

TENTATIVE RULINGS

FOR: November 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. 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. Elia Ortiz, Dept. H (Criminal Courts Bldg.-1111 Third St.) at 2:00 p.m.

Conservatorship of Michael Anthony Torres

17PR000191

REVIEW HEARING

APPEARANCE REQUIRED by the conservator and the father, Michael Anthony Torres. The conservatee need not appear.

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

Conservatorship of Judith R Simmons

17PR000121

ACCOUNT AND REPORT OF CONSERVATOR AND PETITION FOR ITS SETTLEMENT AND FOR FEES

TENTATIVE RULING: The matter is continued to January 18, 2019, at 2:00 p.m. in Dept. I to allow for the preparing of the accounting.

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In the Matter of the Anderson Child Trust

18PR000229

PETITION FOR ORDER ACCEPTING RESIGNATION OF TRUSTEE; FOR APPOINTMENT OF SUCCESSOR CO-TRUSTEES; FOR WAIVER OF ACCOUNTING AND WAIVER OF BOND; AND FOR MODIFICATION OF IRREVOCABLE TRUST

TENTATIVE RULING: The hearing on this matter is continued to November 20, 2018 at 2:00 p.m. in Dept. I. The Petition does not provide sufficient information as to why the distribution age should be raised. In addition, while waiver of an accounting may be appropriate, the Petition provides no information as to the current value of funds maintained in trust. Trustee is to provide this information prior to the next hearing date.

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Estate of Jane M. Daugherty

18PR000231

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

TENTATIVE RULING: GRANT Petition.

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

Mary Doe v. Napa Valley Unified School Dist., et al.

16CV000234

MOTION TO COMPEL

TENTATIVE RULING: Defendants Napa Valley Unified School District and Carliza Bataller’s motion to compel defendant Tameiya Sadler’s attendance at a deposition is GRANTED. The motion is unopposed.

APPEARANCE REQUIRED by the parties, including Gregory Sadler to discuss setting a hearing to: (1) remove Gregory Sadler as guardian ad litem; and (2) appoint a new guardian ad litem. Moving forward with this litigation, the Court is concerned about the inherent conflict of interest between Gregory Sadler being a named defendant and serving as guardian ad litem for the minor defendant. The Court also is concerned with the lack of legal representation for the minor who may criminally incriminate herself at the deposition. The Court believes there is a need for legal representation for the minor, who may need at the deposition to invoke her Fifth Amendment right against self-incrimination. Tameiya Sadler need not appear.

The deposition shall not take place until these issues are resolved.

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Stacey Cootes v. Jackson Street Wine Warehouse, LLC, et al.

17CV000427

MOTION TO COMPEL PARTY ATTENDANCE AT DEPOSITION

APPEARANCE REQUIRED