

Tentative Rulings

Law & Motion and Family Law Calendar for May 10, 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, May 7, 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. PR21-00010 Conservatorship of Daniel, Julia

Tentative Ruling: **Appearance required.** Temporary Letters of Conservatorship were issued. The Court has reviewed the Report and recommendation of the Investigator. The Court will discuss whether the conservatee is requesting a hearing.

Case No. PR21-00016 Estate of Wiederhold, Robert

Tentative Ruling: **Appearance required.** The Court granted the ex parte request for appoint of a special administrator with general powers. However, the Court has not received the posting and publication of the Notice of Petition and there are no waivers of notice filed. The Court will continue this hearing to May 24, 2021, at 9 a.m. for receipt of proof of publication and posting. All prior orders remain in full force and effect. Counsel can appear telephonically.

The Court finds it is in the minor's best interests to continue the guardianship and the next annual review hearing is set for August 22, 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. PR21-00013 Estate of Williams, Dennis

Tentative Ruling: **No appearance required.** Petitioner has filed a Petition for a spousal property order. The Court finds notice has been given as required by law and no opposition has been filed. The Court will grant the Petition and sign a proposed Order.

Case No. PR21-00015 Guardianship of Alcaraz, Elisandra Jauregui

Tentative ruling: **Appearance is required.** Petitioners have filed a petition for an appointment of guardianship of a person. The Court has previously signed the Order dispensing with notice and ordered an investigation. The Court has not received the investigator's report and orders the hearing on the Petition to be continued to June 14, 2021 at 9 a.m. for receipt of the Report.

Case No. PR21-00009 Guardianship of Ballantine, Jed

Tentative ruling: **Appearance is required.** Petitioners have filed a petition for an appointment of guardianship of a person. The Court has previously signed the Order dispensing with notice and ordered an investigation. The Court has received and reviewed the investigator's report and finds that it is the best interest interests of the minor that a guardian be appointed. The Court will sign the proposed Order. The annual review is set for May 9, 2022, at 9 a.m. 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 until the Court calls their case. The parties are to mute their phone until the case is called.

Case No. PR21-00014 In the Matter of Fajardo, Jamie

Tentative ruling: **Appearance is required.** The Court previously granted the request for a temporary conservatorship. The Court has reviewed the Confidential Investigator's Report and will discuss if the Conservatee is requesting a hearing.

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

Case No. LC21-00067 Petition of Quiring, Savannah

Tentative Ruling: **No appearance required.** Petitioner has not complied with the posting requirements in the Emergency Order attached to Petitioner's OSC. The Court will continue this hearing to May 24, 2021, at 9:30 p.m. for the required posting and filing proof of publication.

FAMILY LAW CALENDAR - 10:30 a.m.

Case No. FL13-00235 Hodges, Cynthia vs. Berton, Michael

Tentative Ruling: **Appearance required.** This case is on calendar for a status review regarding parenting issues. Counsel can also appear telephonically by ATT conference line.

Case No. FL21-00065 Hyde, Trinity vs. Meek, Amanda

Tentative Ruling: **Appearance required.** Respondent has filed and served a Request for Order regarding child support. No opposition has been received from the Petitioner. The case will be continued to June 14, 2021 at 10:30 a.m. for the parties to attend mediation.

Case No. FL14-00193 Kelley, Shawna vs. Kelley, Aaron

Tentative Ruling: **Appearance required.** This case is on calendar for a status review regarding custody and visitation.

Case No. FL11-00074 Morris, Josie vs. Morris, Jason

Tentative Ruling: **Appearance required.** Petitioner has filed a Request for Order regarding visitation with Respondent. No opposition has been filed.

Case No. FL21-00059 Osbourn, Kollin vs. Pettit, Haley

Tentative Ruling: **Appearance required.** Respondent has filed a Request for an order for attorney's fees and costs as sanctions. No opposition has been filed by the Petitioner.

Case No. FL21-00049 Srouji, Courtney vs. Srouji, Salim

Tentative Ruling: **Appearance required.** On calendar for continued Status Conference re: sale of pharmacy. Counsel can appear by CourtCall.

Case No. FL19-00234 Tande, Karin vs. Tande, Mark

Tentative Ruling: **Appearance required.** This case is on calendar for a case management conference and Respondent's Request for Order re: discovery responses and attorney's fees and Petitioner's Request for Order re: spousal support and attorney fees. Tentatively, this Court will not be ordering an Evidence Code §730 evaluation on the value of the business or income derived from the business.

ADOPTION HEARING 11:30 a.m.

Case No. AD18-00008 Matter of Stegall, Teresa Lynn

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

CASE MANAGEMENT CONFERENCE/OTHER CASES

1:30 p.m.

Case No. CV20-00161 Hill, Adriane vs. Hat Creek Construction & Materials

Tentative Ruling: **Appearance required.** This case had been set for an initial Case Management Conference. The Court will discuss the status of the case as well as possible mediation. Counsel can appear telephonically by CourtCall.

CASE MANAGEMENT CONFERENCE/OTHER CASES

2:00 P.M.

Case No. CV19-00193 American Valley Aviation, Inc. vs. County of Plumas

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

Case No. CV20-000061 Durkee, Timothy vs. Durkee, Tobin

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

Case No. CV21-00138 Eckmeryer, Pamela vs. Girdner, James

Tentative Ruling: **Appearance required.** The Court will discuss the status of the case and possible mediation. An Order to Show Cause was issued for Defendant's Counsel failure to appear at the previous CMC on April 20, 2021. Counsel can appear telephonically by CourtCall.

Case No. LC19-00192 Spaulding, Mark vs. Girdner, James

Tentative Ruling: **Appearance required.** This matter is on calendar for a Case Management Conference. The Court will discuss possible mediation. Plaintiff's Counsel has also requested a brief "Pretrial Conference regarding discovery". The Court will also briefly discuss the status of discovery. Counsel can appear telephonically by CourtCall.

Case No. CV20-00097 The North River Insurance Company vs. Bright, Merrill et al.

Tentative Ruling: **Appearance required.** The Court will discuss whether this case is amenable to mediation and the status of discovery. The Court also notes this case has been consolidated with CV20-00172 and all dates scheduled for that case shall be vacated at this time. This case is designated as the lead case and all filings and hearing dates shall be in this case. Counsel can appear by CourtCall.

Case No. CV19-00064 USA Waste of California, Inc. vs. County of Plumas

Tentative Ruling: **Appearance required.** The Court has reviewed the joint Case Management Conference Statement. Counsel indicates there is a settlement which has been reached, however due to statutory requirements the steps to implement the settlement will not be complete until July 2021. The Court intends to grant the joint request that the action will be stayed until August 1, 2021, for the entry of the stipulated judgment. The Court would intend to continue this CMC to August 9, 2021, at 2 p.m. for entry of judgment.

Case No. CV20-00105 Unifund CCR LLC vs. Preskitt, Sharyl

Tentative Ruling: **Appearance required.** The Case Management Conference was continued to this date on April 26, 2021. Plaintiff's counsel has not filed an updated Case Management Statement and is to show cause why reasonable sanctions should not be imposed for Plaintiff's failure to do so. The Court will discuss the status of discovery and whether this case is amenable to mediation.

Case No. CV20-00107 Wolfe, Eric vs. Simmons, William T., et al.

Tentative Ruling: **Appearance required.** On April 6, 2021, this Court granted Plaintiff's ex parte application to extend service until June 7, 2021. The CMC in this case will be continued to July 12, 2021, at 2 p.m. for status on service.