

**TENTATIVE RULINGS**

**FOR: May 10, 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. Rodney Stone, Dept. C (Historic Courthouse)**

**In the Matter of the Charles K. Marshall Revocable Trust**

**17PR000070**

PETITION FOR ORDER CONFIRMING SUCCESSOR TRUSTEE AND TRUST ASSETS

**TENTATIVE RULING:** GRANT Petition.

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**Conservatorship of Vanessa Kalei Floresca**

**26-68149**

REVIEW HEARING

**TENTATIVE RULING:** After a review of the matter, the Court finds the conservator is acting in the best interest of the conservatee. Thus, the case is set for a biennial review hearing in two years, on May 9, 2019, at 8:30 a.m. in Dept. 2. The conservator shall mail the Notice of Conservatee's Rights (Judicial Council form GC-341) to the conservatee's relatives within the second degree and file the original with the signed and dated Proof of Mailing with the Court. 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 Robert Donald Sloan**

**PR24480**

PETITION FOR SETTLEMENT OF TWENTY-THIRD ACCOUNT AND REPORT OF TRUSTEE AND APPROVAL OF FEES

**TENTATIVE RULING:** GRANT petition, including fees as prayed.

**CIVIL LAW & MOTION CALENDAR – Hon. Rodney Stone, Dept. C (Historic Courthouse)**

**City of St. Helena v. Touria Schmidt, et al.**

**16CV000361**

MOTION FOR [1] TERMINATING SANCTIONS AGAINST DEFENDANT TOURIA SCHMIDT OR, ALTERNATIVELY, ORDER COMPELLING TOURIA SCHMIDT TO APPEAR AND TESTIFY AT DEPOSITION, [2] REQUEST FOR ORDER AWARDING MONETARY SANCTIONS AGAINST TOURIA SCHMIDT IN THE AMOUNT OF \$5,070, AND [3] MOTION TO STRIKE UNVERIFIED ANSWER

**TENTATIVE RULING:** The Motion is GRANTED IN PART AND CONTINUED IN PART. The unverified answer is stricken for non-compliance with Code of Civil Procedure section 446. Sanctions in the amount of \$4,420 are awarded against Defendant pursuant to Code of Civil Procedure section 2025.450, subdivision (g)(1). Any further proceedings by Defendant are stayed, pursuant to Code of Civil Procedure section 2023.030, subdivision (d)(2), until: (1) Defendant files a verified answer, on or before May 12, 2017, (2) Defendant appears and testifies at a deposition to be noticed by Plaintiff on or before May 17, 2017, and (3) Defendant pays Plaintiff the awarded sanctions on or before May 17, 2017. The remaining issue regarding terminating sanctions, pursuant to Code of Civil Procedure section 2023.030, subdivision (d)(4), is continued for hearing on May 18, 2017 at 8:30 a.m. in Dept. C.

**PROBATE CALENDAR – Hon. Diane Price, Dept. F (Criminal Courts Bldg.-1111 Third St.)**

**Estate of Hancock, Alecia M.**

**26-64323**

FIRST AND FINAL REPORT OF ADMINISTRATOR AND PETITION FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNT; FOR ALLOWANCE OF ADMINISTRATOR'S COMPENSATION AND ATTORNEY'S FEES FOR ORDINARY SERVICES; AND FOR REIMBURSEMENT OF ATTORNEY'S EXPENSES

**TENTATIVE RULING:** GRANT Petition, including fees as prayed.