

TENTATIVE RULINGS

FOR: November 3, 2016

The Court may exercise its discretion to **disregard** a late filed paper in law and motion matters. (Cal. Rules of Court, rule 3.1300(d).)

Unlawful Detainer Cases – No tentative ruling will be posted because access to records is not permitted until 60 days after the complaint is filed. Parties **must appear** for all unlawful detainer demurrers, motions to quash, and other matters. After 60 days, tentative rulings will be posted in accordance with the local rules.

Court Reporting Services – The Court does not provide official court reporters in proceedings for which such services are not legally mandated. These proceedings include civil law and motion hearings. If counsel want their civil law and motion hearing reported, they must arrange for a private court reporter to be present. Go to <http://napacountybar.org/court-reporting-services/> for information about local private court reporters. Attorneys or parties must confer with each other to avoid having more than one court reporter present for the same hearing.

PROBATE CALENDAR – Hon. Diane Price, Dept. C (Historic Courthouse)

Conservatorship of Samira Hammoud

26-68154

REVIEW HEARING

APPEARANCE REQUIRED to discuss mother's visits. Appearance of Conservatee is waived.

PROBATE CALENDAR – Hon. Rodney Stone, Dept. F (Criminal Courts Bldg.-1111 Third St.)

In the Matter of Jasmine Persons

16CV000413

PETITION FOR CHANGE OF NAME

TENTATIVE RULING: Notice has been properly published and no written objections have been filed. The petition for name change shall therefore be GRANTED without need for appearance.

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Estate of Kathleen Ann Shafer

16PR000003

FIRST AND FINAL ACCOUNT AND REPORT OF ADMINISTRATOR AND PETITION FOR ITS SETTLEMENT, FOR STATUTORY ATTORNEY FEES AND REIMBURSEMENT OF COSTS, AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT Petition, including fees as prayed.

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In The Matter of the Stephan Arthur Williams Trust

26-38293

EIGHTH ACCOUNT & REPORT OF TRUSTEE JIM NORD AND PETITION FOR SETTLEMENT AND FEES

TENTATIVE RULING: GRANT Petition, including fees as prayed.

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Conservatorship of Judith M. Franzi-Price

26-59300

(1) THIRD ACCOUNT AND REPORT OF CONSERVATOR, AND PETITION FOR ALLOWANCE OF COMPENSATION FOR CONSERAVTOR'S SERVICES AND FOR ATTORNEY'S FEES

TENTATIVE RULING: GRANT petition, including fees as prayed conditioned on submitting proof that a bond was obtained in the amount of \$600,000 within 15 calendar days. The review hearing and the accounting set for October 5, 2017, shall remain on calendar. All accounting documents must be filed at least 30 days prior to the hearing. The clerk is directed to send notice to the parties.

(2) PETITION FOR ORDER AUTHORIZING PAYMENT OF FEES TO CONSERVATOR OF THE PERSON AND FOR ATTORNEY'S FEES

TENTATIVE RULING: GRANT petition, including fees as prayed.

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Conservatorship of Stanley L. Price

26-65972

(1) FIRST ACCOUNT AND REPORT OF CONSERVATOR, AND PETITION FOR ALLOWANCE OF COMPENSATION FOR CONSERVATOR'S SERVICES AND FOR ATTORNEY'S FEES

TENTATIVE RULING: GRANT petition, including fees as prayed conditioned on submitting proof that a bond was obtained in the amount of \$700,000 within 15 calendar days. After a review of the matter, the Court finds the conservator is acting in the best interest of the conservatee. Thus, the matter is set for a biennial review hearing and an accounting in two years, on November 2, 2018, at 8:30 a.m. in Dept. I. All accounting documents must be filed at least 30 days prior to the hearing. The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.

(2) PETITION FOR ORDER AUTHORIZING PAYMENT OF FEES TO CONSERVATOR OF THE PERSON AND FOR ATTORNEY'S FEES

TENTATIVE RULING: GRANT petition, including fees as prayed.

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Conservatorship of Atsuko Chrivia

26-66917

FIRST ACCOUNT AND REPORT OF CONSERVATOR; PETITION FOR ALLOWANCE OF FEES TO CONSERVATOR OF PERSON AND ESTATE AND ATTORNEY FOR CONSERVATOR

TENTATIVE RULING: GRANT Petition, including fees as prayed. After a review of the matter, the court finds the Conservator is acting in the best interest of the Conservatee. Thus, the matter is set for a biennial review hearing and an accounting in two years, on November 1, 2018 at 8:30 a.m. in Dept. F. All accounting documents must be filed at least 30 days prior to the hearing. The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.

CIVIL LAW & MOTION CALENDAR – Hon. Rodney Stone, Dept. F (Criminal Courts Bldg.-1111 Third St.)

Magdaleno Tlaxcala v. Regusci Vineyard Management, Inc.

16CV000353

DEMURRER TO THE ANSWER

TENTATIVE RULING: This matter and the case management conference are continued to December 16, 2016, at 8:30 a.m. in Dept. F to allow the parties to complete mediation in late November 2016. The parties shall file a joint status update on or before December 12, 2016. If mediation is not successful, the October 12, 2016 Minute Order and its requirements remain in effect.

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Corretta Baker v. Sean Westinrider, et al.

26-68147

1) DEFENDANTS SEAN WESTENRIDER AND CINDY BARWALD'S DEMURRER TO PLAINTIFF CORRETTA BAKER'S COMPLAINT FOR DEFAMATION AND UNMERITED CHARGES

TENTATIVE RULING: The Demurrer is OVERRULED WITHOUT PREJUDICE as untimely. Defendants' Demurrer was filed and served via mail on October 11, 2016, 16 court days before hearing, plus one additional calendar day. Code of Civil Procedure section 1005, subdivision (b) requires service to be made 16 court days before the hearing, plus an additional 5 calendar days for service by mail. The Case Management Conference is continued to December 21, 2016 at 8:30 a.m. in Dept. F.

2) DEFENDANTS' MOTION FOR ORDER TO STRIKE PLAINTIFF'S COMPLAINT AND PRAYER FOR RELIEF FOR FAILURE TO STATE A CAUSE OF ACTION

TENTATIVE RULING: The Motion is DENIED WITHOUT PREJUDICE as untimely. Defendants' Motion was filed and served via mail on October 11, 2016, 16 court days before hearing, plus one additional calendar day. Code of Civil Procedure section 1005, subdivision (b) requires service to be made 16 court days before the hearing, plus an additional 5 calendar days for service by mail.