

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

1. ASHLEY SAMADANI V. ANTHONY SAMADANI

PFL20200775

On April 11, 2024, Respondent filed a Request for Order (RFO) seeking to terminate spousal support. The RFO was accompanied by Respondent's Income and Expense Declaration and a Memorandum of Points and Authorities in Support of Request to Terminate Spousal Support. All documents were electronically served on Petitioner's attorney on June 3rd.

The RFO was originally set to be heard on June 27th, but it was continued at the request of Petitioner.

Petitioner filed and served her Income and Expense Declaration on July 18, 2024.

On August 19th Respondent filed another RFO and a Declaration of Respondent in Support of Request for Order. These were both electronically served on August 20th.

Petitioner filed and served a Responsive Declaration to Request for Order and a Memorandum of Points and Authorities in Opposition to Motion to Terminate Spousal Support on August 22nd.

On August 27th, Respondent filed and served a Reply Declaration of Respondent Anthony Samadani in Support of Request for Order Re Terminating Spousal Support, a Reply Memorandum of Points and Authorities of Respondent Anthony Samadani in Support of Request for Order Re Terminating Spousal Support, and a Declaration of Payment History. On August 28th Respondent filed an Income and Expense Declaration.

Petitioner filed and served a Supplemental Declaration on August 29, 2024. Petitioner filed and served another Responsive Declaration to Request for Order and an updated Income and Expense Declaration on October 28th.

Respondent filed his April RFO requesting termination of spousal support for the reasons enumerated in his declaration. If the court is not inclined to terminate support, he asks that support be set to \$0 pending trial on the issue. In his August RFO, Respondent requested the following orders: (1) Petitioner to undergo a vocational evaluation with Patrick Sullivan; (2) Petitioner to be imputed with income at \$110,000 per year pending completion of the vocational evaluation; (3) Continue or reset new trial dates to allow time for the vocational evaluation to be complete; (4) Petitioner be ordered to seek work and obtain employment in line with her education and experience; and (5) If Petitioner elects to

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continue with self-employment, Petitioner to be imputed with income levels as determined by the vocational evaluator.

Petitioner asks the court to deny Respondent's request to terminate support. While she agrees to undergo a vocational evaluation with Patrick Sullivan, she asks that Respondent pay for the evaluation without later reallocation. She also asks that the seek work order and the request for imputation of income both be denied. Finally, she is neutral as to whether or not the February trial dates get continued.

Regarding the request for terminating spousal support, the court is required to take evidence on, and to address, the Family Code § 4320 factors when ruling on a request for a permanent spousal support order. The parties are already set for trial on the issue of spousal support therefore this matter is continued to join with the trial which is currently set for February 4-5, 2025. That said, the court does find it is unlikely the vocational evaluation will be complete by the February trial dates. Therefore, the request to continue trial is granted. The parties are ordered to appear on Tuesday November 19th at 1:30 pm in Department 5 to select new trial and Mandatory Settlement Conference dates.

Respondent's request for a vocational evaluation is granted. Petitioner is ordered to undergo a vocational evaluation with Patrick Sullivan. Respondent shall bear the sole cost of the evaluation, subject to reallocation.

The court reserves on Respondent's request to impute income until the time of trial and after the vocational evaluation results have been received and considered.

The request to set support at \$0 and the request for a seek work order are both denied for the time being. The court finds that Petitioner is working and earning income that is above minimum wage. While Respondent maintains that the job she has is below her earning capacity, Petitioner notes that she no longer has the proper qualifications to perform her old job without additional training. Without results of the vocational evaluation the court is not inclined to make a finding that Petitioner should be earning more at this time. Given the information submitted by both parties on their current Income and Expense Declarations, support is far from \$0 at each party's respective current income. As such, both of the foregoing requests are denied.

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

TENTATIVE RULING #1: THE APRIL 11, 2024 RFO IS CONTINUED TO JOIN WITH THE TRIAL. THE PARTIES ARE ORDERED TO APPEAR ON TUESDAY NOVEMBER 19TH AT 1:30

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PM IN DEPARTMENT 5 TO SELECT NEW TRIAL AND MANDATORY SETTLEMENT CONFERENCE DATES. RESPONDENT'S REQUEST FOR A VOCATIONAL EVALUATION IS GRANTED. PETITIONER IS ORDERED TO UNDERGO A VOCATIONAL EVALUATION WITH PATRICK SULLIVAN. RESPONDENT SHALL BEAR THE SOLE COST OF THE EVALUATION, SUBJECT TO REALLOCATION. THE COURT RESERVES ON RESPONDENT'S REQUEST TO IMPUTE INCOME UNTIL THE TIME OF TRIAL. THE REQUEST TO SET SPOUSAL SUPPORT AT \$0 AND THE REQUEST FOR A SEEK WORK ORDER ARE BOTH DENIED FOR THE TIME BEING. 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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2. ASHLEY SHENEFIELD V. SEAN AGUILAR

PFL20140027

Counsel for Petitioner, Gregory Clark, filed his Notice of Motion and Motion to be Relieved as Counsel and his supporting declaration on August 27, 2024. The motion was served on Petitioner and Respondent's counsel the same day. Counsel has shown good cause for his withdrawal as the attorney of record for Petitioner due to the irreparable breakdown of the attorney-client relationship. The motion is granted.

TENTATIVE RULING #2: THE MOTION TO BE RELIEVED AS COUNSEL IS GRANTED. WITHDRAWAL WILL BE EFFECTIVE AS OF THE DATE OF FILING PROOF OF SERVICE OF THE FORMAL, SIGNED ORDER, UPON THE CLIENT.

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3. BLAKE CICHELLA V. MADELYN COUTURE-CICHELLA

PFL20200719

On March 21, 2024, Respondent filed a Request for Order (RFO) seeking various custody and visitation orders. The matter came before the court for hearing on June 13, 2024, at which time the court made orders on all issues. At that time, the parties agreed to return for a review hearing on the present date to assess the custody modifications and Respondent's request for alternating Sunday overnights.

Respondent's Supplemental Declaration was filed on November 4, 2024. It was electronically served the same day. Petitioner has not filed a supplemental declaration.

Respondent states that visits and exchanges have been going well; therefore, she renews her request for alternating Sunday overnight visits.

The court finds Respondent's request to be in the best interests of the minor. Moving forward, Respondent shall have the minor every Wednesday at 5:00pm to Friday at 5:00pm. Petitioner shall have the minor every Monday at 5:00pm to Wednesday at 5:00pm. The parties shall alternate weekends from Friday at 5:00pm to Monday at 5:00pm.

All other 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 #3: THE COURT FINDS RESPONDENT'S REQUEST TO BE IN THE BEST INTERESTS OF THE MINOR. MOVING FORWARD, RESPONDENT SHALL HAVE THE MINOR EVERY WEDNESDAY AT 5:00PM TO FRIDAY AT 5:00PM. PETITIONER SHALL HAVE THE MINOR EVERY MONDAY AT 5:00PM TO WEDNESDAY AT 5:00PM. THE PARTIES SHALL ALTERNATE WEEKENDS FROM FRIDAY AT 5:00PM TO MONDAY AT 5:00PM. ALL OTHER 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

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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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4. CAITLIN OSBORNE V. CAMERON SANTO

22FL0257

Petitioner filed a Request for Order (RFO) on July 23, 2024. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on August 23rd. The RFO, the CCRC referral, and all other required documents were mail served on Matthew D. Roy, Respondent's attorney on July 24th.

Only Petitioner appeared at the August 23rd CCRC appointment. A single parent report was prepared and mailed to the parties on August 26th.

Petitioner appears to have refiled the same RFO on August 27, 2024. It was mail served and electronically served on Respondent himself on October 16th.

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

This is a post-judgment request for modification of custody orders. As such, it was required to be personally served or, if served by mail, Petitioner was required to complete and file a Declaration Regarding Address Verification – Post Judgment Request to Modify a Child Custody, Visitation, or Child Support Order, which she has not done. See Fam. Code § 215. As such, this matter is dropped from calendar due to lack of proper service.

TENTATIVE RULING #4: THIS MATTER IS DROPPED FROM CALENDAR DUE TO LACK OF PROPER SERVICE.

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

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5. CLARISSA CRISTALES V. WALTER CRISTALES

22FL0187

Respondent filed a Request for Order (RFO) on August 16, 2024. Concurrently therewith, he filed a Memorandum of Points and Authorities, and a Declaration of Respondent. On August 22nd he filed a Declaration of Elizabeth Palmer. All documents were mail served on September 3rd and electronically served on October 28th. Petitioner filed and served her Responsive Declaration to Request for Order on October 29th. Respondent has not filed a Reply Declaration.

Respondent brings his RFO requesting the court set aside its May 2, 2024 orders granting Petitioner's request for attorney fees and sanctions. Respondent argues that Petitioner is not in compliance with her disclosure requirements and therefore, the orders should not have been granted in the first place. He further notes the prejudice against him if the court orders stand.

Petitioner is opposing the set aside request and asks that the court's prior orders remain in full force and effect. She argues that Petitioner has unclean hands in that he failed to timely oppose the orders, failed to comply with prior orders compelling discovery, and failed to timely obtain a new attorney and therefore, he should not be allowed relief from the evidentiary and issue sanctions. She also notes several deficiencies in the moving papers. Petitioner further asks that the court reserve jurisdiction to order Respondent to pay Petitioner's attorney's fees as well as Section 271 sanctions. She asks that trial be set for the earliest possible date.

Petitioner's argument that the moving papers are deficient is not without merit. Respondent's Memorandum of Points and Authorities cites no law and makes no arguments that are on point with regard to a motion to set aside court orders. That said, the family court is a court of equity and in light of that, the court is applying the applicable statutory law despite the deficiencies in the moving papers.

Under Civil Procedure § 473(b), "[t]he court may, upon any terms as may be just, relieve a party or his or her legal representative from a judgment, dismissal, order, or other proceeding taken against him or her through his or her mistake, inadvertence, surprise, or excusable neglect." Cal. Civ. Pro. § 473(b). Generally speaking, an attorney's conduct falling below the professional standard of care is not grounds to vacate a resulting judgment under Section 473(b). See Carroll v. Abbott Laboratories, Inc., 32 Cal. 3d 892 (1982) (conduct falling below the professional standard of care is generally considered inexcusable); See also Garcia v. Hejmadi, 58 Cal. App. 4th 674, 682 (1997) ["[t]he Legislature

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did not intend to eliminate attorney malpractice claims by providing an opportunity to correct all the professional mistakes an attorney might make in the course of litigating a case”]. However, “[a]n exception to this rule allows relief where the attorney’s neglect, although inexcusable, was so extreme as to constitute misconduct effectively ending the attorney-client relationship. ‘Abandonment’ may afford a basis for relief, at least where the client is relatively free of fault, but performance which is merely inadequate will not.” *Garcia, supra*, 58 Cal. App. 4th at 682-683. “For the exception to apply, the attorney’s misconduct must be sufficiently gross to effectively abrogate the attorney-client relationship, thereby leaving the client essentially unrepresented at a critical juncture in the litigation.” *Id.*

In order to determine if relief is warranted under Section 473(b), the court must decide if the conduct of Respondent’s prior attorney constituted total abandonment or simply ineffective representation. If Respondent was abandoned, then the orders may be vacated. Whereas, if prior counsel did not abandon Respondent, but instead committed errors in representation amounting to more than what a reasonably prudent person under the same or similar circumstances would have made, then relief under Section 473(b) would not be proper and Respondent’s recourse would rest squarely with his previous attorney.

Seemingly on point here is the matter of *Buckert v. Briggs*, 15 Cal. App. 3d 296 (1971) wherein plaintiffs and their attorney failed to appear at trial and judgment was rendered against them. Counsel in that matter stated he was of the belief that the plaintiffs had abandoned their case, however, plaintiffs had not given their attorney any basis for that belief. It took the *Buckert* plaintiffs more than five months to save up the money to retain a new attorney and bring their motion under Section 473(b). The court found that under those circumstances, it was proper to vacate the judgment against plaintiffs under the discretionary provisions of Section 473(b) because the plaintiffs had been wholly abandoned by their attorney. Further, because the defendants could not show any prejudice resulting from the delay in bringing the motion, and there was no showing of lack of diligence on the part of plaintiffs, the timeliness of the motion, or lack thereof, was not grounds for its denial.

Similar to *Buckert*, Respondent here appears to have been abandoned by his prior counsel while at a critical juncture in his case. According to Respondent, he intended to comply with discovery and provided all relevant information to his attorney with the belief that his attorney would respond on his behalf. His attorney then failed to comply with the

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court's order compelling discovery responses. He failed to file a responsive declaration opposing Petitioner's RFO for issue and evidence sanctions. He failed to oppose the tentative ruling or request a hearing on the order. The court finds that all of this, taken together, does show that Respondent was abandoned by his counsel and setting aside the court's May 2, 2024 orders for issue and evidentiary sanctions is warranted under Civil Procedure § 473(b).

While the court is granting Respondent's request to set aside its May 2nd orders, the statute allows the court to grant such relief "upon any terms as may be just." Cal. Civ. Pro. § 437(b). Such terms may include the imposition of monetary sanctions which are "reasonably proportionate to the other party's prejudice or expense." Kirkwood v. Sup. Ct., 253 Cal. App. 2d 198, 201 (1967).

It is inarguable that Respondent was ultimately abandoned by his counsel. That said, he is not entirely without fault. Problems with his attorney have been ongoing since the summer of 2023. Respondent's failure to diligently obtain new counsel and move this case forward has caused Petitioner to incur significant attorney's fees and costs. As such, the court is affirming its May 2nd order for monetary sanctions against Respondent in the amount of \$2,500. Furthermore, Petitioner's request for additional sanctions under Section 271 sanctions is granted. The court is reserving jurisdiction on the amount of sanctions to be imposed. This issue will be addressed at trial on the issue of property division.

In addition to the monetary sanctions, the court is ordering Respondent to provide full and complete verified responses to Family Law Form Interrogatories (which were served on July 11, 2023), without objections no later than December 12, 2024. He is also ordered to serve his full and complete Preliminary Declaration of Disclosure no later than December 12, 2024.

Parties are ordered to appear for selection of trial dates.

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

TENTATIVE RULING #5: PARTIES ARE ORDERED TO APPEAR FOR SELECTION OF TRIAL DATES.

RESPONDENT'S MOTION TO SET ASIDE THE MAY 2, 2024 ORDER IS GRANTED IN PART. THE COURT'S MAY 2, 2024 ORDER FOR MONETARY SANCTIONS IS AFFIRMED. THE COURT'S MAY 2, 2024 ORDERS FOR ISSUE AND EVIDENTIARY SANCTIONS ARE HEREBY SET-ASIDE. RESPONDENT IS ORDERED TO SERVE FULL AND COMPLETE

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VERIFIED RESPONSES TO FAMILY LAW FORM INTERROGATORIES (WHICH WERE SERVED ON JULY 11, 2023), WITHOUT OBJECTIONS NO LATER THAN DECEMBER 12, 2024. RESPONDENT IS ORDERED TO SERVE HIS FULL AND COMPLETE PRELIMINARY DECLARATION OF DISCLOSURE NO LATER THAN DECEMBER 12, 2024. PETITIONER'S REQUEST FOR SECTION 271 SANCTIONS IS GRANTED. THE COURT RESERVES JURISIDCTION OVER THE AMOUNT OF SANCTIONS UNTIL THE TIME OF TRIAL ON THE ISSUE OF PROPERTY DIVISION. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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7. KRISTI AMES V. NICOLAUS THOMY

23FL0299

Respondent filed a Request for Order (RFO) and an Income and Expense Declaration on August 19, 2024. He filed an Amended Income and Expense Declaration on August 29th. The RFO, the Income and Expense Declaration and the Amended Income and Expense Declaration were all mailed served on August 29th. No Notice of Tentative Ruling was served.

Petitioner filed a Responsive Declaration to Request for Order and an Income and Expense Declaration on October 29th. Both were served on October 28th. Respondent's Reply was filed on November 1st.

Respondent filed his RFO seeking spousal and child support orders. He is asking to change the prior child support orders which were put in place on August 31, 2023 based on changed circumstances. He has provided the court with a proposed calculation and bonus table. Additionally, he is asking that spousal support be permanently terminated.

Petitioner is in agreement with guideline child support based on a 50/50 timeshare; however, she does not agree to termination of spousal support. She asks that spousal support remain as previously ordered.

Given that Respondent is requesting a permanent termination of spousal support, the court must take evidence on, and make findings regarding, the Family Code § 4320 factors therefore the parties are ordered to appear to select dates for an evidentiary hearing.

In the interim, the court is issuing the following support orders. Utilizing the figures as outlined in the attached DissoMaster Report, the court finds that spousal support per the Alameda formula is \$788 per month and child support is \$987. The court adopts the attached DissoMaster report and orders Respondent to pay Petitioner \$1,775 per month as and for child support and temporary spousal support, payable on the 1st of the month commencing on December 1, 2024 and continuing until further order of the court or legal termination. This order is effective as of September 1, 2024.

The court finds the above order results in a credit to Respondent as the prior orders are higher than the orders being made herein. The court reserves jurisdiction on the issue of a credit back to the date of filing the RFO until the time of trial on spousal support.

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The court further finds Respondent routinely earns overtime pay and therefore, has included an overtime table with the DissoMaster. Respondent is to pay Petitioner a true up of any overtime earned no later than fourteen days from the date the overtime payment is received.

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

TENTATIVE RULING #7: THE PARTIES ARE ORDERED TO APPEAR TO SELECT DATES FOR AN EVIDENTIARY HEARING ON THE ISSUE OF TERMINATING SPOUSAL SUPPORT. IN THE INTERIM, THE COURT IS ISSUING THE FOLLOWING SUPPORT ORDERS. THE COURT FINDS THAT SPOUSAL SUPPORT PER THE ALAMEDA FORMULA IS \$788 PER MONTH AND CHILD SUPPORT IS \$987. THE COURT ADOPTS THE ATTACHED DISSOMASTER REPORT AND ORDERS RESPONDENT TO PAY PETITIONER \$1,775 PER MONTH AS AND FOR CHILD SUPPORT AND TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH COMMENCING ON DECEMBER 1, 2024 AND CONTINUING UNTIL FURTHER ORDER OF THE COURT OR LEGAL TERMINATION. THIS ORDER IS EFFECTIVE AS OF SEPTEMBER 1, 2024. THE COURT FINDS THE ABOVE ORDER RESULTS IN ARREARS IN A CREDIT TO RESPONDENT AS THE PRIOR ORDERS ARE HIGHER THAN THE ORDERS BEING MADE HEREIN. THE COURT RESERVES JURISDICTION ON THE ISSUE OF A CREDIT BACK TO THE DATE OF FILING THE RFO UNTIL THE TIME OF TRIAL ON SPOUSAL SUPPORT. THE COURT FURTHER FINDS RESPONDENT ROUTINELY EARNS OVERTIME PAY AND THEREFORE, HAS INCLUDED AN OVERTIME TABLE WITH THE DISSOMASTER. RESPONDENT IS TO PAY PETITIONER A TRUE UP OF ANY OVERTIME EARNED NO LATER THAN FOURTEEN DAYS FROM THE DATE THE OVERTIME PAYMENT IS RECEIVED. RESPONDENT SHALL PREPARE AND FILE THE FINDINGS AND ORDERS AFTER HEARING.

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ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father	DISSOMASTER REPORT 2024, Monthly	
		CASE NUMBER: <i>Ames</i>

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	2	Nets (adjusted)	Guideline		
% time with Second Parent	50%	0%	Father	9,048	Payment (cost)/benefit	(1,775) 1,775
Filing status	MFJ->	<-MFJ	Mother	4,459	Net spendable income	7,273 6,234
# Federal exemptions	1*	3*	Total	13,507	% combined spendable	53.8% 46.2%
Wages + salary	12,913	5,111	Support (Nondeductible)	Total taxes	3,415	1,352
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	13,507
Self-employment income	0	0	Presumed	987	Proposed	
Other taxable income	0	0	Basic CS	987	Payment (cost)/benefit	(1,775) 1,775
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	7,273 6,234
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0 0
Other gains (and losses)	0	0	Child 1	379	% combined spendable	53.8% 46.2%
Ordinary dividends	0	0	Child 2	608	% of saving over gdl	0% 0%
Tax. interest received	0	0	SS Payor	Father	Total taxes	3,415 1,352
Social Security received	0	0	Alameda	788	Comb. net spendable	13,507
Unemployment compensation	0	0	Total	1,775	Percent change	0.0%
Operating losses	0	0	Proposed, tactic 9		Default Case Settings	
Ca. operating loss adj.	0	0	CS Payor	Father		
Roy, partnerships, S corp, trusts	0	0	Presumed	987		
Rental income	0	0	Basic CS	987		
Misc ordinary tax. inc.	0	0	Add-ons	0		
Other nontaxable income	0	700	Presumed Per Kid			
New-spouse income	0	0	Child 1	379		
SS paid other marriage	0	0	Child 2	608		
CS paid other relationship	0	0	SS Payor	Father		
Adj. to income (ATI)	0	0	Alameda	788		
9.3% elective PTE payment	0	0	Total	1,775		
Ptr Support Pd. other P'ships	0	0	Savings	0		
Health insurance	203	0	Mother	0		
Qual. Bus. Inc. Ded.	0	0	Father	0		
Itemized deductions	0	0	No releases			
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	247	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				
TANF, SSI and CS received	0	0				

ATTORNEY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: Father	CASE NUMBER:	
Father Monthly Overtime Wages Report 2024 Monthly		

"R" denotes that Father is a recipient for the corresponding support

"CS%" is the percentage of Overtime paid as additional Child Support

"SS%" is the percentage of Overtime paid as additional Spousal Support

Total columns indicate the Total support due, support on reported income plus the incremental support due on additional income.

Father's Gross Overtime	Basic CS%	Basic CS	Alameda SS%	Alameda SS	Total Basic CS	Total SS	Total Support CS+SS
1,000	12.88	129	14.50	145	1,116	933	2,049
1,250	12.92	161	14.61	183	1,148	971	2,119
1,500	13.01	195	14.79	222	1,182	1,010	2,192
1,750	13.07	229	14.92	261	1,216	1,049	2,265
2,000	13.10	262	15.01	300	1,249	1,088	2,337
2,250	13.11	295	15.09	340	1,282	1,128	2,409
2,500	13.10	328	15.15	379	1,314	1,167	2,481
2,750	13.09	360	15.20	418	1,347	1,206	2,553
3,000	13.07	392	15.24	457	1,379	1,245	2,624
3,250	13.05	424	15.27	496	1,411	1,284	2,695
3,500	13.02	456	15.30	535	1,443	1,324	2,766
3,750	12.99	487	15.32	574	1,474	1,363	2,837
4,000	12.96	518	15.34	614	1,505	1,402	2,907
4,250	12.93	549	15.36	653	1,536	1,441	2,977
4,500	12.89	580	15.37	692	1,567	1,480	3,047
4,750	12.86	611	15.39	731	1,598	1,519	3,117
5,000	12.83	641	15.40	770	1,628	1,558	3,186
5,250	12.79	672	15.41	809	1,659	1,597	3,256
5,500	12.76	702	15.43	848	1,689	1,637	3,325
5,750	12.73	732	15.44	888	1,719	1,676	3,394
6,000	12.69	762	15.45	927	1,749	1,715	3,463
6,250	12.66	791	15.45	966	1,778	1,754	3,532
6,500	12.63	821	15.46	1,005	1,808	1,793	3,601
6,750	12.60	850	15.47	1,044	1,837	1,832	3,670
7,000	12.57	880	15.48	1,083	1,866	1,872	3,738
7,250	12.53	909	15.48	1,123	1,896	1,911	3,806
7,500	12.50	938	15.49	1,162	1,925	1,950	3,875
7,750	12.47	967	15.50	1,201	1,954	1,989	3,943
8,000	12.44	995	15.50	1,240	1,982	2,028	4,011
8,250	12.41	1,024	15.51	1,280	2,011	2,068	4,079
8,500	12.38	1,053	15.51	1,319	2,040	2,107	4,146
8,750	12.36	1,081	15.52	1,358	2,068	2,146	4,214
9,000	12.33	1,109	15.52	1,397	2,096	2,185	4,282
9,250	12.30	1,138	15.53	1,436	2,125	2,225	4,349
9,500	12.27	1,166	15.53	1,476	2,153	2,264	4,417



PETITIONER:
RESPONDENT:

CASE NUMBER:

Father Monthly Overtime Wages Report, cont'd

Father's Gross Overtime	Basic CS%	Basic CS	Alameda SS%	Alameda SS	Total Basic CS	Total SS	Total Support CS+SS
9,750	12.24	1,194	15.54	1,515	2,181	2,303	4,484
10,000	12.22	1,222	15.54	1,554	2,209	2,342	4,551
10,250	12.19	1,250	15.55	1,593	2,236	2,382	4,618
10,500	12.17	1,277	15.55	1,633	2,264	2,421	4,685
10,750	12.14	1,305	15.55	1,672	2,292	2,460	4,752
11,000	12.11	1,333	15.56	1,711	2,319	2,499	4,819
11,250	12.09	1,360	15.56	1,751	2,347	2,539	4,886
11,500	12.07	1,387	15.56	1,790	2,374	2,578	4,952
11,750	12.04	1,415	15.57	1,829	2,402	2,617	5,019
12,000	12.02	1,442	15.57	1,868	2,429	2,657	5,085
12,250	11.99	1,469	15.57	1,908	2,456	2,696	5,152
12,500	11.97	1,496	15.58	1,947	2,483	2,735	5,218
12,750	11.95	1,523	15.58	1,986	2,510	2,774	5,285
13,000	11.93	1,550	15.58	2,026	2,537	2,814	5,351
13,250	11.90	1,577	15.58	2,065	2,564	2,853	5,417
13,500	11.88	1,604	15.59	2,104	2,591	2,892	5,483
13,750	11.86	1,631	15.59	2,143	2,618	2,932	5,549
14,000	11.84	1,658	15.59	2,183	2,644	2,971	5,615
14,250	11.82	1,684	15.59	2,222	2,671	3,010	5,681
14,500	11.80	1,711	15.60	2,261	2,698	3,049	5,747
14,750	11.78	1,737	15.60	2,301	2,724	3,089	5,813
15,000	11.76	1,764	15.60	2,340	2,751	3,128	5,879
15,250	11.74	1,790	15.60	2,379	2,777	3,167	5,944
15,500	11.71	1,815	15.59	2,416	2,802	3,205	6,007
15,750	11.68	1,840	15.58	2,454	2,827	3,242	6,069
16,000	11.66	1,865	15.57	2,491	2,852	3,279	6,131
16,250	11.63	1,890	15.56	2,528	2,877	3,316	6,193
16,500	11.60	1,914	15.54	2,564	2,901	3,352	6,253
16,750	11.56	1,937	15.51	2,598	2,924	3,386	6,310
17,000	11.53	1,960	15.48	2,631	2,946	3,420	6,366
17,250	11.49	1,982	15.45	2,665	2,969	3,453	6,422
17,500	11.45	2,005	15.42	2,699	2,992	3,487	6,479
17,750	11.42	2,027	15.39	2,733	3,014	3,521	6,535
18,000	11.39	2,049	15.37	2,766	3,036	3,554	6,591
18,250	11.35	2,072	15.34	2,800	3,059	3,588	6,647
18,500	11.32	2,094	15.31	2,833	3,081	3,621	6,702
18,750	11.29	2,116	15.29	2,867	3,103	3,655	6,758



PETITIONER: RESPONDENT:	CASE NUMBER:
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Father Monthly Overtime Wages Report, cont'd

Father's Gross Overtime	Basic CS%	Basic CS	Alameda SS%	Alameda SS	Total Basic CS	Total SS	Total Support CS+SS
19,000	11.26	2,138	15.26	2,900	3,125	3,688	6,814
19,250	11.22	2,161	15.24	2,934	3,147	3,722	6,869
19,500	11.19	2,183	15.22	2,967	3,170	3,755	6,925
19,750	11.16	2,205	15.19	3,001	3,192	3,789	6,980
20,000	11.13	2,227	15.17	3,034	3,214	3,822	7,036
20,250	11.10	2,249	15.15	3,067	3,235	3,855	7,091
20,500	11.08	2,270	15.12	3,101	3,257	3,889	7,146
20,750	11.05	2,292	15.10	3,134	3,279	3,922	7,201
21,000	11.02	2,314	15.08	3,167	3,301	3,955	7,256
21,250	10.99	2,336	15.06	3,200	3,323	3,988	7,311
21,500	10.96	2,357	15.04	3,234	3,344	4,022	7,366
21,750	10.94	2,379	15.02	3,267	3,366	4,055	7,421
22,000	10.91	2,401	15.00	3,301	3,388	4,089	7,477
22,250	10.89	2,424	14.99	3,336	3,411	4,124	7,535
22,500	10.87	2,447	14.98	3,371	3,434	4,160	7,593
22,750	10.85	2,469	14.97	3,406	3,456	4,194	7,650
23,000	10.83	2,492	14.96	3,441	3,479	4,229	7,708
23,250	10.81	2,514	14.95	3,476	3,501	4,264	7,765
23,500	10.79	2,537	14.94	3,511	3,524	4,299	7,823
23,750	10.78	2,559	14.93	3,546	3,546	4,334	7,880
24,000	10.76	2,581	14.92	3,581	3,568	4,369	7,937
24,250	10.74	2,604	14.91	3,616	3,591	4,404	7,994
24,500	10.72	2,626	14.90	3,651	3,613	4,439	8,052
24,750	10.70	2,648	14.89	3,685	3,635	4,474	8,109
25,000	10.68	2,671	14.88	3,720	3,658	4,508	8,166
25,250	10.66	2,692	14.87	3,754	3,679	4,542	8,221
25,500	10.64	2,713	14.85	3,787	3,700	4,575	8,276
25,750	10.62	2,735	14.84	3,821	3,722	4,609	8,330
26,000	10.60	2,756	14.82	3,854	3,743	4,642	8,385
26,250	10.58	2,777	14.81	3,887	3,764	4,676	8,440
26,500	10.56	2,798	14.79	3,921	3,785	4,709	8,494
26,750	10.54	2,820	14.78	3,954	3,807	4,742	8,549
27,000	10.52	2,841	14.77	3,987	3,828	4,775	8,603
27,250	10.50	2,862	14.75	4,021	3,849	4,809	8,658
27,500	10.48	2,883	14.74	4,054	3,870	4,842	8,712
27,750	10.47	2,904	14.73	4,087	3,891	4,875	8,767
28,000	10.45	2,926	14.72	4,121	3,912	4,909	8,821
28,250	10.43	2,947	14.71	4,154	3,934	4,942	8,876
28,500	10.41	2,968	14.69	4,188	3,955	4,976	8,931
28,750	10.40	2,989	14.68	4,221	3,976	5,009	8,985
29,000	10.38	3,010	14.67	4,255	3,997	5,043	9,040
29,250	10.36	3,031	14.66	4,288	4,018	5,076	9,094
29,500	10.35	3,052	14.65	4,321	4,039	5,110	9,149
29,750	10.33	3,073	14.64	4,355	4,060	5,143	9,203
30,000	10.31	3,094	14.63	4,388	4,081	5,176	9,257

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

8. MARGARETTE TEMPLE V. GREGORY TEMPLE

24FL0614

On August 15, 2024, Petitioner filed a Request for Order (RFO) and an Income and Expense Declaration. Both documents, along with all other required documents, were electronically served on August 16th. On August 28th, Respondent filed a Responsive Declaration to Request for Order and an Income and Expense Declaration. Both were mail served on August 27th. Petitioner's Reply Declaration was filed and served on November 5th.

Petitioner filed her RFO requesting spousal support orders. Given her medical condition, she is requesting the court deviate upward from guideline support and issue temporary spousal support in the amount of \$1,650 per month which would result in each party receiving half of the net disposable income.

While Respondent does not oppose the request for support, he does oppose the request to deviate from guideline. Instead, he asks the court to order support based on the actual income of the parties.

After reviewing the filings of the parties, the court does find good cause to deviate from guideline spousal support. Therefore, the court is adopting the Xspouse report attached as Exhibit 2 to Petitioner's RFO. Utilizing the same figures as outlined therein, the court finds that spousal support is \$1,650 per month. Respondent is ordered to pay Petitioner \$1,650 per month as and for temporary spousal support, payable on the 1st of the month commencing on December 15, 2024, and continuing until further order of the court or legal termination. This order is effective as of August 15, 2024. However, given that the court is deviating upward from guideline support, the court is reserving on the issue of arrears until the time of trial on the issue of property division.

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

TENTATIVE RULING #8: AFTER REVIEWING THE FILINGS OF THE PARTIES, THE COURT DOES FIND GOOD CAUSE TO DEVIATE FROM GUIDELINE SPOUSAL SUPPORT. THEREFORE, THE COURT IS ADOPTING THE XSPOUSE REPORT ATTACHED AS EXHIBIT 2 TO PETITIONER'S RFO. UTILIZING THE SAME FIGURES AS OUTLINED THEREIN, THE COURT FINDS THAT SPOUSAL SUPPORT IS \$1,650 PER MONTH. RESPONDENT IS ORDERED TO PAY PETITIONER \$1,650 PER MONTH AS AND FOR TEMPORARY SPOUSAL SUPPORT, PAYABLE ON THE 1ST OF THE MONTH COMMENCING ON DECEMBER 15, 2024, AND CONTINUING UNTIL FURTHER ORDER OF THE COURT OR LEGAL

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

TERMINATION. THIS ORDER IS EFFECTIVE AS OF AUGUST 15, 2024. HOWEVER, GIVEN THAT THE COURT IS DEVIATING UPWARD FROM GUIDELINE SUPPORT, THE COURT IS RESERVING ON THE ISSUE OF ARREARS UNTIL THE TIME OF TRIAL ON THE ISSUE OF PROPERTY DIVISION. 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.

LAW & MOTION TENTATIVE RULINGS
DEPARTMENT 5
November 14, 2024
8:30 a.m./1:30 p.m.

9. RAYELLE LYNN THEEK V. MICHAEL K. HAMILTON

PFL20130047

Petitioner filed a Request for Order on August 20, 2024, along with her Income and Expense Declaration. There is no Proof of Service for these documents. Nevertheless, Respondent filed a Responsive Declaration to Request for Order and an Income and Expense Declaration on September 25th thereby waiving any defect in service. Both documents were mail served on September 24th. Petitioner filed her Reply on November 4th, it was served on October 31st.

Petitioner is requesting the court terminate spousal support. Respondent opposes the request and instead asks the court to increase support. This is a post judgment request for modification of permanent support orders therefore the court must take evidence, and make findings, regarding the Family Code § 4320 factors. The parties are ordered to appear to select trial and Mandatory Settlement Conference dates.

Petitioner also asks that Respondent be ordered to provide her his mailing address. Respondent maintains that the address was already provided to her. To the extent Respondent has not provided Petitioner with his current mailing address, if he has not done so, Respondent is ordered to provide Petitioner with his current mailing address no later than November 21, 2024.

Respondent is requesting attorney's fees and costs in the amount of \$20,000 pursuant to Family Code § 2030. Petitioner opposes the request stating that Respondent has not been forthcoming with his actual income.

The public policy of Family Code section 2030 is to provide "at the outset of litigation, consistent with the financial circumstances of the parties, parity between spouses in their ability to obtain effective legal representation." In Re Marriage of Keech, 75 Cal. App. 4th 860, 866 (1999). This assures each party has access to legal representation to preserve each party's rights. Alan S. v. Sup. Ct., 172 Cal. App. 4th 238,251(2009). In the face of a request for attorney's fees and costs, the court is to make findings on "whether there is a disparity in access to funds to retain counsel, and whether one party is able to pay for legal representation of both parties." Fam. Code § 2030(a)(2).

Here, according to the respective Income and Expense Declarations of the parties there does appear to be a disparity in income. Petitioner lists her monthly income as \$12,507. She also notes that she resides with her partner who contributes to the household bills. Respondent's income, on the other hand is approximately half of Petitioner's at

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

\$6,245.78. Because of the disparity in income the court does find there is a disparity in access to legal representation. That said, the court does not find \$20,000 to be a reasonable amount. Instead, the court is awarding Respondent \$10,000 as and for attorney's fees. This amount may be paid in one lump sum or in monthly increments of \$1,000 to be paid directly to Respondent's attorney commencing on December 1, 2024 and continuing until paid in full (approximately 10 months). If any payment is late or missed the entire amount shall become immediately due and payable.

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

TENTATIVE RULING #9: THE PARTIES ARE ORDERED TO APPEAR TO SELECT TRIAL AND MANDATORY SETTLEMENT CONFERENCE DATES ON THE ISSUE OF TERMINATING OR MODIFYING SPOUSAL SUPPORT. TO THE EXTENT RESPONDENT HAS NOT PROVIDED PETITIONER WITH HIS CURRENT MAILING ADDRESS, IF HE HAS NOT DONE SO, RESPONDENT IS ORDERED TO PROVIDE PETITIONER WITH HIS CURRENT MAILING ADDRESS NO LATER THAN NOVEMBER 21, 2024. THE COURT IS AWARDING RESPONDENT \$10,000 AS AND FOR ATTORNEY'S FEES. THIS AMOUNT MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$1000 TO BE PAID DIRECTLY TO RESPONDENT'S ATTORNEY COMMENCING ON DECEMBER 1, 2024 AND CONTINUING UNTIL PAID IN FULL (APPROXIMATELY 10 MONTHS). IF ANY PAYMENT IS LATE OR MISSED 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 THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

10. SHAUNA COX V. MICHAEL BRYANT II

22FL0270

On August 22, 2024, Petitioner filed a Request for Order (RFO), a Declaration of Shauna Cox in Support of Motion for Bifurcation of Marital Status, an Income and Expense Declaration, Petitioner's Memorandum of Points and Authorities, and a Declaration of Sean Musgrove in Support of Motion for Sanctions. All documents were mail served on August 27th. Respondent has not filed a Responsive Declaration to Request for Order.

Petitioner brings her RFO requesting the court grant bifurcation and termination of marital status. She further asks the court to issue evidentiary sanctions against Respondent for his failure to serve his disclosures. Alternatively, she asks that the court issue an order compelling Respondent to serve his disclosures within 60 days of the hearing date and set a follow up hearing to assess compliance with the court's order. Should he fail to serve his disclosures within the allotted time period, Petitioner asks the court to impose issue sanctions at the review hearing. Finally, Petitioner is requesting \$6,476 as and for attorney's fees and costs pursuant to Family Code § 2107.

A party may request bifurcation of the issue of marital status, however prior to doing so the party must ensure that "[a]ll pension plans that have not been divided by court order that require joinder ..." have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315. Cal. Rule Ct. 5.390(a). Here, Petitioner has not filed an FL-315, nor has she represented to the court that all required pension plans have been joined. As such, the request for bifurcation is denied.

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

While the court recognizes Respondent's noncompliance with his disclosure requirements to date, the court is not inclined to issue evidentiary sanctions without first issuing an order compelling Respondent's compliance. As such, Respondent is ordered to serve his full and complete preliminary declaration of disclosure no later than January 9, 2025.

The request for a review hearing is denied. In the event Respondent fails to comply with the court's order, Petitioner may file a new RFO seeking issue or evidentiary sanctions.

Petitioner's request for attorney's fees and sanctions is granted in the amount of \$3,376. The court is only issuing sanctions for those amounts that have already been incurred especially in light of the fact that Respondent has not opposed the motion, and it is unlikely he will call for a hearing. In the event Petitioner incurs additional fees and costs, however, the amount of sanctions may be subject to increase. Sanctions are to be paid directly to Petitioner's attorney and may be paid in one lump sum or in monthly increments of \$281.33, due on the 1st of each month commencing on December 1, 2024 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.

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

TENTATIVE RULING #10: THE REQUEST FOR BIFURCATION IS DENIED. RESPONDENT IS ORDERED TO SERVE HIS FULL AND COMPLETE PRELIMINARY DECLARATION OF DISCLOSURE NO LATER THAN JANUARY 9, 2025. THE REQUEST FOR A REVIEW HEARING IS DENIED. IN THE EVENT RESPONDENT FAILS TO COMPLY WITH THE COURT'S ORDER, PETITIONER MAY FILE A NEW RFO SEEKING ISSUE OR EVIDENTIARY SANCTIONS. PETITIONER'S REQUEST FOR ATTORNEY'S FEES AND SANCTIONS IS GRANTED IN THE AMOUNT OF \$3,376. SANCTIONS ARE TO BE PAID DIRECTLY TO PETITIONER'S ATTORNEY AND MAY BE PAID IN ONE LUMP SUM OR IN MONTHLY INCREMENTS OF \$281.33, DUE ON THE 1ST OF EACH MONTH COMMENCING ON DECEMBER 1, 2024 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. 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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

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

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

11. THOMAS P. HOGAN V. SARAH P. HOGAN

22FL0369

On August 21, 2024, Petitioner filed a Request for Order (RFO) seeking orders for support, attorney's fees, and various property control orders. He filed an Income and Expense Declaration and a Declaration of Richard Eldridge on August 20th. All documents were electronically served on August 23rd.

Respondent filed and served her Income and Expense Declaration on September 26th. She filed and served her Responsive Declaration to Request for Order on October 31st.

On November 8, 2024, Petitioner filed and served a declaration entitled Remaining Issues.

According to Petitioner, the parties have reached a full agreement and which they intend to have reduced to writing and signed no later than November 12, 2024. They intend to ask the court to enter judgment on the Marital Settlement Agreement at the November 14th hearing. There is some dispute over whether or not a further review hearing should be set.

The parties are ordered to appear for the hearing.

TENTATIVE RULING #11: THE PARTIES ARE ORDERED TO APEAR FOR THE HEARING.

LAW & MOTION TENTATIVE RULINGS

DEPARTMENT 5

November 14, 2024

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

12. BRITNEY HOUGHTON V. JOSE CARRERO

PFL20200451

Petitioner filed an ex parte application for emergency child custody orders on October 3, 2024. Respondent filed a Responsive Declaration on October 3, 2024. The court denied the ex parte request on October 4th and referred the parties to an emergency set Child Custody Recommending Counseling (CCRC) appointment. Additionally, the court appointed Minor's Counsel, Rebecca Esty-Burke. Petitioner filed a Request for Order (RFO) on October 4, 2024, which was set for a review hearing on November 14th. Upon review of the court file, there is no Proof of Service showing Respondent or Minor's Counsel were served with the RFO.

Nevertheless, both parties appeared for the CCRC appointment, however, Respondent left the appointment prior to its completion. Therefore, a single parent report with no recommendations was filed with the court on October 15, 2024. Copies were mailed to the parties on October 17, 2024.

Minor's Counsel filed a Statement of Issues and Contentions on November 4, 2024. Proof of Service shows Petitioner and Respondent were served on November 4th.

Petitioner filed a Reply Declaration on November 6, 2024. Respondent and Minor's Counsel were served on November 6th.

Respondent also filed a Reply Declaration on November 6, 2024. Petitioner and Minor's Counsel were served on November 6th.

The court finds it needs additional information from the parties. As such, the parties are ordered to appear for the hearing.

TENTATIVE RULING #12: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.

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13. CASEY HECTOR V. DEVIN HECTOR

23FL0242

Petitioner filed a Request for Order (RFO) and Order Shortening Time (OST) on October 18, 2024. The OST was granted and the RFO was set for a hearing on November 14, 2024. Proof of Service shows Respondent was mail served on October 18, 2024.

Petitioner is requesting that the court adopt the recommendations as set forth in the February 15, 2024 Child Custody Recommending Counseling (CCRC) report and find that she has rebutted the Family Code section 3044 presumptions. Petitioner has included her certificate of completion for the 52-week Batterer's Intervention Program. Petitioner asserts in her declaration that she has had no contact with Respondent and there have been no violations of the restraining order.

Respondent has not filed a Responsive Declaration.

Section 3044 gives rise to a rebuttable presumption that an award of sole or joint physical or legal custody to an individual who has perpetrated domestic violence is not in the best interest of the child. *Id.* "This presumption may only be rebutted by a preponderance of the evidence." *Id.* To overcome the presumption, the perpetrator bears the burden of proving (1) giving sole or joint legal or physical custody to the perpetrator is in the best interest of the child; and (2) a balancing of the factors listed in Section 3044(b)(2) supports the legislative findings in Section 3020. Fam. Code § 3044(b). Among the factors to be considered are the following: completion of a batterer's treatment program, completion of a parenting class, and whether or not further acts of domestic violence have occurred. *Id.*

The court has reviewed the filings as set forth above. The court has also reviewed the February 15, 2024 CCRC report. Petitioner has completed a 52-week Batterer's Intervention Program. There have been no violations of the restraining order. However, it does not appear Petitioner has provided proof of completion of a co-parenting class or a parenting class, both of which were court ordered.

The court finds itself in the same position that it was in on September 26, 2024. This is essentially a motion for reconsideration. While Petitioner did file evidence of completion of a batterer's intervention program, she has not provided any evidence to address any of the other 3044 factors or that she has complied with the current orders. All the information before the court currently, is the same information the court had when tendering its September 26, 2024 decision. Petitioner has failed to set forth any new or different facts or

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law that were not available to her at the September 26th hearing. Therefore, the court finds not only has Petitioner has not met her burden of proof to rebut the Section 3044 presumption, but she has also failed a set forth any grounds for reconsideration. As such, all prior orders remain in full force and effect.

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

TENTATIVE RULING #13: PETITIONER HAS FAILED TO SET FORTH ANY NEW OF DIFFERENT FACTS OR LAW THAT WERE NOT AVAILABLE TO HER AT THE SEPTEMBER 26TH HEARING. THEREFORE, THE COURT FINDS NOT ONLY HAS PETITIONER HAS NOT MET HER BURDEN OF PROOF TO REBUT THE SECTION 3044 PRESUMPTION, BUT SHE HAS ALSO FAILED A SET FORTH ANY GROUNDS FOR RECONSIDERATION. AS SUCH, 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.

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14. SCOTT RONNINGEN V. ANGELINA RONNINGEN

23FL0127

On August 12, 2024, Respondent filed an Order to Show Cause and Affidavit for Contempt (OSC) alleging five counts of violating court orders. It was personally served on August 22nd.

Parties appeared on November 7th and the Public Defender's Office was appointed to represent Petitioner. Petitioner did not waive time for the trial, and therefore, the arraignment was continued to November 14, 2024 at 1:30 PM in Department 5.

The parties are ordered to appear for the arraignment.

TENTATIVE RULING #14: PARTIES ARE ORDERED TO APPEAR FOR THE ARRAIGNMENT.

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

15. JENNIFER STILLWELL V. STEPHEN CICCARELLI

PFL20180525

Petitioner filed an ex parte application for emergency custody and parenting plan orders on August 16, 2024. On August 19, 2024, the court denied the ex parte request and directed that the matter may be set on the regular law and motion calendar.

On August 19, 2024, Petitioner filed a Request for Order (RFO) making the same requests as set forth in the ex parte application, namely, that the court modify child custody and parenting plan orders, modify child support orders, as well as order the parties to use talking parents for communications. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on September 20, 2024, and a review hearing on November 14th. Petitioner concurrently filed an Income and Expense Declaration. Upon review of the court file, there is no Proof of Service showing Respondent was properly served.

Neither party appeared for the September 20th CCRC appointment.

The court drops the matter from calendar due to the lack of proper service and for Petitioner's failure to appear at CCRC.

All prior orders remain in full force and effect.

TENTATIVE RULING #15: THE COURT DROPS THE MATTER FROM CALENDAR DUE TO THE LACK OF PROPER SERVICE AND DUE TO PETITIONER'S FAILURE TO APPEAR AT CCRC. 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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8:30 a.m./1:30 p.m.

16. JESSICA CROXTON V. ADAM CROXTON

22FL0907

Respondent filed a Request for Order (RFO) along with an Order Shortening Time (OST) on October 4, 2024, requesting that the bifurcation of status be set on a shortened basis. On October 7, 2024, the court set the matter to be heard on November 14, 2024, and directed Respondent to serve Petitioner no later than October 22, 2024. Proof of Service shows Petitioner was served by mail on October 10th. The court notes Respondent refers to a declaration in his pleadings, however, no such declaration is attached.

Petitioner filed a Responsive Declaration to the ex parte application on October 4, 2024. Respondent was served on October 4, 2024. Petitioner filed an additional declaration on November 8, 2024. It was served on November 7th. Although the November 8th Declaration was late filed, the court finds it mirrors much of what was included in the October 4, 2024 Responsive Declaration and raises issues regarding service on Petitioner. Therefore, the court finds good cause to consider the Declaration. Petitioner objects to bifurcation. She asserts Respondent has not served her with Preliminary or Final Declarations of Disclosure. Additionally, she asserts there are retirement plans that have not been joined. Petitioner states that if the need to bifurcate is due to Respondent's desire to purchase a home, she is willing to sign an interspousal transfer deed or a quit claim deed. Therefore, a bifurcation is not necessary.

In dissolution proceedings, the court may bifurcate the issue of the dissolution of the marriage and enter a status only judgment. *Id.* at (c)(7); Fam. Code § 2337. Prior to granting such a request the court must ensure "[a]ll pension plans that have not been divided by court order that require joinder ..." have been joined. Cal. Rule Ct. 5.390(d)(1). A party seeking bifurcation is to submit a completed FL-315 evidencing such. Cal. Rule Ct. 5.390(a).

The court is concerned about the service in this matter as Petitioner asserts, she was not served with the file endorsed copy of the RFO. The court notes Petitioner has raised other concerns regarding Respondent filing Proofs of Service or Declarations of Service where the documents have not been properly served. The court will proceed given Petitioner has filed a Responsive Declaration as well as an additional Declaration which the court has considered. The court notes the FL-141 regarding service of the Declarations of Disclosure is signed by Respondent, which is not proper. Respondent is admonished, that future filings in which there is doubt as to proper service, may be dropped.

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Here, Respondent has completed and filed the requisite FL-315, however, it does not appear that all the proper pension plans have been joined. Additionally, the court has concerns about Petitioner being properly served with the Declarations of Disclosure. The FL-141 states Petitioner was served with Respondent's Final Declaration of Disclosure. The court has been unable to locate a FL-141 showing Respondent served his Preliminary Declaration of Disclosure on Petitioner. Both are required for the bifurcation.

The RFO is denied as the proper pension plan has not been joined to the action and Respondent has not served his Preliminary Declaration of Disclosure. Respondent shall prepare and file the Findings and Orders After Hearing.

TENTATIVE RULING #16: THE RFO IS DENIED AS THE PROPER PENSION PLAN HAS NOT BEEN JOINED TO THE ACTION AND RESPONDENT HAS NOT SERVED HIS PRELIMINARY DECLARATION OF DISCLOSURE. 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.

17. JUAN LUIS AGUILAR ARGUELLO V. VERONICA RIO FRANCO AGUILAR 23FL0719

Petitioner filed a Request for Order (RFO) on August 20, 2024, requesting the court make child custody and parenting time orders, as well as order Respondent to return Petitioner's personal documents. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on September 16, 2024, and a review hearing on November 14th. Proof of Service shows Respondent was served by mail on August 20th. Petitioner is requesting joint legal and physical custody with a week on/week off schedule. Petitioner is also seeking his passport and birth certificate.

Only Respondent appeared at the CCRC appointment on September 16th. As such a single parent report without recommendations was filed with the court on September 16, 2024. Copies were mailed to the parties on September 18th.

Respondent filed a Responsive Declaration on October 11, 2024. Petitioner was served on October 7, 2024. Respondent requests the court grant her sole legal and physical custody of the minors with reasonable visitation to Petitioner. Respondent also asserts Petitioner retrieved his passport in September. Respondent does have Petitioner's birth certificate and is willing to provide it at the hearing.

The court has read and considered the filings as outlined above. The court orders the parties to have joint legal custody. Respondent shall have sole physical custody. Petitioner is to have reasonable visitation. The court finds these orders to be in the minors' best interest as Petitioner has not had regular contact with the minor since February of 2023 and has had no overnight parenting time since February 2023. The court further finds Petitioner has retrieved his passport. Respondent is ordered to provide Petitioner with the birth certificate. The parties are to meet and confer to arrange a time for the birth certificate to be exchanged. That shall occur on or before November 21, 2024.

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 #17: THE COURT ORDERS THE PARTIES TO HAVE JOINT LEGAL CUSTODY. RESPONDENT SHALL HAVE SOLE PHYSICAL CUSTODY. PETITIONER IS TO HAVE REASONABLE VISITATION. THE COURT FINDS THESE ORDERS TO BE IN THE MINORS' BEST INTEREST AS PETITIONER HAS NOT HAD REGULAR CONTACT WITH THE MINOR SINCE FEBRUARY OF 2023 AND HAS HAD NO OVERNIGHT PARENTING TIME SINCE FEBRUARY 2023. THE COURT FURTHER FINDS PETITIONER HAS RETRIEVED HIS

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

PASSPORT. RESPONDENT IS ORDERED TO PROVIDE PETITIONER WITH THE BIRTH CERTIFICATE. THE PARTIES ARE TO MEET AND CONFER TO ARRANGE A TIME FOR THE BIRTH CERTIFICATE TO BE EXCHANGED. THAT SHALL OCCUR ON OR BEFORE NOVEMBER 21, 2024. 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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November 14, 2024

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

18. JUSTIN KREMER V. AMIE WHEDBEE

22FL0765

Respondent filed a Request for Order (RFO) on May 31, 2024, requesting the court make child custody and parenting plan orders. The parties were referred to Child Custody Recommending Counseling (CCRC) with an appointment on July 11, 2024, and a review hearing on August 29th. Upon review of the court file, there is no Proof of Service showing Petitioner was properly served with the RFO and other necessary documents.

Only Respondent appeared for the CCRC appointment on July 11th. As such a single parent report was filed with the court on July 11, 2024. Copies were mailed to the parties the same day.

Parties appeared for the hearing on August 29, 2024. The court rereferred the parties to CCRC. The court ordered Petitioner to serve Respondent and file a Proof of Service. The court ordered phone contact between Petitioner and the minors a minimum of one time per week and supervised in person visitation a minimum of one time per week.

Both parties and the minors attended CCRC on September 19, 2024. The parties were able to reach several agreements. A report memorializing the parties' agreements as well as containing additional recommendations was filed with the court on November 6, 2024. Copies were mailed to the parties on the same day.

Upon review of the court file, there is no Proof of Service showing Respondent was served with the moving papers, despite the court ordering Petitioner to do so on August 29th. The court finds good cause to proceed as Respondent appeared for CCRC and is aware of the requested orders.

The court finds the agreements and recommendations as contained in the November 6th CCRC report are in the best interest of the minors. The court adopts the agreements and recommendations as its orders. The court sets a further CCRC appointment on May 29, 2025 at 9:00 am and review hearing for July 17, 2025 at 1:30 PM in Department 5.

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 #18: THE COURT FINDS GOOD CAUSE TO PROCEED AS RESPONDENT APPEARED FOR CCRC AND IS AWARE OF THE REQUESTED ORDERS. THE COURT FINDS THE AGREEMENTS AND RECOMMENDATIONS AS CONTAINED IN

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

THE NOVEMBER 6TH CCRC REPORT ARE IN THE BEST INTEREST OF THE MINORS. THE COURT ADOPTS THE AGREEMENTS AND RECOMMENDATIONS AS ITS ORDERS. THE COURT SETS A FURTHER CCRC APPOINTMENT ON MAY 29, 2025 @ 9 AM AND REVIEW HEARING FOR JULY 17, 2025 AT 1:30 PM IN DEPARTMENT 5. 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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November 14, 2024

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

19. MELANIE SCHWARTZLER V. ROBERT CLINTON

PFL20170631

On August 29, 2024, the parties appeared for the hearing on Respondent's Request for Order (RFO). The court accepted the parties' agreement and adopted its tentative ruling as modified by the agreement. The court set a review hearing to determine whether Petitioner's parenting time should be increased.

Neither party has filed a Supplemental Declaration. Therefore, the court reasonably infers the current orders remain in the best interest of the minors and drops the review hearing from calendar.

All prior orders remain in full force and effect.

TENTATIVE RULING #19: NEITHER PARTY HAS FILED A SUPPLEMENTAL DECLARATION. THEREFORE, THE COURT REASONABLY INFERS THE CURRENT ORDERS REMAIN IN THE BEST INTEREST OF THE MINORS AND DROPS THE REVIEW HEARING 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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November 14, 2024

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

20. TAMARA MOORE V. STEVEN BUTRICK, JR.

24FL0458

Petitioner filed a Petition to Establish a Parental Relationship and Request for Order (RFO) requesting child custody and parenting plan orders on May 8, 2024. A summons was issued the same day. The parties were not referred to Child Custody Recommending Counseling (CCRC) as the child was not born. Respondent was personally served on May 16, 2024.

Respondent has not filed a Response or a Responsive Declaration.

There have been no new filings since the initial filings.

Parties are ordered to appear for the hearing.

TENTATIVE RULING #20: PARTIES ARE ORDERED TO APPEAR FOR THE HEARING.