

## Tentative Rulings

### Law & Motion and Family Law Calendar for October 13, 2021

#### 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, October 8, 2021, 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. PR20-00044          Conservatorship of Bradley, Susan**

Tentative Ruling: **Appearance required.** The Court has reviewed the two physician declarations in this LPS conservatorship.

##### **Case No. PR21-00024          Conservatorship of Humprey, Carol**

Tentative Ruling: **Appearance required.** The Court will discuss the OSC re: reimbursement for investigator's fee.

##### **Case No. PR21-00027          Estate of Stone, Jimmy Lee**

Tentative Ruling: **Appearance required.** On calendar for initial Case Management Conference. The Court will discuss the status of the case. Counsel can appear telephonically by CourtCall if requested.

##### **Case No. P12-00007          Guardianship of Greenwood, Chance**

Tentative Ruling: **Appearance is required.** The Court has not received the Confidential Guardianship Status Report from the Guardians and orders the bi-annual review hearing is continued to November 8, 2021, at 9 a.m. The Court Clerk is to mail a copy of the minute order to the Guardians. The Guardians is ordered to file the Status Report prior to the next hearing.

The Guardians can 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 until the Court calls their case. The parties are to mute their phone until the case is called. All prior orders shall remain in full force and effect until the next hearing date.

**Case No. P20-00038                      Guardianship of Klein, Genasea**

Tentative Ruling: **Appearance is required.** The Court has not received the Confidential Guardianship Status Report from the Guardians and orders the bi-annual review hearing is continued to November 8, 2021, at 9 a.m. The Court Clerk is to mail a copy of the minute order to the Guardians. The Guardians is ordered to file the Status Report prior to the next hearing. The Guardians can 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 until the Court calls their case. The parties are to mute their phone until the case is called. All prior orders shall remain in full force and effect until the next hearing date.

**Case No. PR15-00038                      Guardianship of McArthur-Settell, Christopher & Douglas**

Tentative Ruling: **No appearance required.** The Court has received and reviewed the Confidential Guardianship Status Report. The Court finds it is in the minor's best interests to continue the guardianship and the next annual review hearing is set for October 24, 2022, at 9:00 a.m. All prior orders remain in full force and effect. 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. PR21-00047                      Guardianship of Ralston, Skylar**

Tentative Ruling: **No appearance required.** The Court will appoint Kathleen Wickman as the Court investigator in this matter and continue the matter to November 22, 2021, at 9 a.m. for receipt of the Report. The Temporary Guardianship Orders previously entered in this case are to remain in full force and effect to that date.

**Case No. CV21-00151                      In Re Lovins, Jesse**

Tentative Ruling: **Appearance required.** It does not appear that any notice of hearing has been filed or served on any party on behalf of the proposed guardian ad litem. Counsel for the proposed guardian ad litem can appear telephonically by CourtCall if requested.

**Case No. PR21-00051                      In the Matter of the Earle & Rosalie Little Trust dated November 30, 2006**

Tentative Ruling: **No appearance required.** The Court has reviewed the Petition for Order Confirming Assets of Revocable Trust and notice has been given as required by law. No opposition has been filed to the Petition. The Court will grant the Petition and sign the proposed Order.

**Case No. PR21-00053      Kearns, Susan v Kearns, Michael**

Tentative Ruling: **No appearance required.** The Court has reviewed the Petition for Authority to Transfer and Transmute Community Property and notice has been given as required by law. No opposition has been filed to the Petition. The Court will grant the Petition and sign the proposed Order.

**Case No. PR14-00050      Conservatorship of B., A.**

Tentative Ruling: **Appearance required.** The Court has reviewed the two physician declarations in this LPS conservatorship.

**Case No. PR21-00050      Matter of Brown, Judith**

Tentative Ruling: **No appearance required.** The Court has reviewed the Petition for Order to Determine Succession to Real Property and Inventory and Appraisal. Notice has been given as required by law and no opposition has been filed to the Petition. The Court will grant the Petition and sign the proposed Order.

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

**Case No. CV17-00106      Bennett, Sara v Kuneman, William, et al.,**

Tentative Ruling: **No appearance required.** The Court has reviewed the Plaintiffs' Motion for Order for Release of Funds. Notice has been given as required by law and no opposition has been filed to the Motion. The Court will grant the Order for Release of Funds. Plaintiffs are to prepare and submit a proposed order stating the name and mailing address of the attorney in the law firm representing Plaintiffs to whom the check is to be mailed.

**Case No. CV21-00149      Petition of Leal, Shawna**

Tentative Ruling: **Appearance required.** The Court has not received a proof of posting of the Order to Show Cause pursuant to this Court's Administrative Order. The Court will continue the matter to November 22, 2021, at 9:30 p.m. for receipt of proof of posting per the Order.

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

### **Case No. FL16-00154          Campbell, Anthony v Fairbanks, Jennifer**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the Petitioner and results of mediation.

### **Case No. FL15-00163          Kibble, Michael v Kibble, Karen**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the sale of the business. Counsel and the Respondent can appear telephonically by CourtCall if requested.

### **Case No. FL21-00098          McDowell, Vanessa v White, Christopher**

Tentative Ruling: **Appearance required.** Respondent has filed a “demurrer” to the Petitioner’s Request for Order. That demurrer to a petition for custody is not allowed under the Family Law Code and therefore is summarily denied. Defendant is to file the required Response to Petition form FL-220 and Responsive Declaration to Request for Order form FL-320 by October 29, 2021. The parties are to schedule and attend mediation with Family Court Services. The case will be continued to November 22, 2021, at 10:30 a.m.

### **Case No. FL21-00086          Rael, Tyson v Rael, Danielle**

Tentative Ruling: **Appearance required.** This case was continued for the execution and filing of the Mediation Agreement regarding the Petitioner’s Request for Orders. The parties can appear by telephone for this hearing 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. FL20-00095          Russell, Amber v Russell, Carey**

Tentative Ruling: **Appearance required.** Petitioner has filed her Request for Order and Temporary Emergency Orders were entered. Respondent was recently served. Both parties are ordered to schedule and attend mediation with Family Court Services. Respondent is to file a Responsive Declaration to Request for Order form FL-320 by October 29, 2021. The parties are to schedule and attend mediation with Family Court Services. The case will be continued to November 22, 2021, at 10:30 a.m. for results of mediation.

### **Case No. FL19-00177          Villalobos, Alice v Hechler-Schafer, David**

Tentative Ruling: **Appearance required.** The Court notes that the Petitioner has not submitted a proposed Findings and Order After Hearing as ordered at the ex parte hearing on September 2, 2021. Respondent has not filed any opposition to the Petitioner’s Request for Order and each party has failed to file an updated Income and Expense Declaration as ordered. The Court will discuss the results of mediation.

**CASE MANAGEMENT CONFERENCE/OTHER CASES**

**1:30 p.m.**

**Case No. LC21-00071      First National Bank of Omaha v Bartlow, Greg**

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case.

**Case No. LC21-00069      JP Morgan Chase Bank, N.A. v Addington, Randy**

Tentative Ruling: **Appearance required.** Plaintiff has failed to timely file a Case Management Statement as required by Rule of Court 3.720. Plaintiff is show cause why reasonable monetary sanctions should be imposed. Counsel can appear telephonically by CourtCall.

**CASE MANAGEMENT CONFERENCE/OTHER CASES**

**2:00 P.M.**

**Case No. PR19-00054      In Re Anthony & Dorothy Fernandes Family Trust**

Tentative Ruling: **Appearance required.** Petitioner has failed to timely file a Case Management Statement as required by Rule of Court 3.720. Petitioner is show cause why reasonable monetary sanctions should be imposed. The Court also notes the Motions filed by Petitioner and set for hearing on October 25<sup>th</sup> and November 8<sup>th</sup>, respectively. The Court will also discuss the status of scheduling mediation as previously ordered at the August 9<sup>th</sup> CMC. Counsel can appear telephonically by CourtCall.