

## **Tentative Rulings**

### **Law & Motion and Family Law Calendar for January 10, 2022**

#### **Department Two – Judge Douglas Prouty**

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6305 by 12:00 noon, January 7, 2022, and 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 a court reporter in unlimited civil, family law or probate, you must contract with and provide your own court reporter. The Court does not provide an official reporter for these calendars.**

**PLEASE NOTE –ANY REQUIRED APPEARANCE BY COUNSEL MUST BE DONE BY USING COURT CALL (1-800-882-6878) – UNLESS OTHERWISE STATED IN THESE TENTATIVE RULINGS. ANY REQUIRED APPEARANCE BY A PARTY APPEARING WITHOUT AN ATTORNEY MUST BE DONE BY CALLING THE COURT'S CONFERENCE LINE AT 1-877-336-1829 AND ENTER THE ACCESS CODE 4023142. THE PARTY MUST THEN WAIT ON THE LINE AND MUTE THEIR PHONE UNTIL THE COURT CALLS THEIR CASE.**

### **PROBATE CALENDAR – 9:00 a.m.**

#### **Case No. PR6009      Conservatorship of Gage, Thomas**

Tentative Ruling: **No appearance required.** The Conservatee has passed away. The conservatorship is closed at this time.

#### **Case No. PR11-00031      Conservatorship of Griffith, Nicholas**

Tentative Ruling: **No appearance required.** The Court has reviewed the Report of the Court Investigator and the Court intends to follow the recommendations therein, including that the limited conservatorship of the person remains in the best interests of the Conservatee and the current placement on his aunt's home is appropriate. The other co-conservator William Eggert has passed away and Tricia Elliott will continue as the sole conservator. The biannual review will be set for January 8, 2024 at 9 a.m. The Court Investigator is to receive notice of the next hearing date so a report can be prepared and filed prior to that hearing date.

#### **Case No. PR20-00017      Conservatorship of P., C.**

Tentative Ruling: **Appearance required.** This matter is set for a six month status review of the LPS conservatorship and was continued from December 27, 2021, at the request of counsel.

**Case No. PR16-00028      Conservatorship of Z., T.**

Tentative Ruling: **Appearance required.** It appears from the case file that the Petition to Reappoint the Conservator was granted on December 27, 2021 and the Letters were issued on January 4, 2022. The case was set for an annual review on December 12, 2022, at 9 a.m.

**Case No. PR20-00060      Estate of Carranza, Daniel**

Tentative Ruling: **No appearance required.** The Court has reviewed the First and Final Account and Report of Administrator, and Petition for Final Distribution. Notice has been given as required by law and no opposition has been filed. The Court approves the First and Final Account and grants the Petition for Final Distribution and will sign the proposed Order.

**Case No. PR21-00047      Guardianship of Ralston, Skylar**

Tentative Ruling: **Appearance required.** The Court has reviewed the Court Investigator's Report and the Mother indicates she does not oppose the Guardianship. The Court intends to follow the Investigator's recommendations and will grant the Petition. The Court will also order that the Mother can continue to have supervised visits so long as she continues to participate in mental health services and is compliant with treatment. Mother is also to complete a substance abuse evaluation and participate in any recommended services in order to continue with supervised visitation. The annual review hearing is set for December 28, 2022, at 9 a.m.

The clerk of the court is reminded to send notice to the Guardian one month prior to that date, informing the Guardian of the duty to file a confidential status report prior to the review hearing. The Guardian is to appear by telephone at that time and date by calling 1-877-336-1829 and enter the access code 4023142. The party must then wait on the line and mute their phone until the Court calls their case.

**Case No. PR21-00068      Conservatorship of B., L.**

Tentative Ruling: **Appearance required.** This Petition for Appointment of LPS Conservator was continued from December 27, 2021. The Court has reviewed the Report of the LPS Investigator and attachments thereto as well as the Physician's Declaration and intends to follow their recommendation of the Permanent Conservatorship. The annual review hearing will be set for December 12, 2022, at 9 a.m.

## **CIVIL LAW AND MOTION CALENDAR – 9:30 a.m.**

**Case No. CV20-00163**

**Bielik, K. Ruby v Hickman, Robert**

Tentative Ruling: **Appearance required.** The Court has reviewed the Plaintiff/Cross-defendant's Demurrer and Special Motion to Strike the Defendants/Cross-complainants' First Amended Cross-complaint. The Court has not received any opposition to those motions from Defendant/Cross-complainant Chalet View Lodge. The Court will also hear the Case Management Conference at this time. Counsel can appear telephonically by CourtCall if requested.

## **FAMILY LAW CALENDAR - 10:30 a.m.**

**Case No. FL16-00016**

**Cudia, Rachel v Cudia, David**

Tentative Ruling: **Appearance required.** Petitioner has filed a Request for Order and Respondent filed his Response. The Court will continue the Petitioner's Request for the parties to attend mediation.

**Case No. FL19-00139**

**Geary, Joy v Silva, Donald**

Tentative Ruling: **Appearance required.** Counsel had previously indicated the parties had agreed to a resolution, however it does not appear a stipulation and order was filed.

**Case No. FL20-00085**

**Kent, Janae v Froemmling**

Tentative Ruling: **Appearance required.** The Court will hear the Order to Show Cause as to whether the case will be dismissed for failure to appear.

**Case No. FL14-00046**

**Lara, Stephen v Lara, Kimberly**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the Order for Transfer of Venue to Butte County, the Respondent's Motion for Reconsideration of the Transfer of Venue and Move Away Order, and Petitioner's Temporary Emergency Orders issued by this Court in his Request for Orders.

**Case No. FL20-00045**

**Quiring, Donald v Quiring, Savannah**

Tentative Ruling: **Appearance required.** Petitioner/Father has filed an extensive Request for modification of custody, parenting time, travel costs for visitation with Petitioner now residing in Florida and miscellaneous other orders. Respondent/Mother objects and has filed her

Responsive Declaration. The Court will continue the Request for Order to allow the parties to attend mediation. Counsel can appear telephonically by CourtCall as requested.

**Case No. FL21-00049      Srouji, Courtney v Srouji, Salim**

Tentative Ruling: **Appearance required.** The Court will hear the Order to Show Cause issued for Petitioner's failure to pay \$420 filing fees as ordered.

**CASE MANAGEMENT CONFERENCE/OTHER CASES**

**1:30 p.m.**

**Case No. LC21-00132      Jefferson Capital Systems, LLC v Rose, Laura**

Tentative Ruling: **No appearance required.** Judgment has been entered. Case Management Conference is taken off-calendar.

**Case No. LC21-00126      Midland Credit Management, Inc v Reese, Ryan**

Tentative Ruling: **Appearance required.** The Court has reviewed the Case Management Statement and will discuss status of the case. Counsel can appear telephonically by CourtCall if requested.

**Case No. LC21-00133      One Main Financial Group, LLC v Howell, Kevin**

Tentative Ruling: **No appearance required.** This matter is set for the first Case Management Conference. Plaintiff has not timely filed a Case Management Statement, however the Court has reviewed the Declaration filed by Plaintiff's counsel indicating Plaintiff will be applying for entry of a default judgment. The Court will continue the Case Management Conference and Order to Show Cause to February 28, 2022, at 2 p.m. for entry of default judgment. If Judgment has been entered prior to that hearing date, no appearance is required on that date. Counsel can appear telephonically by Courtcall if Judgment has not been entered.

## **CASE MANAGEMENT CONFERENCE/OTHER CASES**

**2:00 P.M.**

### **Case No. CV19-00193 American Valley Aviation, Inc. v County of Plumas**

Tentative Ruling: **Appearance required.** The Court will discuss the status of settlement and confirmation of the settlement by the County Board of Supervisors. Counsel can appear telephonically by CourtCall if requested.

### **Case No. CV20-00013 Bielik, K. Ruby v Hickman, Robert, et al.**

Tentative Ruling: **Appearance required.** The Court will hear the Case Management Conference at 9:30 a.m. following the hearing on the Demurrer and Motion to Strike the First Amended Cross-complaint. As previously indicated for the Law and Motion calendar, counsel can appear telephonically by CourtCall.

### **Case No. CV21-00016 California State Grange v Taylorsville Community Grange No. 439**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and the amenability of the case to mediation. Counsel can appear telephonically by CourtCall if requested.

### **Case No. CV20-00066 Kingsley, Sara v Kingsley, Patricia**

Tentative Ruling: **Appearance required.** The Settlement Conference date was vacated for good cause. The Court will discuss rescheduling the MSC to another date in March or April. Counsel can appear telephonically by CourtCall if requested.

### **Case No. CV19-00219 Mercer, David v Portola Junior/Senior High School**

Tentative Ruling: **Appearance required.** The Court will discuss the status of discovery and the amenability of the case for mediation. Counsel can appear telephonically by CourtCall if requested.

### **Case No. LC21-00054 Midland Credit Management, Inc. v Grant, Karola**

Tentative Ruling: **No appearance required.** The Notice of Conditional Settlement has been filed. The Court will set the matter for October 24, 2022, at 2 p.m. for status of dismissal of the case. If the case has been dismissed, no appearance is required and the Case Management Conference is vacated. If the case has not been dismissed by the CMC date, appearance is required and counsel can appear telephonically by CourtCall if requested.

**Case No. CV21-00051          Piccinini, Rick v Piccinini, Gene, et al.**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the representation of Defendant Minick and referral of the case for mediation. Counsel can appear telephonically by CourtCall if requested.

**Case No. CV20-00156          Singletary, Lonna v DC Construction**

Tentative Ruling: **Appearance required.** Case Management Conference was continued from September 27, 2021. Neither party has filed an updated CMC Statement as ordered. Both parties are to show cause why reasonable monetary sanctions should be imposed for failure to file those statements. Counsel can appear telephonically if requested.

**Case No. LC21-00062          U.S. Bank National Association v Maumoyner, Tom**

Tentative Ruling: **No appearance required.** No Case Management Statement has been filed by Plaintiff for this date. The Court notes that the case has been set for a Motion for Summary Judgment on March 23, 2022, at 9:30 a.m. The Court will continue the Case Management Conference to that date and time to be heard following the Motions. Counsel can appear telephonically by CourtCall for both hearings on that date at 9:30 a.m, if requested.

**Case No. CV20-00107          Wolfe, Eric v Simmons, William**

Tentative Ruling: **Appearance required.** The Court notes that a First Amended Complaint has been filed and only one Defendant has been served to date. The Court will discuss the status of the case and Plaintiff is to show cause why reasonable monetary sanctions should not imposed for the failure to timely serve all defendants. Counsel can appear telephonically by CourtCall if requested.