

# **Tentative Rulings**

## **Law & Motion and Family Law Calendar for April 8, 2013**

April 4, 2013, 4:00p.m.

Department Two

**To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon, April 5<sup>th</sup>, notice of the intention to appear must also be given to all other parties. If the clerk is not notified of a party's intention to appear, there will be no hearing and the tentative ruling becomes the order of the court.**

**If you do appear and want the matter reported by an official court reporter in unlimited civil, family law or probate, you must pay the \$30.00 court reporter appearance fee as provided by GC§68086(a)(1)(A) before the hearing begins.**

### **Probate – 9:00 a.m.**

#### **PR13-00010– Conservatorship of Terry**

Tentative Ruling: **Appearance required.**

#### **Case No. PR11-00048 – Conservatorship of Cozort**

Tentative Ruling: **Appearance required.**

#### **Case No. PR11-00042 – Conservatorship of Goings**

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. The conservators' Petition for Substituted Judgment to Create and Fund Revocable Trust and Execute a Pour-Over Will; Request for Waiver of Bond is granted. Petitioner is to prepare the Order or Judgment.

#### **Case No. PR11-00014 – Estate of Wronker**

Tentative Ruling: **Appearance required.** The court will hear argument on the Petition for Removal of Executor. The court notes there is no opposition filed by the executor.

#### **Case No. PR11-00003 – Estate of Shehorn**

Tentative Ruling: **Approved.** The court finds that notice has been given as required by law. Petitioners' Petition for Distribution Pursuant to Agreement and Status Report is approved. Petitioners are to prepare the Order.

#### **Case No. PR07-6356 – Guardianship of Merkley**

Tentative Ruling: **Appearance required.** The court has not received the confidential guardianship status report.

**Case No. PR13-00008 – Guardianship of Wyrick**

Tentative Ruling: **Denied.** The court has no jurisdiction over the minor child at this time, and cannot grant petitioner's request. The petition is denied.

**Case No. PR11-00009 – Matter of Bone**

Tentative Ruling: **Appearance required.**

**Case No. PR13-00002 – Matter of Collis**

Tentative Ruling: **No appearance required.** The court has not received the inventory and appraisal. This matter is continued to April 22, 2013, at 9:00a.m.

**Case No. PR13-00009 – Matter of Shaw**

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's Petition to Determine Succession to Real Property is granted.

**Civil – 9:30 a.m.**

**Case No. LC12-Q0244 Wells Fargo Bank vs. Stohlman and Klein**

Tentative Ruling: **Appearance required.**

## **Family Law – 10:30 a.m.**

### **Case No. FL13-00011– Mar. of Burkhart**

Tentative Ruling: **Appearance required.** The court will review the recommendation with the parties.

### **Case No. FL10-00105 – Mar. of Fairbanks**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

### **Case No. FL12-00252 – Mar. of Garrett**

Tentative Ruling: **No appearance required.** At the request of counsel for respondent the request to set aside the default and judgment is withdrawn.

### **Case No. FL09-00176 – Ghidossi vs. Soto**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

### **Case No. FL08-00262 – Mar. of Joa**

Tentative Ruling: **Appearance required.**

### **Case No. FL11-00258 – Mar. of Kenyon**

Tentative Ruling: **No appearance required.** At the request of the parties, the respondent's request for modification of custody is continued to September 9, 2013, at 10:30a.m.

### **Case No. FL13-00015 – Myers vs. Hernandez**

Tentative Ruling: **Appearance required.**

### **Case No. FL10-00049 – Peters vs. Bradley-Peters**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

### **Case No. FL10-00066 – Ramoz vs. Boswell**

Tentative Ruling: **Appearance required.** OSC on failure to pay.

### **Case No. FL10-00077 – Smith vs. Sullens**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

**Case No. FL13-00050 – Mar. of Statler**

Tentative Ruling: **No appearance required.** The court has received and signed a custody and visitation agreement.

**Case No. FL11-00205 – Mar. of Stroud**

Tentative Ruling: **No appearance required.** At the request of petitioner’s counsel, this matter is continued to May 29, 2013 at 10:30a.m.

**Case No. FL10-00183 – Mar. of Terry**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

**Case No. FL11-00006 and FL08-28081– Vieira vs. Tallant**

Tentative Ruling: **Appearance required.** If there is no appearance, these cases will be dismissed.

**Case No. FL09-00327 – Mar. of Wharton**

Tentative Ruling: **Appearance required.**

**Case No. FL10-00198 – Wilkinson vs. McKinnon**

Tentative Ruling: **Appearance required.** If there is no appearance, this case will be dismissed.

# **CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS**

## **Case No. CV12-00252 – Bruce vs. Pacific Gas and Electric**

Tentative Ruling: **Appearance required.** The court will discuss the status of the case with counsel.

## **Case No. CV12-00241 – Crowley vs. Whited & Kendall**

Tentative Ruling: **Appearance required.** After reviewing the response filed by plaintiff's counsel, the court will not issue sanctions against counsel. The parties should be prepared to discuss ADR options and set a trial date.

## **Case No. LC12-00186 – Cavalry SPV vs. Pursha**

Tentative Ruling: **No appearance required.** At the request of plaintiff's counsel, this case management conference is continued to June 10, 2013, at 1:30p.m.

## **Case No. LC11-00313 – Deere Credit Inc. vs. Broad**

Tentative Ruling: **No appearance required.** The order to show cause is vacated. This matter is set for a case management conference on May 13, 2013, at 1:30p.m.

## **Case No. LC12-00247 – Kemper Independence Insurance vs. Milwaukee Valve Co.**

Tentative Ruling: **Appearance required.** Plaintiff has failed to file a case management conference statement. Should there be any further violations of Rule 3.725, this matter will be set for an order to show cause and sanctions may be imposed. The court also notes there is no proof of service on the defendant.

## **Case No. CV12-002263- People vs. Gaulden**

Tentative Ruling: **Appearance required.** If there is no appearance, this Claim Opposing Forfeiture will be dismissed.

## **Case No. LC12-00081 – Target National Bank vs. Williams**

Tentative Ruling: **Appearance required.**

## **Case No. CV09-00209 – McBride vs. Noland**

Tentative Ruling: **Appearance required.** If a dismissal is filed prior to the conference, this matter may be taken off calendar.

## **Case No. CV12-00184 – Worthen vs. Feather River Rail Society**

Tentative Ruling: **Appearance required.** The court will confirm the name of the mediator, and the parties should be prepared to set a trial date.