

# **Tentative Rulings**

## **Law & Motion and Family Law Calendar for March 25, 2013**

March 21, 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, March 22<sup>nd</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. PR13-00004 – Guardianship of Miles**

Tentative Ruling: **Appearance required.** After reviewing the guardianship investigation report, the court intends to grant the guardianship.

#### **Case No. PR97-5765 – Conservatorship of Carden**

Tentative Ruling: **Approved.** The court finds that notice has been given as required by law. Petitioner's Ninth Account and Report of Conservator; Petition for Allowance of Fees to Conservator of Estate and Attorney for Conservator is granted.

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

Tentative Ruling: **Appearance required.** If the inventory and appraisal is filed prior to the hearing, the court intends to grant the Petition to Determine Succession to Real Property. Petitioner is to prepare the Order.

## **Civil – 9:30 a.m.**

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

Tentative Ruling: **Denied.** Plaintiff's Motion for Judgment on the Pleadings is denied, without prejudice. At the last case management conference, plaintiff's counsel informed the court the parties were working on a resolution, and requested a continuance. The court granted the request and continued the case management conference to May 13, 2013, at 1:30p.m. The court confirms the conference on that date.

### **Case No. CV13-00032 – Klein vs. Wells Fargo Bank**

Tentative Ruling: **Denied.** Plaintiff's motion to consolidate was denied in Case No. LC12-Q0244. This motion appears to be duplicative of that motion, and the court's previous ruling applies.

### **Case No. LC12-Q0244 – Wells Fargo Bank v. Stohlman**

Tentative Ruling: **Appearance required.** The court will hear defendant's motion for an order modifying the conditions of stay.

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

Tentative Ruling: **Appearance required.**

### **Case No. CV13-00003 – Petition of Meeker**

Tentative Ruling: **Appearance required.** The court has not received the proof of publication. If proof is filed prior to the hearing, and there is no objection, the court intends to grant the petition.

### **Case No. CV13-00003 – Petition of Trueblood**

Tentative Ruling: **Granted.** The court finds that notice has been given as required by law. Petitioner's Petition for Change of Name is granted.

## **Family Law – 10:30 a.m.**

### **Case No. FL10-00115– Mar. of Barnett**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

### **Case No. FL09-00263 – Mar. of Beever**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

**Case No. FL10-00140 – Carter vs. Woden**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

**Case No. FL09-00242 – Mar. of Davis**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

**Case No. FL12-00021– Mar. of Houston**

Tentative Ruling: **No appearance required.** At the request of counsel, this matter is continued to April 22, 2013, at 10:30a.m.

**Case No. FL10-00176 – Mar. of Howell**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

**Case No. FL13-00115 – Myers vs. Hernandez**

Tentative Ruling: **Appearance required.** The court notes there is no proof of service on the respondent.

**Case No. FL03-24282 – Scoppwer vs. Wood**

Tentative Ruling: **Appearance required.**

**Case No. CV07-27628 – Scoville vs. Delgado**

Tentative Ruling: **Appearance required.** The court will discuss a future return date after supervised visits have been implemented.

**Case No. FL12-00019 – Sousa vs. Manjeot**

Tentative Ruling: **No appearance required.** The request for order filed by the petitioner appears to have been resolved on March 12, and therefore, the court confirms the next hearing on April 22, 2013, at 10:30a.m., for receipt of a supplemental report.

**Case No. FL09-00250 – Mar. of Tande**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

**Case No. FL09-00329 – Zimlich vs. Baez**

Tentative Ruling: **Appearance required.** If there is no appearance, the court will dismiss this case.

# **CASE MANAGEMENT CONFERENCE TENTATIVE RULINGS**

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

Tentative Ruling: **Appearance required.** Plaintiff and defendants have 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 parties should be prepared to discuss ADR options and set a trial date.

## **Case No. LC12-00232 – Denson vs. Gehrman & Forward**

Tentative Ruling: **No appearance required.** The court notes that plaintiff filed an amended complaint on March 19, 2013. This case management conference is continued to May 13, 2013, to allow an answer to be filed, if service is perfected. Both parties are ordered to file a case management conference statement prior to that date.

## **Case No. CV12-00230 – Miles vs. State of California**

Tentative Ruling: **Appearance required.** Defendant 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 parties should be prepared to discuss ADR options and set a trial date.

## **Case No. FL12-00218 – Mondot vs. Advanced Building**

Tentative Ruling: **Appearance required.** The parties should be prepared to discuss ADR options and set a trial date.

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

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

## **Case No. CV09-00065 – Adams vs. Dept. of Fish & Game**

Tentative Ruling: **Appearance required.**

## **Case No. CV11-00236 – City of Portola vs. State Dept. of Fish & Game**

Tentative Ruling: **Appearance required.**

## **Case No. CV11-00064 – Stutsman vs. The Schomac Group, Inc.**

Tentative Ruling: **Appearance required.** If a dismissal is filed prior to the hearing, this matter maybe taken off calendar. If a dismissal is not filed, the court intends to set the matter for trial.