

Tentative Rulings

Law & Motion and Family Law Calendar for July 22, 2013

July 18, 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, July 19th, 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.

Case No. PR13-00026 – Conservatorship of Collier

Tentative Ruling: **Appearance required.** The court has not received the proof of publication.

PR09-00044 – Conservatorship of Sherod

Tentative Ruling: **Appearance required.** The court has not received the investigator's report.

Case No. PR12-00033 – Estate of Clark

Tentative Ruling: **Appearance required.** The court will hear any overbids. If there are none, the court will confirm the sale. Petitioner is to prepare the Order.

Case No. PR10-00014 – Estate of Sieh

Tentative Ruling: **Appearance required.** The court notes there is no reappraisal of the property in the file.

Case No. PR12-00018 – Estate of Petersen

Tentative Ruling: **Appearance required.**

Case No. 12-00007 – Guardianship of Greenwood

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

Case No. PR06-6337 – Guardianship of Hignite

Tentative Ruling: **No appearance required.** The court has received and reviewed the confidential guardianship status report and finds that continued guardianship is in the best interests of the minor. The court schedules the annual review hearing for July 14, 2014, at 9:00a.m. The clerk of the court is reminded to send notice to the guardian one month prior to this date, informing the guardian of the duty to file a confidential status report prior to the review hearing.

Case No. PR12-00014 – Guardianship of Hopper

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

Case No. PR13-00024 – Guardianship of Juden

Tentative Ruling: **Appearance required.** The court has not received the investigator’s report.

Case No. PR08-6412 – Guardianship of Kelley

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

Case No. PR06-6431- Guardianship of Rouse-Pierson

Tentative Ruling: **No appearance required.** The court has received and reviewed the confidential guardianship status report, and finds that continued guardianship is in the best interests of the minor. The court schedules the annual review hearing for July 14, 2014, at 9:00a.m. The clerk of the court is reminded to send notice to the guardian one month prior to this date, informing the guardian of the duty to file a confidential status report prior to the review hearing.

Case No. PR-6189 – Guardianship of Wright

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

Case No. PR13-00032 – Conservatorship of Root

Tentative Ruling: **Appearance required.**

Case No. PR13-00027 – In re MacIver Living Trust

Tentative Ruling: **Appearance required.** The court notes there is no “Exhibit D” in the file, or attached to the petition, as represented in the Petition.

Civil – 9:30 a.m.

Case No. CV09-00243 – Owens vs. Kerns

Tentative Ruling: Defendants Kerns and Lakefront Village, LLC's Motion to Continue the Trial is **denied**, as there is no good cause for the continuance. Defendant Suburban's Motion for Determination of Good Faith Settlement with the Owens Plaintiffs is **granted**. The court notes there was no opposition filed.

Case No. LC12-00285 – Unifund vs. Lutch

Tentative Ruling: **Appearance required**. The court will hear argument on defendant's Motion for a Further Bill of Particulars.

Family Law – 10:30 a.m.

Case No. FL07-27350 – Mar. of Bauer

Tentative Ruling: **Appearance required**. The court has not received the custody investigation.

Case No. FL13-00011 – Mar. of Burkhart

Tentative Ruling: **Appearance required**. Review on visitation. If there is no appearance, the court will continue the visitation schedule, and take the matter off calendar.

Case No. FL12-00016 – Elston vs. Castillo

Tentative Ruling: **Appearance required**. The court will order the parties to mediation.

Case No. FL13-00138 – Mar. of McCann

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

Case No. FL09-00221 – Mar. of Patrick

Tentative Ruling: **No appearance required**. The court will order a recommendation and continue this matter to August 12, 2013 at 10:30a.m. All previous temporary orders will remain in full force and effect.

Case No. FL12-00219 – Rees vs. Braswell

Tentative Ruling: **Appearance required**. The court will review the visitation orders.

Case No. FL03-24282 – Scoppwer vs Wood

Tentative Ruling: **Appearance required**.

Case No. FL13-00055 – Mar. of Smith

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

Case No. FL12-00251 – Mar. of Tanguay

Tentative Ruling: **Appearance required.** The court will review the custody and visitation orders with the parties.

Case No. FL04-25265 – Mar. of Velasco

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

Case No. FL11-00280 – Wallace-Michael vs. Saldana-Lozano

Tentative Ruling: **Appearance required.** The court notes there is no proof of service in the file. If both parties are present, the court will order further mediation, and a recommendation, if necessary.

Case No. FL08-28421 – Mar. of White

Tentative Ruling: **Appearance required of Kelli White only.** OSC hearing on failure to pay.

CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS

Case No. LC13-00022 – Capital One Bank vs. Meredith

Tentative Ruling: **No appearance required.** This case management conference is continued to August 26, 2013, at 1:30p.m., to allow service on the defendant. Plaintiff is ordered to file a case management conference statement prior to that date.

Case No. LC12-00158 – FIA Card Services vs. Boyd

Tentative Ruling: **Appearance required.** OSC hearing why sanctions should not be imposed for failing to appear on July 8, 2013.

Case No. LC12-00293 – Midland Funding LLC vs. Morrow

Tentative Ruling: **No appearance required.** The court notes this is a collections case. This matter is continued to December 23, 2013, at 1:30p.m., pursuant to Rule 3.740(f). If the plaintiff has not obtained a default judgment by said date, this matter will be set for an order to show cause and sanctions may be imposed.

Case No. CV13-00016 – People vs. Mlakar

Tentative Ruling: **Appearance required.** If there is no appearance by the defendant, the court will dismiss the claim.

Case No. CV12-00179 – Ramoz vs. Willis

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

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

Tentative Ruling: **Appearance required.**

Case No. LC12-00285 – Unifund CCR, LLC vs. Lutch

Tentative Ruling: **No appearance required.** The court advances this CMC to 9:30a.m., to be heard concurrently with the defendant's motion.

Case No. CV12-00268 – Warner vs. Randy Hill Construction

Tentative Ruling: **Appearance required.** Based upon the declaration of John Hill, filed on July 10, 2013, the court declines to order sanctions for failing to appear. The court will hear the results of mediation. If mediation has not been successful, the parties should be prepared to set a trial date.

Case No. CV12-00252 – Bruce vs. PG&E

Tentative Ruling: **Appearance required.** The court will confirm a mediator and date for mediation. The parties should be prepared to set a trial date.

Case No. CV12-00241 – Crowley vs. Whited

Tentative Ruling: **Appearance required.**

Case No. CV11-00304 – Kersh vs. Seneca Healthcare District

Tentative Ruling: **Appearance required.** The court will reset the readiness conference and jury trial dates.

Case No. CV12-00001 – Lipka vs. Dinneen

Tentative Ruling: **Appearance required.** The court will hear the results of mediation. The court notes neither party has filed a case management conference statement, as ordered by the court on June 10, 2013.

Case No. CV11-00262 – Vonderau vs. Smith

Tentative Ruling: **Appearance required.**