

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

1. DCSS V. CHAD MCCracken (OTHER PARENT: YULIYA PALSSON) PFS20200179

Respondent filed a Request for Order (RFO) on August 13, 2024, seeking custody and visitation orders. The parties appeared before the court on October 31st for hearing on the RFO. A review hearing was set on the issues of custody and visitation.

At the review hearing, the parties agreed to return to CCRC to discuss the issues of a parenting plan and an Evidence Code section 730 evaluation. Another review hearing was set for July 10th.

At the July 10th hearing, the court adopted the recommendations as stated in the June 26, 2025 CCRC report and ordered a 730 evaluation. Another review hearing was set for November 6, 2025 at which time the court made several orders including its reiteration that a 730 evaluation was to be conducted. A review hearing was set for the present date for receipt and review of the 730 evaluation.

On January 28, 2026, Respondent filed a Reply and Supplemental Declaration of Respondent it was served on January 27th.

This matter is set to be heard on March 5th at 8:30am on the issues of custody and visitation. Given the overlap in issues, and in the interest of judicial economy, this matter is continued to join with the March 5th hearing.

TENTATIVE RULING #1: THIS MATTER IS CONTINUED TO JOIN WITH THE HEARING SET ON MARCH 5, 2026 AT 8:30AM IN DEPARTMENT 5.

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

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2. AN DIAZ V. IVAN DIAZ

25FL0092

Petitioner filed a Request for Order (RFO) on October 31, 2025, seeking child and spousal support. She concurrently filed an Income and Expense Declaration. Respondent was served electronically on November 10, 2025.

Respondent filed a Responsive Declaration on January 20, 2026. It was served on the same day.

Respondent filed his Income and Expense Declaration on January 26, 2026. It was served on January 28, 2026.

Respondent filed a Notice of Error and Request for Relief on January 28, 2206, explaining that the Proof of Service filed on January 20th showing that the Income and Expense Declaration was served that day was in error, and it had not been served. Respondent asserts it was a clerical error and proposes the matter be continued to allow Petitioner sufficient time to review the document.

On January 29th the parties submitted a stipulation to the court to continue the hearing to March 5th. Unfortunately, the court was unable to grant the request to continue, as March 5th is unavailable.

Parties are ordered to appear to address the defect in service or in the alternative select a new hearing date.

TENTATIVE RULING #2: PARTIES ARE ORDERED TO APPEAR TO ADDRESS THE DEFECT IN SERVICE OR IN THE ALTERNATIVE SELECT A NEW HEARING DATE.

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3. ASHLEY GOEHRING V. COLBY STANWOOD

23FL0155

On October 26, 2025, Petitioner filed a Request for Order (RFO). It was served on October 31st. Respondent late filed a Responsive Declaration to Request for Order on January 28, 2026. There is no Proof of Service for this document, and as such, the court has not considered it.

The parties attended Child Custody Recommending Counseling (CCRC) on December 1, 2025, and were able to reach agreements. A report containing the agreements was prepared the same day.

The court has reviewed the agreements of the parties and finds them to be in the best interests of the minor. They are hereby adopted as the orders of the court.

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

TENTATIVE RULING #3: THE AGREEMENTS CONTAINED IN THE DECEMBER 1, 2025 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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4. ASHLEY HIGHTREE V. JEFFREY MCQUARY

25FL0021

Motion to Be Relieved

On October 27, 2025, Respondent's attorney filed a Notice of Motion and Motion to Be Relieved as Counsel. An Amended Motion to Be Relieved as Counsel was filed and served on November 6th.

Counsel states that there has been an irreparable breakdown of the attorney-client relationship due to Respondent's failure to communicate with his attorney. The motion is granted pursuant to Aceves v. Sup. Ct., 51 Cal. App. 4th 584 (1996) which states that the court may rely on Counsel's representation that there is a conflict, or that the attorney-client relationship has suffered an unrepairable breakdown, without knowing the underlying facts behind those statements. Withdrawal will be effective as of the date of filing the Proof of Service of the formal, signed order upon the client.

Request for Order

On November 13, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders as well as child support orders. She filed her Income and Expense Declaration concurrently therewith and the parties were referred to Child Custody Recommending Counseling (CCRC). There is a Proof of Service indicating service of the Income and Expense Declaration however there is not a Proof of Service for the RFO or the CCRC referral. Only Petitioner appeared at CCRC.

This matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #4: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER UPON THE CLIENT.

PETITIONER'S RFO FILED NOVEMBER 13, 2025 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

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5. CYNTHIA JACKS V. TODD JACKS

23FL0881

On October 28, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on December 1, 2025. The RFO was served on October 27th, however there is no indication that the CCRC referral was served and neither party appeared at the CCRC appointment.

This matter is dropped from calendar due to the improper service and Respondent's failure to attend CCRC as he is the moving party.

TENTATIVE RULING #5: THIS MATTER IS DROPPED FROM CALENDAR DUE TO FAILURE TO SERVE THE CCRC REFERRAL AND RESPONDENT'S FAILURE TO ATTEND CCRC.

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

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6. KATHRYN MCDONALD V. JOHN MCDONALD

PFL20210430

Petitioner filed a Request for Order (RFO) on March 4, 2025. Several hearings have been held on the RFO, the most recent of which was held on October 16, 2025. At that time the parties reached several agreements which were adopted by the court and a review hearing was set for the present date to address the issue of reunification counseling. Parties were ordered to file their Supplemental Declarations, if any, no later than 10 days prior to the hearing.

The Supplemental Declaration of Petitioner was filed and served on January 23, 2026.

Respondent's Supplemental Declaration was filed and served on January 26, 2026.

Minor's Counsel has not filed and served a Supplemental Declaration.

After reviewing the filings of the parties the court finds the current orders remain in the best interests of the children. None of the issues raised by either party are substantially new or different than those issues complained of since the inception of this filing. Additionally, many of those issues seemingly can be remedied by the parties themselves through continued coparenting counseling and learning to put the interests of the children ahead of their own interest. Accordingly, both parties are admonished to ensure they are abiding by all court orders.

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

TENTATIVE RULING #6: THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE BEST INTERESTS OF THE CHILDREN. BOTH PARTIES ARE ADMONISHED TO ENSURE THEY ARE ABIDING BY ALL COURT ORDERS. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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7. LORENA RODRIGUEZ V. FRANCISCO RODRIGUEZ, JR.

25FL0560

Motion to Quash

On October 27, 2025, Respondent filed a Request for Order (RFO) seeking to quash or dismiss the present matter and sanctions. He filed a Memorandum of Points and Authorities concurrently therewith. All required documents were served on October 29th.

Petitioner filed and served her Responsive Declaration to Request for Order and her Memorandum of Points and Authorities on January 23, 2026.

Respondent is requesting dismissal of the present matter due to lack of personal jurisdiction and attorney's fees pursuant to Family Code § 271. He does not specify the amount of sanctions requested.

Petitioner opposes the motion and argues that it was untimely filed. She further requests the court proceed with ruling on her requests for spousal support and attorney's fees.

Petitioner filed a Responsive Declaration and Memorandum of Points and Authorities on January 23, 2026. Both were served that day.

Parties are ordered to appear for the hearing to update the court as to the proceedings in Texas.

Spousal Support

Petitioner filed a Request for Order (RFO) on June 17, 2025, seeking spousal support. Petitioner concurrently filed an Income and Expense Declaration. Proof of Service shows Respondent was served via posting at the El Dorado Superior Court between July 2, 2025 and July 31, 2025. Proof of Service by mail, shows Respondent was mail served on August 28, 2025.

Parties appeared on September 4, 2025. The court found good cause to continue the matter. The court directed parties to file and serve any Supplemental Declarations at least 10 days prior to the new hearing. Parties were also directed to file and serve Income and Expense Declarations at least 10 days prior to the hearing.

Petitioner filed a Supplemental Declaration and Income and Expense Declaration on October 16, 2025. Respondent was served on October 16, 2025. Petitioner requests the

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court utilize her estimate of Respondent's income for purposes of calculating support. Petitioner has provided a proposed X-spouse calculation as well.

Respondent filed a Responsive Declaration on October 20, 2025. Proof of Service shows Petitioner was served on October 17, 2025. Respondent did not originally file an Income and Expense Declaration. The court finds Respondent's Responsive Declaration to be untimely. Civil Procedure section 1005(b) states all opposition papers are to be filed at least nine court days before the hearing date. Section 12c states, "[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12." Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made October 17th the last day for filing a response to the RFO. Therefore, the declaration is late filed and has not been considered by the court.

Respondent filed an Income and Expense Declaration on January 29, 2026, and again on January 30th. The documents appear to be identical. Proof of Service shows Petitioner was served on February 2. The court finds this to be late filed and served and therefore, has not considered this document.

Parties are ordered to appear for the hearing on the request for spousal support.

TENTATIVE RULING #7: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON BOTH THE MOTION TO QUASH AS WELL AS THE REQUEST FOR SPOUSAL SUPPORT.

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9. N. TRUXLER V. C. TRUXLER

23FL0639

On August 26, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders regarding the minor's school attendance. A tentative ruling was issued on October 29th and, having received no objection, the tentative ruling became the order of the court on October 30th.

On November 3, 2025, Petitioner filed an RFO to set aside the October 30th ruling. However, there is no Proof of Service for this document therefore the matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #9: THIS MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

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10. DAVID KNIGHT V. AUBREY KNIGHT

23FL0645

Respondent filed a Request for Order (RFO) on November 13, 2025, seeking enforcement of the judgment and Family Code section 2030 attorney's fees. Respondent concurrently filed an Income and Expense Declaration. This is a post-judgment request for enforcement, and as such Family Code section 215 applies. Proof of Service shows Petitioner was mail served on January 7, 2026, with address verification. Enforcement of the judgment and attorney's fees do not fall within the exceptions of Family Code section 215 that allow for mail service with address verification. The public policy behind Family Code § 215 is to ensure actual notice to a party where matters such as custody are often ongoing past final judgment in a case. The policy is to treat the new motion as akin to a newly filed Complaint. Therefore, personal service was required.

Respondent filed two Declarations regarding service on January 8, 2026, however, there is no Proof of Service showing these Declarations were served on Petitioner. As such, the court has not considered them.

Petitioner has not filed a Responsive Declaration.

The court drops the matter from calendar due to the lack of proper service. All prior orders remain in full force and effect.

TENTATIVE RULING #10: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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11. LETICIA BROWN V. JEFFREY BROWN

PFL20170091

Petitioner filed an ex parte application for emergency orders on November 24, 2025. Respondent filed a Responsive Declaration on November 25, 2025. There is no Proof of Service for this document. On November 25, 2025, the court denied the request on an ex parte basis.

Petitioner filed a Request for Order on November 25, 2025, making the same requests as set forth in the ex parte application. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

The court drops the matter from calendar due to the lack of proper service.

All prior orders remain in full force and effect.

TENTATIVE RULING #11: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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12. STEVEN CASS V. PAMELA CASS

24FL0586

On May 23, 2025, Respondent filed a Request for Order (RFO) seeking to compel disclosures and discovery responses. She filed a Memorandum of Points and Authorities and a Declaration of Attorney concurrently therewith. All required documents were personally served on July 22nd.

On June 30th, the parties filed a stipulation vacating the trial date and agreeing to the appointment of Christopher Whitaker to provide forensic services.

Petitioner filed and served a Responsive Declaration to Request for Order on July 30th.

The Declaration of Attorney Layla Cordero in Support of Respondent's Reply Declaration was filed and served on August 7th.

Respondent's Reply Declaration was filed on August 13th.

Respondent asks that Petitioner be ordered to produce his full and complete Preliminary Declaration of Disclosure (PDD) and sanctions in the amount of \$6,300 pursuant to Family Code § 2107. She argues that Respondent's initial PDD is legally deficient, and Respondent must be compelled to correct the deficiencies. She states she has incurred a total of \$3,370 in attorney fees associated with the preparation and filing of her Motion to Compel. She anticipates incurring an additional \$1,987.50 preparing a Reply declaration and appearing for the hearing. She asks for \$882.50 in sanctions in excess of her attorney's fees as a deterrent to Petitioner's continued evasiveness.

Petitioner opposes the motion. He argues that the parties agreed to retain the assistance of a forensic accountant given his inability to obtain the requested documents. He further argues that the motion was filed in bad faith and has caused him to incur unnecessary attorney's fees. He requests sanctions in the amount of \$15,000 pursuant to Family Code § 271.

On August 14th the parties appeared before the court for the hearing on the RFO. At that time the parties requested to continue the matter as the parties were of the belief that they may be able to resolve all issues informally. The request was granted, and the hearing was continued to the present date.

Parties appeared a second time on October 23, 2025, and again agreed to continue the matter.

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Parties appeared again on January 22, 2026, and again stipulated to continue the matter. The court cautioned that this would be the final continuance and that supplemental declarations were due on or before January 30th.

Respondent filed a Supplemental Declaration and Declaration of counsel on January 30, 2026. Respondent asserts that despite the six months between the initial hearing date and now, Petitioner has failed to meaningfully engage with the forensic accountant and has not received the necessary documents. Respondent requests the court order Petitioner to produce the documents in the motion to compel, amend his Schedule of Assets and Debts, as well as pay sanctions for the failure to comply with Family Code section 2107. Respondent is requesting sanctions in the total amount of \$9,135.

Petitioner has not filed a Supplemental Declaration.

Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. Where a party fails to comply with Section 2104, the complying party may, among other things, file a motion to compel and seek sanctions against the noncomplying party. Fam. Code § 2107(b)(1). “[...]he court *shall*...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney’s fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust.” Fam. Code § 2107(c).

Respondent has established grounds for relief under Family Code § 2107. She has complied with the disclosure requirements herself and demanded that Respondent do the same yet he has failed to do so. Respondent’s requests are therefore granted. Petitioner is ordered to serve full and complete Preliminary Declarations of Disclosure, a completed Income and Expense Declaration and a completed Schedule of Assets and Debts no later than February 19, 2026.

Respondent’s request for monetary sanctions is also granted in accordance with Section 2107. Petitioner is ordered to pay directly to Petitioner’s attorney \$9,000 as and for sanctions. This amount may be paid in one lump sum or in monthly increments of \$1,000 commencing on February 15, 2026, with payments due on the 15th of each month until paid in full (approximately 10 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

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Petitioner's request for sanctions under Family Code section 271 is denied.

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 #12: RESPONDENT HAS ESTABLISHED GROUNDS FOR RELIEF UNDER FAMILY CODE § 2107. SHE HAS COMPLIED WITH THE DISCLOSURE REQUIREMENTS HERSELF AND DEMANDED THAT RESPONDENT DO THE SAME YET HE HAS FAILED TO DO SO. RESPONDENT'S REQUESTS ARE THEREFORE GRANTED. PETITIONER IS ORDERED TO SERVE FULL AND COMPLETE PRELIMINARY DECLARATIONS OF DISCLOSURE, A COMPLETED INCOME AND EXPENSE DECLARATION AND A COMPLETED SCHEDULE OF ASSETS AND DEBTS NO LATER THAN FEBRUARY 19, 2026.

RESPONDENT'S REQUEST FOR MONETARY SANCTIONS IS ALSO GRANTED IN ACCORDANCE WITH SECTION 2107. PETITIONER IS ORDERED TO PAY DIRECTLY TO PETITIONER'S ATTORNEY \$9,000 AS AND FOR SANCTIONS AND REASONABLE ATTORNEY'S FEES. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$1,000 COMMENCING ON FEBRUARY 15, 2026, WITH PAYMENTS DUE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 9 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

PETITIONER'S REQUEST FOR SANCTIONS UNDER FAMILY CODE SECTION 271 IS DENIED.

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.

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13. JUAN CHAVEZ V. SHIANNE HUNSAKER

PFL20130587

Petitioner filed a Request for Order (RFO) on November 10, 2025, seeking modification of child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on December 10, 2025, and a review hearing on February 5, 2026. Respondent was mail served with address verification in accordance with Family Code section 215.

Both parties attended CCRC and were unable to reach any agreements. A report with recommendations was filed with the court on January 21, 2026. Copies were mailed to the parties the same day.

Respondent filed a Responsive Declaration on January 26, 2026. Petitioner was mail served the same day. The court finds this to be late filed. Civil Procedure section 1005(b) which states all opposition papers are to be filed at least nine court days before the hearing date. Section 12c states, “[w]here any law requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, *excluding the day of the hearing* as provided by Section 12.” Cal. Civ. Pro. § 12c. Section 1005(b) in conjunction with Section 12c would have made January 23rd the last day for filing a response to the RFO. Therefore, the declaration has not been considered by the court.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the January 21st CCRC report to be in the best interest of the minor. The court adopts the recommendations as set forth.

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

TENTATIVE RULING #13: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE JANUARY 21ST CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO*

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

LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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14. AMBER COOKE V. DAVID WEST

22FL0126

Respondent filed an ex parte request for emergency custody orders on June 30, 2025. On July 1, 2025, Petitioner filed a Responsive Declaration. Respondent filed a Reply Declaration on July 1st as well. The court denied the request on an ex parte basis and referred the parties to Child Custody Recommending Counseling (CCRC) with an appointment on July 31, 2025 and a review hearing on September 18, 2025. Respondent filed a Request for Order (RFO) on July 1st seeking the same orders as set forth in the ex parte request. Proof of Service shows Petitioner was served on July 5, 2025.

Both parties attended CCRC and were able to reach some agreements. A report with the parties' agreements as well as additional recommendations was filed with the court on August 13, 2025. Copies were mailed to the parties the same day.

Parties appeared for the hearing on September 18, 2025. The court adopted the parties' agreements as set forth in the August 13th CCRC report but did not adopt the recommendations. The court appointed Minor's Counsel Kelly Bentley and set a further review hearing for December 18, 2025. Parties were directed to file and serve Supplemental Declarations at least 10 days prior to the review hearing.

Respondent filed a Supplemental Declaration on November 7, 2025, and again on December 4, 2025. Both were served the same day they were filed.

Minor's Counsel filed a Statement on December 14, 2025. It was served the same day.

Petitioner filed a Supplemental Declaration on December 11, 2025, as well as a Reply Declaration on December 11, 2025. Both were served the same day.

Petitioner filed two Declarations on January 16, 2026. Both were served on January 16, 2026. Petitioner has been compliant with the pretrial release conditions and has installed an interlock device on her vehicle. Petitioner continues to raise concerns about Respondent's ability to provide appropriate care and supervision of the minor. Petitioner objects to the orders she sign the necessary documents to renew the minor's passport.

Respondent filed a Supplemental Declaration on January 28, 2026. It was served on January 26, 2026. The court finds this to be late filed, as it was filed less than 10 days prior to the hearing. In addition to being late filed, it is not in the proper format. Therefore, the court has not read or considered it.

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The court has read and considered the filings as outlined above. The court adopts the parties' agreements as set forth in the August 13, 2025 CCRC report, including Petitioner's agreement to renew the minor's passport. The court is not adopting the recommendations as to legal custody or the parenting plan. The court is maintaining the order for joint legal custody and for the parties to share joint physical custody on the 2-2-3 plan as previously ordered. The court is adopting the recommendations as to Petitioner's use of the interlock device, participation in a 52-week drug and alcohol program, and individual therapy. The court is not adopting the provision for Father to have temporary care and control of the passport for the minor. Petitioner shall sign the necessary documents for the renewal of the minor's passport by close of business (5:00 PM on February 12, 2026.) If Petitioner fails to do so, the court is authorizing the clerk of the court to act as elisor to sign the passport renewal documents in Petitioner's place. Upon Petitioner's signature on the renewal documents, the passport shall be provided to Respondent to return to the State Department for the renewal. Upon receipt of the renewed passport, it shall be returned to the court.

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 #14: THE COURT ADOPTS THE PARTIES' AGREEMENTS AS SET FORTH IN THE AUGUST 13, 2025 CCRC REPORT, INCLUDING PETITIONER'S AGREEMENT TO RENEW THE MINOR'S PASSPORT. THE COURT IS NOT ADOPTING THE RECOMMENDATIONS AS TO LEGAL CUSTODY OR THE PARENTING PLAN. THE COURT IS MAINTAINING THE ORDER FOR JOINT LEGAL CUSTODY AND FOR THE PARTIES TO SHARE JOINT PHYSICAL CUSTODY ON THE 2-2-3 PLAN AS PREVIOUSLY ORDERED. THE COURT IS ADOPTING THE RECOMMENDATIONS AS TO PETITIONER'S USE OF THE INTERLOCK DEVICE, PARTICIPATION IN A 52 WEEK DRUG AND ALCOHOL PROGRAM, AND INDIVIDUAL THERAPY. THE COURT IS NOT ADOPTING THE PROVISION FOR FATHER TO HAVE TEMPORARY CARE AND CONTROL OF THE PASSPORT FOR THE MINOR. PETITIONER SHALL SIGN THE NECESSARY DOCUMENTS FOR THE RENEWAL OF THE MINOR'S PASSPORT BY CLOSE OF BUSINESS (5:00 PM ON FEBRUARY 12, 2026.) IF PETITIONER FAILS TO DO SO, THE COURT IS AUTHORIZING THE CLERK OF THE COURT TO ACT AS ELISOR TO SIGN THE PASSPORT RENEWAL DOCUMENTS IN PETITIONER'S PLACE. UPON PETITIONER'S SIGNATURE ON THE RENEWAL DOCUMENTS, THE PASSPORT SHALL BE PROVIDED TO RESPONDENT TO RETURN TO THE STATE DEPARTMENT FOR THE RENEWAL. UPON RECEIPT OF THE RENEWED PASSPORT, IT SHALL BE RETURNED TO THE COURT. ALL PRIOR ORDERS NOT IN

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CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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15. JEREMY THOMAS DAY V. RAVEN VICTORIA DAY

PFL20200495

On September 29, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders, child and spousal support, and sanctions. The parties were ordered to attend Child Custody Recommending Counseling (CCRC) on October 29th. Proof of Service shows Petitioner was served on October 15, 2025. There is no Proof of Service showing it was served on the Department of Child Support Services (DCSS) who is a party to the case were served.

Petitioner called in to CCRC but he was informed he needed to appear in person. Respondent then filed an ex parte request seeking an emergency re-referral to CCRC prior to the December 18th hearing date on her RFO. The court granted the request in part, by re-referring the parties to CCRC, but the date of the hearing on the RFO was continued to February 5, 2026.

Neither party appeared for the CCRC appointment on December 22, 2025.

Petitioner filed a Declaration regarding his nonappearance at CCRC on December 22, 2025. It was served on Respondent on the same day. There is no Proof of Service DCSS was served. As such, the court has not considered it.

The court drops the matter from calendar due to the lack of proper service as well as Respondent's failure to appear at the December 22nd CCRC appointment.

All prior orders remain in full force and effect.

TENTATIVE RULING #15: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AS WELL AS RESPONDENT'S FAILURE TO APPEAR AT THE DECEMBER 22ND CCRC APPOINTMENT. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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

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17. ANGELICA MOFFITT V. JAMES MOFFITT

22FL0121

Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC) on November 21, 2025. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

The matter is dropped from calendar due to the lack of proper service.

All prior orders remain in full force and effect.

TENTATIVE RULING #17: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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

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18. SIERRA OLSON V. JUAN CHAVEZ

PFL20140209

Respondent filed a Request for Order (RFO) on November 10, 2025, seeking modification of child custody orders. The parties were referred to Child Custody Recommending Counseling (CCRC) for an appointment on December 8, 2025 and a review hearing on February 5, 2026. Proof of Service shows Petitioner was served some of the necessary documents on November 17, 2025. The court notes the Proof of Service filed was signed by Respondent, which is not permitted. As such the court finds the Proof of Service to be invalid. There is a subsequent Proof of Service, filed on December 8, 2025, which shows mail service on November 26, 2025. Once again, the service does not show all required documents were served.

Petitioner filed a Declaration on December 8, 2025, regarding the lack of proper service and her nonappearance at the CCRC appointment. Respondent was served on December 8, 2025.

Petitioner filed a Responsive Declaration on January 15, 2026. It was served on Respondent on January 15, 2026. Petitioner objects to Respondent's requests for sole legal and physical custody of the minor. Petitioner requests the court maintain the current orders in full force and effect. Petitioner further request there be no supervised parenting time for Respondent until he has completed a psychiatric evaluation, parenting classes, and anger management classes. Petitioner asserts Respondent has no established relationship with the minor.

The court drops the matter from calendar due to the lack of proper service. Although Petitioner has filed a Responsive Declaration, she did not waive the defect in service and specifically objected to the defect in service in her December 8th Declaration.

All prior orders remain in full force and effect.

TENTATIVE RULING #18: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE. ALTHOUGH PETITIONER HAS FILED A RESPONSIVE DECLARATION, SHE DID NOT WAIVE THE DEFECT IN SERVICE AND SPECIFICALLY OBJECTED TO THE DEFECT IN SERVICE IN HER DECEMBER 8TH DECLARATION. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE

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TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

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19. ERIC FERNANDEZ V. ROJELIO MARTINEZ

24FL0556

Petitioner filed a Request for Order (RFO) along with an Order Shortening Time (OST) on January 14, 2026. The court granted the OST on January 16, 2026, and set the RFO for a hearing on February 5, 2026, at 1:30 PM in Department 5. The court directed Petitioner to serve Respondent on January 16th. The court directed Respondent to file a Responsive Declaration on or before February 2, 2026. Proof of Service shows Respondent was served electronically on January 16th.

Petitioner is requesting the court order Respondent to serve a Final Declaration of Disclosure, as he has failed to do so. Petitioner is seeking sanctions in the amount of \$1,500 pursuant to Family Code section 2170(c). Petitioner is also seeking an order for Respondent to file a corrected FL-141, which shows that date of service of Respondent's Preliminary Declaration of Disclosure, as the FL-141 filed does not state a date for service. Petitioner has served her Preliminary and Final Declarations of Disclosure on Respondent, with service taking place on January 16, 2025. Petitioner also requests the court impose an evidentiary sanction on Respondent pursuant to Family Code section 2107(b)(2).

Respondent has not filed a Responsive Declaration.

Here, Petitioner has established the necessary requirements for an order compelling Respondent's Final Declaration of Disclosure. She has established that she has complied with her disclosure obligations under Section 2104, and she has further established Respondent's non-compliance. As such, her request for an order compelling Respondent to serve his Final Declarations of Disclosure is granted. Respondent is ordered to serve full and complete Final Declaration of Disclosure no later than February 19, 2026. Respondent is also ordered to file a corrected FL-141 which shows the date of service of his Preliminary Declaration of Disclosure by no later than February 19, 2026.

In addition to the requests for orders compelling discovery responses and disclosures, Petitioner is requesting evidentiary sanctions. Family Code § 2107(b)(2) allows for the imposition of evidence sanctions where the sanctioned party has failed to timely produce Final Declarations of Disclosure. The court holds broad discretion over the imposition of discovery sanctions. Calvert Fire Ins. Co. v. Cropper, 141 Cal. App. 3d 901 (1983). While there is statutory authority to order the requested sanctions the court, in its discretion, finds that evidentiary sanctions are premature at this juncture. However, should Respondent fail to comply with the court orders herein, such sanctions may be appropriate

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in the future. As such, Petitioner's requests for evidentiary sanctions are reserved until the time of trial.

As to monetary sanctions, "...the court *shall*...impose monetary sanctions against" a party who fails to provide his or her disclosures in accordance with Family Code § 2104. Fam. Code § 2107(c). "Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." *Id.* The court grants the request for sanctions, however, the court is reserving on the amount of sanctions until the time of trial, as Respondent has not filed an Income and Expense Declaration, and as such, the court is unaware of his financial circumstances.

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 #19: PETITIONER'S REQUEST FOR AN ORDER COMPELLING RESPONDENT TO SERVE HIS FINAL DECLARATIONS OF DISCLOSURE IS GRANTED. RESPONDENT IS ORDERED TO SERVE FULL AND COMPLETE PRELIMINARY DECLARATIONS OF DISCLOSURE NO LATER THAN FEBRUARY 19, 2026. RESPONDENT IS ALSO ORDERED TO FILE A CORRECTED FL-141 WHICH SHOWS THE DATE OF SERVICE OF HIS PRELIMINARY DECLARATION OF DISCLOSURE BY NO LATER THAN FEBRUARY 19, 2026.

IN ADDITION TO THE REQUESTS FOR ORDERS COMPELLING DISCOVERY RESPONSES AND DISCLOSURES, PETITIONER IS REQUESTING EVIDENTIARY SANCTIONS. FAMILY CODE § 2107(B)(2) ALLOWS FOR THE IMPOSITION OF EVIDENCE SANCTIONS WHERE THE SANCTIONED PARTY HAS FAILED TO TIMELY PRODUCE FINAL DECLARATIONS OF DISCLOSURE. THE COURT HOLDS BROAD DISCRETION OVER THE IMPOSITION OF DISCOVERY SANCTIONS. CALVERT FIRE INX. CO. V. CROPPER, 141 CAL. APP. 3D 901 (1983). WHILE THERE IS STATUTORY AUTHORITY TO ORDER THE REQUESTED SANCTIONS THE COURT, IN ITS DISCRETION, FINDS THAT EVIDENTIARY SANCTIONS ARE PREMATURE AT THIS JUNCTURE. HOWEVER, SHOULD RESPONDENT FAIL TO COMPLY WITH THE COURT ORDERS HEREIN, SUCH SANCTIONS MAY BE APPROPRIATE IN THE FUTURE. AS SUCH, PETITIONER'S REQUESTS FOR EVIDENTIARY SANCTIONS ARE RESERVED UNTIL THE TIME OF TRIAL.

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AS TO MONETARY SANCTIONS, “...THE COURT *SHALL*...IMPOSE MONETARY SANCTIONS AGAINST” A PARTY WHO FAILS TO PROVIDE HIS OR HER DISCLOSURES IN ACCORDANCE WITH FAMILY CODE § 2104. FAM. CODE § 2107(C). “SANCTIONS SHALL BE IN AN AMOUNT SUFFICIENT TO DETER REPETITION OF THE CONDUCT OR COMPARABLE CONDUCT, AND *SHALL* INCLUDE REASONABLE ATTORNEY’S FEES, COSTS INCURRED, OR BOTH, UNLESS THE COURT FINDS THAT THE NONCOMPLYING PARTY ACTED WITH SUBSTANTIAL JUSTIFICATION OR THAT OTHER CIRCUMSTANCES MAKE THE IMPOSITION OF THE SANCTION UNJUST.” *ID.* THE COURT GRANTS THE REQUEST FOR SANCTIONS, HOWEVER, THE COURT IS RESERVING ON THE AMOUNT OF SANCTIONS UNTIL THE TIME OF TRIAL, AS RESPONDENT HAS NOT FILED AN INCOME AND EXPENSE DECLARATION, AND AS SUCH, THE COURT IS UNAWARE OF HIS FINANCIAL CIRCUMSTANCES.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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