

## **Tentative Rulings**

### **Law & Motion and Family Law Calendar for February 14, 2022**

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

To request a hearing on any matter on this calendar, you must call the Court at 530/283-6297 by 12:00 noon, February 11, 2022 (please leave a voice mail if no one answers), 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. PR22-00004            Matter of Murrieta, Roberto**

Tentative Ruling: **No appearance required.** Inventory and Appraisal has been filed and Petition has been granted.

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

##### **Case No. CV21-00212            In Re Petition of J.G. Wentworth Originations, LLC**

Tentative Ruling: **No appearance is required.** The Court has reviewed the Petition for Order Vacating Approval of Transfer of Payment Rights for a structured settlement pursuant to Code of Civil Procedure §473. The Court finds that notice of the Petition has been given as required by law and no opposition has been filed. From a review of the file, contrary to the allegations of the Petitioner, the proposed Order Approving the Transfer of Payment Rights was signed and filed by the Court granting the Petition pursuant the Tentative Ruling issued by this Court on December 27, 2021, which proposed order had been submitted by Petitioner. Therefore, pursuant to C.C.P. §473, this Court finds that since the actual payments which were to purchased are not available, good cause exists to vacate this Court's Order filed on January 7, 2022, and the

Petition to vacate the Order for Transfer of Payment Rights is granted. The Court will sign the proposed Order.

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

### **Case No. FL20-00045      Quiring, Donald v Quiring, Savannah**

Tentative Ruling: **Appearance required.** The Petitioner's Request for Orders was continued to this date for the parties to meet with the mediator. The Court has received a letter from the mediator that the parties could not agree on the issues. The Court will be discussing what issues need to be addressed and the estimate as to the length of a contested hearing if requested. Counsel can appear telephonically by CourtCall if requested.

### **Case No. FL20-00178      Flesuras, Drew v. Ashley, Christopher**

Tentative Ruling: **No appearance required.** The Petitioner has filed a Request to modify the provisions re: custody, visitation and child support in the Judgment entered on 2018. Based upon the Declaration re: address verification, she can serve the Respondent by mail instead of personal service. However, there is no proof of service of the pleadings by mail. Therefore, the Court will continue the hearing to February 28, 2022, at 10:30 a.m. for the Petitioner to serve the Amended Request for Order, Declaration and Income and Expense Declaration on Respondent by mail. Petitioner must file a proof of service of those documents to Respondent's Gridley address.

## **CASE MANAGEMENT CONFERENCE/OTHER CASES** **1:30 p.m.**

### **No. LC21-00143      Capital One Bank (USA), N.A. v Lyman, Bradley**

Tentative Ruling: **Appearance required.** This case is on calendar for the first Case Management Conference. Plaintiff has failed to timely file a case management statement as required by Rule of Court 3.720. Plaintiff is to show cause why reasonable monetary sanctions should not be imposed. Counsel can appear telephonically by Courtcall upon request.

### **Case No. LC21-00146      Discover Bank v Morris, William**

Tentative Ruling: **Appearance required.** This case is on calendar for the first Case Management Conference. Plaintiff has failed to timely file a case management statement as required by Rule of Court 3.720. Plaintiff is to show cause why reasonable monetary sanctions should not be imposed. Counsel can appear telephonically by Courtcall upon request.



**Case No. CV21-00140      Retzlaff, Tiffany, et al. v Pacific Gas & Electric Company**

Tentative Ruling: **No appearance required.** This case is on calendar for the first Case Management Conference. This case was included in the 2021 Dixie Fire Coordination Order entered by this Court in the Judicial Council Coordination proceeding. By that Order, all proceedings in this action in this Court are stayed and all future dates vacated until further order in the 2021 Dixie Fire coordination proceeding.

**CASE MANAGEMENT CONFERENCE/OTHER CASES**

**2:00 p.m.**

**Case No. LC21-00094      Calvary SPV I, LLC v Downey, Jo Ann**

Tentative Ruling: **Appearance required.** This matter is on calendar for an Order to Show cause re: sanctions for failure to appear and file a Case Management Statement on November 8, 2021. The Court will also discuss the status of the case and possible alternative dispute resolution.

**Case No. CV19-00138      Eckmeyer, Pamela v Girdner, James**

Tentative Ruling: **Appearance required.** The Court will discuss setting this matter for jury trial. Counsel can appear telephonically by Courtcall if requested.

**Case No. CV21-00095      Wilson, Rhonda v Arrowsmith, Ann**

Tentative Ruling: **Appearance required.** Default has been entered as to some Defendants and it appears there is an agreement to a stipulated judgment as to the remaining Defendant. The Court will discuss setting the quiet title hearing for entry of judgment. Counsel can appear telephonically by Courtcall if requested.

**Case No. CV21-00140      Sih, Philip v. Michael Peak**

Tentative Ruling: **No appearance required.** The Court has received the Notice of Conditional Settlement and the case has been dismissed with prejudice. All future dates are taken off-calendar.