. This request is brought on the basis that Petitioner failed to disclose the value of the Mexico properties prior to the signing of the MSA.

Petitioner opposes and objects to the motion. She notes that the motion does not provide any newly discovered issues since judgment and the signing of the MSA. She states that the value of the Mexico properties was taken into consideration when the parties reached their final agreement.

Respondent filed a Reply to the Opposition on February 20, 2025. Petitioner was served electronically the same day.

The parties are ordered to appear to present argument.

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

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

21. NIKI WILLIAMSON V. MICHAEL WILLIAMSON

24FL0835

Petitioner filed a Request for Order (RFO) on December 2, 2024, requesting the court make orders as to spousal support, property control, as well as to sell the former marital residence. Petitioner concurrently filed an Income and Expense Declaration. Proof of Service shows Respondent was mail served with the RFO, Income and Expense Declaration, as well as a FL-320 on December 2nd. However, it does not show Respondent was served with the Notice of Tentative Ruling.

Petitioner is seeking \$2,000 per month in temporary spousal support, as well as for Respondent to be responsible for payment of the mortgage, DirectTV, PG&E, Verizon Wireless, Petitioner's car payment, the propane bill, and the garbage bill. Petitioner is also requesting to sell the home, where both parties currently reside.

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

The court finds that as the parties continue to reside in the same home, it is premature to order spousal support at this time. Petitioner sets forth in her declaration that the bills continue to be paid, and Respondent is paying her money for her credit cards and for spending. Therefore, the request for spousal support is denied. The request that Respondent continue to pay community expenses is granted. Respondent is responsible for the payment of the mortgage, Direct TV, PG&E, Verizon Wireless, Petitioner's car payment, the propane bill, and the garbage bill, subject to any reimbursement claims. The court denies Petitioner's request to sell the former family residence pendente lite. While Family Code section 2108, allows the court to order the sale of the former marital residence pendente lite, Petitioner has failed to sufficiently establish grounds that would necessitate the sale. It does not appear that the home is in danger of foreclosure and Petitioner has not set forth any risks to the asset.

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

TENTATIVE RULING #21: THE REQUEST FOR SPOUSAL SUPPORT IS DENIED AS THE PARTIES CONTINUE TO RESIDE IN THE SAME HOME. THE REQUEST THAT RESPONDENT CONTINUE TO PAY COMMUNITY EXPENSES IS GRANTED. RESPONDENT IS RESPONSIBLE FOR THE PAYMENT OF THE MORTGAGE, DIRECT TV, PG&E, VERIZON WIRELESS, PETITIONER'S CAR PAYMENT, THE PROPANE BILL, AND THE GARBAGE BILL, SUBJECT TO ANY REIMBURSEMENT CLAIMS. THE COURT DENIES PETITIONER'S

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

REQUEST TO SELL THE FORMER FAMILY RESIDENCE PENDENTE LITE. 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
February 27, 2025
8:30 a.m./1:30 p.m.

22. PAUL ANDRUS V. CHI ANDRUS

23FL1194

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on September 30, 2024 alleging one count of contempt. Respondent was personally served on December 7, 2024.

The parties are ordered to appear for arraignment.

TENTATIVE RULING #22: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
February 27, 2025
8:30 a.m./1:30 p.m.

23. RYAN HOLST V. BRITTANY MOULTON

PFL20180256

Petitioner filed an ex parte application for emergency custody orders on January 9, 2025. On January 13, 2025, the court denied the orders on an ex parte basis but referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment on January 28, 2025, and a review hearing on February 27, 2025. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

The court notes there is a current Domestic Violence Temporary Restraining Order in place, which names Petitioner and the minors as protected parties. It also grants Petitioner sole legal and sole physical custody of the minors with no parenting time to Respondent. There is currently a hearing on the request for a permanent restraining order set for March 27, 2025 at 1:30 PM in Department 8. Given the outcome of the hearing on March 27th will impact the orders this court makes, the court on its own motion, for judicial economy, continues this matter to join with the hearing currently set in Department 8.

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

TENTATIVE RULING #23: THERE IS A CURRENT DOMESTIC VIOLENCE TEMPORARY RESTRAINING ORDER IN PLACE, WHICH NAMES PETITIONER AND THE MINORS AS PROTECTED PARTIES. IT ALSO GRANTS PETITIONER SOLE LEGAL AND SOLE PHYSICAL CUSTODY OF THE MINORS WITH NO PARENTING TIME TO RESPONDENT. THERE IS CURRENTLY A HEARING ON THE REQUEST FOR A PERMANENT RESTRAINING ORDER SET FOR MARCH 27, 2025, AT 1:30 PM IN DEPARTMENT 8. GIVEN THE OUTCOME OF THE HEARING ON MARCH 27TH WILL IMPACT THE ORDERS THIS COURT MAKES, THE COURT ON ITS OWN MOTION, FOR JUDICIAL ECONOMY, CONTINUES THIS MATTER TO JOIN WITH THE HEARING CURRENTLY SET IN DEPARTMENT 8. 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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

February 27, 2025

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

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