

LAW & MOTION TENTATIVE RULINGS  
DEPARTMENT 4  
MAY 29, 2026  
9:30 a.m.

**1. JAMES A. KNIEP v. DIANE S. KNIEP**

**22FL0532**

At a Settlement Conference held on September 23, 2025, the parties in this matter, who are both represented by counsel, agreed to the terms of a Marital Settlement Agreement ("MSA"). After swearing in the parties, the court recited the terms of the MSA to the parties, questioned the parties about their knowledge and understanding of the terms, and found that both parties fully understood and agreed to be bound by the terms of the MSA. Further, counsel for Respondent stated for the record that he was comfortable that Respondent understood the terms of the MSA.

Following the Settlement Conference, counsel for Respondent drafted the MSA and circulated it to Petitioner and his counsel. Petitioner and his counsel agree that the MSA document drafted by Respondent's counsel accurately reflects the terms that were agreed to on September 23, 2025. However, Respondent is refusing to sign the MSA, as well as other documents necessary to finalize the dissolution of marriage.

On February 20, 2026, Petitioner filed a Request for Order ("RFO") to require Respondent to sign the MSA and final Judgment documents. The RFO was heard on May 15, 2026. Petitioner and counsel for both parties were present, but Respondent did not make an appearance. The court agreed to continue the RFO for two weeks so that Respondent's counsel could again discuss the issue with his client. The hearing on the RFO was continued to May 29, 2026. The court stated that if Respondent does not sign the MSA and final Judgment documents prior to the May 29 hearing, the court would appoint the Clerk of the Court, or her designee, as an elisor to sign the documents. (*See Blueberry Properties, LLC v. Chow* (2014) 230 Cal.App.4th 1017, 1020-1021; Code Civ. Proc., sec. 128.)

There being no signed MSA or final Judgment documents from the Respondent in the court's file, Petitioner's RFO filed February 20, 2026, is granted. The court hereby appoints the Clerk of the Court, or her designee, as an elisor to sign the MSA and any other documents necessary to finalize the dissolution of marriage.

**TENTATIVE RULING #1: PETITIONER'S RFO FILED FEBRUARY 20, 2026, IS GRANTED. THE COURT HEREBY APPOINTS THE CLERK OF THE COURT, OR HER DESIGNEE, AS AN ELISOR TO SIGN THE MSA AND ANY OTHER DOCUMENTS NECESSARY TO FINALIZE THE DISSOLUTION OF MARRIAGE.**

**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) 573-3042 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 (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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RULE 8.05.07.**