

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

August 7, 2025

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

1. BARBARA BAKER V. STEPHEN BAKER

PFL20170145

On May 21, 2025, Respondent filed a Request for Order (RFO) seeking to file the Marital Settlement Agreement (MSA). All required documents were mail served on July 8th; however, this is a post-judgment request therefore, it was required to be personally served on Petitioner in accordance with Family Code § 215. Nevertheless, Petitioner filed a Responsive Declaration to Request for Order on July 21st.

Respondent filed his Reply to Opposition to Request for Order on July 31st. It was mail served the same day. The court finds this to be untimely served pursuant to Civil Procedure section 1005(b) which states all reply papers are to be filed at least five court days before the hearing date and served by “personal delivery, facsimile transmission, express mail, or other means...reasonably calculated to ensure delivery to the other party or parties not later than the close of the next business day...” Civ. Pro. § 1005(b) & (c).

Respondent is requesting modification of the May 2, 2018 MSA which became the judgment of the court on May 25, 2018. Petitioner opposes the request as she argues the foreseeability of the increased insurance premiums and Respondent’s ability to pay.

After reviewing the filings as outlined above, the court does find grounds to modify the MSA given the substantial increase in the cost of the monthly premium for the insurance policy. Additionally, the court finds that Respondent’s proposed remedy would not result in any undue burden to Petitioner nor any material change to Petitioner’s rights under the MSA. As such, effective immediately, the terms of the MSA referencing Respondent’s Ameritas life insurance policy shall be amended as follows. Respondent is ordered to establish a revocable trust with Petitioner named as the beneficiary. Respondent is to record a promissory note and a deed of trust securing a \$100,000 death benefit in favor of Petitioner until she reaches the age of 75 years old. Upon completion of the foregoing, Respondent will no longer be required to maintain the Ameritas life insurance policy.

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

TENTATIVE RULING #1: EFFECTIVE IMMEDIATELY, THE TERMS OF THE MSA REFERENCING RESPONDENT’S AMERITAS LIFE INSURANCE POLICY SHALL BE AMENDED AS FOLLOWS. RESPONDENT IS ORDERED TO ESTABLISH A REVOCABLE TRUST WITH PETITIONER NAMED AS THE BENEFICIARY. RESPONDENT IS TO RECORD A PROMISSORY NOTE AND A DEED OF TRUST SECURING A \$100,000 DEATH BENEFIT IN

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FAVOR OF PETITIONER UNTIL SHE REACHES THE AGE OF 75 YEARS OLD. UPON COMPLETION OF THE FOREGOING, RESPONDENT WILL NO LONGER BE REQUIRED TO MAINTAIN THE AMERITAS LIFE INSURANCE POLICY. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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

2. ALANA J. BARBIERY V. DANIEL J. BARBIERY

23FL0609

Respondent filed a Request for Order (RFO) on May 20, 2025 seeking spousal support and the sale of the marital residence. There is no Proof of Service for this document and Respondent did not file an Income and Expense Declaration.

Petitioner filed and served a Responsive Declaration to Request for Order along with a Declaration of Counsel for Petitioner on July 25th.

Petitioner filed and served another Responsive Declaration to Request for Order on July 29th. 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 July 25th the last day for filing Petitioner’s Responsive Declaration to Request for Order.

Respondent filed his Income and Expense Declaration and a Declaration on July 30th. There is no Proof of Service for either document therefore the court has not read or considered either.

The request for spousal support is denied due to Respondent’s failure to timely file his Income and Expense Declaration and the requisite supporting documents.

The request to sell the marital residence is likewise denied as Respondent has not provided the court with any real clarity as to what he is requesting since this issue has already been ruled on, and his declaration is only a recitation of what he believes were unfair actions by the listing agent and Petitioner’s counsel.

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

TENTATIVE RULING #2: THE REQUESTS IN RESPONDENT’S RFO ARE DENIED. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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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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3. MICHAEL FLEMMING V. ASHELY FLEMMING

25FL0019

On May 15, 2025, the parties appeared before the court for hearing on a Request for Domestic Violence Restraining Order. The parties entered a stipulation wherein they requested a referral to mediation and a review hearing. The request was granted; the parties were referred to Child Custody Recommending Counseling (CCRC) to address the issue of a holiday schedule. A review hearing was set for the present date.

The parties attended CCRC and were able to reach an agreed upon holiday schedule. A report containing their agreement was prepared on June 13, 2025. It was mailed to the parties on June 16th.

The court finds the agreement of the parties contained in the CCRC report to be in the best interests of the minors. Therefore, it is hereby adopted as the order of the court. All prior orders not in conflict with this order remain in full force and effect.

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

TENTATIVE RULING #3: THE COURT FINDS THE AGREEMENT OF THE PARTIES CONTAINED IN THE JUNE 13, 2025 CCRC REPORT TO BE IN THE BEST INTERESTS OF THE MINORS. THEREFORE, IT IS HEREBY ADOPTED AS THE ORDER OF THE COURT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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4. BRITTANY JONES V. SEAN O'BRIEN

PFL20200514

On May 16, 2024, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. The matter was filed ex parte, however it was denied on an ex parte basis and the parties were referred to Child Custody Recommending Counseling (CCRC). A review hearing was set on the present date. All required documents were served on May 14th.

The parties appeared at CCRC as scheduled, however CCRC was informed that there is a Domestic Violence Restraining Order (DVRO) in place through Sacramento County case number 25DV01656 with custody orders. As such, CCRC was unable to make recommendations.

This matter is dropped from calendar as there are already custody orders in place through Sacramento County case number 25DV01656.

TENTATIVE RULING #4: THIS MATTER IS DROPPED FROM CALENDAR AS THERE ARE ALREADY CUSTODY ORDERS IN PLACE THROUGH SACRAMENTO COUNTY CASE NUMBER 25DV01656.

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. HOPE KINSMAN V. JEREMY KINSMAN

25FL0256

On May 13, 2025, Respondent filed an RFO seeking to set aside the default judgment. On June 2, 2025, he filed an Amended RFO seeking custody and visitation orders and an order setting aside the default judgment. All documents were served on July 3rd by personal service.

Petitioner filed her Responsive Declaration to Request for Order on July 18th.

On July 21, Respondent filed another Amended RFO again seeking custody orders and an order setting aside the default judgment. It was personally served on July 21st. The court finds this to be late filed pursuant to Civil Procedure section 1005(b) which states all moving papers are to be filed at least 16 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 July 16th the last day for filing and serving any moving papers. Therefore, the second amended RFO is late filed and has not been considered by the court.

Petitioner filed a Responsive Declaration to the second amended RFO on July 21st.

Respondent filed and served a “Response” Declaration on July 22nd. The court deems this to be a Reply Declaration. He filed another Response Declaration on July 24th, it was personally served on July 25th. The court deems this to be a sur reply which Respondent did not request leave to file therefore the court has not read or considered it.

Respondent asks the court to set aside the default judgment, although no such judgment has been taken to date. He states that he is unable to afford counsel and did not know he needed to file a Response within 30 days. In his first amended RFO, Respondent also requests sole legal custody of the minor and joint custody to be shared by the parties on a 2-2-3 schedule.

Petitioner requests sole legal and sole physical custody of the minor with Respondent to have visitation on Fridays, Saturdays, and Sundays the first and third weekends of the month from 12-5 and every other Wednesday from 3:30 to 7:30 per the stipulation of the parties entered on May 6th.

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The issues of custody are continued to join with the hearing currently set for September 4th at 8:30am in Department 5.

The request to set aside the default judgment is denied as no such judgment has been taken and therefore, the matter is not ripe to be heard by the court.

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

TENTATIVE RULING #5: THE ISSUES OF CUSTODY ARE CONTINUED TO JOIN WITH THE HEARING CURRENTLY SET FOR SEPTEMBER 4TH AT 8:30AM IN DEPARTMENT 5. THE REQUEST TO SET ASIDE THE DEFAULT JUDGMENT IS DENIED AS NO SUCH JUDGMENT HAS BEEN TAKEN AND THEREFORE THE MATTER IS NOT RIPE TO BE HEARD BY THE COURT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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6. JEFFREY LYNCH V. MICHELLE LYNCH

PFL20120681

On April 25, 2025, Petitioner filed a Request for Order (RFO). He filed an Income and Expense Declaration on April 28th. This is a post-judgment request therefore all required documents were personally served on May 27th.

Respondent filed and served a Responsive Declaration to Request for Order on July 24th.

Petitioner seeks to modify spousal support. Because this is a post-judgment request, Respondent asks that the court set the issue for trial.

Generally speaking, the court is required to take evidence on and address the Family Code § 4320 factors when ruling on a post-judgment request for modification of spousal support. As such, the parties are ordered to appear to select Mandatory Settlement Conference and trial dates.

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

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7. BETSY MACGILLIVRAY V. TIMOTHY HICKS

PFL20110540

On May 14, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders as well as child support. The RFO was served by mail on May 15, 2025. In keeping with Family Code § 215, he filed a Declaration Regarding Address Verification as this is a post-judgment request.

On June 16th, Caroline Hicks filed an RFO seeking to join the action and seeking custody and visitation orders.

The parties attended Child Custody Recommending Counseling (CCRC) on June 11, 2025. They were unable to reach agreements therefore a report with recommendations was prepared on July 25th.

Respondent filed and served a Responsive Declaration to Request for Order on July 25th.

Caroline Hick's Supplemental Declaration was filed on July 31st.

Petitioner has not filed a Responsive Declaration addressing either of the pending RFOs.

Respondent is requesting sole legal and sole physical custody of the minor child. It is unclear if Respondent is seeking updated child support orders as the first page of the FL-300 indicates that he is requesting child support orders, but section 3 is not filled out and Respondent has not filed an Income and Expense Declaration. Furthermore, it does not appear that the moving papers were served on DCSS. Given the numerous procedural deficiencies, the request for child support is dropped from calendar.

Ms. Hicks is requesting joinder as a de-facto parent of the minor who helped raise her since the age of three. She requests to be included in any custody and visitation orders put in place.

A third party may be joined as a party to the action where the person seeking joinder claims visitation rights with respect to a minor who is subject to the action. Cal. Rule Ct. 5.24(c). A third party who has taken on the essential role of apparent (a "de facto parent") has the basis for joinder under Family Code § 3041(c); Erika K. v. Brett D., 161 Cal. App. 4th 1259, 1267 (2008). Where such joinder is proper, the party seeking to join the action shall follow the procedural requirements as set forth in Rule of Ct. 5.24. Such requirements include filing a Notice of Motion and Declaration for Joinder form and the appropriate

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pleading setting forth the claim as if it were asserted in a separate action or pleading. Cal. Rule of Ct. 5.24(d)(1).

Here, the court does find that Ms. Hicks has established herself as a de facto parent to the minor. She has helped raise the minor since the age of 3. The minor refers to Ms. Hicks as “mama” and even has her saved in her phone as such. Additionally, the motion for joinder filed by Ms. Hicks is procedurally proper and includes all of the requisite documents, including a Summons. Accordingly, the request for joinder is granted. Ms. Hicks is ordered to file and serve the Summons forthwith. The parties, including Joined Party Ms. Hicks, are referred to Child Custody Recommending Counseling (CCRC) with an appointment on 9/4/2025 at 9:00 with Norman Labat. A review hearing is set for 10/23/2025 at 8:30am in Department 5. Any Supplemental Declarations shall be filed and served no later than 10 days prior to the hearing date.

In the interim, the court is adopting the recommendations contained in the July 25, CCRC report as the court finds them to be in the best interests of the minors. The parties are to follow these orders pending the return hearing. All prior orders not in conflict with this order remain in full force and effect.

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

TENTATIVE RULING #7: THE REQUEST FOR JOINDER IS GRANTED. MS. HICKS IS ORDERED TO FILE AND SERVE THE SUMMONS FORTHWITH. THE PARTIES, INCLUDING JOINED PARTY MS. HICKS, ARE REFERRED TO CHILD CUSTODY RECOMMENDING COUNSELING (CCRC) WITH AN APPOINTMENT ON 9/4/2025 AT 9:00 AM WITH NORMAN LABAT A REVIEW HEARING IS SET FOR 10/23/2025 AT 8:30AM IN DEPARTMENT 5. ANY SUPPLEMENTAL DECLARATIONS SHALL BE FILED AND SERVED NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE.

IN THE INTERIM, THE COURT IS ADOPTING THE RECOMMENDATIONS CONTAINED IN THE JULY 25, CCRC REPORT AS THE COURT FINDS THEM TO BE IN THE BEST INTERESTS OF THE MINORS. THE PARTIES ARE TO FOLLOW THESE ORDERS PENDING THE RETURN HEARING. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT.

THE REQUEST FOR CHILD SUPPORT IS DROPPED FROM CALENDAR.

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

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8. ADAM MINOR V. MELINA SCHIFF

23FL0434

Respondent filed her Request for Order (RFO) on May 21, 2025, seeking orders regarding enrollment of the minor in daycare. Because this was originally filed as an Application for Order Shortening Time and Order (OST). Petitioner filed his Responsive Declaration to Request for Order on March 20th.

On June 20th, Respondent filed a letter with the court withdrawing her RFO and requesting to vacate the hearing. As such, this matter is dropped from calendar.

TENTATIVE RULING #8: THIS MATTER IS DROPPED FROM CALENDAR.

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

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9. MATTHEW NICHOLAS MONTANO V. DANIELLE CHAVELA RUBALCAVA 23FL1254

On May 19, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. This matter was filed on an ex parte basis therefore Petitioner filed a Responsive Declaration to Request for Order on May 16th. The request was denied ex parte but it was set for hearing on the regular law and motion calendar and the parties were referred to Child Custody Recommending Counseling (CCRC).

The parties attended CCRC on June 13, 2025 and were able to reach agreements on all issues. A report codifying those agreements was prepared on June 17th. It was mailed to the parties on June 18th.

After reviewing the agreements of the parties as contained in the June 17, 2025 CCRC report, the court finds them to be in the best interests of the minor. They are therefore, adopted as the orders of the court.

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

TENTATIVE RULING #9: AFTER REVIEWING THE AGREEMENTS OF THE PARTIES AS CONTAINED IN THE JUNE 17, 2025 CCRC REPORT, THE COURT FINDS THEM TO BE IN THE BEST INTERESTS OF THE MINOR. THEY ARE THEREFORE HEREBY ADOPTED AS THE ORDERS OF THE COURT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

22FL0770

On May 16, 2025, the court continued Petitioner's request for Family Code section 6344 attorney's fees to August 7, 2025, at 8:30 AM in Department 5. The court ordered Respondent to file and serve an Income and Expense Declaration at least 10 days prior to the hearing.

Upon review of the court file, Respondent has failed to comply with the court's order to file and serve his Income and Expense Declaration.

Parties are ordered to appear for the hearing.

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

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11. CLARA STEWART V. FRANCISCO MARIN

SFL20190229

On March 13, 2025, the parties appeared before the court for receipt and review of the 3111 report. The report was not yet complete, therefore the parties stipulated to continue the hearing to the present date. Supplemental Declarations were ordered to be filed and served at least 10 days prior to the hearing.

On May 8, 2025, Petitioner filed and served a Request for Order (RFO) seeking child support and an order for a vocational evaluation. She filed her Income and Expense Declaration concurrently therewith.

Respondent filed and served his Responsive Declaration to Request for Order and his Income and Expense Declaration on July 18th.

On July 25th, Petitioner filed a Reply Memorandum of Attorney on Issues Related to Child Support & Vocational Evaluation. It was electronically served on July 24th. She then filed an Updating Declaration on July 28th.

Respondent's Objection and Motion to Strike; and Reply Declaration was filed and served on July 29th.

Petitioner is requesting guideline child support based on Respondent's current income. In the event that Respondent claims to be working less than minimum wage then Petitioner asks that Respondent undergo a vocational evaluation with an expert of Petitioner's choosing. She asks that the court set a review hearing for receipt of the vocational evaluation report.

Respondent asks that the court deny the request to change child support and reschedule the issue to be heard after receipt and review of the 3111 report. He also opposes the request for a vocational evaluation.

It appears the 3111 report still has yet to be completed. According to Respondent, it was last projected to be complete by the end of August. As such, this matter is continued to 10/16/2025 at 8:30 AM in department 5. Parties are ordered to file and serve Supplemental Declarations and updated Income and Expense Declarations no later than 10 days prior to the hearing date.

While the court recognizes the result of the 3111 evaluation may affect any child support award, the court does find it would be warranted to issue interim orders given that Respondent's income seems to have approximately doubled since the last support order

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was made. The court will reassess child support at the time the 3111 evaluation is received and custody orders are made. The court reserves jurisdiction to amend support back to the date of filing the RFO.

For the time being, the court finds that child support is \$64 per month. See attached XSpouse report. The court adopts the attached XSpouse report and orders Respondent to pay Petitioner \$64 per month as and for child support, payable on the 15th of the month commencing on August 15, 2025 and continuing until further order of the court or legal termination. The court is reserving jurisdiction over the issue of arrears until after receipt and review of the 3111 report.

The request for a vocational evaluation is granted. Respondent is ordered to undergo a vocational evaluation with an expert chosen by Petitioner. Respondent is ordered to comply with the evaluation in all material respects. The evaluation shall be at Petitioner's sole cost, subject to reallocation. Given that an evaluator has not even been chosen yet and it is unclear how long the vocational evaluation report may take, the request for a review hearing is denied. Petitioner may file an RFO upon receipt of the vocational evaluation if she deems a change in support to be warranted at that time.

Finally, regarding the declarations filed on July 28th and July 29th, these declarations largely contain the same he-said/she-said arguments that caused the court to resort to a 3111 evaluation in the first place. The court is not inclined to amend any of its custody and visitation orders until after the receipt and review of the 3111 Report. The court has already made orders regarding supervisors and exchanges. All prior orders remain in full force and effect.

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

TENTATIVE RULING #11: THIS MATTER IS CONTINUED TO 10/16/2025 AT 8:30 AM IN DEPARTMENT 5. PARTIES ARE ORDERED TO FILE AND SERVE SUPPLEMENTAL DECLARATIONS AND UPDATED INCOME AND EXPENSE DECLARATIONS NO LATER THAN 10 DAYS PRIOR TO THE HEARING DATE. THE COURT WILL REASSESS CHILD SUPPORT AT THE TIME THE 3111 EVALUATION IS RECEIVED AND CUSTODY ORDERS ARE MADE. THE COURT RESERVES JURISDICTION TO AMEND SUPPORT BACK TO THE DATE OF FILING THE RFO.

FOR THE TIME BEING, THE COURT FINDS THAT CHILD SUPPORT IS \$64 PER MONTH. SEE ATTACHED XSPOUSE REPORT. THE COURT ADOPTS THE ATTACHED

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XSPOUSE REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$64 PER MONTH AS AND FOR CHILD SUPPORT, PAYABLE ON THE 15TH OF THE MONTH COMMENCING ON AUGUST 15, 2025 AND CONTINUING UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THE COURT IS RESERVING JURISDICTION OVER THE ISSUE OF ARREARS UNTIL AFTER RECEIPT AND REVIEW OF THE 3111 REPORT.

THE REQUEST FOR A VOCATIONAL EVALUATION IS GRANTED. RESPONDENT IS ORDERED TO UNDERGO A VOCATIONAL EVALUATION WITH AN EXPERT CHOSEN BY PETITIONER. RESPONDENT IS ORDERED TO COMPLY WITH THE EVALUATION IN ALL MATERIAL RESPECTS. THE EVALUATION SHALL BE AT PETITIONER'S SOLE COST, SUBJECT TO REALLOCATION. THE REQUEST FOR A REVIEW HEARING IS DENIED. PETITIONER MAY FILE AN RFO UPON RECEIPT OF THE VOCATIONAL EVALUATION IF SHE DEEMS A CHANGE IN SUPPORT TO BE WARRANTED AT THAT TIME.

THE COURT HAS ALREADY MADE ORDERS REGARDING SUPERVISORS AND EXCHANGES. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

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

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY PHONE CALL TO THE COURT AT (530) 621-6725 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; *SEE ALSO LEWIS V. SUPERIOR COURT*, 19 CAL.4TH 1232, 1247 (1999). NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY PHONE CALL OR IN PERSON BY 4:00 P.M. ON 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
#of children	0	1	2025	
% time with NCP	5.00 %	0.00 %		Combined net spendable 6319
Filing status	SINGLE	HH/MLA	Nets(adjusted)	
# exemptions	1 *	2 *	Father 560	Father
Wages+salary	0	6637	Mother 5759	Payment Cost/Benefit -64
Self-employed income	581	391	Total 6319	Net spendable income 496
Other taxable income	0	200		Federal income tax -41
TANF+CS received	0	0	Support	Federal employment tax 82
Other nontaxble income	0	0	Addons 0	State income tax -20
New spouse income	0	0	Guideln CS -64	State employment tax 0
401(k) employee contrib	0	0	Alameda SS 0	Total taxes 21
Adjustments to income	0	0	Total -64	Federal filing status SINGLE
SS paid prev marriage	0	0	CS range: -13--64	State filing status SINGLE
CS paid prev marriage	0	0	Settings changed	
Health insurance	0	349		
Other medical expense	0	0		Mother
Property tax expense	0	0		Payment Cost/Benefit 64
Ded interest expense	0	0		Net spendable income 5823
Contribution deduction	0	0		Federal income tax 402
Misc tax deductions	0	0		Federal employment tax 563
Qual bus income ded	0	0		State income tax 75
Required union dues	0	0		State employment tax 80
Mandatory retirement	0	0		Total taxes 1120
Hardship deduction	0 *	0 *		Federal filing status HH/MLA
Other GDL deductions	0	0		State filing status HH/MLA
Child care expenses	0	0		

Father pays child support

FC 4055 checking: ON

Per Child Information	Timeshare	cce(F)	cce(M)	Addons	Payor	Basic CS	Payor	Pres CS	Payor
All children	5 - 95	0	0	0	Father	64	Father	64	Father
	5 - 95	0	0	0	Father	64	Father	64	Father

LAW & MOTION TENTATIVE RULINGS

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August 7, 2025

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

12. ESPERANZA WOOLEVER V. CHRISTOPHER WOOLEVER

PFL20180325

Contempt

On February 19, 2025, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC). On April 15, 2025, Respondent filed a Declaration regarding his attempts to serve Petitioner. The parties appeared before the court for hearing on the OSC on May 22nd, at which time Petitioner agreed to accept electronic service, and the arraignment was continued to the present date. The OSC was electronically served on May 15th.

Respondent's Supplemental Declaration was filed and served on July 21, 2025.

The parties are ordered to appear for the hearing.

Request for Order

On June 25, 2025, Petitioner filed a Request for Order (RFO) seeking orders regarding the date of separation. There is no Proof of Service for this document however, Respondent filed a Responsive Declaration to Request for Order on July 23, 2025. He does not raise the issue of service in his Responsive Declaration therefore the court finds any defect in service to have been waived and the court will reach the matter on its merits. Petitioner filed a Reply on July 31st however there is no Proof of Service for this document therefore the court has not read or considered it.

Petitioner asks the court to set the matter for an evidentiary hearing on the issue of the date of separation. In the interim, she asks that the court stay any further action regarding the division, or disbursement, of any community property assets including the CalSTRS account. She requests the court retain jurisdiction over the characterization and allocation of community debts and obligations until a date of separation is determined.

Respondent is in agreement with using the date of separation that he put in his Response to the Petition which is May of 2021. He requests \$2,000 in attorney fees and sanctions pursuant to Family Code § 271 due to Petitioner's failure to meet and confer on the issue prior to filing the RFO.

The court is not granting the request to set an evidentiary hearing on the date of separation as it appears the parties are in agreement on this issue.

The request for Section 271 sanctions is granted in part. Family Code section 271 states, in pertinent part, "...the court may base an award of attorney's fees and costs on the

LAW & MOTION TENTATIVE RULINGS

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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).

Here, the court does find that Petitioner's actions were not in keeping with the policy of the law to promote settlement and reduce the costs of litigation. Because she filed her RFO without first meeting and conferring on the issue, Respondent did incur unnecessary attorney's fees. That said, the court finds \$2,000 to be unreasonable under the circumstances. Instead, Petitioner is being sanctioned in the amount of \$500. Petitioner is ordered to pay, directly to Respondent's attorney, \$500 as and for Section 271 sanctions. This amount may be paid in one lump sum or in increments of \$100 commencing on August 15th and continuing on the 15th of each month until paid in full (approximately 5 months). If any payment is missed or late, the entire amount shall become immediately due and payable.

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

TENTATIVE RULING #12: THE PARTIES ARE ORDERED TO APPEAR FOR THE HEARING ON THE OSC. THE COURT IS NOT GRANTING THE REQUEST TO SET AN EVIDENTIARY HEARING ON THE DATE OF SEPARATION AS IT APPEARS THE PARTIES ARE IN AGREEMENT ON THIS ISSUE. PETITIONER IS BEING SANCTIONED IN THE AMOUNT OF \$500. PETITIONER IS ORDERED TO PAY DIRECTLY TO RESPONDENT'S ATTORNEY \$500 AS AND FOR SECTION 271 SANCTIONS. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN INCREMENTS OF \$100 COMMENCING ON AUGUST 15TH AND CONTINUING ON THE 15TH OF EACH MONTH UNTIL PAID IN FULL (APPROXIMATELY 5 MONTHS). IF ANY PAYMENT IS MISSED OR LATE, THE ENTIRE AMOUNT SHALL BECOME IMMEDIATELY DUE AND PAYABLE. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

LAW & MOTION TENTATIVE RULINGS

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

LAW & MOTION TENTATIVE RULINGS

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August 7, 2025

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

13. ELIZA ZORN v. JOSEPH ZORN

23FL1114

On May 19, 2025, Respondent filed a Request for Order (RFO) seeking permission to conduct discovery. The RFO and all required documents were served on June 5th. Petitioner filed and served a Responsive Declaration to Request for Order on July 22nd. Respondent has not filed a Reply.

Respondent is requesting leave to conduct discovery as necessary for the division of assets and debts in the divorce action. He has provided the court with his proposed discovery requests.

Petitioner asks the court to deny Respondent's request as the parties have already reached an agreement on discovery. She asks that the court adopt the agreement of the parties as the order of the court.

After reviewing the filings, the court finds Respondent's RFO to be moot given that the parties have already reached an agreement as to discovery. As such, the court declines to rule on the issue at this time.

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

TENTATIVE RULING #13: THE COURT FINDS RESPONDENT'S RFO TO BE MOOT GIVEN THAT THE PARTIES HAVE ALREADY REACHED AN AGREEMENT AS TO DISCOVERY. AS SUCH, THE COURT DECLINES TO RULE ON THE ISSUE AT THIS TIME. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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August 7, 2025

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

13A. SHAUNA COX V. MICHAEL BRYANT II

22FL0270

On April 7, 2025, the parties filed a Case Management Conference Stipulation and Order wherein they agreed, amongst other things, that either party may pursue bifurcation of the issue of determination of third-party interests in alleged community property. Hearing on that issue was set for August 7, 2025. Also set for the present date was the issue of whether each party's Final Declaration of Disclosure omitted material information that would be subject to evidentiary sanctions.

On July 18, 2025, Petitioner filed and served a Memorandum of Points and Authorities in Support of Request for Evidentiary Sanctions Against Respondent. She filed several Supplemental Declarations in support thereof.

Respondent has not filed a Supplemental Declaration.

Petitioner requests the court impose evidentiary sanctions on Respondent precluding him from introducing evidence at trial regarding any asset or liability not properly disclosed. She further requests monetary sanctions, including reasonable attorney's fees and costs incurred in connection with filing her motion and Respondent's disclosure violations. Petitioner makes these requests pursuant to Family Code § 2107.

Family Code section 2105 imposes on each party the obligation of making a final disclosure of assets within the specified timeframe. Where a party fails to comply with their disclosure requirements, the complying party may, among other things, file a motion to for evidentiary sanctions and seek monetary sanctions against the noncomplying party. Fam. Code § 2107(b)(2) & (c). "...[T]he court *shall*...impose monetary sanctions against the noncomplying party. Sanctions shall be in an amount sufficient to deter repetition of the conduct or comparable conduct, and *shall* include reasonable attorney's fees, costs incurred, or both, unless the court finds that the noncomplying party acted with substantial justification or that other circumstances make the imposition of the sanction unjust." Fam. Code § 2107(c).

After reviewing the filings as outlined above, the court does find that Respondent failed to comply with his disclosure obligations and therefore, evidentiary sanctions are warranted in the present matter. The request for evidentiary sanctions is granted and Respondent is hereby precluded from introducing evidence at trial regarding any asset or liability which was not properly disclosed.

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The request for monetary sanctions is also granted. However, the court does not have any information from Petitioner regarding the amount of sanctions sought. As such, the court is reserving jurisdiction on the amount of monetary sanctions to be imposed. This issue is continued to join with trial which is currently set to begin on October 21st.

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

TENTATIVE RULING #13A: THE REQUEST FOR EVIDENTIARY SANCTIONS IS GRANTED AND RESPONDENT IS HEREBY PRECLUDED FROM INTRODUCING EVIDENCE AT TRIAL REGARDING ANY ASSET OR LIABILITY WHICH WAS NOT PROPERLY DISCLOSED. THE REQUEST FOR MONETARY SANCTIONS IS ALSO GRANTED. HOWEVER, THE COURT DOES NOT HAVE ANY INFORMATION FROM PETITIONER REGARDING THE AMOUNT OF SANCTIONS SOUGHT. AS SUCH, THE COURT IS RESERVING JURISDICTION ON THE AMOUNT OF MONETARY SANCTIONS TO BE IMPOSED. THIS ISSUE IS CONTINUED TO JOIN WITH TRIAL WHICH IS CURRENTLY SET TO BEGIN ON OCTOBER 21ST. PETITIONER SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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

13B. AMELIA VERDUGO V. ANTHONY RODRIGUEZ

PFL20180504

Respondent filed an application for an Order Shortening Time (OST) and a Request for Order (RFO) on August 5, 2025. Parties were noticed and served on August 5, 2025. Respondent is requesting an order for the District Attorney's Office to release the MDI of the minor to Dr. Ebert for purposes of the Evidence Code section 730 evaluation.

On August 6, 2025, the court granted the OST and set the RFO for a hearing on August 7, 2025, at 8:30 AM. Respondent was directed to notice and serve Petitioner, Minor's Counsel, as well as the District Attorney by August 6, 2025. Parties were directed to review the tentative rulings for further instructions.

Parties are ordered to appear for the hearing.

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

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August 7, 2025

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

14. JANESEA AZEVEDO V. TRAVIS KERNS

25FL0456

Petitioner filed a Petition for Custody and Support on May 20, 2025. A summons was issued the same day. Upon review of the court file, there is no Proof of Service showing Respondent was properly served with the Petition and summons.

Petitioner filed a Request for Order (RFO) on May 20, 2025, seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on June 16, 2025, and a review hearing on August 7, 2025. Upon review of the court file, there is no Proof of Service showing Respondent was properly served with the RFO.

Only Petitioner appeared at the June 16th CCRC appointment. As such, a single parent report was filed with the court on June 23, 2025. Copies were mailed to the parties on June 25th.

The court drops the matter from calendar, as the Petition and Summons have not been served and therefore, the court does not have jurisdiction over the parties. Likewise, as the RFO was not properly served, the court is unable to proceed with the requests.

TENTATIVE RULING #14: THE COURT DROPS THE MATTER FROM CALENDAR, AS THE PETITION AND SUMMONS HAVE NOT BEEN SERVED AND THEREFORE, THE COURT DOES NOT HAVE JURISDICTION OVER THE PARTIES. LIKEWISE, AS THE RFO WAS NOT PROPERLY SERVED, THE COURT IS UNABLE TO PROCEED WITH THE REQUESTS.

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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DEPARTMENT 5

August 7, 2025

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

15. REBECCA BURT-ORTIZ V. DAVID ORTIZ

23FL0384

On August 16, 2024, Petitioner filed an Order to Show Cause and Affidavit for Contempt (OSC). It was personally served on September 5th. The parties appeared before the court for arraignment on November 7, 2024, at which time the court continued the matter to March 6, 2025.

On March 6, 2025, the court found Respondent qualified for court appointed counsel and appointed the Public Defender's Office to represent Respondent. The court directed Respondent to file an Income and Expense Declaration within 10 days including all necessary attachments.

Respondent filed an Income and Expense Declaration on March 17, 2025. There is no Proof of Service showing Petitioner was served with the document.

Parties appeared for the hearing on April 10, 2025, at which time the court relieved the Public Defender's office, due to an overload conflict. The court appointed the Alternate Public Defender's Office, who determined Respondent did not qualify for their services. The court thanked and relieved the Alternate Public Defender's Office. The court continued the arraignment to allow Respondent time to seek counsel.

Respondent filed a Profit and Loss statement on June 2, 2025. There is no Proof of Service for this document, therefore, the court cannot consider it.

The parties appeared on June 12, 2025. The court directed Respondent to serve the Profit and Loss statement on Petitioner. The court reappointed the Alternate Public Defender's Office and directed Respondent to serve his Profit and Loss statement on their office as well. The court continued the matter to August 7, 2025 at 1:30 PM in Department 5.

The parties are ordered to appear for the arraignment.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

August 7, 2025

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

16. JENNIFER CHANEY V. JASON CHANEY

22FL0859

On February 25, 2025, Respondent filed a Request for Order (RFO) seeking custody and visitation orders. It was mail served on February 26th. Because this is a post-judgment request for modification of custody orders, Respondent filed a Declaration Regarding Address Verification in accordance with Family Code § 215.

Petitioner filed a Responsive Declaration to Request for Order on May 5, 2025. It was served on May 8th.

The parties attended Child Custody Recommending Counseling (CCRC) on March 26, 2025. A report with recommendations was prepared and mailed to the parties on May 15th.

Respondent is requesting his visitation time with the minor be increased. If necessary, he asks the court to appoint Minor's Counsel to allow the minor's opinion to be taken into consideration.

Petitioner asks the court to deny Respondent's requests. She asks that she have primary physical custody and Respondent to have parenting time from Thursday after school (or at 2:00pm if no school) until Monday at school drop off (8:00am if no school), twice per month.

Parties appeared for the hearing on May 29, 2025. The parties reached stipulations which the court adopted as its orders. Included was an agreement to return to CCRC to develop a holiday schedule. The parties were to attend CCRC on June 30, 2025 and return for a review hearing on August 7, 2025. The court directed that any Supplemental Declarations were to be filed and served at least 10 days prior to the review hearing.

Parties attended CCRC on June 30th. The parties were able to reach one agreement. A report with the parties' agreement and further recommendations as to the holiday schedule was filed with the court on July 25, 2025. Copies were mailed to the parties on July 28, 2025.

The court has read and considered the filings as outlined above. The court adopts the agreement and recommendations as set forth in the July 25th CCRC report.

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

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

TENTATIVE RULING #16: THE COURT HAS READ AND CONSIDERED THE FILINGS AS OUTLINED ABOVE. THE COURT ADOPTS THE AGREEMENT AND RECOMMENDATIONS AS SET FORTH IN THE JULY 25TH CCRC REPORT. ALL PRIOR ORDERS NOT IN CONFLICT WITH THIS ORDER REMAIN IN FULL FORCE AND EFFECT. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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

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DEPARTMENT 5

August 7, 2025

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

17. AN MARY DIAZ V. IVAN DIAZ

25FL0092

Respondent filed a Request for Order (RFO) on March 10, 2025, seeking child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on April 7, 2025 and a review hearing on May 29th. Proof of Service shows Petitioner was served on March 11, 2025.

Petitioner filed a Responsive Declaration on May 9, 2025. Respondent was served on the same day.

The parties attended CCRC on April 7, 2025. A report with recommendations was filed with the court on May 13, 2025.

On May 23, 2025, the parties filed a Stipulation with the court, which the court signed and adopted as its order. The stipulation included adopting the CCRC recommendations and setting a further review hearing for August 7, 2025 at 1:30 PM. The parties included an agreement to file Supplemental Declarations at least nine days prior to the review hearing.

Upon review of the court file, neither party has filed a Supplemental Declaration. Therefore, the court finds the prior orders remain in the minors' best interests. The court drops the matter from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #17: THE MATTER IS DROPPED FROM CALENDAR. ALL PRIOR ORDERS REMAIN IN FULL FORCE AND EFFECT.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR 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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August 7, 2025

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

18. AMANDA FLYNN V. MARTY MARTINEZ

23FL0749

Petitioner filed a Request for Order (RFO) on May 9, 2025, seeking child custody and parenting plan orders as well as child support. Petitioner concurrently filed an Income and Expense Declaration. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on June 9, 2025 and a review hearing on August 7, 2025.

Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Only Petitioner appeared for the CCRC appointment. A single parent report was filed with the court on July 15, 2025. Copies were mailed to the parties on July 16th.

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

TENTATIVE RULING #18: 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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August 7, 2025

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

19. KATHRYN MCDONALD V. JOHN MCDONALD

PFL20210430

Petitioner filed a Request for Order (RFO) on March 4, 2025. There is no Proof of Service for this document however both parties attended Child Custody Recommending Counseling (CCRC), therefore the court finds any objection based on service to be waived and the matter will be reached on the merits.

A CCRC report with recommendations was prepared on April 29th, it was mailed to the parties on May 12th.

Petitioner's Reply Declaration in Support of Her Request for Order was filed on May 1st.

Respondent's Supplemental Declaration Regarding Child Custody and Parenting Time was filed and served on May 16th. Minor's Counsel's Statement of Issues and Contentions and Request for Orders was filed and served on May 19th.

On May 20th, Respondent filed and served an Objection to Petitioner's Reply Declaration in Support of Her Request for Order.

On May 23rd, Petitioner filed Evidentiary Objections to Respondent's Supplemental Declaration; Memorandum of Points and Authority.

On May 27th Petitioner filed a Reply to Minor's Counsel Statement of Issues and Contentions and Request for Orders. It was mail served on May 24th.

On May 27th Petitioner filed a Notice of Intent to Make Oral Motion; Memorandum of Points and Authorities.

Parties appeared for the hearing on May 29th and were able to reach an agreement. The agreement included setting a further review hearing on August 7, 2025 at 1:30 PM. The parties were to file and served Supplemental Declarations at least 10 days prior to the hearing.

Minors' Counsel filed an Updated Statement of Issues and Contentions and Requested Orders on July 28, 2025. Parties were served the same day. Minors' counsel requests the court maintain the orders for the minors' individual counseling as well as the conjoint counseling between Petitioner and CJ. Additionally, Minors' Counsel requests the parties maintain joint legal custody and the current week-on/week-off scheduled for Michael and Maverick, with the exchanges occurring on Friday at 5. As to CJ, Minors'

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

Counsel requests Petitioner have parenting time every other weekend to coincide with Petitioner's parenting time for Michael and Maverick. Additionally, Petitioner to have two weeks of vacation time with CJ over the summer to take place during her normally scheduled week with Michael and Maverick.

Respondent filed a Supplemental Declaration on July 28, 2025. Parties were served the same day. Respondent seeks sole legal custody of all three children and sole physical custody of CJ. As to a parenting plan, Respondent requests the court order Petitioner have parenting time every other weekend from Thursday after school until Sunday evening, with the added provision that Respondent assume custody when Petitioner or her husband are working overnight shifts. Last, Respondent requests Michael be permitted to receive orthodontic braces, if recommended by the orthodontist, with the parties to share in the costs equally.

Petitioner filed a Supplemental Declaration on July 29, 2025. It was served the same day. The court finds this to be late filed and therefore, has not considered it.

The court has read and considered the filings as outlined above. Additionally, the court notes the parties' certificates of completion of co-parenting courses which have been filed with the court. The court finds the requested orders as set forth in Minors' Counsel's Statement of Issues and Contentions and Requested Orders to be in the minor's best interest. The court adopts the requested orders as its order. The court also orders that the parties are to follow Michael's orthodontist's recommendations as to braces. Parties are to share in the costs of braces equally, should they be recommended.

All prior orders not in conflict with these orders remain in full force and effect. Minors' Counsel shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #19: THE COURT FINDS THE REQUESTED ORDERS AS SET FORTH IN MINORS' COUNSEL'S STATEMENT OF ISSUES AND CONTENTIONS AND REQUESTED ORDERS TO BE IN THE MINOR'S BEST INTEREST. THE COURT ADOPTS THE REQUESTED ORDERS AS ITS ORDER. THE COURT ALSO ORDERS THAT THE PARTIES ARE TO FOLLOW MICHAEL'S ORTHODONTIST'S RECOMMENDATIONS AS TO BRACES. PARTIES ARE TO SHARE IN THE COSTS OF BRACES EQUALLY, SHOULD THEY BE RECOMMENDED. ALL PRIOR ORDERS NOT IN CONFLICT WITH THESE ORDERS REMAIN IN FULL FORCE AND EFFECT. MINORS' COUNSEL SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

August 7, 2025

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

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