

## TENTATIVE RULINGS

**FOR: April 28, 2021**

If you do not see a tentative ruling for a scheduled matter, then attendance at the hearing is required.

**Remote appearances via Zoom are mandatory to prevent the spread of COVID-19.** Please use Zoom at the links listed below. COURTCALL IS NO LONGER AVAILABLE.

If you have cases scheduled in both courtrooms at the same time, first log-in to the Zoom session for the department that has your quickest matter(s), and upon check-in, ask the clerk to email the clerk in the other department to advise that you will be late to the other Zoom session.

### **Dept. A Zoom**

**Join by Video (Preferred)**

<https://us02web.zoom.us/j/85897874559?pwd=Nk1VTnNQZmIzNXQwbVNiUk1iQTNCZz09>

**Join by Phone:** 877 853 5247 or 888 788 0099      **Meeting ID:** 858 9787 4559      **Password:** 704959

### **Dept. B Zoom**

**Join by Video (Preferred)**

<https://us02web.zoom.us/j/89902611018?pwd=OXJRM2FFWHZ4YXJ4b2szZW51UFJYZz09>

**Join by Phone:** 877 853 5247 or 888 788 0099      **Meeting ID:** 899 0261 1018      **Password:** 776773

**Court Reporting Services** – The Court does not provide official court reporters in proceedings for which such services are not legally mandated. Parties are responsible for either making the appropriate request in advance or arranging for their own private court reporter. 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. Victoria Wood, Dept. A (Historic Courthouse) at 8:30 a.m.**

**Conservatorship of Gregory K. Freeman**

**19PR000230**

[1] 1st YEAR REVIEW

[2] ACCOUNT AND REPORT OF CONSERVATOR AND PETITION FOR ITS SETTLEMENT AND FOR FEES

**TENTATIVE RULING:** The Petition is GRANTED, 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 February 28, 2023, at 8:30 a.m. in Dept. A. 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.

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**Estate of George L. Vouchilas**

**20PR000154**

FIRST AND FINAL ACCOUNTING

**TENTATIVE RULING:** The Petition is GRANTED, including fees as prayed.

The Court notes that Cathy Zeller is Judge Wood's neighbor. Judge Wood can be impartial in the matter.

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**Estate of Andrew Bazire**

**21PR000068**

SPOUSAL PROPERTY PETITION

**TENTATIVE RULING:** GRANT petition.

**CIVIL LAW & MOTION CALENDAR – Hon. Victoria Wood, Dept. A (Historic Courthouse) at 8:30 a.m.**

**Elaine Chen v. Golden Haven Hot Springs Spa & Resort, et al.**

**20CV000336**

MOTION TO CONTINUE MANDATORY SETTLEMENT CONFERENCE AND TRIAL DATES

**TENTATIVE RULING:** Defendant Golden Haven Hot Springs Spa & Resort's unopposed motion to continue the mandatory settlement conference and trial dates is GRANTED. Defendant has shown good cause due to the unavailability of counsel, the need to complete discovery, and the desire to have a mediation. It is represented in the memorandum of points and authorities that the parties have stipulated to a continuance date of April 11, 2022.

The previous scheduled dates are vacated and replaced with the following: the Mandatory Settlement Conference is set for March 10, 2022, at 10:30 a.m. in the Settlement Conference Department, the Trial Management Conference is set for April 7, 2022, at 8:30 a.m. in Dept. A, and the Jury Trial: Long Cause is set for April 11, 2022, at 8:30 a.m. in Dept. A.

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**Tuesday Allison, et al. v. Crystal Patzer Hellgren**

**20CV001304**

[1] APPLICATION FOR DEFAULT JUDGMENT

**TENTATIVE RULING:** The application is GRANTED IN PART.

The notice of motion does not provide notice of the Court's tentative ruling system as required by Local Rule 2.9. Moving party/counsel is directed to contact the opposing party/ies forthwith and advise of Local Rule 2.9 and the Court's tentative ruling procedure. Notwithstanding the procedures set forth in Local Rule 2.9, the moving party/counsel shall appear at the hearing, by Zoom, unless it is confirmed that no party requests oral argument.

The Court finds that Plaintiffs are entitled to entry of default judgment against Crystal Patzer Hellgren on Plaintiff's claims for breach of contract and for injunctive relief. Plaintiffs are not entitled to default judgment on their claim to quiet title. (See Code Civ. Proc. § 764.010.)

Plaintiffs are directed to prepare a revised proposed judgment and submit the same to the Court for signature.

[2] COURT'S MOTION TO CORRECT A CLERICAL MISTAKE

**TENTATIVE RULING:** In reviewing Plaintiff's Application for Default Judgment, the Court noted a clerical error in its Minute Order of March 17, 2021. Specifically, the two references to Civil Code section 761.020, subsection (b) therein should instead refer to Code of Civil Procedure section 764.010. The Court, on its own motion made pursuant to Code of Civil Procedure section 473, subdivision (d), directs the clerk to revise the March 17, 2021 Minute Order consistent with the foregoing.

**PROBATE CALENDAR – Hon. Monique Langhorne, Dept. B (Historic Courthouse) at 8:30 a.m.**

**In the Matter of the 2006 Peppers Family Trust**

**26-56329**

PETITION FOR ORDER AMENDING ORDER APPROVING THIRD ACCOUNT OF SUB-TRUSTS AND REPORT OF TRUSTEE, *NUNC PRO TUNC*

**TENTATIVE RULING:** Good cause appearing, and no objection being made, the Petition is GRANTED.