

TENTATIVE RULINGS

FOR: November 6, 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. 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. Diane Price, Dept. I (Criminal Courts Bldg.-1111 Third St.) at 2:00 p.m.

Estate of Shane Van Meter

17PR000111

FIRST AND FINAL REPORT OF ADMINISTRATOR WITH WILL ANNEXED ON WAIVER OF ACCOUNT, PETITION FOR FINAL DISTRIBUTION AND ALLOWANCE OF COMPENSATION TO ATTORNEYS FOR STATUTORY AND EXTRAORDINARY SERVICES

TENTATIVE RULING: GRANT petition, including fees as prayed.

CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. I (Criminal Courts Bldg.-1111 Third St.) at 2:00 p.m.

Manbirpaul Singh Dhillon, et al. v. Carlos Manuel Torres, et al.

18CV000126

PETITION TO APPROVE MINOR’S COMPROMISE

APPEARANCE REQUIRED

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**Nancy Ryan, et al. v.
Delta Consulting & Engineering of St. Helena, et al.**

18CV000509

DEFENDANT BRUCE TUCKER CONSTRUCTION'S DEMURRER AND MOTION TO STRIKE

TENTATIVE RULING: The matters are continued to November 14, 2018, at 2:00 p.m. in Dept. I.

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Scott K. Maxwell, et al. v. William A. Papania, Jr., et al.

18CV000657

RENEWED MOTION TO RECOVER COSTS OF SERVICE

TENTATIVE RULING: Plaintiffs' renewed motion to recover costs of service pursuant to Code of Civil Procedure section 415.30, subdivision (d), is GRANTED IN PART against defendants William A. Papania Jr. and Heather L. Abraham in the amount of \$1,390.01, payable to plaintiffs within 20 calendar days of service of notice of entry of order. The amount represents \$80 for the cost of the ex parte application and the \$1,310.01 for the cost of publishing the summons with the Napa Valley Register. (Maxwell Decl., ¶¶ 6, 10, Exs. 4, 7.) Nothing in the statute requires plaintiffs to wait until the end of the case to obtain reimbursement of service costs. The request to recoup the \$60 for the cost of this motion is not appropriate as the filing fee is not an "expense . . . incurred in serving or attempting to serve the party."

**PROBATE CALENDAR – Hon. Victoria Wood, Dept. JAR (Historic Courthouse)
at 2:00 p.m.**

Estate of John J. Freitas

18PR000005

FIRST AND FINAL REPORT OF EXECUTOR ON WAIVER OF ACCOUNT AND PETITION FOR ITS SETTLEMENT, FOR ALLOWANCE OF COMPENSATION TO ATTORNEYS FOR ORDINARY SERVICES, AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT petition, including fees as prayed.

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Estate of Dorothy C. Throne

18PR000006

FIRST AND FINAL REPORT OF EXECUTOR ON WAIVER OF ACCOUNT AND PETITION FOR ITS SETTLEMENT, FOR ALLOWANCE OF COMPENSATION TO ATTORNEYS FOR ORDINARY SERVICES, AND FOR FINAL DISTRIBUTION

TENTATIVE RULING: GRANT petition, including fees as prayed.
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In the Matter of Gertrude B. Edwards Testamentary Trust

18PR000135

MOTION FOR AN ORDER CORRECTING ORDER APPROVING FIRST AND FINAL ACCOUNT AND REPORT OF TRUSTEE, AND FOR SETTLEMENT OF ACCOUNT, AND FOR APPROVAL OF TRUSTEE FEES DATED AUGUST 14, 2018

TENTATIVE RULING: The motion is continued to November 13, 2018, at 2:00 p.m. in Dept. E to be heard by Judge Stone.

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Conservatorship of David Lee Turner

26-64974

PETITION FOR SETTLEMENT OF THE SECOND AND FINAL ACCOUNT, ALLOWANCE OF COMPENSATION AND DISCHARGE OF CONSERVATOR FOR THE PERIOD OF DECEMBER 23, 2011 THROUGH JULY 27, 2016

TENTATIVE RULING: The Petition is GRANTED as prayed.

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Conservatorship of Shane Vincent Perez

26-57358

PETITION FOR REAPPOINTMENT OF CONSERVATOR OF THE PERSON

APPEARANCE REQUIRED