

TENTATIVE RULINGS

FOR: December 8, 2017

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. F (Criminal Courts Bldg.-1111 Third St.)

Conservatorship of Andrea L. Kaufman

26-60042

TWELFTH ACCOUNT CURRENT AND REPORT OF CONSERVATOR, PETITION FOR APPROVAL, PETITION FOR ALLOWANCE OF FEES TO ATTORNEY AND REIMBURSE COSTS ADVANCED

APPEARANCE REQUIRED. Conservator to address the need for a bond pursuant to Probate Code section 2320. In addition, the original bill statements from the residential care facility are not on file. (Prob. Code § 2620(c)(5).)

CIVIL LAW & MOTION CALENDAR – Hon. Diane Price, Dept. F (Criminal Courts Bldg.-1111 Third St.)

Atha Jo Mallare v. Divina B. Samson

17CV000868

MOTION FOR TRIAL PREFERENCE

TENTATIVE RULING:

Defendant Divina B. Samson's six evidentiary objections are OVERRULED.

Plaintiff Atha Jo Mallare's motion for trial preference is GRANTED. (Code Civ. Proc., § 36, subd. (a).) The accompanying declaration explains plaintiff's medical issues to show a preference is necessary to prevent prejudicing [her] interest in the litigation. (*Id.*, § 36, subd. (a)(2).) Because plaintiff satisfies section 36's requirements, the application of the provision is

mandatory. (See, e.g., *Miller v. Super. Ct.* (1990) 221 Cal.App.3d 1200, 1205-06; *Vinokur v. Super. Ct.* (1988) 198 Cal.App.3d 500, 502; *Koch-Ash v. Super. Ct.* (1986) 180 Cal.App.3d 689, 694.)

APPEARANCE REQUIRED to discuss setting the trial date.