

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
June 4, 2026
8:30 a.m./1:30 p.m.

1. MICHAEL HAMMEL V. MICHELLE HAMMEL

25FL1040

On March 10, 2026, Petitioner filed a Request for Order (RFO) seeking property control orders. The RFO and other required documents were served on March 9th, however the Notice of Tentative Ruling was not served. He filed and served a supplemental declaration on May 21st.

Respondent filed and served her Responsive Declaration to Request for Order, Declaration of Michelle Hammel, and a Memorandum of Points and Authorities on May 21st.

Petitioner's reply declaration was filed and served on May 27th.

Respondent filed and served an additional declaration on June 1, 2026. The court finds this to be late filed pursuant to 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 May 21st the last day for filing therefore the court has not read or considered this document.

Petitioner is requesting an order to sell the home located at 137 Opus One Court in El Dorado Hills which, as he states, is his separate property home though he concedes there may be a small community property interest. In furtherance of the requested order, Petitioner also requests an order directing Respondent to vacate the property and any other orders the court deems just and fair.

Respondent opposes the request arguing that the premarital agreement is unenforceable and therefore, the Opus One property is not Petitioner's separate property.

Petitioner objects to the court's consideration of Respondent's May 21st declaration on the basis that the title of that declaration is not listed on the Proof of Service. Given the defect in service the court has not considered the declaration. The FL-320 and the Memorandum of Points and Authorities, however, have been read and considered.

While Respondent's argument attacking the premarital agreement may or may not have merit, the court's analysis does not stop there. The court may order the sale of real property even if it is characterized as community property. In fact, the court holds broad

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discretion to “[a]t any time during the proceeding...order the liquidation of community or quasi-community assets so as to avoid unreasonable market or investment risks...” Cal. Fam. Code § 2108. That said, here the court does not find that the home is at risk of foreclosure or other significant loss of the asset. As such, the request to sale the marital residence is denied.

Regarding the request for an order directing Respondent to vacate the property, the court does find there to be a dispute as to the characterization of the property that requires the presentation of evidence and a long cause hearing. Accordingly, the court is reserving jurisdiction over this issue until the time of trial on property division.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court’s adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #1: THE REQUEST TO SELL THE MARITAL RESIDENCE IS DENIED. THE COURT RESERVES JURISDICTION ON THE REQUEST FOR AN ORDER DIRECTING RESPONDENT TO VACATE THE PROPERTY UNTIL THE TIME OF TRIAL.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT’S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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. MEGAN DOYLE V. GRANT DOUGLAS DAKIN

25FL0122

On March 11, 2026, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders as well as attorney's fees. She filed her Income and Expense Declaration on March 10th. All required documents were electronically served on March 18th.

The parties attended Child Custody Recommending Counseling (CCRC) on April 10, 2026. A report containing agreements and recommendations was prepared and mailed to the parties on May 8th.

Respondent filed a Responsive Declaration to Request for Order on May 15th, it was served on May 11th.

Petitioner is requesting an order requiring the custodial parent to immediately notify the other parent in the event of an emergency. She also requests a right of first refusal if the custodial parent is unavailable for 24 hours or, alternatively, a parenting schedule that allows the minor to visit with Respondent during his non-work hours. She asks that the custodial parent be ordered to arrange transportation to and from the minor's regularly scheduled activities and minor's counsel to be appointed on behalf of the minor. Finally, Petitioner requests attorney's fees in the amount of \$6,000 pursuant to Family Code § 2030.

Respondent opposes the RFO and asks the court to sanction Petitioner in the amount of \$5,000 pursuant to Family Code § 271.

After reviewing the filings as outlined above the court finds the agreements and recommendations contained in the May 8, 2026 CCRC report to be in the best interests of the minors and they are hereby adopted as the orders of the court. The parties are to maintain a 50/50 parenting timeshare. Respondent's parenting time is to coincide with his days off work.

The requests for a right of first refusal and the appointment of Minor's Counsel are both denied. The court has already specified that the right of first refusal does not apply in absences due to work. Regardless, the new parenting schedule should remedy that issue. Turning to the appointment of Minor's Counsel, the court does not find it necessary to do so at this time.

Each parent is ordered to arrange for transportation to and from the minor's regularly scheduled activities during his or her parenting time. If that parent is unable to arrange for transportation, the non-custodial parent shall be given the opportunity to

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transport the minor to and from the activity only. Transportation time shall not be used to expand or extend the non-custodial parent's parenting time.

The request for attorney's fees is granted in part. 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 ensures 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 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).

Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032. "In determining what is just and reasonable under the relative circumstances, the court shall take into consideration the need for the award to enable each party, to the extent practical, to have sufficient financial resources to present the party's case adequately." *Id.* at (b).

Here, the court does find a disparity in access to income as well as Respondent's ability to pay for the attorney's fees of both parties. That said, the court finds \$6,000 to be an unreasonable request for fees covering the preparation and filing of a simple RFO. Instead, the court is awarding \$1,500 in attorney's fees. Respondent is to pay this amount directly to Petitioner's attorney. The amount may be paid in one lump sum or in monthly increments of \$250 commencing on June 15, 2026 and continuing on the 15th of each month thereafter until paid in full (approximately 6 months). If any payment is missed or late the entire amount shall become immediately due and payable.

Finally, turning to the request for sanctions, the request is denied. Family Code Section 271 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..." Fam. Code § 271(a). Petitioner's filing of the present motion did not frustrate the policy of the law where it was an issue contested by both parties and was not filed solely for harassment or frivolous purposes. Thus, the court does not find grounds for sanctions at this time.

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Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #2: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE MAY 8, 2026 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. THE PARTIES ARE TO MAINTAIN A 50/50 PARENTING TIMESHARE. RESPONDENT'S PARENTING TIME IS TO COINCIDE WITH HIS DAYS OFF WORK.

THE REQUESTS FOR A RIGHT OF FIRST REFUSAL AND THE APPOINTMENT OF MINOR'S COUNSEL ARE BOTH DENIED.

EACH PARENT IS ORDERED TO ARRANGE FOR TRANSPORTATION TO AND FROM THE MINOR'S REGULARLY SCHEDULED ACTIVITIES DURING HIS OR HER PARENTING TIME. IF THAT PARENT IS UNABLE TO ARRANGE FOR TRANSPORTATION, THE NON-CUSTODIAL PARENT SHALL BE GIVEN THE OPPORTUNITY TO TRANSPORT THE MINOR TO AND FROM THE ACTIVITY ONLY. TRANSPORTATION TIME SHALL NOT BE USED TO EXPAND OR EXTEND THE NON-CUSTODIAL PARENT'S PARENTING TIME.

THE REQUEST FOR ATTORNEY'S FEES IS GRANTED IN PART. THE COURT IS AWARDING \$1,500 IN ATTORNEY'S FEES. RESPONDENT IS TO PAY THIS AMOUNT DIRECTLY TO PETITIONER'S ATTORNEY. THE AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$250 COMMENCING ON JUNE 15, 2026 AND CONTINUING ON THE 15TH OF EACH MONTH THEREAFTER UNTIL PAID IN FULL (APPROXIMATELY 6 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

THE REQUEST FOR SANCTIONS IS DENIED.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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3. CORAL ERICSON (fka BRUNET) V. WILFRED BRUNET

PFL20210050

On March 6, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders.

The parties attended Child Custody Recommending Counseling (CCRC) on April 9th and agreed to maintain all current orders. A report with those agreements was prepared the same day. It was mailed to the parties on April 10th.

There is no Proof of Service for the RFO therefore the court drops the matter from calendar.

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.

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4. MICHAEL FLEMMING V. ASHLEY FLEMMING

25FL0019

On November 12, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders, orders regarding the sale of community property, access to the community property and reimbursements to Petitioner. The parties appeared before the court for hearing on the RFO on February 19, 2026, at which time the court made orders on all issues. The court further ordered parties to be re-referred to Child Custody Recommending Counseling (CCRC) “for the limited purposes of addressing holidays/school breaks and coparenting issues.” Minute Order, Feb. 19, 2026. A review hearing was set for the present date and parties were directed to file supplemental declarations no later than 10 days prior to the hearing.

On April 7, 2026, the parties filed a Stipulation and Order Re: Judgment Pursuant to CCP 664.6. The stipulation expressly states that there is no agreement regarding the minors playing competitive soccer and that issue will be “determined at the upcoming hearing.”

The parties attended CCRC on March 26th, however the mediator filed a memo with the court stating that due to the custody stipulation filed on April 7, 2026 “[a] CCRC report will not be issued.” Appearance and Agreement Memo, May 5, 2026. Despite the mediator’s memo, there is a CCRC report dated May 6, 2026 in the court’s file that does contain agreements and recommendations. There is a Certificate of Mailing dated May 6th but it is unclear if the parties were mailed the full CCRC report or just the memorandum stating that a report would not be issued.

Petitioner’s Supplemental Declaration Re: CCRC Review was filed and served on May 22nd. Respondent’s Reply Declaration to CCRC Report and Petitioner’s Supplemental Declaration was filed and served on May 28th.

After reviewing the filings as outlined above the court finds the agreements and recommendations contained in the May 6, 2026 CCRC report to be in the best interests of the children and they are hereby adopted as the orders of the court. In addition to the foregoing, the court makes the following orders.

All minors are ordered to attend therapy at a frequency and duration as determined by the therapist. If the therapist deems therapy to be unnecessary then therapy may be discontinued. The parties are to jointly select a therapist or therapists for the minors. The agreement must be in writing prior to any appointment being made. Any changes in providers shall be agreed upon in writing by the parties. Email, text messages, or messages

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sent through a co-parenting app may be sufficient to satisfy the written requirement of this order.

Prior to enrolling the minors in any extracurricular activities, the parties are to agree, in writing, to the minor's participation in the specified activity. If one parent enrolls the minor in an extracurricular activity without the prior written consent of the other parent, then the parent who enrolled the minor shall be solely responsible for all costs associated with that activity. Email, text messages, or messages sent through a co-parenting app may be sufficient to satisfy the written requirement of this order.

As stated in the CCRC report, the parties are ordered to participate in co-parenting counseling. The parties are to attend coparenting counseling at a frequency and duration as determined by the counselor. Many of the issues raised in the supplemental declarations are issues that should be addressed in co-parenting counseling.

The court is reiterating its prior order that both parties share joint legal custody. Respondent is admonished that her continued failure to communicate with Petitioner prior to making decisions of legal custody is a violation of the court's orders and may subject her to sanctions, a change in custody, or being held in contempt of court.

Finally, regarding make-up time, if either parent misses his or her scheduled parenting time due to a mandatory work obligation and provides fourteen days' written notice, the parties are ordered to schedule make-up time within 60 days of the missed visit. The parties are to work together in good faith to select mutually agreed upon dates for the make-up time. Neither party may unreasonably withhold consent for the requested make-up time.

Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #4: AFTER REVIEWING THE FILINGS AS OUTLINED ABOVE THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE MAY 6, 2026 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE CHILDREN AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT. IN ADDITION TO THE FOREGOING, THE COURT MAKES THE FOLLOWING ORDERS.

ALL MINORS ARE ORDERED TO ATTEND THERAPY AT A FREQUENCY AND DURATION AS DETERMINED BY THE THERAPIST. IF THE THERAPIST DEEMS THERAPY

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TO BE UNNECESSARY THEN THERAPY MAY BE DISCONTINUED. THE PARTIES ARE TO JOINTLY SELECT A THERAPIST OR THERAPISTS FOR THE MINORS. THE AGREEMENT MUST BE IN WRITING PRIOR TO ANY APPOINTMENT BEING MADE. ANY CHANGES IN PROVIDERS SHALL BE AGREED UPON IN WRITING BY THE PARTIES. EMAIL, TEXT MESSAGES, OR MESSAGES SENT THROUGH A CO-PARENTING APP MAY BE SUFFICIENT TO SATISFY THE WRITTEN REQUIREMENT OF THIS ORDER.

PRIOR TO ENROLLING THE MINORS IN ANY EXTRACURRICULAR ACTIVITIES, THE PARTIES ARE TO AGREE, IN WRITING, TO THE MINOR'S PARTICIPATION IN THE SPECIFIED ACTIVITY. IF ONE PARENT ENROLLS THE MINOR IN AN EXTRACURRICULAR ACTIVITY WITHOUT THE PRIOR WRITTEN CONSENT OF THE OTHER PARENT, THEN THE PARENT WHO ENROLLED THE MINOR SHALL BE SOLELY RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THAT ACTIVITY. EMAIL, TEXT MESSAGES, OR MESSAGES SENT THROUGH A CO-PARENTING APP MAY BE SUFFICIENT TO SATISFY THE WRITTEN REQUIREMENT OF THIS ORDER.

AS STATED IN THE CCRC REPORT, THE PARTIES ARE ORDERED TO PARTICIPATE IN CO-PARENTING COUNSELING. THE PARTIES ARE TO ATTEND COPARENTING COUNSELING AT A FREQUENCY AND DURATION AS DETERMINED BY THE COUNSELOR.

THE COURT IS REITERATING ITS PRIOR ORDER THAT BOTH PARTIES SHARE JOINT LEGAL CUSTODY. RESPONDENT IS ADMONISHED THAT HER CONTINUED FAILURE TO COMMUNICATE WITH PETITIONER PRIOR TO MAKING DECISIONS OF LEGAL CUSTODY IS A VIOLATION OF THE COURT'S ORDERS AND MAY SUBJECT HER TO SANCTIONS, A CHANGE IN CUSTODY, OR BEING HELD IN CONTEMPT OF COURT.

FINALLY, REGARDING MAKE-UP TIME, IF EITHER PARENT MISSES HIS OR HER SCHEDULED PARENTING TIME DUE TO A MANDATORY WORK OBLIGATION AND PROVIDES FOURTEEN DAYS' WRITTEN NOTICE, THE PARTIES ARE ORDERED TO SCHEDULE MAKE-UP TIME WITHIN 60 DAYS OF THE MISSED VISIT. THE PARTIES ARE TO WORK TOGETHER IN GOOD FAITH TO SELECT MUTUALLY AGREED UPON DATES FOR THE MAKE-UP TIME. NEITHER PARTY MAY UNREASONABLY WITHHOLD CONSENT FOR THE REQUESTED MAKE-UP TIME.

PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE

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COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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6. JASON HARDOUIN V. JENAE NORELL

22FL0118

On March 9, 2026, Counsel for Respondent filed a Notice of Motion and Motion to be Relieved as Counsel. The motion was served on Respondent and on Petitioner's counsel on March 10, 2026.

Counsel states that there has been an irreparable breakdown of the attorney-client relationship due to a conflict of interest that cannot be waived. The motion is granted pursuant to Aceves v. Sup. Ct., (1996) 51 Cal. App. 4th 584, 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.

TENTATIVE RULING #6: 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.

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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7. AARON FREDERICK LUKIANOW V. CINDY ANN LUKIANOW

23FL0373

On March 2, 2026, Respondent filed a Request for Order (RFO) seeking attorney's fees, sanctions, and an order directing the clerk to sign the QDRO as elisor. She filed a compendium of exhibits, a proposed order, and her Income and Expense Declaration concurrently therewith. The RFO and Notice of Tentative Ruling were served on March 9th. The remaining documents were served on March 13th.

Petitioner filed and served his Responsive Declaration to Request for Order on May 1st.

On May 27th Respondent filed and served a Memorandum of Points and Authorities and an objection to Petitioner's declaration and exhibits.

Respondent asks that the clerk of the court be appointed as elisor to sign the Qualified Domestic Relations Order (QDRO) for Williams-Sonoma, Inc. 401(k) plan. She further requests sanctions in the amount of \$5,000 pursuant to Family Code § 271 and attorney's fees in the amount of \$6,765 pursuant to Family Code § 2030. Respondent objects to Petitioner's declaration as it is not in compliance with Civil Procedure § 2015.5 and is therefore, inadmissible. She further objects to the court's consideration of Petitioner's Exhibits A through S as they have not been properly authenticated.

Respondent's objection to the declaration is overruled. Page 2 of the FL-320 does certify under penalty of perjury that the information in "all attachments is true and correct." The court finds this meets the requirements of Civil Procedure § 2015.5 therefore the objection is overruled.

The objection to Petitioner's attachments is overruled. By signing the FL-320, Petitioner certified that each of the attachments are "true and correct" which the court interprets to mean they are true and correct copies of the documents they purport to be. As such, the objection is overruled.

Turning to the request for appointment of an elisor, the request is granted. The appointment of an elisor is authorized by the court's general authority to compel obedience to its orders as set forth in Civil Procedure § 128(4). The language of Section 128 has been interpreted to mean that judges can do what is necessary to "exercise reasonable control over litigation before [them]... to achieve justice and prevent misuse of processes lawfully issued." Venice Canals Resident Homeowners Assn. v. Superior Court (1977) 72

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Cal.App.3d 675, 679. Thus, the appointment of an elisor is merely a means of achieving justice for the parties before the court.

Here, the court ordered the parties to agree upon an actuary to draft the QDRO and thereafter "...promptly sign the QDRO once prepared." Judgment ¶ 10, 11, June 30, 2025. The QDRO has since been prepared by the agreed upon actuary and the only thing left to do is sign. Petitioner has provided no legal basis to invalidate or amend the prepared QDRO, nor has he established any mistake of fact within the QDRO. Given Petitioner's refusal to comply with the court's order, the request for an elisor is granted. The clerk of court is authorized to act as elisor and sign the Qualified Domestic Relations Order for Williams-Sonoma, Inc. 401(k) Plan.

Turning to the request for attorney's fees, the public policy of Family Code section 2030 is to provide "parity between spouses in their ability to obtain effective legal representation." In Re Marriage of Keech, 75 Cal. App. 4th 860, 866 (1999). This ensures each party has access to legal representation to preserve each party's rights. Alan S. v Superior Court, 172 Cal. App. 4th 238,251(2009). In the face of a request for attorney's fees and costs, the court 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).

Family Code section 2032 works in tandem with Section 2030 to ensure that any award of costs and fees is just and reasonable. Fam. Code § 2032. "In determining what is just and reasonable under the relative circumstances, the court shall take into consideration the need for the award to enable each party, to the extent practical, to have sufficient financial resources to present the party's case adequately." *Id.* at (b). Financial resources are only one factor to be considered though. *Id.* In addition to the parties' financial resources, the court may consider the parties' trial tactics. In Re Marriage Of Falcone & Fyke, 203 Cal. App. 4th 964; 975 (2012).

Trial tactics of a party are also to be considered in ruling on a request for sanctions pursuant to Family Code § 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

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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.*

In reviewing each party’s respective Income and Expense Declaration, there is clearly a disparity in income between the parties. The court further finds that Petitioner has the ability to pay the attorney’s fees and costs of both parties and that his unjustified refusal to sign the QDRO resulted in Respondent incurring significant attorney’s fees and costs associated with filing the present RFO. That said, the court is of the opinion that awarding attorney’s fees in the amount of \$6,750 and sanctions in the amount of \$5,000 would pose an unreasonable financial burden. Additionally, the court does not find \$6,750 to be a reasonable amount of fees incurred in relation to the present dispute. As such, the request for Section 271 sanctions is denied. The request for Section 2030 attorney’s fees is granted in the amount of \$4,905. Petitioner is to pay this amount directly to Respondent’s attorney. It may be paid in one lump sum or in monthly increments of \$408.75 commencing on June 15, 2026 and continuing on the 15th of each month until paid in full. If any payment is missed or late, the entire amount shall become immediately due and payable.

Respondent is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court’s adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #7: RESPONDENT’S OBJECTION TO THE DECLARATION IS OVERRULED. THE OBJECTION TO PETITIONER’S ATTACHMENTS IS OVERRULED. THE CLERK OF COURT IS AUTHORIZED TO ACT AS ELISOR AND SIGN THE QUALIFIED DOMESTIC RELATIONS ORDER FOR WILLIAMS-SONOMA, INC. 401(K) PLAN.

THE REQUEST FOR SECTION 271 SANCTIONS IS DENIED. THE REQUEST FOR SECTION 2030 ATTORNEY’S FEES IS GRANTED IN THE AMOUNT OF \$4,905. PETITIONER IS TO PAY THIS AMOUNT DIRECTLY TO RESPONDENT’S ATTORNEY. IT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$408.75 COMMENCING ON JUNE 15, 2026 AND CONTINUING ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL. IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE.

RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT’S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

June 4, 2026

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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
June 4, 2026
8:30 a.m./1:30 p.m.

8. ASHLEY SAMADANI V. ANTHONY SAMADANI

PFL20200775

Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC) on March 10, 2026. It was served by mail on April 15, 2026, it was also personally served the same day.

The parties are ordered to appear for the arraignment.

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

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
June 4, 2026
8:30 a.m./1:30 p.m.

9. RYAN TOPP V. HAIDEE LENE ANDERSEN

25FL0538

On December 12, 2025, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders, child abduction prevention orders, and travel restriction orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on January 16, 2026. There is no Proof of Service for the RFO or the CCRC referral and neither party appeared at CCRC therefore, this matter is dropped from calendar due to lack of proper service.

On March 2, 2026, Respondent filed an RFO specially appearing to contest venue and request a transfer. The RFO was served the same day as filing however Respondent did not serve the Notice of Tentative Ruling.

Petitioner filed a Responsive Declaration to Request for Order on June 1, 2026. The court finds this to be late filed pursuant to 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 May 21st the last day for filing the Responsive Declaration to Request for Order therefore it is late filed and has not been read or considered by the court.

TENTATIVE RULING #9: THE PARTIES ARE ORDERED TO APPEAR ON RESPONDENT’S MARCH 2, 2026 RFO.

PETITIONER’S DECEMBER 12, 2025 RFO 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
June 4, 2026
8:30 a.m./1:30 p.m.

10. BENJAMIN DE ALBA V. ASHLEY DE ALBA

26FL0254

Petitioner filed a Request for Order (RFO) on March 27, 2026, seeking guideline child and spousal support. Petitioner is also seeking an order dividing the adoption assistance funding equally between the parties, as they share joint legal and physical custody of the minors. Petitioner concurrently filed an Income and Expense Declaration. Respondent was served with some, but not all the required documents.

Respondent filed a Responsive Declaration and an Income and Expense Declaration on May 15, 2026. It was served on the same day. Respondent has not raised the defect in service, as such, the court deems it to have been waived. Respondent has included a proposed calculation for support and requests the court consider her second income as bonus income. Respondent has included a bonus table in her calculations.

Petitioner filed a Reply Declaration on May 22, 2026. It was served the same day. Petitioner has included an updated proposed guideline calculation.

The court has read and considered the filings as outlined above. The court grants Petitioner's request that the adoption assistance funding be divided equally between the parties. The court notes it is unable to use Petitioner's proposed guideline calculations as Petitioner has used the Santa Clara formula for guideline temporary spousal support rather than the Alameda formula in compliance with Local Rule 8.09.03. The court cannot use Respondent's guideline calculation, as only the bonus table was provided in Exhibit B to Respondent's declaration.

As to guideline child support, the court denies Respondent's request to consider her second income as bonus income. The court has incorporated the second income in its guideline calculation. Utilizing those figures provided by the parties in their respective Income and Expense Declarations, the court finds guideline child support to be \$1,725 per month payable from Respondent to Petitioner (see attached X-Spouse). The court orders Respondent to pay Petitioner \$1,725 as and for guideline child support effective April 1, 2026, with payments due on the first of each month until further order of the court or termination by operation of law.

The court finds this order results in an arrears balance of \$5,175 for the months of April through June inclusive. The court orders Respondent to pay Petitioner \$431.25 per month as and for arrears effective June 15, 2026, with further payments due on the 15th of each month until paid in full (approximately 12 months).

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

June 4, 2026

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

The court finds guideline temporary spousal support to be \$964 per month payable from Respondent to Petitioner (see attached X-Spouse). However, the court is not ordering Respondent to pay Petitioner temporary guideline spousal support. The court finds that Respondent does not have the ability to pay after the award of child support. Further, the court finds Petitioner's income is sufficient to meet his needs. See Family Code section 3600. Petitioner is working full time and earns nearly the same income as Respondent when Respondent's second income is not included. Further, Petitioner has disclosed no attorney's fees, while Respondent is paying attorney's fees at the rate of \$585 per hour. Respondent has significantly higher expenses than Petitioner. As such, the court finds that Petitioner has a lower need and Respondent does not have the ability to pay. Petitioner's request for temporary guideline spousal support is denied.

All prior orders not in conflict with this order remain in full force and effect. Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #10: THE COURT GRANTS PETITIONER'S REQUEST THAT THE ADOPTION ASSISTANCE FUNDING BE DIVIDED EQUALLY BETWEEN THE PARTIES. AS TO GUIDELINE CHILD SUPPORT, THE COURT DENIES RESPONDENT'S REQUEST TO CONSIDER HER SECOND INCOME AS BONUS INCOME.

THE COURT FINDS GUIDELINE CHILD SUPPORT TO BE \$1,725 PER MONTH PAYABLE FROM RESPONDENT TO PETITIONER (SEE ATTACHED X-SPOUSE). THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$1,725 AS AND FOR GUIDELINE CHILD SUPPORT EFFECTIVE APRIL 1, 2026 WITH PAYMENTS DUE ON THE FIRST OF EACH MONTH UNTIL FURTHER ORDER OF THE COURT OR TERMINATION BY OPERATION OF LAW.

THE COURT FINDS THIS ORDER RESULTS IN AN ARREARS BALANCE OF \$5,175 FOR THE MONTHS OF APRIL THROUGH JUNE INCLUSIVE. THE COURT ORDERS RESPONDENT TO PAY PETITIONER \$431.25 PER MONTH AS AND FOR ARREARS EFFECTIVE JUNE 15, 2026, WITH FURTHER PAYMENTS DUE ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS).

THE COURT FINDS GUIDELINE TEMPORARY SPOUSAL SUPPORT TO BE \$964 PER MONTH PAYABLE FROM RESPONDENT TO PETITIONER (SEE ATTACHED X-SPOUSE). HOWEVER, THE COURT IS NOT ORDERING RESPONDENT TO PAY PETITIONER

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

June 4, 2026

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

TEMPORARY GUIDELINE SPOUSAL SUPPORT. THE COURT FINDS THAT RESPONDENT DOES NOT HAVE THE ABILITY TO PAY AFTER THE AWARD OF CHILD SUPPORT. FURTHER, THE COURT FINDS PETITIONER'S INCOME IS SUFFICIENT TO MEET HIS NEEDS. SEE FAMILY CODE SECTION 3600. PETITIONER IS WORKING FULL TIME AND EARNS NEARLY THE SAME INCOME AS PETITIONER WHEN PETITIONER'S SECOND INCOME IS NOT INCLUDED. FURTHER, PETITIONER HAS DISCLOSED NO ATTORNEY'S FEES, WHILE RESPONDENT IS PAYING ATTORNEY'S FEES AT THE RATE OF \$585 PER HOUR. RESPONDENT HAS SIGNIFICANTLY HIGHER EXPENSES THAN PETITIONER. AS SUCH, THE COURT FINDS THAT PETITIONER HAS A LOWER NEED AND RESPONDENT DOES NOT HAVE THE ABILITY TO PAY. PETITIONER'S REQUEST FOR TEMPORARY GUIDELINE SPOUSAL SUPPORT IS DENIED.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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.

Fixed Shares	Father	Mother	Monthly figures	Cash Flow	Guideline	Proposed
#of children	3	0	2026			
% time with NCP	0.00 %	49.99 %			25109	25109
Filing status	MFJ->	<-MFJ	GUIDELINE	Comb. net spendable		
# exemptions	5	5	Nets(adjusted)	Percent change	0%	0%
Wages+salary	13433	13333	Father	9130		
Self-employed income	0	6300	Mother	15979	2689	2689
Other taxable income	0	0	Total	25109	11819	11819
TANF+CS received	0	0	Support		0	0
Other nontaxable income	0	0	Addons	0	% of combined spendable	47%
New spouse income	0	0	Guideln CS	1725	% of saving over guideline	0%
401(k) employee contrib	0	645	Alameda SS	964	Total taxes	2540
Adjustments to income	0	0	Total	2689	Dep. exemption value	0
SS paid prev marriage	0	0			# withholding allowances	0w
CS paid prev marriage	0	0			Net wage paycheck	9838
Health insurance	614	83			Mother	
Other medical expense	0	0			Payment cost/benefit	-2689
Property tax expense	0	1846			Net spendable income	13290
Ded interest expense	0	6987	Proposed		Change from guideline	0
Charitable contributions	0	0	Tactic 9		% of combined spendable	53%
Misc tax deductions	0	0	CS	1725	% of saving over guideline	0%
Qual bus income ded	0	0	SS	964	Total taxes	3571
Required union dues	0	0	Total	2689	Dep. exemption value	0
Mandatory retirement	1098	0			# withholding allowances	0w
Hardship deduction	0 *	0 *	Saving	0	Net wage paycheck	9134
Other GDL deductions	51	0	Releases	0		9134
Child care expenses	0	0				

Mother pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	50 - 50	0	0	0	Father	1725	Mother	1725	Mother
	50 - 50	0	0	0	Father	345	Mother	345	Mother
	50 - 50	0	0	0	Father	518	Mother	518	Mother
	50 - 50	0	0	0	Father	863	Mother	863	Mother

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
June 4, 2026
8:30 a.m./1:30 p.m.

11. ISREAL MENDOZ V. ENEIDA MENDOZA

PFL20210121

Respondent filed a Request for Order (RFO) on March 13, 2026, seeking modification of the current child custody orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on April 10, 2026, and a review hearing on June 4, 2026. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served.

Nevertheless, both parties appeared for the CCRC appointment and were able to reach many agreements. A report with the parties' agreements and additional recommendations was filed with the court on May 6, 2026. Copies were mailed to the parties on May 7, 2026.

Petitioner filed a Responsive Declaration on May 15, 2026. It was served on May 21, 2026. Petitioner does not raise the issue of the defect in service; therefore, the court deems it to have been waived. Petitioner requests the parties have joint legal custody while he has sole physical custody.

Petitioner filed a Reply to the CCRC report on May 22, 2026. It was mail served the same day. Petitioner disputes the CCRC counselor's characterization of his actions.

The court has read and considered the filings as outlined above. The court finds the parties' agreements and the recommendations as set forth in the May 6th CCRC report to be in the best interest of the minor. The court adopts the agreements and recommendations as set forth.

All prior orders not in conflict with these orders remain in full force and effect. Respondent is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #11: THE COURT FINDS THE PARTIES' AGREEMENTS AND THE RECOMMENDATIONS AS SET FORTH IN THE MAY 6TH CCRC REPORT TO BE IN THE BEST INTEREST OF THE MINOR. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS SET FORTH. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT. RESPONDENT IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

June 4, 2026

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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
June 4, 2026
8:30 a.m./1:30 p.m.

12. RUDY PAIVA V. CARLA PEREZ

24FL0031

Petitioner filed a Request for Order on March 17, 2026, seeking “finalization of divorce”. 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.

TENTATIVE RULING #12: THE MATTER IS DROPPED FROM CALENDAR DUE TO THE 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
June 4, 2026
8:30 a.m./1:30 p.m.

14. JESSICA RUBALCAVA V. ISAIAH RUBALCAVA

24FL0018

Petitioner filed a Request for Order (RFO) on March 27, 2026, seeking temporary spousal support in the amount of \$5,000 per month, as well as other financial relief. Petitioner did not concurrently file an Income and Expense Declaration. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Respondent filed a Responsive Declaration on May 12, 2026. It was served the same day. Respondent requests the court deny the requested orders and maintain all current orders. Additionally, Respondent requests Family Code section 271 sanctions in the amount of \$5,000.

The court has reviewed and considered the documents as set forth above. The court finds good cause to proceed despite the lack of proper service as Respondent has filed a Responsive Declaration. As such, the court finds the defect to have been waived.

The court denies Petitioner's request in its entirety. "For all hearings involving child, spousal, or domestic partner support, both parties must complete, file, and serve a current Income and Expense Declaration." Cal. Rule Ct. 5.260(1); See also Cal. Fam. Code §2100. The party requesting support shall file and serve their Income and Expense Declaration with the initial moving papers. El Dorado Sup. Ct. Rule 8.03.01. The court finds Petitioner has failed to file an Income and Expense Declaration as required.

As to Respondent's request for Family Code section 271 sanctions, that request is denied. Respondent is not represented by counsel and therefore, an award of attorney's fees in the form of a sanction is not appropriate.

All prior orders remain in full force and effect. Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #14: THE COURT DENIES PETITIONER'S REQUEST IN ITS ENTIRETY. THE COURT FINDS PETITIONER HAS FAILED TO FILE AN INCOME AND EXPENSE DECLARATION AS REQUIRED. AS TO RESPONDENT'S REQUEST FOR FAMILY CODE SECTION 271 SANCTIONS, THAT REQUEST IS ALSO DENIED.

ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION

LAW & MOTION TENTATIVE RULINGS

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

OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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
June 4, 2026
8:30 a.m./1:30 p.m.

15. COUNTY OF EL DORADO DCSS V. NATHAN SPROULE (OTHER PARENT: JAYCEE BERGESON) **24FL0279**

Respondent filed a Request for Order (RFO) on March 9, 2026, seeking modification of the current child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on April 8, 2026 and a review hearing on June 4, 2026. Proof of Service shows Other Parent was served with some, but not all the required documents on March 13, 2026. There is no Proof of Service showing Petitioner was properly served.

Only Respondent appeared at the CCRC appointment on April 8, 2026. As such, a single parent report with no agreements or recommendations was filed with the court on May 19, 2026. Copies were mailed to the parties on May 21st.

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 #15: 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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
June 4, 2026
8:30 a.m./1:30 p.m.

16. CLARA STEWART V. FRANCISCO MARIN

SFL20190229

This matter is pending receipt and review of the 3111 report. The parties last appeared before the court on April 23, 2026, at which time the court stayed its tentative ruling. A review hearing was set for the present date.

On March 2, 2026, Respondent filed a Request for Order (RFO) seeking child support, attorney's fees, sanctions and therapy orders. He filed his Income and Expense Declaration concurrently therewith. All required documents were served on March 4, 2026.

Petitioner filed and served her Responsive Declaration to Request for Order and her Memorandum of Points and Authorities on March 19th. She filed and served an Amended Memorandum of Points and Authorities on March 20th and a Supplemental Declaration on March 24th.

The court received the Family Code section 3111 report on March 26, 2026.

Respondent submitted a Reply Declaration to the 3111 Report on April 10, 2026. It was served on Petitioner and Minor's Counsel the same day. Respondent requests the exchange location for non-school exchanges remain at Town Center, in El Dorado Hills as the parties have been exercising. Respondent also requests that short overnight trips on weekends required the parties to provide each other notice and provide the location of where the overnights will be taking place. Respondent also seeks clarification regarding the recommendations as to casinos and racetracks.

Petitioner filed a Reply Declaration on April 17, 2026. It was served on Respondent and Minor's Counsel the same day. Petitioner seeks further clarifying orders as well. Petitioner requests that the terms "notice" and "provide information" means that notice or the provision of information to be in writing. Petitioner requests the minor have access to a smart watch or smart device for communication and safety purposes. Petitioner proposes changes to provisions 6.b. and 6.d.. Petitioner requests Kristin Kaminski or other mutually agreed licensed provider for family therapy.

Respondent filed a Declaration as well as an updated Income and Expense Declaration on May 22, 2026. It was served the same day. Respondent is requesting the court adopt its prior tentative ruling as well as adopting the 2-2-5-5 schedule as Minor's Counsel recommended. Further, Respondent is withdrawing his CCP 128.5 sanctions request. Respondent requests that the focus of counseling be on reunification.

LAW & MOTION TENTATIVE RULINGS
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8:30 a.m./1:30 p.m.

Respondent is requesting Family Code section 7065 attorney's fees as well as guideline child support.

Neither Petitioner nor Minor's Counsel have filed additional Supplemental Declarations.

The court has read and considered the filings as outlined above. The court adopts the recommendations as set forth in the March 26th 3111 report with the following modifications. All notice and provision of information shall be in writing utilizing the co-parenting application Talking Parents. The parties are to continue to use the current exchange location (El Dorado Hills, Town Center) for non-school exchanges. For any overnights away from the parties' primary residence home, the parties are to provide the other parent written notice and itinerary including the address where the minor will be staying via the co-parenting application. As to 6.b. - for overnights not exceeding three nights, notice is to be provided as soon as practicable. For overnights exceeding three nights, notice shall be at least seven days prior to departure. As to 6.d.- written notice for out of state travel is required not later than seven days prior to departure, absent an emergency or unforeseen circumstances which would make further advance notice impossible. The notice shall include travel dates, destination, the address where the minor will be staying overnight, and a reliable method for contact.

The court is not ordering the minor to have a smart watch or smart device for communication. The parties are to ensure contact with the other parent as set forth in the recommendations.

As to the provisions of 8.b., the minor is not to be on casino floors or other places where children are prohibited in a casino or racetrack.

Kristin Kaminski shall be the family therapist if available. If Ms. Kaminski is not available, Minor's Counsel shall select the family therapist.

The court is adopting the 2-2-5-5 schedule to begin now. The court finds that is in the minor's best interest rather than waiting for the middle of the school year as set forth in the 3111 Report. Petitioner shall have parenting time Monday and Tuesday. Respondent shall have Wednesday and Thursday. The parties will rotate Friday, Saturday, and Sunday. Exchanges are to occur at school.

Respondent's request for CCP 128.5 sanctions is withdrawn.

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

As to the request for Family Code section 7065 attorney's fees and child support, the court finds the most recent Income and Expense Declaration from Petitioner to be out of date, as it was filed January 9, 2026. The court orders parties to appear and for Petitioner to bring an update Income and Expense Declaration.

All prior orders not in conflict with these orders remain in full force and effect. Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #16: AS TO THE REQUEST FOR FAMILY CODE SECTION 7065 ATTORNEY'S FEES AND CHILD SUPPORT, THE COURT FINDS THE MOST RECENT INCOME AND EXPENSE DECLARATION FROM PETITIONER TO BE OUT OF DATE, AS IT WAS FILED JANUARY 9, 2026. THE COURT ORDERS PARTIES TO APPEAR AND FOR PETITIONER TO BRING AN UPDATE INCOME AND EXPENSE DECLARATION.

THE COURT ADOPTS THE RECOMMENDATIONS AS SET FORTH IN THE MARCH 26TH 3111 REPORT WITH THE FOLLOWING MODIFICATIONS. ALL NOTICE AND PROVISION OF INFORMATION SHALL BE IN WRITING UTILIZING THE CO-PARENTING APPLICATION TALKING PARENTS. THE PARTIES ARE TO CONTINUE TO USE THE CURRENT EXCHANGE LOCATION (EL DORADO HILLS, TOWN CENTER) FOR NON-SCHOOL EXCHANGES. FOR ANY OVERNIGHTS AWAY FROM THE PARTIES' PRIMARY RESIDENCE HOME, THE PARTIES ARE TO PROVIDE THE OTHER PARENT WRITTEN NOTICE AND ITINERARY INCLUDING THE ADDRESS WHERE THE MINOR WILL BE STAYING VIA THE CO-PARENTING APPLICATION. AS TO 6.B. - FOR OVERNIGHTS NOT EXCEEDING THREE NIGHTS, NOTICE IS TO BE PROVIDED AS SOON AS PRACTICABLE. FOR OVERNIGHTS EXCEEDING THREE NIGHTS, NOTICE SHALL BE AT LEAST SEVEN DAYS PRIOR TO DEPARTURE. AS TO 6.D.- WRITTEN NOTICE FOR OUT OF STATE TRAVEL IS REQUIRED NOT LATER THAN SEVEN DAYS PRIOR TO DEPARTURE, ABSENT AN EMERGENCY OR UNFORESEEN CIRCUMSTANCES WHICH WOULD MAKE FURTHER ADVANCE NOTICE IMPOSSIBLE. THE NOTICE SHALL INCLUDE TRAVEL DATES, DESTINATION, THE ADDRESS WHERE THE MINOR WILL BE STAYING OVERNIGHT, AND A RELIABLE METHOD FOR CONTACT.

THE COURT IS NOT ORDERING THE MINOR TO HAVE A SMART WATCH OR SMART DEVICE FOR COMMUNICATION. THE PARTIES ARE TO ENSURE CONTACT WITH THE OTHER PARENT AS SET FORTH IN THE RECOMMENDATIONS.

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AS TO THE PROVISIONS OF 8.B., THE MINOR IS NOT TO BE ON CASINO FLOORS OR OTHER PLACES WHERE CHILDREN ARE PROHIBITED IN A CASINO OR RACETRACK.

KRISTIN KAMINSKI SHALL BE THE FAMILY THERAPIST IF AVAILABLE. IF MS. KAMINSKI IS NOT AVAILABLE, MINOR'S COUNSEL SHALL SELECT THE FAMILY THERAPIST.

THE COURT IS ADOPTING THE 2-2-5-5 SCHEDULE TO BEGIN NOW. THE COURT FINDS THAT IS IN THE MINOR'S BEST INTEREST RATHER THAN WAITING FOR THE MIDDLE OF THE SCHOOL YEAR AS SET FORTH IN THE 3111 REPORT. PETITIONER SHALL HAVE PARENTING TIME MONDAY AND TUESDAY. RESPONDENT SHALL HAVE WEDNESDAY AND THURSDAY. THE PARTIES WILL ROTATE FRIDAY, SATURDAY, AND SUNDAY. EXCHANGES ARE TO OCCUR AT SCHOOL.

RESPONDENT'S REQUEST FOR CCP 128.5 SANCTIONS IS WITHDRAWN.

ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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. CHALLYN WILLIAMS V. MARK WILLIAMS

PFL20210389

On January 7, 2026, Petitioner filed a Request for Order (RFO) seeking final decision making authority on the minor's school as well as medical decisions regarding vaccinations. This followed a denied ex parte application making the same requests. Respondent was personally served on January 8, 2026.

Respondent filed a Responsive Declaration on February 26, 2026. It was mail served on Petitioner on the same day. Respondent is opposed to the request.

Petitioner filed another ex parte application on March 10th. The court authorized Petitioner to make legal decisions regarding the minor's need to extract a tooth only. On March 11, 2026, Petitioner filed an RFO, requesting legal decision making regarding treatment for the minor. Proof of Service shows it was served on March 13th.

On March 12, 2026, the court adopted its tentative ruling referring the parties to CCRC with an appointment on April 6, 2026 and a review hearing on June 4, 2026.

Petitioner again filed an RFO on March 20th in conjunction with an ex parte request. Once again this request was denied. The RFO was not set for a hearing.

Petitioner filed two Declarations on March 20th. They were served on March 22nd.

Both parties attended Child Custody Recommending Counseling (CCRC) on April 6, 2026. The parties were able to reach agreements. A report with the parties' agreements was filed with the court on April 8, 2026, and mail served on the parties the same day.

The court has read and considered the filings as outlined above. The court adopts the parties' agreements as set forth in the April 8th CCRC report. Additionally, the court is ordering the parties to participate in co-parenting counseling. Parties may return to Colleen Underwood, who was their prior counselor or, if she is unavailable, they may select a new counselor. Petitioner shall provide Respondent with the names of three potential co-parenting counselors by no later than June 18th. Respondent shall select one of the three by no later than June 25th. Petitioner shall ensure that the proposed counselors are available and taking on new clients. Parties shall participate in co-parenting counseling at a frequency and duration as recommended by the counselor.

All prior orders remain in full force and effect. Petitioner is directed to prepare the Findings and Orders After Hearing (FOAH); however, this order is effective immediately

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upon the court's adoption of the tentative ruling and is not conditioned on the preparation of the FOAH.

TENTATIVE RULING #17: THE COURT ADOPTS THE PARTIES' AGREEMENTS AS SET FORTH IN THE APRIL 8TH CCRC REPORT. ADDITIONALLY, THE COURT IS ORDERING THE PARTIES TO PARTICIPATE IN CO-PARENTING COUNSELING. PARTIES MAY RETURN TO COLLEEN UNDERWOOD, WHO WAS THEIR PRIOR COUNSELOR OR, IF SHE IS UNAVAILABLE, THEY MAY SELECT A NEW COUNSELOR. PETITIONER SHALL PROVIDE RESPONDENT WITH THE NAMES OF THREE POTENTIAL CO-PARENTING COUNSELORS BY NO LATER THAN JUNE 18TH. RESPONDENT SHALL SELECT ONE OF THE THREE BY NO LATER THAN JUNE 25TH. PETITIONER SHALL ENSURE THAT THE PROPOSED COUNSELORS ARE AVAILABLE AND TAKING ON NEW CLIENTS. PARTIES SHALL PARTICIPATE IN CO-PARENTING COUNSELING AT A FREQUENCY AND DURATION AS RECOMMENDED BY THE COUNSELOR.

ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT. PETITIONER IS DIRECTED TO PREPARE THE FINDINGS AND ORDERS AFTER HEARING (FOAH); HOWEVER, THIS ORDER IS EFFECTIVE IMMEDIATELY UPON THE COURT'S ADOPTION OF THE TENTATIVE RULING AND IS NOT CONDITIONED ON THE PREPARATION OF THE FOAH.

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.