

1 **Important Information for Tentative Rulings and Hearings:**
2

- 3 1. Please review and follow the Tentative Ruling Instructions which can be found on the
4 Court’s website using the following link: [https://sf.courts.ca.gov/divisions/unified-family-
5 court/ufc-tentative-rulings](https://sf.courts.ca.gov/divisions/unified-family-court/ufc-tentative-rulings).
6
7 2. If you wish to make an objection to the Tentative Ruling in your case, you must notify the
8 other party (unless there is a restraining order in place) and the Court Clerk in the
9 Department where the hearing is scheduled of your objection by 4:00 PM the Court day prior
10 to the hearing date. Court days do not include Court holidays, Saturdays, or Sundays. The
11 Court’s Holiday Schedule can be found on the Court’s website using the following link:
12 <https://sf.courts.ca.gov/general-information/holiday-schedules>.
13
14 3. To contact the Court Clerk in Dept. 403 to make an objection to the Tentative Ruling in your
15 case, please call (415) 551–3741 or send an email to Department403@sftc.org.
16
17 4. To contact the Court Clerk in Dept. 404 to make an objection to the Tentative Ruling in your
18 case, please call (415) 551–3744 or send an email to Department404@sftc.org.
19
20 5. When you contact the Court Clerk to make an objection to the Tentative Ruling in your case,
21 please specify the paragraph(s) and / or line number(s) of the Tentative Ruling which
22 contains the language to which you object.
23
24 6. You may appear at your hearing either (a) in-person; (b) by video; or (c) by phone. Pursuant
25 to SFLR 11.7(D)(4), if you choose to appear by video or phone, you must be continuously
26 connected to Zoom from 8:50 a.m. until 12:00 p.m. or until your hearing is concluded. If you
27 fail to appear in-person, by video, or phone, the Court may proceed with the hearing in your
28 absence. The Court is not required to contact you before your hearing.
29
7. If you choose to appear by video or by phone, you must comply with the Notice and
Instructions for Remote Appearances in San Francisco Family Court set forth below.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

**SAN FRANCISCO SUPERIOR COURT
UNIFIED FAMILY COURT
NOTICE AND INSTRUCTIONS FOR REMOTE APPEARANCES**

You may appear at your court hearing either (1) in-person or (2) remotely by video or telephone. If you fail to appear in-person or remotely by video or telephone, the court may proceed with the hearing in your absence. *The clerk will NOT contact you.* Remote appearances by video or telephone can be made utilizing the **ZOOM** platform, **effective January 2, 2024**:

- If you are *joining by video*, go to www.zoom.com/join and follow the instructions below:
 - Type in the Meeting ID (*see below for department Meeting IDs and Passcodes*) and click "Join".
 - Click "Launch Meeting" then "Open zoom.us".
 - Zoom will launch and you will be asked for the Meeting Passcode. *Enter the passcode for your Meeting ID for the respective department for your court hearing.*
 - Enable your camera and click "Join".
 - Once you join, a prompt to use computer audio will appear, click "Join with Computer Audio".
 - **Enter your full first and last name TO IDENTIFY YOURSELF TO THE COURT.**
 - Using headphones may help you hear more clearly.
- If you are *joining by phone*, dial 1-(669)254-5252 or 1-(669)216-1590 and enter the Meeting ID and Passcode as described below.

**Department 403
Meeting ID: 161 463 0304
Passcode: 114482**

You can also log into your hearing **directly** using the link below:
<https://sftc-org.zoomgov.com/j/1614630304?pwd=OTZlcVZaQlRYWXPfQ2hTaEFuZnhIZz09>

**Department 404
Meeting ID: 161 305 3325
Passcode: 282709**

You can also log into your hearing **directly** using the link below:
<https://sftc-org.zoomgov.com/j/1613053325?pwd=SkdXWGVkQkpwckJSNnJwSSSttYkR6dz09>

When you join the hearing on Zoom:

1. **You are to mute your audio when you are not speaking.**
2. State your name before you speak for proper identification to the court and for all the parties in your case. Only one person **MUST** speak at a time.

PROHIBITION ON RECORDING: Do not record the hearing in any way. Any recording of a court proceeding, *including screen shots, other visual or audio copying* of the hearing, is **prohibited**. Any violation is punishable to the fullest extent under the law, including but not limited to monetary sanctions up to \$1,000, restricted entry to future hearings, or other sanctions deemed appropriate by the court.

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 GREGORY TODD EICHLER,

7 Petitioner

8 VS.

9 ALISON TIRONE,

10 Respondent

)
) Case Number: FDI-18-790891

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)

11
12 REQUEST FOR ORDER FOR CHANGE OF CHILD CUSTODY, VISITATION (PARENTING TIME),
13 ATTORNEY FEES AND COSTS, JUDGMENT NON-COMPLIANCE

14 **TENTATIVE RULING**

15 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
16 Court makes the following findings and orders:

17 **1) Custody and Visitation**

- 18 a. The parties attended mediation on January 23, 2024 and reached a tentative agreement but did
19 not return the stipulation to Family Court Services.
- 20 b. Father filed a responsive pleading.
- 21 c. The parties have two children together, Cypress, age 15 and Clover, age 12 (13 next month).
- 22 d. The Court finds it is in the best interest of the children to maintain the joint legal and physical
23 custody orders that have been in effect since December 30, 2021.
- 24 1. The parties have conflicting statements about what the current timeshare is, how long
25 it has been in practice and the reasons it came about.
- 26 2. Therefore, the parties shall reinstate the week on / week off timeshare schedule with
27 the children.
28
29

1 3. The parties may request the assistance of Family Court Services mediator, Celia
2 Wang, to make changes to their timeshare schedule in the future, without judicial
3 intervention.

4 **2) Child Support**

- 5 **a.** The Court’s jurisdiction to modify child support for the period 11/27/2023 (the date Mother
6 filed her Request for Order) through 3/25/2024 (the date before this hearing date) is reserved
7 without prejudice to a future motion. Should Mother bring a new motion to modify child
8 support for the period 11/27/2023 – 3/25/2024, she must provide to the Court the following
9 information it would need to calculate child support during that period: (a) when Mother
10 received her severance package and for how many months it was for; (b) when Mother began
11 receiving unemployment compensation, in what amount, and for how long; (c) a detailed
12 explanation regarding when the children were in her care; and (d) a proposed statement of
13 support calculation for that period including an explanation for each input into the child
14 support calculation.
- 15 **b.** Effective 3/26/2024, Father shall pay to Mother guideline child support of \$3,315 per month
16 in accordance with the attached Dissomaster. One-half shall be due and payable by the 1st and
17 one-half shall be due and payable by the 15th of each month.
- 18 **c.** The Dissomaster inputs are based on the following findings:
- 19 1. The Court will use a 50/50 timeshare for the parties based on the Court’s order
20 above.
- 21 2. Mother did not submit a proposed Statement of Support Calculations. The Court
22 pulled the inputs for Father from Father’s proposed Dissomaster attached to his
23 3/15/2024 Responsive Declaration.
- 24 3. In her 11/27/2023 Income and Expense Declaration, Mother reported that she is
25 earning \$250 per month from dog sitting and earns on average \$449 per month in
26 dividends / interest income.
- 27 **d.** According to the terms of the parties’ 12/30/2021 Judgment, the parties agreed to share “A
28 child’s school tuition and other school costs through graduation of high school” 60 (Father) /
29 40 (Mother). The Court finds there was an agreement for the parties’ children to attend

1 private school for the 2023 – 2024 school year, but Father has paid 100% of the children’s
2 tuition for the 2023 – 2024 school year.

- 3 e. Effective 4/1/2024, Father may deduct from Mother’s child support payments Mother’s 40%
4 share of the children’s private school tuition for the months of April 2024, May 2024, and
5 June 2024.
- 6 f. Mother shall reimburse to Father 40% of the children’s private school tuition for the 2023 –
7 2024 school year (not otherwise deducted by Father as set forth above for the months of
8 April, May, and June 2024) from the \$200,000 that she is due to receive once the Divisadero
9 Street Property is sold.
- 10 g. During any future school years in which the parties agree for the either child to attend private
11 school, the parties shall continue to share private school tuition 60 (Father) / 40 (Mother)
12 absent a contrary agreement or future Court order.
- 13 h. Per Family Code section 4053, a parent’s first and principal obligation is to support the
14 parent’s minor children according to the parent’s circumstances and station in life, and both
15 parents are mutually responsible for the financial support of their children. The Court finds
16 that Mother, who has an MBA and was earning \$12,500 per month as recently as January
17 2023, is not currently meeting her earning capacity. Effective immediately, Mother shall
18 abide by the Work Search Order attached to this order.
- 19 i. All other terms set forth in the parties’ Judgment regarding child support not otherwise in
20 conflict with the orders set forth above shall remain in full force and effect.

21 **3) Interest Due to Judgment Non-Compliance**

- 22 a. Mother’s request that Father pay her legal interest for the delay of the sale of the marital
23 home is denied. First, Mother brings this request with unclean hands as she has not been
24 paying her 40% of the children’s private school tuition. Second, there is no certain date upon
25 which Father was to pay to Mother the \$200,000 she is owed from the equity in the
26 Divisadero Street Property. Although the house was to be listed for sale within 2 years of the
27 effective date of the agreement and Mother is to receive \$200,000 out of escrow, there is no
28 hard deadline for that payment and so the Court is unable to calculate what interest may be
29 due to her.

1 b. Father shall list the Divisadero Street Property for sale forthwith.

2 **4) Review Hearing**

3 a. A review hearing is set for Tuesday, 8/6/2024 at 9:00 AM in Dept. 404 to review Mother's
4 seek work efforts, to consider imputing Mother with income, to recalculate child support
5 accordingly, and to track Father's compliance with listing the Divisadero Street Property for
6 sale.

7 b. At least 20 calendar days prior to the next hearing date, the parties shall file and serve an
8 updated Income and Expense Declaration.

9 c. At least 20 calendar days prior to the next hearing date, Father shall file and serve a
10 declaration setting forth his position on the issue of imputation of income to Mother as well
11 as a Proposed Statement of Support Calculations. Father shall also provide an update to the
12 Court regarding the sale of the Divisadero Street Property.

13 d. At least 10 calendar days prior to the next hearing date, Mother shall file and serve a
14 declaration setting forth her position on these issues as well as a Proposed Statement of
15 Support Calculations.

16 **5) Attorney's Fees**

17 a. The Court hereby denies Petitioner's request for \$10,000 in need-based attorney's fees as the
18 Court finds that amount is unreasonable. The Court hereby grants Respondent's request that
19 he pay to Petitioner \$5,000 instead. Respondent shall pay this amount to Petitioner no later
20 than 4/15/2024 at 5:00 PM.

21 **6) Preparation of Order**

22 a. Mother's attorney shall prepare the order.

23 b. **Preparation of Order:** If you are directed by the court to prepare the order after hearing –
24 within 10 calendar days of the hearing you must either: (a) Serve the proposed order to the
25 other party/counsel for approval, and follow the procedures set forth in CA Rules of Court,
26 Rule 5.125(c), or (b) If the other party did not appear or the matter was uncontested, submit
27 the proposed order after hearing directly to the court. Failure to submit the order after
28 hearing within 10 days may allow the other party to prepare a proposed order and submit it to
29 the court in accordance with CA Rules of Court, Rule 5.125(d).

PREPARED BY (NAME AND ADDRESS): California	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
DISSOMASTER REPORT 2024, Monthly		CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother	
Number of children	1	1	Nets (adjusted)	Guideline			
% time with Second Parent	50%	50%	Father	17,949	Payment (cost)/benefit	(6,280)	6,584
Filing status	HH/MLA	HH/MLA	Mother	746	Net spendable income	11,364	7,331
# Federal exemptions	2*	2*	Total	18,695	% combined spendable	60.8%	39.2%
Wages + salary	0	0	Support (Nondeductible)		Total taxes	1,562	(47)
401(k) employee contrib	0	0	CS Payor	Father	Comb. net spendable	18,695	
Self-employment income	0	250	Presumed	3,315	Proposed		
Other taxable income	19,316	449	Basic CS	3,315	Payment (cost)/benefit	(6,302)	6,600
Short-term cap. gains	(5,135)	0	Add-ons	0	Net spendable income	11,553	7,343
Long-term cap. gains	6,486	0	Presumed Per Kid		NSI change from gdl	189	12
Other gains (and losses)	505	0	Child 1	1,233	% combined spendable	61.1%	38.9%
Ordinary dividends	10,163	449	Child 2	2,082	% of saving over gdl	93.9%	6.1%
Tax. interest received	1,516	0	SS Payor	Father	Total taxes	1,342	(27)
Social Security received	0	0	User-specified SS	3,269	Comb. net spendable	18,896	
Unemployment compensation	0	0	Total	6,584	Percent change	1.1 %	
Operating losses	0	0	Proposed, tactic 9		1 Setting Changed		
Ca. operating loss adj.	0	0	CS Payor	Father	User-specified SS formula: Yes		
Roy, partnerships, S corp, trusts	5,781	0	Presumed	3,347			
Rental income	0	0	Basic CS	3,347			
Misc ordinary tax. inc.	0	0	Add-ons	0			
Other nontaxable income	2,117	0	Presumed Per Kid				
New-spouse income	0	0	Child 1	1,265			
SS paid other marriage	0	0	Child 2	2,082			
CS paid other relationship	0	0	SS Payor	Father			
Adj. to income (ATI)	2,393	0	User-specified SS	3,269			
Ptr Support Pd. other P'ships	0	0	Total	6,616			
Health insurance	1,922	0	Savings	201			
Qual. Bus. Inc. Ded.	0	0	Total releases to Father	1			
Itemized deductions	3,067	0					
Other medical expenses	0	0					
Property tax expenses	833	0					
Ded. interest expense	2,234	0					
Charitable contribution	0	0					
Miscellaneous itemized	0	0					
State sales tax paid	0	0					
Required union dues	0	0					
Cr. for Pd. Sick and Fam. L.	0	0					
Mandatory retirement	0	0					
Hardship deduction	0*	0*					
Other gdl. adjustments	0	0					
AMT info (IRS Form 6251)	0	0					
Child support add-ons	0	0					
TANF, SSI and CS received	0	0					

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Prepared by the Court TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	For court use only
Superior Court of California County of San Francisco 400 McAllister Street San Francisco, CA 94102	
Petitioner/Plaintiff: Gregory Todd Eichler Respondent/Defendant: Alison Tirone Other Parent:	
WORK SEARCH ORDER	CASE NUMBER: FDI - 18 - 790891

1. Petitioner Respondent Other Parent is ordered to look for work, **and to:**
- spend a *minimum* of 15 **hours per week in job search related activities.**
 - apply for a *minimum* of 10 **jobs per week.**
 - No more than applications can be done online.
 - Other conditions:

You are responsible for maintaining (1) a *written log* of your weekly activities (see local form: weekly search log) and (2) *copies* of all paperwork/correspondence related to your job search (letters, job applications sent, responses, contact information / business cards, etc.)

Activities should include *most or all* of the following:

- A. Networking with personal and professional contacts
- B. Interviewing for information, advice and job leads (“informational interviewing”)
- C. Reviewing prior contacts and following up regularly
- D. Conducting computer research (company, industry, job/current openings)

Examples *include*:

- Company-specific websites
- *Google* searches for relevant industry information
- www.monster.com / www.craigslist.org
- E. Searching local newspaper job ads for relevant openings
- F. Responding to and following up on advertised job openings (online, in-person, newspaper)

- G. Job search-related communication (resume revision, cover letters, following up on job leads, e-mail communications, thank-you notes, etc.)
- H. Contacting/working with placement agencies
- I. Contacting/attending alumni groups
- J.. Attending career counseling / job coaching sessions
- K. Participating in job search clubs and/or job search skills training
- L. Participating in professional organizations
- M. Job skills training (computer/vocational classes relevant to job objective)
- N. Preparing for and attending job interviews
- O. Contacting a union, obtain placement on list, attend roll calls, and track placement on list.

2. You must serve a copy of the logs once per month and within the first 10 days of each month, starting 4/10/2024, to:

- Opposing counsel or party
- Department of Child Support Services (DCSS)
617 Mission Street, San Francisco, CA 94102
-

3. You must bring the signed, original weekly logs and all paperwork/correspondence related to your job search to court with you. Copies of all paperwork/correspondence related to your job search must be available for review if requested by opposing party within 10 days of request.

4. If you find work before the next court date, you must notify opposing party and counsel (if any) and (if checked) the Department of Child Support Services (DCSS), in writing *within ten days*, providing name, address, and telephone number of employer, salary or wage level, job title, copies of any employment contract, hiring letter, or employment agreement, and first month's paycheck stub upon receipt.

5. The court reserves jurisdiction to retroactively modify support to the earliest date permitted by law, and to impose sanctions for any failure to comply with this order, including imputing income.

SPOUSAL SUPPORT: It is the goal of this state that each party will make reasonable good faith efforts to become self-supporting as provided in Family Code §4320. The failure to make reasonable good faith efforts may be one of the factors considered by the court as a basis for modifying or terminating spousal or partner support.

The parties are ordered to return to court for review on _____, at _____, in Dept. _____.

Date: _____
_____ Judge/Commissioner

(This can be completed by hand or re-created in a word processing table or database spreadsheet)

NAME: Eichler v. Tirone

CASE # FDI-18-790891

WEEK OF:

DATE	ACTIVITY	Contact/Organization (include name, title and phone number)	RESULTS	Follow Up Steps (describe what you're going to do next and when)	Time Spent (start/end time)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(signature) _____ (date)

WORK SEARCH ORDER

1
2 SUPERIOR COURT OF CALIFORNIA
3 COUNTY OF SAN FRANCISCO
4 UNIFIED FAMILY COURT
5

6 LETICIA M RODRIGUEZ,

7 Petitioner

8 VS.

9 WENWU JIN,

10 Respondent
11

) Case Number: FDI-19-792402

) Hearing Date: March 26, 2024

) Hearing Time: 9:00 AM

) Department: 404

) Presiding: MICHELLE TONG
12

13 NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL - CIVIL

14 **TENTATIVE RULING**

15 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
16 Court makes the following findings and orders:

- 17 1) On for hearing is Respondent's attorney's Motion to be Relieved as Counsel filed 3/1/2024.
- 18 2) According to the Proof of Service attached to the Motion to be Relieved as Counsel, the Motion to be
19 Relieved as Counsel was mailed to Respondent to an address located at Santa Clara Ave. in San
20 Francisco.
- 21 3) Respondent has not filed a response to his attorney's motion.
- 22 4) According to the Declaration in Support of Attorney's Motion to be Relieved as Counsel,
23 Respondent's attorney states that he confirmed the Santa Clara Ave. address is Respondent's current
24 address by referencing "Whitepages.com." The Court finds that Respondent's attorney has not
25 conducted reasonable efforts to confirm whether the Santa Clara Ave. address is Respondent's current
26 address, as required by California Rules of Court, rule 3.1362. Specifically, Respondent's attorney
27 did not mail a copy of the motion with return receipt requested or call Respondent.
- 28 5) The hearing on Respondent's Motion to be Relieved as Counsel is continued to Tuesday, 6/11/2024 at
29 9:00 AM in Dept. 404.

1 6) At least 30 calendar days prior to the next hearing date, Respondent's attorney shall mail a copy of
2 the motion with return receipt requested or call Respondent to ascertain whether the Santa Clara Ave.
3 address is Respondent's current address. Respondent's attorney shall also file and serve an Updated
4 Declaration in Support of Attorney's Motion to be Relieved as Counsel providing an update regarding
5 Respondent's attorney's efforts.

6 7) At least 20 calendar days prior to the next hearing date, Respondent's attorney shall mail to
7 Respondent a copy of this order containing the new hearing date, the Motion to be Relieved as
8 Counsel, the original and updated Declarations in Support of Attorney's Motion, a blank Responsive
9 Declaration, and a copy of the Tentative Ruling Instructions. Respondent's attorney shall also file a
10 Proof of Service evidencing compliance with this order.

11 8) Respondent's attorney shall prepare the order.

12 9) **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within 10
13 calendar days of the hearing you must either: (a) Serve the proposed order to the other party/counsel
14 for approval, and follow the procedures set forth in CA Rules of Court, Rule 5.125(c), or (b) If the
15 other party did not appear or the matter was uncontested, submit the proposed order after hearing
16 directly to the court. Failure to submit the order after hearing within 10 days may allow the other
17 party to prepare a proposed order and submit it to the court in accordance with CA Rules of Court,
18 Rule 5.125(d).

19
20
21
22
23
24
25
26
27
28
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 TONY TROUSSET,

7 Petitioner

8 VS.

9 ERIN KELLEY,

10 Respondent

)
) Case Number: FDI-21-794361

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)

11
12 REQUEST FOR ORDER RE: PETITIONER SUBMIT TO VOCATIONAL EVALUATION AND OR
13 SUBMIT TO AN ASSESSMENT BY AN EXPERT TO DETERMINE HIS EARNING CAPACITY

14 **TENTATIVE RULING**

15 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
16 Court makes the following findings and orders:

- 17 1) On for hearing is Respondent's 1/8/2024 Request for Order asking the Court to order Petitioner to
18 submit to a vocational evaluation and / or submit to an assessment by an expert to determine his
19 earning capacity so that Respondent can present that evidence at the upcoming hearing on child
20 support currently set for 4/18/2024.
- 21 2) On 3/13/2024, Petitioner filed a Responsive Declaration asking the Court to deny Respondent's
22 Request for Order.
- 23 3) On 3/19/2024, Respondent filed a Reply Declaration.
- 24 4) The Court does not find that a vocational evaluation is the appropriate means to evaluate what
25 Petitioner may potentially earn through his business. Respondent's request to order Petitioner to
26 participate in a vocational evaluation is denied.
- 27 5) The Court also denies Respondent's request to order Petitioner to submit to an assessment by an
28 expert to determine his earning capacity. Respondent may pursue the normal discovery avenues
29

1 available to her (e.g., deposing Petitioner and hiring her own expert to evaluate Petitioner's
2 statements regarding the state of his industry).

3 6) The requests to file the unredacted versions of the following documents under seal pursuant to the
4 Stipulation and Order for Protective Order filed 9/29/2021 are hereby granted. No third parties or the
5 public are allowed to inspect the sealed documents without a specific order from this Court. The
6 parties and their attorneys of record may inspect the sealed documents without a specific order from
7 this Court.

8 a. Respondent's Request for Order filed 1/8/2024;

9 b. Respondent's Memorandum of Points and Authorities filed 1/8/2024;

10 c. Petitioner's Responsive Declaration filed 3/13/2024;

11 d. Petitioner's Memorandum of Points and Authorities filed 3/13/2024;

12 e. Respondent's Reply Declaration filed 3/19/2024;

13 f. Respondent's Supplemental Reply Memorandum of Points and Authorities filed 3/19/2024.

14 7) Respondent's attorney shall prepare the order.

15 8) **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within 10
16 calendar days of the hearing you must either: (a) Serve the proposed order to the other party/counsel
17 for approval, and follow the procedures set forth in CA Rules of Court, Rule 5.125(c), or (b) If the
18 other party did not appear or the matter was uncontested, submit the proposed order after hearing
19 directly to the court. Failure to submit the order after hearing within 10 days may allow the other
20 party to prepare a proposed order and submit it to the court in accordance with CA Rules of Court,
21 Rule 5.125(d).

22

23

24

25

26

27

28

29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 RICHARD JASON DIAZ,

7 Petitioner

8 VS.

9 JESSICA LIZZETTE DIAZ,

10 Respondent

)
) Case Number: FDI-21-794645

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)

11
12 REQUEST FOR ORDER: CHANGE OF RIGHT TO CLAIM DEPENDENTS ON TAXES

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

- 16 1) On for hearing is Respondent (Mother)'s Request for Order filed 1/23/2024 asking for a Court order
17 permitting her to claim the parties' minor children as dependents for tax year 2024 and for a "future
18 schedule" dictating which parent can claim the children as dependents for future tax years.
- 19 2) On 2/13/2024, Petitioner (Father) filed a Responsive Declaration asking the Court to deny Mother's
20 request to claim both children as dependents.
- 21 3) The Court finds that Mother is entitled to claim both children as dependents on her tax return under
22 26 U.S. Code § 152, which defines a "qualifying child" for purposes of a dependency exemption as
23 one who "has the same principal place of abode as the taxpayer for more than one-half of such
24 taxable year." The Court further finds that if Mother is not in agreement to share the dependency
25 exemption with Father, she is not required to do so.
- 26 4) To the extent this Court's order conflicts with prior Court orders, this Court order prevails as it
27 applies to tax year 2024 and future tax years.
- 28 5) The Court will prepare the order.
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 CHRISTOPHER PERRY,

7 Petitioner

8 VS.

9 AMY SWANSON-PERRY,

10 Respondent

)
) Case Number: FDI-22-796264

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)

11
12 TEMPORARY EMERGENCY ORDER, ORDER SHORTENING TIME FOR ORDER ALLOWING
13 THE PARTIES TO PLACE A DEPOSIT ON THEIR RESPECTIVE FIRST CHOICE SCHOOL AND
14 SCHOOL SELECTION TO BE HEARD ON MARCH 7TH, MARCH 26TH, OR APRIL 4TH

15 **TENTATIVE RULING**

16 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
17 Court makes the following findings and orders:

- 18 1) Mother filed a responsive pleading.
- 19 2) Based on the parties' filings, the Court takes the matter off calendar because the parties have agreed
20 where Charlotte will likely attend school in the Fall 2024.
- 21 3) Father's counsel will prepare the order.
- 22 4) **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within 10
23 calendar days of the hearing you must either: (a) Serve the proposed order to the other party/counsel
24 for approval, and follow the procedures set forth in CA Rules of Court, Rule 5.125(c), or (b) If the
25 other party did not appear or the matter was uncontested, submit the proposed order after hearing
26 directly to the court. Failure to submit the order after hearing within 10 days may allow the other
27 party to prepare a proposed order and submit it to the court in accordance with CA Rules of Court,
28 Rule 5.125(d).
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 DESHAWN WAITE,

7 Petitioner

8 VS.

9 VERONICA WAITE,

10 Respondent

)
) Case Number: FDI-22-797095

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)

11
12 OTHER REVIEW HEARING

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

- 16 1) The matter is on for a review about overnight visits and Father's increased parent time.
17 2) Mother filed an untimely declaration. Father did not file an updated declaration.
18 3) The Court finds Mother's request for order adjudicated and judicial review is no longer necessary and
19 takes the matter off calendar.
20 4) All existing orders remain in full force and effect.
21 5) The Court will prepare the order.
22
23
24
25
26
27
28
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 JAY D EGGER,
7 Petitioner

8 VS.

9 STEPHEN J SIMONDS,
10 Respondent

)
) Case Number: FDI-23-797565

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)

11
12 REQUEST FOR ORDER - OTHER-APPOINTMENT OF ELISOR TO SIGN VEHICLE

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

- 16 1) On for hearing is Petitioner's Request for Order filed 1/22/2024 asking the Court to appoint an elisor
17 to sign a deed to transfer a 2014 Honda CRV to Petitioner pursuant to the parties' Stipulated
18 Judgment, signed by both parties in December 2023.
- 19 2) Per the Proof of Electronic Service filed 1/22/2024, Respondent was electronically served with
20 Petitioner's Request for Order, Memorandum of Points and Authorities, and a blank Responsive
21 Declaration on 1/22/2024.
- 22 3) Respondent has not filed a Responsive Declaration.
- 23 4) As there is no indication in the record that Respondent, a self-represented party, has consented to
24 electronic service as required under Code of Civil Procedure section 1010.6(c), service of these
25 pleadings must be by mail or in-person.
- 26 5) This hearing is continued to Thursday, 6/13/2024 at 9:00 AM in Dept. 404 for Petitioner to effectuate
27 valid service.
- 28 6) By the deadlines set forth in the Code of Civil Procedure, prior to the next hearing date, Petitioner
29 shall serve the following documents on Respondent: (a) a copy of this order, (b) his Request for

1 Order, (c) his Memorandum of Points and Authorities, (d) a blank Responsive Declaration, and (e) a
2 copy of the Tentative Ruling Instructions.

3 7) If Petitioner does not file a Proof of Service evidencing compliance with this order at least 10
4 calendar days prior to the next hearing date, the Court may vacate the next hearing date.

5 8) Petitioner's attorney shall prepare the order.

6 9) **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within 10
7 calendar days of the hearing you must either: (a) Serve the proposed order to the other party/counsel
8 for approval, and follow the procedures set forth in CA Rules of Court, Rule 5.125(c), or (b) If the
9 other party did not appear or the matter was uncontested, submit the proposed order after hearing
10 directly to the court. Failure to submit the order after hearing within 10 days may allow the other
11 party to prepare a proposed order and submit it to the court in accordance with CA Rules of Court,
12 Rule 5.125(d).

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 CONCEPCION CABALLERO ANTONIO,

7 Petitioner

8 VS.

9 ORLANDO CRUZ,

10 Respondent

)
) Case Number: FDI-23-798463

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)

11
12 REQUEST FOR ORDER JUDGMENT FOR NULLITY

13 **TENTATIVE RULING**

14 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
15 Court makes the following findings and orders:

16 **A. Procedural History**

- 17 1) On 8/11/2023, Petitioner filed a Petition requesting to nullify the parties' domestic partnership on
18 the basis of bigamy.
- 19 2) On 8/15/2023, the Court granted Petitioner's request to serve Respondent with a copy of the
20 Summons by posting.
- 21 3) On 9/21/2023, Petitioner filed a Proof of Service by Posting of the Summons along with a Proof
22 of Service by Mail indicating mail service of the Petition and Summons to an address located in
23 San Francisco.
- 24 4) On 12/12/2023, Petitioner filed the instant Request for Order asking the Court to nullify the
25 parties' domestic partnership on the basis that Petitioner was still legally married to another
26 person when she entered into a domestic partnership with Respondent. Petitioner states they
27 mistakenly believed the fact that Petitioner's spouse abandoned Petitioner meant that they were
28 divorced. Petitioner also states that Respondent presented Petitioner with papers to enter into a
29 domestic partnership and Petitioner signed them without knowing what they meant. Petitioner

1 only later discovered that the documents Petitioner signed caused the parties to enter into a
2 domestic partnership with each other.

3 5) On 1/10/2024, the Court granted Petitioner's request to serve Respondent with the instant Request
4 for Order by posting.

5 6) On 2/20/2024, Petitioner filed a Proof of Service by Posting of the Request for Order along with a
6 Proof of Service by Mail indicating mail service of the Request for Order to an address located in
7 San Francisco.

8 7) Respondent has not filed a Responsive Declaration.

9 **B. Findings and Orders**

10 1) The Court hereby grants Petitioner's request to nullify the parties' domestic partnership nullity on
11 the basis of bigamy.

12 2) Petitioner may submit a proposed Judgment to the Court memorializing this Court's order
13 granting the nullity and resolving all other issues in this matter.

14 3) Petitioner's attorney shall prepare the order.

15 4) **Preparation of Order:** If you are directed by the court to prepare the order after hearing – within
16 10 calendar days of the hearing you must either: (a) Serve the proposed order to the other
17 party/counsel for approval, and follow the procedures set forth in CA Rules of Court, Rule
18 5.125(c), or (b) If the other party did not appear or the matter was uncontested, submit the
19 proposed order after hearing directly to the court. Failure to submit the order after hearing within
20 10 days may allow the other party to prepare a proposed order and submit it to the court in
21 accordance with CA Rules of Court, Rule 5.125(d).

22
23
24
25
26
27
28
29

1 SUPERIOR COURT OF CALIFORNIA
2 COUNTY OF SAN FRANCISCO
3 UNIFIED FAMILY COURT
4

5
6 YOUZHI ZOU,

7 Petitioner

8 VS.

9 ZHONGYUN HUANG,

10 Respondent

)
) Case Number: FDI-23-798911

)
) Hearing Date: March 26, 2024

)
) Hearing Time: 9:00 AM

)
) Department: 404

)
) Presiding: MICHELLE TONG
)
)
)
)

11
12 REVIEW HEARING RE: MEDIATOR SELECTION FOR DISSOLUTION ISSUES AND CUSTODY
13 & VISITATION (ORDERED ON 1/3/24 IN CONSOLIDATED CASE FDV-23-817245)

14 **TENTATIVE RULING**

15 Having read and considered the pleadings, declarations, and other evidence submitted in this matter, the
16 Court makes the following findings and orders:

- 17 1) The matter is on for review hearing regarding custody and mediator selection.
18 2) Both sides filed updated declarations and submitted names for a mediator.
19 3) Mother's pleadings did not have any of the attachments that were referenced.
20 4) The Court is unable to make an informed decision of a mediator for the parties because the
21 background information for Mother's names was not provided.
- 22 a. Father's names are: Glenn Oleon; Irwin Joseph and Larry Rosen.
 - 23 b. Mother's names are: Lisa Murray; Lissa Rapoport and Alice Shikina.
 - 24 c. The Court allowed the parties to propose three mediators. As such, Father's fourth option is
25 disregarded.
 - 26 d. The Court orders the parties to meet and confer to see if they can agree on any of the
27 mediators proposed by each side.
 - 28 e. If the parties are unable to agree, they must select two available mediators from the other
29 person's list and submit to the Court for selection by April 15, 2024.

1 5) The parties reached a stipulation regarding holiday and visitation schedule, no longer requiring
2 judicial intervention.

3 6) All other orders remain in full force and effect.

4 7) The Court will prepare the order.
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29