

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 5  
April 24, 2025  
8:30 a.m./1:30 p.m.

**1. DAVID LADD ANDERSON V. LAURA BRATT ANDERSON**

**23FL0694**

Respondent filed a Request for Order (RFO) on February 5, 2025. It was electronically served on February 11<sup>th</sup> however, service did not include the Notice of Tentative Ruling, nor did it include a blank FL-320. The RFO was served on Timothy Huber, however, according to the court's file it appears Petitioner was represented by Ms. Gretchen Boger at the time of service (the Substitution of Attorney substituting in Mr. Huber was not filed until April 9<sup>th</sup>) therefore, the court does not find this to be proper service. This matter is dropped from calendar.

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

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**2. KATHLEEN CARDINALLI V. DAVID CARDINALLI**

**PFL20080541**

On February 18, 2025, Respondent filed a Request for Order (RFO) seeking to modify spousal support. He filed an Income and Expense Declaration concurrently therewith. There is no Proof of Service for either document. Nevertheless, Petitioner filed and served a Responsive Declaration to Request for Order and an Income and Expense Declaration on April 3<sup>rd</sup>. Given Petitioner's response, the court finds any defect in service to be waived therefore the matter may be reached on the merits.

Respondent asks the court to set spousal support to \$0 as he states he is currently laid off work.

Petitioner is opposing the request to modify support. She argues that Respondent is laid off during the rainy season annually and is receiving unemployment. This is not a change in circumstances since the trial in September of last year and it was taken into consideration in making the current support order.

The court has reviewed the filings as outlined above and does not find there to be a change in circumstances sufficient to warrant a change to the support calculation. Respondent's request to modify spousal support is denied.

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

**TENTATIVE RULING #2: RESPONDENT'S REQUEST TO MODIFY SPOUSAL SUPPORT IS DENIED. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

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**3. ROBIN C. DAINTY V. JAMES E. DAINTY**

**24FL0313**

On February 5, 2025, Petitioner filed and served a Request for Order (RFO) seeking bifurcation and termination of the marital status, an order compelling or waiving Respondent's preliminary declaration of disclosure, and trial setting for all other matters.

Regarding the bifurcation request, a party may request bifurcation of the issue of marital status, however prior to doing so the party must ensure that "[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. Cal. Rule Ct. 5.390(a).

Here, Petitioner failed to file the requisite FL-315 and she has not stated that all required pension plans have been joined. Accordingly, the request to bifurcate is denied.

Turning to the issue of disclosures, Family Code section 2104 imposes on each party the obligation of making a preliminary disclosure of assets within the timeframe specified. For the party responding to a Petition for Dissolution, the disclosure is due either concurrently with the response or within 60 days of filing the same. Where a party fails to comply with Section 2104, the complying party may, among other things, file a motion to compel or a motion to waive the disclosures. Fam. Code § 2107(b)(1).

After reviewing the file, the court is in possession of Petitioner's Declaration Regarding Service of Declaration of Disclosure. As such, she is the complying party and the time for Respondent to produce his preliminary disclosure has long since passed. For the foregoing reasons, Respondent is ordered to produce his full and complete preliminary declaration of disclosure no later than May 15, 2025. Should Respondent fail to do so, the preliminary declaration of disclosure shall be deemed waived.

The parties are ordered to appear for the hearing to select trial and MSC dates.

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

**TENTATIVE RULING #3: THE REQUEST TO BIFURCATE IS DENIED DUE TO FAILURE TO FILE THE REQUISITE PAPERWORK. RESPONDENT IS ORDERED TO SERVE HIS FULL AND COMPLETE PRELIMINARY DECLARATION OF DISCLOSURE NO LATER THAN MAY 15, 2025. SHOULD RESPONDENT FAIL TO DO SO, HIS PRELIMINARY DECLARATION OF DISCLOSURE SHALL BE DEEMED WAIVED. THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO SELECT TRIAL AND MSC DATES. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.**

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**5. B. KELLY HUNT V. MARINELL HUNT**

**PFL20150770**

On October 30, 2024, Respondent filed a Request for Order (RFO) and supporting documents seeking discovery orders, attorney's fees, and sanctions. All required documents were mail served on October 31<sup>st</sup>.

Petitioner filed and served his Responsive Declaration to Request for Order and her Income and Expense Declaration on April 7, 2025.

Respondent filed and served a Memorandum of Points and Authorities in Reply to Respondent's Opposition on April 17, 2025. He filed and served an Amended Income and Expense Declaration on April 21<sup>st</sup>.

Also on April 21<sup>st</sup>, Petitioner filed a Supplemental Declaration of Respondent [sic], Brian Kelly Hunt. Respondent filed and served Objections to April 21, 2025 Filing Per CRC 5.111(c), the same day.

Respondent brings her RFO requesting the following: (1) An order compelling Petitioner to produce responses to Form Interrogatories, Set Four within seven days of the date of the hearing; (2) An order compelling Petitioner to produce responses to Requests for Production of Documents, Set Four, within seven days of the hearing of the request; (3) Monetary sanctions pursuant to Civil Procedure § 2023.010 in the amount of \$4,500 against Petitioner; and (4) Attorney's fees and costs in the amount of \$25,000 pursuant to Family Code § 2030.

Petitioner asks that the court deny all of the foregoing requests. He also requests an order directing the parties to exchange their respective Final Declarations of Disclosure and submit a Judgment on Reserved Issues incorporating the terms of the parties' May 1, 2019 settlement agreement pursuant to Civil Procedure § 664.6.

Respondent objects to Petitioner's supplemental declaration as untimely. While the court generally disfavors untimely filings, the court is concerned with the issue of whether or not discovery is even open. As such, this matter is continued to 06/05/2025 at 8:30am in Department 5. Parties are to submit Memorandums of Points and Authorities, and any Supplemental Declarations, on the issue of whether or not discovery is currently open. The aforementioned are to be filed and served no later than 10 days prior to the next hearing date.

**TENTATIVE RULING #5: THIS MATTER IS CONTINUED TO 06/05/2025 AT 8:30AM IN DEPARTMENT 5. PARTIES ARE TO SUBMIT MEMORANDUMS OF POINTS AND**

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**AUTHORITIES, AND ANY SUPPLEMENTAL DECLARATIONS, ON THE ISSUE OF WHETHER OR NOT DISCOVERY IS CURRENTLY OPEN. THE AFOREMENTIONED ARE TO BE FILED AND SERVED NO LATER THAN 10 DAYS PRIOR TO THE NEXT HEARING DATE.**

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**6. THOMAS LIEBRICH V. CARRIE LIEBRICH**

**PFL20200244**

Petitioner filed a Request for Order (RFO), on February 13, 2025, seeking a post-judgment modification of spousal support. Petitioner concurrently filed an Income and Expense Declaration. Proof of Service shows Respondent was personally served in accordance with Family Code § 215 on February 17, 2025.

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

The court finds it must take testimony on the Family Code section 4320 factors. Therefore, the parties are ordered to appear to select Mandatory Settlement Conference (MSC) and trial dates.

**TENTATIVE RULING # 6: THE PARTIES ARE ORDERED TO APPEAR TO SELECT MANDATORY SETTLEMENT CONFERENCE (MSC) AND TRIAL DATES.**

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**8. DAVID MERCADO V. APRIL LOCKHART**

**PFL20180104**

Petitioner filed an OSC on July 5, 2024. It was personally served on August 26<sup>th</sup>.

Respondent filed her Income and Expense Declaration on November 8<sup>th</sup>, it was electronically served on November 11<sup>th</sup>.

Petitioner filed and served two Reply Declarations on November 14<sup>th</sup>.

The parties appeared before the court on November 21<sup>st</sup> for arraignment on the OSC and a hearing on the issue of attorney's fees. The public defender was not present at the hearing therefore, the matter was continued to December 12, 2024.

On December 12, 2024, Respondent was arraigned on the July 5<sup>th</sup> OSC. The matter was set for trial to be heard on February 25, 2025.

On February 25, 2025, the Public Defender's Office declared a conflict due to work overload. The court thanked and relieved the Public Defender and appointed the Alternate Public Defender.

Mr. Clark, on behalf of Respondent requested to submit an oral demurrer. The court denied the request. Counsel for Petitioner requested a continuance. The court granted the continuance request and directed that any demurrer was to be filed and served no later than April 1, 2025. Any response was to be filed in the normal course.

Upon review of the court file, there have been no new filings since the matter was last heard on February 25<sup>th</sup>.

The parties are ordered to appear for the hearing.

**TENTATIVE RULING #8: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.**



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**9. CARINA O'BRIEN V. SCOTT O'BRIEN**

**PFL20140712**

Respondent filed a Request for Order (RFO) on January 28, 2025, seeking modification of the child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on February 28, 2025, and a review hearing on April 24, 2025. Proof of Service shows Petitioner's counsel was personally served on January 29, 2025. This is a post-judgement request for modification, and therefore, Family Code § 215 applies.

Petitioner filed a Responsive Declaration on April 2, 2025. Respondent was served on April 4, 2025. Petitioner requests the court adopt the agreements reached at CCRC.

Both parties attended the CCRC appointment on February 28<sup>th</sup> and reached a full agreement. A report with the parties' agreement was filed with the court on March 3, 2025. Copies were mailed to the parties on the same day.

The court has read and considered the filings as outlined above. The court finds Petitioner has waived any potential defect in service by filing her Responsive Declaration, without objection to the service. The court finds the agreement of the parties as set forth in the March 3<sup>rd</sup> CCRC report to be in the best interest of the minor. The court adopts the agreement as set forth.

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 #9: THE COURT FINDS PETITIONER HAS WAIVED ANY POTENTIAL DEFECT IN SERVICE BY FILING HER RESPONSIVE DECLARATION, WITHOUT OBJECTION TO THE SERVICE. THE COURT FINDS THE AGREEMENT OF THE PARTIES AS SET FORTH IN THE MARCH 3<sup>RD</sup> CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE AGREEMENT AS SET FORTH. 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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**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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**10. RYAN RICHARDS V. JENNIFER RICHARDS**

**23FL0665**

Petitioner filed an ex parte application for emergency custody orders on November 14, 2024. On November 25, 2024, the court granted the ex parte request granting Petitioner temporary sole physical custody. The court referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment on December 17, 2024 and a review hearing on January 2, 2025. Petitioner filed a Request for Order (RFO) on November 25, 2024 making the same requests as set forth in the ex parte application. Proof of Service shows Respondent was served by overnight delivery on December 4, 2024.

Parties attended the CCRC appointment on December 17, 2024 and were unable to reach any agreements. A report with recommendations was filed with the court and mailed to the parties on December 31, 2024.

Respondent has not filed a Responsive Declaration.

Parties appeared for the hearing on January 2, 2025. Petitioner requested a continuance. The court granted the continuance and set a further hearing on the present date. The court vacated the ex parte orders and reinstated the prior custody and parenting plan orders. The court directed the parenting plan to commence upon the minor's return to California from vacation in Hawaii.

Parties appeared for the hearing on February 13, 2025. Respondent sought and was granted a continuance to obtain legal counsel. The court continued the matter to April 24, 2025.

There have been no new filings since the January 2, 2025 tentative ruling was issued.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the December 31, 2024 CCRC report to be in the best interest of the minor. The court vacates the ex parte orders made on November 25, 2024 and reinstates the prior orders of September 7, 2023.

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 #10: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE DECEMBER 31, 2024 CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT VACATES THE EX PARTE ORDERS MADE ON NOVEMBER 25, 2024 AND REINSTATES THE PRIOR ORDERS OF SEPTEMBER 7, 2023. ALL PRIOR ORDERS NOT IN**

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

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**11. CASSANDRA SAENZ V. BRITTANY GARCIA**

**24FL0925**

Petitioner filed a Request for Order (RFO) on February 10, 2025, seeking bifurcation of status. Respondent was mail served on February 12, 2025.

Respondent has not filed a Responsive Declaration.

Family Code § 2337 provides that “[i]n a proceeding for dissolution of marriage, the court, upon noticed motion, may sever and grant an early and separate trial on the issue of the dissolution of the status of the marriage apart from other issues.” Fam. Code, § 2337, subd. (a). The trial court may separately try the issue of termination of marriage if doing so “is likely to simplify the determination of the other issues.” Cal. Rules of Court, rule 5.390(b)(7).

The minimum statutory requirements for bifurcating and terminating marital status are that six months must have passed since the date of service of the summons and petition (§ 2339, subd. (a)), and that the party seeking termination of marital status must have served a preliminary declaration of disclosure or obtained a written agreement to defer service to a later date (§ 2337, subd. (b)). Here, there is no Proof of Service showing the Petition and Summons were properly served. However, Respondent filed a Response on October 4, 2024. Petitioner filed an FL-141, showing Respondent was served with Petitioner’s Preliminary Declaration of Disclosure on February 10<sup>th</sup>.

Parties are ordered to appear for the bifurcation.

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

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**12. GORDAFARID ZAFARI V. MEHRAD ABEDI**

**24FL0845**

On January 30, 2025, the parties appeared for a hearing on Petitioner's Request for Order (RFO). The parties reached several agreements, including setting a review hearing to address Petitioner's progress in finding employment and to reassess child and spousal support if necessary. Parties were directed to file and serve Supplemental Declarations as well as updated Income and Expense Declarations at least 10 days prior to the review hearing.

Both parties filed and served Supplemental Declarations and updated Income and Expense Declarations on April 14<sup>th</sup>.

Petitioner asserts she has complied with the seek work order and finds the order to be confusing. She asserts she is applying for jobs that she does not meet the qualifications for at Respondent's behest. She also asserts she is applying for entry level positions, which she qualifies for, which Respondent asserts do not meet the requisite level of income she could potentially earn.

Respondent asserts Petitioner has merely been checking the boxes to comply with the court's orders and has not truly been making a diligent effort to find employment. Respondent points to Petitioner's application date and time, namely, all applications in February and March have been submitted at or near the last day of the month and at or near the end of the day. Respondent seeks an order that Petitioner be imputed with income of \$7,180 per month. Respondent also seeks an order for Family Code section 271 sanctions for failure to comply with the court's orders.

The court has read and considered the filings as outlined above. The court notes the parties currently are pending trial on these issues which is set for June 24, 2025. The court finds the current orders remain appropriate. The court admonishes Petitioner that she needs to be making diligent efforts to find employment throughout the month. Waiting until the last day of the month to rapidly apply for 10 positions is not a diligent effort to seek employment. As to Petitioner's confusion about what type of job she should be seeking, Petitioner should be applying for all positions where she meets the minimum qualification. The court reserves on the request for Family Code section 271 sanctions until the time of trial.

The court notes the court is unavailable for trial on the current date selected. As such, the parties are ordered to appear to select a new trial date.

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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 #12: THE PARTIES ARE ORDERED TO APPEAR TO SELECT A NEW TRIAL DATE.**

**THE COURT FINDS THE CURRENT ORDERS REMAIN APPROPRIATE. THE COURT ADMONISHES PETITIONER THAT SHE NEEDS TO BE MAKING DILIGENT EFFORTS TO FIND EMPLOYMENT THROUGHOUT THE MONTH. WAITING UNTIL THE LAST DAY OF THE MONTH TO RAPIDLY APPLY FOR 10 POSITIONS IS NOT A DILIGENT EFFORT TO SEEK EMPLOYMENT. AS TO PETITIONER'S CONFUSION ABOUT WHAT TYPE OF JOB SHE SHOULD BE SEEKING, PETITIONER SHOULD BE APPLYING FOR ALL POSITIONS WHERE SHE MEETS THE MINIMUM QUALIFICATION. THE COURT RESERVES ON THE REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS UNTIL THE TIME OF TRIAL. 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.**

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**13. 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.

On March 27, 2025, the court advanced the arraignment from April 24, 2025. The Public Defender appeared and requested to be relieved. The court thanked and relieved the Public Defender and appointed the Alternate Public Defender's Office. The Alternate Public Defender accepted the appointment and requested to continue the arraignment. The court continued the arraignment to April 24<sup>th</sup> as previously set.

The parties are ordered to appear for arraignment.

**TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR ARRAIGNMENT.**



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**14. RYAN CORTEZ V. SHERI CORTEZ**

**25FL0142**

Respondent filed a Request for Order (RFO) on February 24, 2025, seeking spousal support. Respondent concurrently filed an Income and Expense Declaration. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

The court notes there is no Proof of Service showing Respondent was properly served with the Petition and Summons. Although Respondent filed a Response, there is no Proof of Service showing that document was properly served. As such, the court does not have jurisdiction to adjudicate the RFO.

The matter is dropped from calendar due to the lack of jurisdiction as well as the lack of service of the RFO.

**TENTATIVE RULING #14: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE LACK OF JURISDICTION AS WELL AS THE LACK OF SERVICE OF THE RFO.**

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**15. ALEXANDER CRAVER V. FREYA HOUSTON**

**24FL0087**

Petitioner filed a Request for Order (RFO) on February 21, 2025, requesting a modification of the current child custody orders. The parties were not referred to Child Custody Recommending Counseling (CCRC). Proof of Service shows Respondent was personally served with some of the required documents on February 22, 2025. Petitioner is seeking to have the minor Monday through Friday, with Respondent to have weekends, except the 1<sup>st</sup> weekend of every month. Petitioner asserts this is due to the distance traveled to the minor's school.

Respondent filed a Responsive Declaration on April 10, 2025. Petitioner was mail served on April 15<sup>th</sup>. Respondent does not assert any defect in service; therefore, the court finds it to have been waived. Respondent requests the current orders remain the same. Respondent asserts the distance between each of the parties' homes and the school is equal.

The court has read and considered the filings as outlined above. The court finds the current orders remain in the minor's best interest. The court maintains the current custody and parenting plan orders. Petitioner's request for modification is denied.

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: THE COURT FINDS THE CURRENT ORDERS REMAIN IN THE MINOR'S BEST INTEREST. THE COURT MAINTAINS THE CURRENT CUSTODY AND PARENTING PLAN ORDERS. PETITIONER'S REQUEST FOR MODIFICATION IS DENIED. 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.**

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April 24, 2025  
8:30 a.m./1:30 p.m.

**16. RICHARD FRIEND V. MELISSA COSENS**

**PFL20180670**

On October 24, 2024, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. This is a post-judgment request, therefore the RFO and all other required documents were personally served on November 24<sup>th</sup>.

Petitioner filed and served a Responsive Declaration to Request for Order on January 16, 2025.

Respondent is requesting the following custody and visitation orders: (1) One week notice given to the non-custodial parent when the child travels outside of the tri-county area; (2) If the child is left in the custody of a third-party, custodial parent must notify them of the joint legal custody orders and how the non-custodial parent must be consulted prior to legal decisions being made; (3) If Petitioner works nights during his custodial time, he must offer Respondent the right to have custody of the child overnight; (4) Custodial parent shall get consent from the non-custodial parent to take the child out of school for any unexcused purposes; (5) The parties shall place parental controls on any cell phone which the minor has access to/unsupervised use of; (6) Petitioner may not make medical decisions for the child without Respondent's prior consent pursuant to the joint legal custody orders; and (7) the child is to resume therapy with her former therapist, Gail. She also asks that the parties be ordered to continue participating in individual therapy and that Petitioner be admonished for failing to abide by the current right of first refusal orders.

Petitioner agrees that the parties are to each continue in individual therapy as deemed necessary. He further agrees with the request regarding unexcused absences from school and he agrees to the minor attending therapy with her prior therapist. He states that he no longer works overnights and therefore any order regarding overnights is not necessary. He is opposing all other requests being made by Respondent. Additionally, he is requesting the visitation schedule be changed from a 3-3-4-4 to a 2-2-5-5 or a week-on/week-off schedule. He asks that the minor be allowed to have access to her cell phone and to contact Petitioner at her discretion during Respondent's parenting time. Petitioner agrees to do the same for Respondent. Petitioner requests the court remind Respondent of the non-disparagement orders. Finally, Petitioner is requesting to be referred to Child Custody Recommending Counseling (CCRC).

On February 6, 2025, the court adopted its tentative ruling, rereferring the parties to CCRC and setting a further review hearing. Parties were directed to file any Supplemental Declarations at least 10 days prior to the hearing.

LAW & MOTION TENTATIVE RULINGS  
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April 24, 2025  
8:30 a.m./1:30 p.m.

Both parties attended the CCRC appointment on February 27, 2025. Parties were unable to reach any agreements. A report with recommendations was filed with the court on April 10<sup>th</sup> and mailed to the parties the same day.

Neither party has filed a Supplemental Declaration.

The court has read and considered the filings as outlined above. The court finds the recommendations as set forth in the April 10<sup>th</sup> 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. Respondent shall prepare and file the Findings and Orders After Hearing.

**TENTATIVE RULING #16: THE COURT FINDS THE RECOMMENDATIONS AS SET FORTH IN THE APRIL 10<sup>TH</sup> 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. 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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April 24, 2025  
8:30 a.m./1:30 p.m.

**17. JAMES HERNANDEZ V. CHRISTINA SULLIVAN**

**24FL0301**

Respondent filed an ex parte application for emergency orders on March 11, 2025. On March 12, 2025, the court granted the request, giving Respondent temporary sole physical custody. The court also granted Respondent sole legal custody while Petitioner remained incarcerated. The court ordered no contact between Petitioner and the minors during his incarceration. The court ordered professionally supervised visitation two times per week for two hours each upon his release. The court set an emergency set Child Custody Recommending Counseling (CCRC) appointment for March 25, 2025, and a review hearing for April 24<sup>th</sup>. Proof of Service shows Petitioner was mail served on March 12, 2025.

Respondent filed a Declaration on March 25, 2025. Petitioner was mail served on the same day. Respondent outlines what she believes is problematic with the current parenting plan.

The parties attended CCRC as scheduled. They were unable to reach agreements therefore a report with recommendations was prepared and mailed to the parties on April 14<sup>th</sup>.

Petitioner filed and served a Responsive Declaration to Request for Order on April 14<sup>th</sup>, however Petitioner himself signed the Proof of Service. This constitutes improper service and as such the court cannot consider this document.

After reviewing the filings as outlined above, the court finds the recommendations contained in the April 14, 2025 CCRC report to be in the best interests of the minors. They are hereby adopted as the orders of the court.

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

**TENTATIVE RULING #17: THE RECCOMENDATIONS CONTAINED IN THE APRIL 14, 2025 CCRC REPORT ARE ADOPTED AS THE ORDERS OF THE COURT. 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**

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April 24, 2025

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

**BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.**

LAW & MOTION TENTATIVE RULINGS  
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April 24, 2025  
8:30 a.m./1:30 p.m.

**19. PETER KASHUBA V. ALLISON KASHUBA**

**PFL20200214**

Respondent filed a Request for Order (RFO) on February 26, 2025, seeking child support orders as well as an order compelling Petitioner to serve Respondent with his Preliminary Declaration of Disclosure. Respondent concurrently filed an Income and Expense Declaration. Petitioner was mail served on February 26, 2025.

Petitioner filed an Income and Expense Declaration on March 17, 2025. There is no Proof of Service for this document, and therefore, the court cannot consider it.

On March 18<sup>th</sup>, Petitioner filed a Declaration of Service showing Respondent was served with Petitioner's Preliminary Declaration of Disclosure by mail on March 17, 2025. Petitioner also filed a Responsive Declaration on March 18<sup>th</sup>. There is no Proof of Service for this document, therefore, the court cannot consider it.

The court finds Respondent's request for an order compelling Petitioner to serve his Preliminary Declaration of Disclosure to be moot, as it was served on March 17, 2025.

As to the request for child support, the court orders parties to appear.

**TENTATIVE RULING #19: AS TO THE REQUEST FOR CHILD SUPPORT, THE COURT ORDERS PARTIES TO APPEAR.**

**THE COURT FINDS RESPONDENT'S REQUEST FOR AN ORDER COMPELLING PETITIONER TO SERVE HIS PRELIMINARY DECLARATION OF DISCLOSURE TO BE MOOT, AS IT WAS SERVED ON MARCH 17, 2025.**

**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  
April 24, 2025  
8:30 a.m./1:30 p.m.

**20. SHAN'TEL LEE V. ROGER JESSEN**

**PFL20170049**

Respondent filed a Request for Order (RFO) on February 24, 2025 seeking modification of child custody and parenting plan orders. The parties were not referred to Child Custody Recommending Counseling (CCRC) as they had attended in the prior six months. Proof of Service shows Petitioner was personally served on February 24<sup>th</sup>.

Respondent filed an Amended RFO on February 28, 2025. There does not appear to be a Proof of Service showing this RFO was served on Petitioner.

Petitioner filed a Responsive Declaration to the RFO on March 3, 2025. There does not appear to be a Proof of Service showing Respondent was served with this document.

Respondent filed ex parte application for emergency orders on March 24, 2025. Petitioner filed a Responsive Declaration on March 26<sup>th</sup>. On March 26, 2025, the court denied the ex parte application, however, referred the parties to an emergency set CCRC appointment. Respondent filed an RFO on March 26, 2025, making the same requests as set forth in the ex parte application. There is no Proof of Service showing Petitioner was served with the ex parte orders or the March 26<sup>th</sup> RFO.

For judicial economy, the court continues this matter to join with the review hearing currently set for May 8, 2025 at 1:30 PM 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 #20: FOR JUDICIAL ECONOMY, THE COURT CONTINUES THIS MATTER TO JOIN WITH THE REVIEW HEARING CURRENTLY SET FOR MAY 8, 2025 AT 1:30 PM 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**



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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.**

LAW & MOTION TENTATIVE RULINGS  
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April 24, 2025  
8:30 a.m./1:30 p.m.

**21. NINA LODHIA V. ASHWIN NARASIMHAN**

**PFL20210013**

On January 31, 2025, Respondent filed a Request for Order (RFO) seeking modification of the child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on February 27, 2025, and a review hearing on April 24<sup>th</sup>. Respondent filed a Declaration Regarding Address Verification on January 31, 2025. There is no Proof of Service for the RFO.

Respondent filed a Responsive Declaration on February 10, 2025. It is labeled a “Preemptive Response”. There is no Proof of Service for this document, therefore, the court has not considered it.

Respondent filed an ex parte application for emergency custody orders on February 14, 2025. Petitioner filed a Declaration on February 19<sup>th</sup>. On February 19, 2025, the court denied the ex parte application and confirmed the previously scheduled CCRC appointment and review hearing. On February 19, 2025, Respondent filed a second RFO making the same requests as set forth in the ex parte application. Petitioner was electronically served on February 25<sup>th</sup>.

Both parties appeared at the CCRC appointment on February 27<sup>th</sup>. A memorandum was filed with the court stating there is a current Domestic Violence Restraining Order (DVRO) issued in Yolo County protecting Petitioner and the minor. There are current temporary custody orders in that case.

Respondent filed a Declaration on April 1, 2025. There is a Proof of Service filed on April 1, 2025, showing electronic service of an FL-300 with attachments and a Declaration of Respondent. It is unclear which FL-300 was served and which Declaration.

Petitioner filed a Responsive Declaration on April 11, 2025, however there is no Proof of Service for this document.

The court denies Respondent’s requests for modification. The court finds there is a current active temporary DVRO protecting Petitioner and the minor. There are currently temporary custody orders in place. Upon adjudication of the DVRO, Respondent may file a new RFO and be rereferred to CCRC for custody and parenting plan orders.

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

**TENTATIVE RULING #21: THE COURT DENIES RESPONDENT'S REQUESTS FOR MODIFICATION. THE COURT FINDS THERE IS A CURRENT ACTIVE TEMPORARY DVRO PROTECTING PETITIONER AND THE MINOR. THERE ARE CURRENTLY TEMPORARY CUSTODY ORDERS IN PLACE. UPON ADJUDICATION OF THE DVRO, RESPONDENT MAY FILE A NEW RFO AND BE REREFERRED TO CCRC FOR CUSTODY AND PARENTING PLAN ORDERS. 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  
April 24, 2025  
8:30 a.m./1:30 p.m.

**22. TRACY ROSS V. RYAN NORMAN**

**PFL20140291**

Petitioner filed a Request for Order (RFO) on September 25, 2024, requesting modification of child custody and child support orders. Petitioner did not concurrently file an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on October 18, 2024, and a review hearing on December 12<sup>th</sup>. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Both parties appeared for the CCRC appointment and reached a full agreement. A report memorializing the parties' agreement was filed with the court on October 18<sup>th</sup> and mailed to the parties the same day.

Respondent filed a Responsive Declaration and an Income and Expense Declaration. There is no Proof of Service for these documents, therefore, the court cannot consider them.

On December 12, 2024, the court adopted its tentative ruling. The court found good cause to proceed with the custody portion of the request, as both parties appeared and reached an agreement. The court adopted the parties' agreement as its order, as the agreement is in the best interest of the minor. The agreement contains a provision for the parties to return to CCRC in late February. The court set a further CCRC appointment for February 27<sup>th</sup> and a review hearing on April 24<sup>th</sup> at 1:30 PM in Department 5. The court dropped the child support request from calendar due to Petitioner's failure to file an Income and Expense Declaration.

Only Respondent appeared at the February 27<sup>th</sup> CCRC appointment. As such, a single parent report was filed with the court on March 5, 2025. Copies were mailed to the parties the same day.

Neither party has filed a Supplemental Declaration.

Due to Petitioner's failure to appear at CCRC, the court drops the matter from calendar. All prior orders remain in full force and effect.

**TENTATIVE RULING #22: THE MATTER IS DROPPED FROM CALENDAR. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.**

**NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR**

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DEPARTMENT 5

April 24, 2025

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**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  
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April 24, 2025  
8:30 a.m./1:30 p.m.

**23. DUSTY SIMMONS V. ERIN SIMMONS**

**23FL0201**

Petitioner filed an Order to Show Cause and Affidavit for Contempt on February 24, 2025, alleging five counts of contempt for failure to pay spousal support. Respondent was personally served on March 22, 2025.

Parties are ordered to appear for the arraignment.

**TENTATIVE RULING #23: PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.**