

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
August 20, 2026
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1. FLETCHER ALFORD V. SHARI COVINGTON

25FL0047

On May 12, 2026, Respondent filed a Request for Order (RFO) seeking orders regarding custody, the minor's IEP, and attorney's fees. There are several Proofs of Service showing service of the FL-305 a Declaration of Shari Covington, Notice of Tentative Ruling, order to Child Custody Recommending Counseling (CCRC), and "remote appearance documents." However, there is no indication that the FL-300 was served. Nevertheless, Petitioner did file a declaration acknowledging receipt of a filed copy of the RFO therefore the court finds that Petitioner has actual knowledge of the RFO and any defect in service has been waived.

On May 15, 2026, Petitioner filed an RFO seeking an order for further discovery responses and sanctions. All required documents were served on May 29th.

On May 28, 2026, Respondent filed another RFO seeking reimbursement of child related expenses. She filed a declaration in support of her RFO on June 3rd. There is no Proof of Service for either document.

Petitioner filed his Income and Expense Declaration on June 5th. It was served on June 4th.

Respondent filed and served her Income and Expense Declaration on June 11th.

On June 29, 2026, Petitioner filed and served a Declaration of Attorney Re: Respondent's Failure to Previously Serve Documents Presented to Rebecca Nelson, CCRC.

On June 30, 2026, Respondent filed and served Respondent Shari Covington's Declaration Regarding June 25, 2026 Child Custody Recommending Counseling.

The parties attended CCRC on June 25, 2026 and were unable to come to agreements. A report with recommendations was prepared on July 23, 2026. It was mailed to the parties on July 24th.

On July 22nd, the parties appeared before the court for a review hearing. At that time the court vacated the pending trial dates and set the issue of the pending 3111 evaluation to join the already pending RFO hearing.

Respondent filed a Responsive Declaration to Request for Order on August 3, 2026. It was served on August 1st.

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On August 7th, Petitioner filed and served a Memorandum of Points and Authorities Regarding Respondent's Failure to Comply with the California Rules of Court and Request to Remove her Request for Order from Calendar. It was filed and served concurrently with a Declaration of Fletcher Alford and a Responsive Declaration to Request for Order.

On August 10, 2026, Respondent' filed Respondent's Exhibits in Support of Respondent [sic] Declaration in Response to Child Custody Recommending Counselor's Report and Request for Educational Orders. It was served on August 1st.

Petitioner filed and served a declaration of Emily Rainey on August 10th.

Custody Evaluation

The parties are ordered to appear for the hearing to present argument on whether the 3111 evaluation should proceed.

Respondent's Requests for Order

Respondent's May 28th RFO is dropped from calendar due to failure to serve the filed moving papers.

In her May 12th RFO, Respondent is requesting temporary sole legal custody of the minors or, alternatively, final decision-making authority over assessments and completion of assessments (including the IEP) for the minors. She further requests \$25,412.50 in attorney's fees. The foregoing are the only requests made in Respondent's moving papers. In her FL-320 she adds additional requests including (1) order Hunter to attend the appropriate EGUSD special education program as determined through his IEP; (2) order Grace to attend Carroll Elementary School for the 2026-2027 school year; (3) adopt the proposed interim school-year parenting plan; and (4) grant respondent limited tie-breaking authority regarding educational and non-emergency medical decisions. All of these requests are denied as they are not properly before the court. Cal. Rule Ct. § 5.92(g)(2) ("[t]he responding party may request relief related to the orders requested in the moving papers...unrelated relief must be sought by scheduling a separate hearing using *Request for Order* (form FL-300)...")

Petitioner opposes the request as currently Hunter is not in school and there is no agreement as to whether or not he should start kindergarten next year. He further argues that completion of the IEP will jeopardize Hunter's current care through Maxim.

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Respondent's request for attorney fees is denied due to her failure to file the requisite FL-319 and FL-158.

Regarding the request to complete the IEP, that request is denied. As Petitioner notes, the minor is not yet enrolled in school and there is no agreement as to whether he will even begin kindergarten next year. Thus, the completion of an IEP is premature especially in light of the fact that doing so may cause the minor to lose his current care through Maxim. Respondent's request is therefore denied.

Petitioner's Request for Order

Petitioner is requesting the following orders: (1) An order compelling Respondent to serve further verified written responses to Petitioner's Demand for Supplemental Responses served on February 4, 2026, concerning Petitioner's Request for Production of Documents; (2) An order compelling Respondent to produce all responsive documents within her possession, custody, and control related to Respondent's supplemental responses; and (3) Sanctions pursuant to Civil Procedure § 2031.310(h) and Family Code § 271 in the amount of \$4,940.

Respondent has not opposed the requests. While she did file an FL-320 she did not address any of the discovery requests in her response.

Civil Procedure § 2031.050 affords each party the right to "...propound a supplemental demand to inspect, copy, test, or sample any later acquired or discovered documents, tangible things, land or other property, or electronically stored information in the possession, custody or control of the party on whom the demand is made." Civ. Pro. § 2031.050(a). Responses to a request for supplemental discovery are held to the same standard as initial responses including those set forth in Civil Procedure § 2031.210 et seq. Where responses are non-compliant the requesting party may file a motion to compel and seek sanctions. Civ. Pro. § 2031.310 & § 2031.320.

Here, after reviewing the discovery served and Respondent's responses, the court does find that her responses to the supplemental discovery requests were inadequate and not compliant with the law's requirement that responses are to be given in good faith and to the best of the responding party's ability. See *Deyo v. Kilbourne*, 84 Cal. App. 3d 771, 783 (1973). As such, Respondent is ordered to provide full and complete responses to Petitioner's Demand for Supplemental Discovery served on February 4, 2026. Responses are to include all documents responsive to the supplemental discovery demand which are in Respondent's possession, custody or control as required by the Civil Discovery Act.

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Regarding monetary sanctions, the request is granted, however, the court is not awarding the entirety of the requested amount. A party requesting sanctions for reasonable expenses that were incurred as a result of discovery abuse must already be liable for those expenses before the court can award the costs as sanctions. See *Tucker v. Pacific Bell Mobile Servs.*, 186 Cal. App. 4th 1548 (2010) (anticipated costs for future deposition could not be included in award of sanctions). Here, according to Petitioner's moving papers he incurred 3 hours of attorney's fees preparing the motion, 3 hours of paralegal fees and a \$90 filing fee. The remainder of the requested amount is associated with fees not already incurred therefore they are not recoverable at this time. Respondent is sanctioned \$1,965 pursuant to Civil Procedure § 2031.310(h) and Family Code § 271. This amount is to be paid directly to Petitioner's attorney. Sanctions may be paid in one lump sum or in monthly increments of \$163.75 commencing on September 1, 2026 and continuing until paid in full (approximately 12 months). If any payment is missed or late the entire amount shall become immediately due and payable with legal interest.

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 PARTIES ARE ORDERED TO APPEAR FOR THE HEARING TO PRESENT ARGUMENT ON WHETHER THE 3111 EVALUATION SHOULD PROCEED.

RESPONDENT'S MAY 28TH RFO IS DROPPED FROM CALENDAR DUE TO FAILURE TO SERVE THE FILED MOVING PAPERS. RESPONDENT'S REQUEST FOR ATTORNEY FEES IS DENIED DUE TO HER FAILURE TO FILE THE REQUISITE FL-319 AND FL-158. THE REQUEST FOR HUNTER TO COMPLETE AN IEP IS DENIED. ALL OF THE REQUESTS FOR AFFIRMATIVE RELIEF RAISED IN RESPONDENT'S FL-320 ARE DENIED AS THEY ARE NOT PROPERLY BEFORE THE COURT. THIS INCLUDES THE FOLLOWING (1) ORDER HUNTER TO ATTEND THE APPROPRIATE EGUSD SPECIAL EDUCATION PROGRAM AS DETERMINED THROUGH HIS IEP; (2) ORDER GRACE TO ATTEND CARROLL ELEMENTARY SCHOOL FOR THE 2026-2027 SCHOOL YEAR; (3) ADOPT THE PROPOSED INTERIM SCHOOL-YEAR PARENTING PLAN; AND (4) GRANT RESPONDENT LIMITED TIE-BREAKING AUTHORITY REGARDING EDUCATIONAL AND NON-EMERGENCY MEDICAL DECISIONS.

RESPONDENT IS ORDERED TO PROVIDE FULL AND COMPLETE RESPONSES TO PETITIONER'S DEMAND FOR SUPPLEMENTAL DISCOVERY SERVED ON FEBRUARY 4, 2026. RESPONSES ARE TO INCLUDE ALL DOCUMENTS RESPONSIVE TO THE

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SUPPLEMENTAL DISCOVERY DEMAND WHICH ARE IN RESPONDENT'S POSSESSION, CUSTODY OR CONTROL AS REQUIRED BY THE CIVIL DISCOVERY ACT.

RESPONDENT IS SANCTIONED \$1,965 PURSUANT TO CIVIL PROCEDURE § 2031.310(H) AND FAMILY CODE § 271. THIS AMOUNT IS TO BE PAID DIRECTLY TO PETITIONER'S ATTORNEY. SANCTIONS MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$163.75 COMMENCING ON SEPTEMBER 1, 2026 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 12 MONTHS). IF ANY PAYMENT IS MISSED OR LATE THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE WITH LEGAL INTEREST.

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. ANGELA CAROCCI V. NICOLAS CAROCCI

25FL1254

On May 27, 2026, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. All required documents were served on June 1st. She filed and served a declaration in support of her RFO on July 8, 2026.

Also on July 8th, Respondent filed and served Respondent's Evidentiary Objections to Petitioner's Declaration (MC-30 [sic]) and Exhibits A-G Served July 8, 2026.

The parties attended Child Custody Recommending Counseling (CCRC) on July 9, 2026 and reached agreements on some issues. A report with the agreements and recommendations was prepared and mailed to the parties on July 10th.

Respondent filed his Responsive Declaration to Request for Order and a supporting declaration thereto on August 7, 2026.

Petitioner filed and served her Reply Declaration to CCRC Report on August 12th and 11th respectively.

Petitioner is requesting the following orders: (1) Continue with the current custody schedule (Petitioner – Sunday at 5:00pm to Wednesday school drop off or 3:30pm on non-school days; Respondent – Wednesday at school pick up, or 3:30pm on non-school days to School drop off, or 3:30pm on non-school days, on Friday; and alternating weekends from Friday at school pick up, or 3:30 pm on non-school days to Sundays at 5:00pm); (2) All exchanges to occur at The Shakespeare Club located at 2940 Bedford Ave., Placerville; (3) Parties to utilize Talking Parents for communications; (4) Joint legal custody with final decision-making authority to Petitioner; (5) Respondent to refinance the properties located at 1750 Bear Rock and 1801 Bear Rock in Placerville into Respondent's name; (6) Respondent to be solely responsible for the debt and utilities for the properties located at 1750 Bear Rock and 1801 Bear Rock; (7) Petitioner to refinance the property located at 1093 Goyan Ave. in Placerville into her name; and (8) Petitioner to be solely responsible for the debt, utilities, and maintenance related to the 1093 Goyan Ave property.

Respondent objects to the court's consideration of Petitioner's July 8th declarations and the exhibits attached thereto. He objects on the following grounds: (1) Untimely service; lack of notice and opportunity to respond; (2) Lack of authentication and foundation; (3) Incomplete and misleading excerpts; (4) Improper argument and characterization; and (5) specific objections by exhibit.

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Respondent's objection on the basis of untimely service is overruled. The declaration and exhibits were filed and served well before Respondent filed his Responsive Declaration to Request for Order. He has therefore, had the opportunity to respond. Furthermore, the exhibits are submitted to show the difficulties in coparenting between the parties, this issue was raised in Petitioner's RFO. It is not a new issue.

Respondent's objection on the basis of foundation and authentication is overruled. Petitioner was the recipient of the text messages depicted in the exhibits to her declaration. In her declaration she states that the documents are what they purport to be and she has signed the declaration under penalty of perjury. As such, the court finds this satisfies the evidentiary requirements of foundation and authentication.

Respondent's objection on the basis of completeness of the exhibits is overruled. Respondent is arguing that the entirety of the text thread is not included. However, he does not argue that any of the individual messages themselves has been cut or altered in any way. Furthermore, this goes to the reliability of the evidence, not the admissibility. If Respondent is of the belief that the messages are incomplete he may submit what he believes are complete copies of the messages.

Respondent's objection on the basis of improper argument and characterization is overruled. Respondent provides no legal basis for his position that Petitioner in her own declaration can characterize the tone of the message as she has interpreted them. The objection is overruled.

The remainder of Respondent's objections are likewise overruled as they largely reiterate the foregoing. Respondent also includes objections as to hearsay but, as evidenced by the declaration, the texts have not been submitted to establish the truth of the matters asserted in the texts but instead the nature of the coparenting relationship between the parties.

Turning to the substance of Respondent's position, Respondent asks the court to adopt the legal and physical custody provisions of the CCRC report, the mutual alcohol provisions, vacation notice requirements and co-parenting provisions. He does ask for one modification, that exchanges on non-school days occur at 3:00pm rather than 8:00am. He does not oppose interim orders confirming each party's exclusive temporary use and possession of the properties where each party currently resides though he opposes the request for an order to refinance the Bear Rock and Goyan properties.

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After reviewing the filings as outlined above the court finds the agreements and recommendations contained in the CCRC report to be in the best interests of the minors and they are hereby adopted as the orders of the court with the following modifications. Section 1(a) of the Parenting Plan shall be amended to state the following: "Mother shall have Sunday at 5:00 pm to Wednesday at school drop off (3:30 pm if no school). Father shall have Wednesday from school drop off (3:30 pm if no school) to drop off on Friday (3:30 pm if no school). The parties are to alternate weekends from school drop off (3:30 pm if no school) to Sunday at 5:00 pm." This change is being made expressly in light of Respondent's repeated failures to get the children to school on time. Respondent is admonished to ensure the children are dropped off at school timely. If, moving forward, Respondent consistently gets the children to school on time during his parenting time, the court may consider extending the Sunday visits to Monday morning but Respondent would need to file another RFO to make that change.

Regarding the properties, the court is not ordering the refinance of any of the properties at this time. That said, Petitioner is awarded temporary use, possession and control of the property located at 1093 Goyan Ave. in Placerville. Petitioner is to be solely responsible for the expenses associated with the property including, but not limited to, the mortgage, homeowners insurance, utilities and maintenance costs. Respondent is awarded temporary use, possession, and control of the properties located at 1750 Bear Rock Rd. and 1801 Bear Rock Rd. in Placerville, CA. Respondent shall be solely responsible for the expenses associated with these properties including, but not limited to, the mortgage, homeowners insurance, utilities and maintenance costs.

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: THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS CONTAINED IN THE CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT WITH THE FOLLOWING MODIFICATIONS. SECTION 1(A) OF THE PARENTING PLAN SHALL BE AMENDED TO STATE THE FOLLOWING: "MOTHER SHALL HAVE SUNDAY AT 5:00 PM TO WEDNESDAY AT SCHOOL DROP OFF (3:30 PM IF NO SCHOOL). FATHER SHALL HAVE WEDNESDAY FROM SCHOOL DROP OFF (3:30 PM IF NO SCHOOL) TO DROP OFF ON FRIDAY (3:30 PM IF NO SCHOOL). THE PARTIES ARE TO ALTERNATE

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WEEKENDS FROM SCHOOL DROP OFF (3:30 PM IF NO SCHOOL) TO SUNDAY AT 5:00 PM.”

REGARDING THE PROPERTIES, THE COURT IS NOT ORDERING THE REFINANCE OF ANY OF THE PROPERTIES AT THIS TIME. THAT SAID, PETITIONER IS AWARDED TEMPORARY USE, POSSESSION AND CONTROL OF THE PROPERTY LOCATED AT 1093 GOYAN AVE. IN PLACERVILLE. PETITIONER IS TO BE SOLELY RESPONSIBLE FOR THE EXPENSES ASSOCIATED WITH THE PROPERTY INCLUDING, BUT NOT LIMITED TO, THE MORTGAGE, HOMEOWNERS INSURANCE, UTILITIES AND MAINTENANCE COSTS. RESPONDENT IS AWARDED TEMPORARY USE, POSSESSION, AND CONTROL OF THE PROPERTIES LOCATED AT 1750 BEAR ROCK RD. AND 1801 BEAR ROCK RD. IN PLACERVILLE, CA. RESPONDENT SHALL BE SOLELY RESPONSIBLE FOR THE EXPENSES ASSOCIATED WITH THESE PROPERTIES INCLUDING, BUT NOT LIMITED TO, THE MORTGAGE, HOMEOWNERS INSURANCE, UTILITIES AND MAINTENANCE COSTS.

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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3. RACHEL GESSNER V. MATTHEW RYAN GESSNER

25FL1097

On February 23, 2026, Petitioner filed a Request for Order (RFO) seeking visitation and support orders. The parties appeared for the hearing on May 21st and were able to reach an agreement on all issues. As part of their agreement, the court set a review hearing for the present date and the parties were ordered to file supplemental declarations and Income and Expense Declarations no later than 10 days prior to the hearing date.

Neither party has filed a supplemental declaration or an Income and Expense Declaration therefore the court drops this matter from calendar.

TENTATIVE RULING #3: THIS MATTER IS DROPPED FROM CALENDAR AS NEITHER PARTY HAS FILED A SUPPLEMENTAL DECLARATION OR AN INCOME AND EXPENSE DECLARATION.

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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5. BROOKE LOREE V. JASON SILVA

26FL0409

On April 28, 2026, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders as well as child support and attorney's fees. She filed an Income and Expense Declaration on May 1st and another one on May 5th. On May 5th she also filed a Declaration in Support of Family Code § 2030 Attorney's Fees. All required documents were personally served on May 19th.

The parties attended Child Custody Recommending Counseling (CCRC) on May 27, 2026. They were unable to reach agreements therefore, a report with recommendations was prepared on July 21, 2026. It was mailed to the parties on July 22nd.

Respondent filed and served his Responsive Declaration to Request for Order or an Income and Expense Declaration on August 14, 2026. The court finds these 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 August 7th the last day for filing the responsive declaration and the Income and Expense Declaration, therefore, they are late filed and have not been considered by the court.

Petitioner is requesting an order for jurisdiction over the child to be in El Dorado County. She further requests sole legal and sole physical custody of the minor. She asks that she be able to supervise any visits between the minor and Respondent. She is also requesting guideline child support and attorney's fees in the amount of \$10,500.

According to Petitioner a Uniform Parentage Act Petition has already been filed in Sacramento County along with an RFO. Petitioner has not provided the court with any information regarding the status of the Sacramento case (i.e. whether it has been served, if Petitioner has filed an answer, if any orders have been made, etc.) The parties are ordered to appear to provide the court with additional information regarding the Sacramento matter.

The parties are ordered to bring with them their respective proposed Xspouse reports.

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TENTATIVE RULING #5: THE PARTIES ARE ORDERED TO APPEAR TO PROVIDE THE COURT WITH ADDITIONAL INFORMATION REGARDING THE SACRAMENTO MATTER. THE PARTIES ARE ORDERED TO BRING WITH THEM THEIR RESPECTIVE PROPOSED XSPOUSE REPORTS.

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

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6. JOHN NEIBAUER V. VICTORIA NEIBAUER

25FL0358

On May 29, 2026, Petitioner filed a Request for Order (RFO) seeking orders regarding the sale of the former family residence, division of Respondent's pension, preparation of the QDRO and exclusive use and possession of property orders. All required documents were served on May 28th.

Respondent filed and served her Responsive Declaration to Request for Order on July 20th.

According to Petitioner, there is a pending offer to purchase the former family residence, located on East Road in Placerville, for \$635,000. Petitioner asks that Respondent be ordered to immediately accept and execute the necessary paperwork to complete the sale on that offer. Alternatively, he asks that the parties be ordered to list the residence for sale with Ty Russel of Century 21 acting as the listing agent. He asks that Mr. Russel be given the authority to set the listing price and determine which repairs and maintenance are necessary for the sale. He asks that the parties split the costs of such repairs/maintenance equally and that Respondent be ordered to keep the home in a clean and saleable condition. Once sold, he asks that the proceeds be placed in Petitioner's Attorney's IOLTA trust account.

In addition to the orders regarding the sale of the former family residence, Petitioner is requesting Respondent's SCERS pension plan be divided pursuant to the time rule. He asks that the parties be ordered to utilize Moon Schwartz and Madden for the production of the QDRO and that the parties equally split the cost of doing so.

Finally, Petitioner requests exclusive use, possession, and control of the property listed on Exhibit 5 to his RFO and the court to reserve on division of the values of those assets until the time of trial.

Respondent agrees to sell the former family residence but she opposes the use of Ty Russel as the listing agent. She would agree to listing the property with Viktor Luknov. She opposes all of Petitioner's other requests, including Petitioner's request for exclusive use and possession of the Exhibit 5 items, instead she asks that those items be ordered sold. She further asks the court to order Petitioner to immediately obtain his own health insurance.

Regarding the sale of the marital residence, pursuant to Family Code § 2553, the court has broad discretion to "...make any orders [it] considers necessary..." and in doing

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so, the court does have authority to order the sale and division of proceeds of the marital residence. Fam. Code § 2553; See *also* Marriage of Holmgren, 60 Cal. App. 3d 869 (1976); See *also* In re Marriage of Horowitz, 159 Cal. App. 3d 368 (1984). In keeping with the court's aforementioned authority, the parties are ordered to sell the former family residence located on East Road in Placerville forthwith. The parties shall not use either Ty Russel or Viktor Luknov for the sale. Instead, Respondent shall give Petitioner the names of three listing agents no later than August 27, 2026. Petitioner shall choose one of the three and inform Respondent of his choice no later than September 3, 2026. The selected listing agent shall have the authority to select the listing price and determine which repairs and maintenance, if any, are necessary to prepare the home for sale. The parties are ordered to equally share in the costs of any such repairs or maintenance.

The parties are ordered to take no action which would delay, hinder, or otherwise prevent the sale, including actions which would prevent cleaning, repairs, and maintenance or showing of the home in furtherance of its sale. The parties are ordered to cooperate with the real estate professional to make the home available for showings and to communicate with the real estate professional as needed. The parties are ordered to accept any reasonable offer for the purchase of the home if one is received. The parties are to sign all documents related to the sale of the home in a timely manner. Net proceeds of the sale are to be placed in the Attorney Trust Account of Petitioner's counsel until written agreement of the parties or until court order to release the proceeds. The court reserves jurisdiction over all aspects of the sale and distribution of the net proceeds of the sale.

Regarding the personal property items listed in Exhibit 5 attached to Petitioner's RFO, Petitioner's request for exclusive use, possession and control is denied. Likewise, Respondent's request to sell the items is also denied. The items are to be stored properly and kept in their current condition, normal wear and tear excepted, pending a final decision on the division of assets or mutual written agreement of the parties.

Turning to the issue of the SCERS pension, the pension is to be divided pursuant to the time rule. The parties are to retain Moon, Schwartz and Madden for the production of the QDRO and they are ordered to equally share in the cost thereof.

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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TENTATIVE RULING #6: THE PARTIES ARE ORDERED TO SELL THE FORMER FAMILY RESIDENCE LOCATED ON EAST ROAD IN PLACERVILLE FORTHWITH. THE PARTIES SHALL NOT USE EITHER TY RUSSEL OR VIKTOR LUKNOV FOR THE SALE. INSTEAD, RESPONDENT SHALL GIVE PETITIONER THE NAMES OF THREE LISTING AGENTS NO LATER THAN AUGUST 27, 2026. PETITIONER SHALL CHOOSE ONE OF THE THREE AND INFORM RESPONDENT OF HIS CHOICE NO LATER THAN SEPTEMBER 3, 2026. THE SELECTED LISTING AGENT SHALL HAVE THE AUTHORITY TO SELECT THE LISTING PRICE AND DETERMINE WHICH REPAIRS AND MAINTENANCE, IF ANY, ARE NECESSARY TO PREPARE THE HOME FOR SALE. THE PARTIES ARE ORDERED TO EQUALLY SHARE IN THE COSTS OF ANY SUCH REPAIRS OR MAINTENANCE.

THE PARTIES ARE ORDERED TO TAKE NO ACTION WHICH WOULD DELAY, HINDER, OR OTHERWISE PREVENT THE SALE, INCLUDING ACTIONS WHICH WOULD PREVENT CLEANING, REPAIRS, AND MAINTENANCE OR SHOWING OF THE HOME IN FURTHERANCE OF ITS SALE. THE PARTIES ARE ORDERED TO COOPERATE WITH THE REAL ESTATE PROFESSIONAL TO MAKE THE HOME AVAILABLE FOR SHOWINGS AND TO COMMUNICATE WITH THE REAL ESTATE PROFESSIONAL AS NEEDED. THE PARTIES ARE ORDERED TO ACCEPT ANY REASONABLE OFFER FOR THE PURCHASE OF THE HOME IF ONE IS RECEIVED. THE PARTIES ARE TO SIGN ALL DOCUMENTS RELATED TO THE SALE OF THE HOME IN A TIMELY MANNER. NET PROCEEDS OF THE SALE ARE TO BE PLACED IN THE ATTORNEY TRUST ACCOUNT OF PETITIONER'S COUNSEL UNTIL WRITTEN AGREEMENT OF THE PARTIES OR UNTIL COURT ORDER TO RELEASE THE PROCEEDS. THE COURT RESERVES JURISDICTION OVER ALL ASPECTS OF THE SALE AND DISTRIBUTION OF THE NET PROCEEDS OF THE SALE.

REGARDING THE PERSONAL PROPERTY ITEMS LISTED IN EXHIBIT 5 ATTACHED TO PETITIONER'S RFO, PETITIONER'S REQUEST FOR EXCLUSIVE USE, POSSESSION AND CONTROL IS DENIED. LIKEWISE, RESPONDENT'S REQUEST TO SELL THE ITEMS IS ALSO DENIED. THE ITEMS ARE TO BE STORED PROPERLY AND KEPT IN THEIR CURRENT CONDITION, NORMAL WEAR AND TEAR EXCEPTED, PENDING A FINAL DECISION ON THE DIVISION OF ASSETS OR MUTUAL WRITTEN AGREEMENT OF THE PARTIES.

TURNING TO THE ISSUE OF THE SCERS PENSION, THE PENSION IS TO BE DIVIDED PURSUANT TO THE TIME RULE. THE PARTIES ARE TO RETAIN MOON SCHWARTZ AND MADDEN FOR THE PRODUCTION OF THE QDRO AND THEY ARE ORDERED TO EQUALLY SHARE IN THE COST THEREOF.

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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.

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. ROSS SCROGGINS V. RANDY SCROGGINS

25FL0877

On February 27, 2026, Petitioner filed a Request for Order (RFO) seeking custody and visitation orders. The RFO was originally filed ex parte. The ex parte request was granted and the parties were referred to an emergency set Child Custody Recommending Counseling (CCRC) appointment. A hearing was set for the present date. All required documents were served on March 10, 2026.

The parties attended CCRC on March 27, 2026 and were unable to reach any agreements. As such, a report with recommendations was prepared and mailed to the parties on May 13, 2026.

Petitioner filed a declaration on May 27th. There is no Proof of Service of this document therefore the court has not read or considered it.

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

Petitioner is requesting sole legal and sole physical custody of the minor.

After reviewing the filings as outlined above, the court finds the recommendations contained in the May 13, 2026 CCRC report to be in the best interests of the minor and they are hereby adopted as the orders of the court.

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 #7: THE COURT FINDS THE RECOMMENDATIONS CONTAINED IN THE MAY 13, 2026 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINOR AND THEY ARE HEREBY ADOPTED AS THE ORDERS OF THE COURT.

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

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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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8. JENNIFER SOMERS V. BENJAMIN PINKHAM

26FL0022

On May 7, 2026, Petitioner appeared before the court for hearing on her Request for Domestic Violence Restraining Order (DVRO). Respondent did not appear at the hearing therefore, the court took testimony from Petitioner, granted a 5-year DVRO and set the matter for hearing on the issue of spousal support. Respondent was ordered to file his Income and Expense Declaration no later than 10 days prior to the date for the support hearing.

It does not appear that either party has filed an Income and Expense Declaration. Without them, the court cannot calculate support therefore this matter is dropped from calendar.

TENTATIVE RULING #8: THIS MATTER IS DROPPED FROM CALENDAR AS NEITHER PARTY HAS FILED AN INCOME AND EXPENSE DECLARATION.

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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10. CHERYL ASPENLEITER V. RICHARD ASPENLEITER

PFL20070201

Respondent filed a Request for Order (RFO) on June 8, 2026, seeking modification of permanent spousal support. Respondent concurrently filed an Income and Expense Declaration. Petitioner was personally served on July 22, 2026; however, it does not appear Petitioner was served with the Income and Expense Declaration or blank FL-320.

Petitioner filed a responsive declaration and an Income and Expense Declaration on July 31, 2026. Petitioner opposes the request to terminate permanent spousal support. Further, Petitioner asserts she was not properly served with Respondent's Income and Expense Declaration.

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

TENTATIVE RULING #10: 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.

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11. DAVID BELL V. MEGAN GUERRERO

24FL0556

On August 10, 2026, Petitioner filed a Request for Order (RFO) and Order Shortening Time (OST) seeking clarification of the issues at trial and potential continuance of the trial date. The court granted the OST on August 11, 2026, setting the matter for a hearing on August 20, 2026, at 1:30 PM and directing Petitioner to serve Respondent on or before August 11, 2026. The court directed Respondent to file a Responsive Declaration on or before August 18, 2026. Proof of Service shows Respondent was electronically served on August 11, 2026.

Respondent filed a Responsive Declaration on August 17, 2026. It was served the same day. Respondent opposes the request to continue the trial and asserts the applicability of Family Code section 3044 has been a known issue since the matter was set for trial in May and by way of Respondent's briefing in June. Respondent requests the court go forward with trial.

The court has read and considered the filings as outlined above. The court finds the issue of whether Family Code section 3044 applies to Petitioner was set for trial when the matter was initially set for an evidentiary hearing in May of this year. The court finds Petitioner has been on notice that it was an issue since May 22, 2026. Further, the court finds Petitioner was aware of the issue when he last requested the trial date be continued. While the issue of Petitioner's fifth amendment rights has not previously been raised, the court finds that issue may be raised as necessary at trial. Petitioner's request to continue the trial is denied. The court confirms the September 21, 2026, hearing set at 8:30 Am in Department 5.

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 #11: THE COURT FINDS THE ISSUE OF WHETHER FAMILY CODE SECTION 3044 APPLIES TO PETITIONER WAS SET FOR TRIAL WHEN THE MATTER WAS INITIALLY SET FOR AN EVIDENTIARY HEARING IN MAY OF THIS YEAR. THE COURT FINDS PETITIONER HAS BEEN ON NOTICE THAT IT WAS AN ISSUE SINCE MAY 22, 2026. FURTHER, THE COURT FINDS PETITIONER WAS AWARE OF THE ISSUE WHEN HE LAST REQUESTED THE TRIAL DATE BE CONTINUED. WHILE THE ISSUE OF PETITIONER'S FIFTH AMENDMENT RIGHTS HAS NOT PREVIOUSLY BEEN RAISED, THE COURT FINDS

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THAT ISSUE MAY BE RAISED AS NECESSARY AT TRIAL. PETITIONER'S REQUEST TO CONTINUE THE TRIAL IS DENIED. THE COURT CONFIRMS THE SEPTEMBER 21, 2026, HEARING SET AT 8:30 AM IN DEPARTMENT 5.

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.

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12. JUDY MARCUM V. ZACHARY NUGENT

21FL0051

Respondent filed a Request for Order (RFO) on June 2, 2026, seeking modification of the current visitation orders. Petitioner was electronically served on June 13, 2026.

Petitioner filed a Responsive Declaration on July 22, 2026. Petitioner was served on July 22nd.

The court notes the parties have not participated in Child Custody Recommending Counseling (CCRC) in the last year. Respondent failed to appear at the CCRC appointment when it was set earlier this year, despite it being set at his request. The court finds good cause to refer the parties to CCRC. Parties are to attend CCRC on Friday, October 30th at 1:00 pm and return for a review hearing on Thursday, December 17th at 1:30 pm in Department 5. If either party fails to appear at the CCRC appointment, the court may issue sanctions against the party. Any Supplemental Declarations are due at least 10 days prior to the review hearing date. Pending the review hearing, all prior 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 #12: THE COURT FINDS GOOD CAUSE TO REFER THE PARTIES TO CCRC. PARTIES ARE TO ATTEND CCRC ON FRIDAY, OCTOBER 30TH AT 1:00 PM AND RETURN FOR A REVIEW HEARING ON THURSDAY, DECEMBER 17TH AT 1:30 PM IN DEPARTMENT 5. IF EITHER PARTY FAILS TO APPEAR AT THE CCRC APPOINTMENT, THE COURT MAY ISSUE SANCTIONS AGAINST THE PARTY. ANY SUPPLEMENTAL DECLARATIONS ARE DUE AT LEAST 10 DAYS PRIOR TO THE REVIEW HEARING DATE. PENDING THE REVIEW HEARING, ALL PRIOR 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.

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

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

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13. SHEENA MORTENSEN V. MICHAEL RUSH

26FL0488

Petitioner filed a Request for Order (RFO) on May 29, 2026, after the court denied her ex parte application for emergency orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 9, 2026 and a review hearing on August 20, 2026. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Respondent filed a Responsive Declaration on May 29, 2026. There is no Proof of Service for this document.

Both parties and the minor appeared and fully participated in the CCRC appointment. A report with agreements of the parties as well as further recommendations was filed with the court on July 28, 2026. Copies were mailed to the parties on July 29, 2026.

Petitioner filed declarations on August 10, 11, and 12, 2026. The declarations were served on August 10th and 12th. Each is excessive in length, 78 pages, 78 pages, 89 pages, 122 pages and contain hearsay. The court has only considered the relevant and admissible portions of the declarations.

The court orders parties to appear for the hearing.

TENTATIVE RULING #13: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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15. KAREN SILVA V. DAVID NAUFAHU

25FL0154

Petitioner filed a Petition for Custody and Support on February 20, 2025. There is no Proof of Service showing Respondent has been properly served.

Petitioner filed a Request for Order (RFO) on March 6, 2026, requesting child custody orders. Parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on April 16, 2026 and a review hearing on June 4, 2026. Respondent was electronically served some of the required documents on April 1, 2026.

Only Petitioner appeared at CCRC on April 16, 2026. A single parent report was issued the same day. It was mailed to parties on April 20th.

Petitioner filed a Request to Reschedule the hearing and be rereferred to CCRC on May 18, 2026. The court granted the request and rescheduled CCRC and the review hearing the same day.

Also on May 18, 2026, Petitioner filed a request to serve Respondent via posting. The request was granted the same day.

Neither party appeared at the CCRC appointment on July 8, 2026.

Petitioner filed a letter on July 13, 2026, stating she was hospitalized at the time of the CCRC appointment. It was served electronically on July 13th.

The court drops the matter from calendar. There is no Proof of Service showing the Petition and Summons have been properly served. As such, the court does not have jurisdiction to make orders in this case.

TENTATIVE RULING #15: THE COURT DROPS THE MATTER FROM CALENDAR. THERE IS NO PROOF OF SERVICE SHOWING THE PETITION AND SUMMONS HAVE BEEN PROPERLY SERVED. AS SUCH, THE COURT DOES NOT HAVE JURISDICTION TO MAKE ORDERS IN THIS CASE.

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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August 20, 2026

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

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16. KATRINA SMITH V JARED LANDBERG

PFL20210607

Petitioner filed a Request for Order (RFO) on May 19, 2026, seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 10, 2026, and review hearing on August 20th. Proof of Service shows Respondent was personally served on June 1, 2026.

Only Petitioner appeared at the CCRC appointment on July 10th. A single parent report was issued the same day. Copies were mailed to the parties on July 10, 2026.

Respondent has not filed a Responsive Declaration.

Parties are ordered to appear for the hearing.

TENTATIVE RULING #16: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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17. KIM NOLAN STUCKI V. TAMMY GAY CARDONI STUCKI

25FL0197

Respondent filed a Request for Order (RFO) on May 18, 2026, seeking enforcement of the Marital Settlement Agreement (MSA) and Qualified Domestic Relations Order (QDRO). Petitioner was mail served on May 26, 2026. The court notes this is a post-judgment request and as such Family Code section 215 applies and mail service is not permitted.

Petitioner filed a Responsive Declaration on July 27, 2026. Petitioner concurrently filed a Memorandum of Points and Authorities. Both were mail served the same day. Respondent does not raise the issue of improper service; therefore, the court deems it to have been waived.

Respondent filed a Reply Declaration on August 11, 2026. It was served the same day.

The court finds it must take evidence and testimony on the issues presented. As such, the parties are ordered to appear to select Mandatory Settlement Conference (MSC) and trial dates.

**TENTATIVE RULING #17: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING
SELECT MANDATORY SETTLEMENT CONFERENCE (MSC) AND TRIAL DATES.**

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18. NADIA THEODORE V. GABE LOPEZ

26FL0142

Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC) on April 14, 2026. It was set to be heard on June 25, 2026. Parties agreed to continue the matter to August 20, 2026. Petitioner was personally served on April 25, 2026.

Respondent filed a Request for Order (RFO) requesting modification of the child custody and parenting plan orders on April 16, 2026. It too was set for a hearing on June 25th and continued by agreement of the parties to August 20th. Petitioner was personally served on April 25, 2026.

Petitioner filed an RFO on May 1, 2026. Petitioner filed an OSC the same day. Respondent was personally served on May 7, 2026.

Petitioner filed an ex parte application for emergency custody orders on May 5, 2026. On May 8, 2026, the court granted the ex parte request directing the minor to be immediately returned to the state of California and granting Petitioner temporary sole physical custody. The court ordered Respondent to have professionally supervised parenting time two times per week for two hours each. On May 8th Petitioner filed an RFO seeking the same orders requested in the ex parte application. The parties were referred to Child Custody Recommending Counseling (CCRC) with an emergency set appointment on May 26, 2026, and a review hearing on June 25, 2026. There is no Proof of Service showing Respondent was properly served with the ex parte orders or the referral to CCRC.

On May 21, 2026, parties agreed to continue all matters to August 20th and reschedule the CCRC appointment to July 9th.

Only Petitioner appeared at CCRC on July 9, 2026. A single parent report was issued on July 9th and mailed to the parties on the same day.

Parties are ordered to appear for the hearing.

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