

TENTATIVE RULINGS

FOR: September 28, 2017

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 – Pursuant to the restrictions in Code of Civil Procedure section 1161.2, no tentative rulings are posted for unlawful detainer cases and appearances are required.

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. Rodney Stone, Dept. I (Criminal Courts Bldg.-1111 Third St.)

In the Matter of The Sparby Family Trust

16PR000175

PETITION FOR ORDER APPROVING SETTLEMENT AGREEMENT; FOR ENFORCEMENT OF THE SETTLEMENT AGREEMENT; FOR ATTORNEY’S FEES AND COSTS; AND FOR REMOVAL OF CO-TRUSTEE

TENTATIVE RULING: The Petition is GRANTED, including attorney’s fees and costs as prayed. Respondents do not oppose the approval of the Settlement Agreement and Mutual General Release executed on November 28, 2016 (‘Settlement Agreement’). The Settlement Agreement provides that the parties were to submit any dispute to the Hon. Catherine Gallagher, Ret., for decision. This was done, and Honorable Catherine Gallagher (Ret.), issued an Order Re: Rental Agreement on July 20, 2017. Respondents have not provided any valid reason for refusing to comply with the Order and are therefore in violation of the Settlement Agreement and Order Re: Rental Agreement, and Respondent Debra Murray is in violation of her duties as Co-Trustee. Respondents’ requests for affirmative relief are not properly brought via an opposition brief.

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In the Matter of The 1997 Shirley A. Quaini Trust

17PR000136

PETITION FOR INSTRUCTION AND ORDER DETERMINING OWNERSHIP OF MANUFACTURED HOME

TENTATIVE RULING: The Petition filed on August 22, 2017 is DISMISSED WITHOUT PREJUDICE. Service of the Petition was not in accordance with Probate Code sections 851 and 17203.

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Conservatorship of Willie B. Godley-Martin

17PR000171

PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE PERSON AND ESTATE

APPEARANCE REQUIRED

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Estate of Harvey P. Posert

26-67685

FINAL REPORT OF ADMINISTRATOR ON WAIVER OF ACCOUNT AND PETITION FOR FINAL DISTRIBUTION AND FOR ALLOWANCE OF COMPENSATION TO ADMINISTRATOR AND ATTORNEYS FOR ORDINARY SERVICES

TENTATIVE RULING: GRANT Petition, including fees as prayed.