

TENTATIVE RULINGS

FOR: April 4, 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. Rodney Stone, Dept. I (Criminal Courts Bldg.-1111 Third St.)

Estate of Charles Vincent Tremewan

17PR000164

PETITION FOR ALLOWANCE OF PARTIAL STATUTORY ATTORNEY’S FEES

TENTATIVE RULING: Petitioner Lourdes Silvia Tremewan’s petition for allowance of partial statutory attorney’s fees is GRANTED IN PART. The Court modifies paragraph 3 of the prayer for relief to read: “The Court ruled on December 18, 2017, that the proceeds of the sale of the property shall be split 50/50 between Petitioner and beneficiary Alicia Tremewan. Based on this ruling, the Court authorizes Petitioner to record a copy of this order with the Office of the County Recorder of Napa County as evidence of such lien. The funds Petitioner advanced shall be reimbursed to her from her split of the proceeds of the sale upon the close of escrow when the property is sold. Reimbursement shall not impact Alicia Tremewan’s split of the proceeds of the sale or the distribution of those proceeds to her or to others holding that interest.” Petitioner shall submit a revised proposed order and correct the party name on page 1:23-24.

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Conservatorship of Sarah Madeline Hight

17PR000255

PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE PERSON – LIMITED CONSERVATORSHIP

APPEARANCE REQUIRED. The proposed conservatee need not appear.

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

Bell Construction, Inc. v. Marc Brock, et al.

17CV000423

MOTION TO SET ASIDE ENTRY OF DEFAULT

TENTATIVE RULING:

Defendants Marc Brock and Barbara Brock’s request for judicial notice of the complaint and the request for entry of default is GRANTED.

Defendants’ motion to set aside the entry of default against them due to the result of their prior attorney’s mistake, inadvertence, surprise, and/or neglect under Code of Civil Procedure section 473, subdivision (b), is GRANTED. (Burton Decl., ¶¶ 3, 11; Burton Supp. Decl., ¶ 5.) Defendants shall file their proposed answer and cross-complaint within 5 calendar days.

Plaintiff Bell Construction, Inc.’s request for legal fees and costs is GRANTED. Defendants’ former attorney, John H. Burton, shall pay \$500 as reasonable compensatory legal fees and costs, payable to plaintiff’s counsel within 10 calendar days of service of notice of entry of order. (Code Civ. Proc., § 473, subd. (b).)

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Robert Roussel v. Deborah Fields

17CV001032

MOTION TO TRANSFER CASE TO NEVADA COUNTY

TENTATIVE RULING: The unopposed motion is GRANTED. Plaintiff shall contact the clerk’s office regarding the transfer process. The matter is set for a transfer review hearing on June 1, 2018, at 8:30 a.m. in Dept. I to confirm receipt of transfer to the Nevada County Superior Court. If receipt of transfer is received, the matter will be taken off-calendar.