

TENTATIVE RULINGS

FOR: March 7, 2018

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. Diane Price, Dept. C (Historic Courthouse)

Estate of Wallace Eugene Platner

17PR000276

PETITION FOR LETTERS OF ADMINISTRATION AND AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT – WITH LIMITED AUTHORITY

TENTATIVE RULING: GRANT petition. The Court notes that although the petition did not check the box in the heading to indicate that petitioner is seeking to be appointed the administrator, it is clear from the other documents that petitioner is seeking that relief.

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Estate of Rudolph Henry Mancini

18PR000028

PETITION FOR PROBATE OF WILL AND FOR LETTERS TESTAMENTARY AND AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT

TENTATIVE RULING: Although not checked in the heading, the petition makes clear petitioner is seeking full authority under the IAEA. GRANT petition.

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Estate of Susan Marie Brace

18PR000036

PETITION FOR LETTERS OF ADMINISTRATION AND AUTHORIZATION TO ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT

TENTATIVE RULING: GRANT petition.

CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. C (Historic Courthouse)

H.P.D. Consolidation, Inc. v. Jose Pina, et al.

16CV001090

1) MOTION TO COMPEL FURTHER RESPONSES BY HPD CONSOLIDATION, INC. TO SPECIAL INTERROGATORIES OF DEFENDANT SON-VAY CORPORATION DBA HI-TIME WINE CELLARS (SET ONE)

TENTATIVE RULING: Defendant Son-Vay Corporation's Motion is GRANTED. Plaintiff HPD Consolidation, Inc.'s responses are incomplete and evasive and fail to comply with Code of Civil Procedure section 2030.220. Plaintiff HPD Consolidation, Inc. is to provide verified, further responses to Special Interrogatories (Set One), Nos. 46, 47, 53, 54, 55, 58, 59, 65, 66, 69, and 74 within 10 days. Pursuant to Code of Civil Procedure section 2031.310, subdivision (h), sanctions in the amount of \$3,060 are imposed against Plaintiff HPD Consolidation, Inc., in favor of Defendant Son-Vay Corporation. Defendant Son-Vay Corporation is to submit a proposed order.

2) MOTION TO COMPEL FURTHER RESPONSES BY HPD CONSOLIDATION, INC. TO SPECIAL INTERROGATORIES OF DEFENDANT TRI CITIES LIQUOR & SPIRITS, LLC (SET ONE)

TENTATIVE RULING: Defendant Tri Cities Liquor & Spirits, LLC's Motion is GRANTED. Plaintiff HPD Consolidation, Inc.'s responses are incomplete and evasive and fail to comply with Code of Civil Procedure section 2030.220. Plaintiff HPD Consolidation, Inc. is to provide verified, further responses to Special Interrogatories (Set One), Nos. 22, 24, 26, 28, 30, 32, 34, 36, 48, and 61 within 10 days. Pursuant to Code of Civil Procedure section 2031.310, subdivision (h), sanctions in the amount of \$3,660 are imposed against Plaintiff HPD Consolidation, Inc., in favor of Defendant Tri Cities Liquor & Spirits, LLC. Defendant Tri Cities Liquor & Spirits, LLC is to submit a proposed order.

3) MOTION TO COMPEL FURTHER RESPONSES BY HPD CONSOLIDATION, INC. TO SPECIAL INTERROGATORIES OF DEFENDANT WINES OF THE WORLD (SET ONE)

TENTATIVE RULING: Defendant Wines of the World, LLC's Motion is GRANTED. Plaintiff HPD Consolidation, Inc.'s responses are incomplete and evasive and fail to comply with Code of Civil Procedure section 2030.220. Plaintiff HPD Consolidation, Inc. is to provide verified, further responses to Special Interrogatories (Set One), Nos. 36, 38, 40, 42, 44, 46, 48, 50, 62, and 64 within 10 days. Pursuant to Code of Civil Procedure section 2031.310, subdivision (h), sanctions in the amount of \$3,060 are imposed against Plaintiff HPD Consolidation, Inc., in favor of Defendant Wines of the World, LLC. Defendant Wines of the World, LLC is to submit a proposed order.

4) MOTION TO COMPEL FURTHER RESPONSES BY HPD CONSOLIDATION, INC. TO SPECIAL INTERROGATORIES OF DEFENDANT MICHAEL SHEMALI (SET ONE)

TENTATIVE RULING: Defendant Michael Shemali’s Motion is GRANTED. Plaintiff HPD Consolidation, Inc.’s responses are incomplete and evasive and fail to comply with Code of Civil Procedure section 2030.220. Plaintiff HPD Consolidation, Inc. is to provide verified, further responses to Special Interrogatories (Set One), Nos. 46, 48, 50, 52, 54, 56, 58, and 60 within 10 days. Pursuant to Code of Civil Procedure section 2031.310, subdivision (h), sanctions in the amount of \$3,060 are imposed against Plaintiff HPD Consolidation, Inc., in favor of Defendant Michael Shemali. Defendant Michael Shemali is to submit a proposed order.

5) MOTION TO COMPEL FURTHER RESPONSES BY HPD CONSOLIDATION, INC. TO SPECIAL INTERROGATORIES OF DEFENDANT BELMONT WINE EXCHANGE, LLC (SET ONE)

TENTATIVE RULING: Defendant Belmont Wine Exchange, LLC’s Motion is GRANTED. Plaintiff HPD Consolidation, Inc.’s responses are incomplete and evasive and fail to comply with Code of Civil Procedure section 2030.220. Furthermore, Plaintiff’s response to Interrogatory No. 54 appears to be false based on Plaintiff’s counsel’s email dated February 23, 2018. Plaintiff HPD Consolidation, Inc. is to provide verified, further responses to Special Interrogatories (Set One), Nos. 22, 24, 26, 28, 30, 32, 34, 48, 50, 54, and 64 within 10 days. Pursuant to Code of Civil Procedure section 2031.310, subdivision (h), sanctions in the amount of \$3,060 are imposed against Plaintiff HPD Consolidation, Inc., in favor of Defendant Belmont Wine Exchange, LLC. Defendant Belmont Wine Exchange, LLC is to submit a proposed order.

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

Conservatorship of Brian Novak

16PR000198

REVIEW HEARING

TENTATIVE RULING: After a review of the matter, the Court finds the co-conservators are acting in the best interest of the conservatee. Thus, the case is set for a biennial review hearing in two years, on March 5, 2020, at 8:30 a.m. in Dept. F. At least 30 days before the next hearing, the co-conservators shall file: (1) Notice of Conservatee’s Rights (Judicial Council form GC-341; and (2) Determination of Conservatee’s Appropriate Level of Care (Judicial Council form GC-355). The court investigator shall prepare a biennial investigator report for the next hearing date. The clerk is directed to send notice to the parties.



Estate of Charles Eduard Hennion

17PR000251

PETITION FOR LETTERS OF ADMINISTRATION AND AUTHORIZATION TO
ADMINISTER UNDER THE INDEPENDENT ADMINISTRATION OF ESTATES ACT

APPEARANCE REQUIRED

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In the Matter of Joseph Anthony Hanlon

18PR000035

PETITION TO DETERMINE SUCCESSION TO REAL PROPERTY

TENTATIVE RULING: There is no proof of service in the court file. If a proper proof of service is filed before or at the hearing, the petition will be granted. Otherwise, the petition will be denied without prejudice.