

**TENTATIVE RULINGS**

**FOR: May 12, 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)**

**Estate of Timothy Arnstein**

**16PR000088**

PETITION FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING AND FOR ATTORNEY'S FEES FOR STATUTORY SERVICES

**TENTATIVE RULING:** GRANT Petition.

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**Estate of Thelma M. Greco**

**17PR000080**

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

**TENTATIVE RULING:** GRANT Petition.

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**Conservatorship of Whitney Malone**

**26-28912**

REVIEW HEARING

**TENTATIVE RULING:** After a review of the matter, the Court finds the Conservators are acting in the best interest of the Conservatee. Based on the report of the court investigator, the court determines by clear and convincing evidence that Conservatee can communicate a desire to participate in the voting process, and therefore orders Conservatee's right to register to vote shall be restored, pursuant to Elections Code section 2209, subdivision (b). The case is set for a biennial review hearing in two years, on May 9, 2019 at 8:30 a.m. in Dept. F. The court investigator shall prepare a biennial investigator report for the next hearing date.

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**Guardianship of Kyle Scott Fletcher, et al.**

**26-55593**

KENDYL ROSE FLETCHER 6 THIRD ACCOUNTING

**TENTATIVE RULING:** Per the request from Deborah Durr Ferras, the hearing on the Third Accounting for Kendyl Rose Fletcher is continued to June 15, 2017, at 8:30 a.m. in Dept. C.

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

**In the Matter of Lockwood Investments, LLC**

**17CV000396**

PETITION FOR APPROVAL FOR TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS

**TENTATIVE RULING:** The Petition is GRANTED. Based on the papers submitted in support of the Petition, the Court hereby finds that: (1) The transfer is in the best interest of the payee, taking into account the welfare and support of the payee’s dependents, if any; (2) The payee has been advised in writing by the transferee to seek independent professional advice regarding the transfer and has either received that advice or knowingly waived that advice in writing; (3) The transferee has provided the payee with a disclosure form that complies with Section 10136 and the transfer agreement complies with Sections 10136 and 10138; (4) The transfer does not contravene any applicable statute or the order of any court or other government authority; (5) The payee reasonably understands the terms of the transfer agreement, including the terms set forth in the disclosure statement required by Section 10136; and (6) The payee reasonably understands and does not wish to exercise the payee’s right to cancel the transfer agreement. (See Cal. Ins. Code § 10139.5.)

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**Jeanette Buzenes, et al. v. Parvez Hazarika**

**26-66617**

DEFENDANT’S MOTION TO HAVE PLAINTIFF’S REQUESTS FOR ADMISSIONS DEEMED ADMITTED

**TENTATIVE RULING:** The Court notes that Defendant has mistakenly referred to “Plaintiff’s Requests for Admissions” in the title of the Motion, the notice and memorandum, when Defendant is actually referring to Defendant’s Requests for Admissions. Nonetheless, as it is clear from the argument portion of the memorandum and the declaration that Defendant seeks to have Defendant’s Request for Admissions deemed admitted, the unopposed Motion is GRANTED. Defendant’s Request for Admissions, Set One, are deemed admitted. Defendant is to prepare a proposed order in accordance with this tentative ruling.

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**Melanie Rodriguez v. Balloons Above the Valley, Ltd., et al.**

**26-68015**

**MOTION TO COMPEL FURTHER RESPONSES TO DEFENDANT'S SPECIAL  
INTERROGATORIES (SET NO. TWO)**

**TENTATIVE RULING:** Hearing on Defendant's Motion is continued to May 31, 2017 at  
8:30 a.m. in Dept. C.