

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 06/20/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL1700108

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: CLAIRE KEISER

and

RESPONDENT: JEFF KEISER

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY/VISITATION

RULING

This matter is set for hearing on Respondent/Father's Request for Order ("RFO") re child custody/visitation regarding the parties' daughter, Sylvie (DOB 1/4/16). However, a Judicial Settlement Conference ("JSC") was held on 6/11/25, and it was agreed that the Court and the parties would await further input from Drs. Davis and Kan, which will be provided before the continued JSC on 6/30/25 at 1:30 pm in Department D. Since that input is essential to any custody/visitation determinations, the 6/20/25 is hearing is continued, and the matter will be taken up at the continued JSC.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at www.marin.courts.ca.gov

The Zoom appearance information is as follows:

June 2025 at 09:00 AM

Join Zoom Meeting

<https://marin-courts-ca-gov.zoomgov.com/j/1601114119?pwd=p6bV9Ef8WHjm1j7jzyTrwjExIV0by4.1>

Meeting ID: 160 111 4119

Passcode: 636308

If you are only able to appear by phone you may dial the phone number below, follow the prompts and enter the meeting ID and passcode.

+1-669-254-5252 US (San Jose)

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 06/20/25 TIME: 9:00 A.M. DEPT: D CASE NO. FL1700957

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: GUDMUNDA HRUND
 GISLADOTTIR

vs.

RESPONDENT: DARYL SMITH

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY/
VISITATION

RULING

This matter is set for hearing on Petitioner/Mother's 4/29/25 Request for Order (RFO's) re: (1) travel and custody/visitation issues; Respondent/Father filed a Responsive Declaration on 6/6/25, and Mother filed a Reply on 6/12/25; and (2) Mother's RFO filed 4/30/25 for modification of child support. On 4/30/25 Mother also filed an Income & Expense Declaration ("I&E"), and lodged tax returns with the Court, and on 5/5/25 she filed a supporting Memorandum of Points & Authorities.

Child Support

Per the parties' stipulation, hearing on the child support issue has been continued to 9/5/2025.

Travel

This issue has been resolved by the Stipulation & Order filed 6/6/25.

Custody

As provided in the Marin County Local Family Court Rules, all custody/visitation matters are referred to Family Court Services. The Court will not consider any of the custody/visitation requests until the parties meet with Family Court Services ("FCS") and the Court receives the FCS Report & Recommendations.

Therefore, the matter is referred to FCS and continued for hearing to August 8, 2025 at 9:00 am in Department D.

Counsel for Mother to prepare the order.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

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FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 06/20/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL2001247

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: ANN FORD DANIELSON	
and	
RESPONDENT: KYLE MILLER	

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – ATTORNEY’S FEES

RULING

This matter was continued from 5/30/25 for hearing on Respondent/Father’s 4/23/25 Request for Order (“RFO”) re attorneys’ fees and costs of \$50,000 per Family Code §2030. Petitioner/Mother opposes Father’s request, stating that he has sufficient income and assets to afford his own attorneys’ fees. Mother opposes the request stating she cannot afford to pay Father’s attorneys’ fees, and in their Prenuptial Agreement and post-Marital Agreement, the parties waived attorneys’ fees from the other.

With regard to any waiver of attorneys’ fees, as stated in previous orders of this Court, although the parties entered into a waiver of attorneys’ fees, the law in California is clear that the Court should not enforce an attorneys’ fees waiver with regard to issues of child custody and support relating to minor children. See, e.g., *In re Marriage of Ayo* (1987) 1890 Cal.App. 3d 442, 451. This major issues in this case involve custody/visitation and a Domestic Violence Restraining Order against Mother. case has involved primarily custody issues.

Per the Court’s 5/30/25, both parties have provided additional financial information, as required by the Marin County Local Family Law Court Rules. Both parties lodged their 2022 and 2023 federal and state income tax returns. In addition, Mother provided her 2024 W-2. Father provided a 2024-2025 P&L, without any detail whatsoever.

Nonetheless, the following is clear: per Mother’s 6/10/25 Income & Expense Declaration, her average monthly income consists of \$8,980/month in salary, \$21,745 in bonus/commission income, \$15,236 dividend/interest income, and “variable” trust income. She reports \$3,750,000 in stocks, bonds and other assets she could easily sell, and \$3,900,000 in real property assets. She spends \$52,513/month on living expenses and has installment payments/debts totaling \$13,209.

Father's 4/30/25 I&E states his average monthly net income from self-employment as a securities trader is \$7,100. He claims to have \$171,000 in stocks/bonds he could easily sell and \$150,000 in real and personal property, with monthly living expenses of \$9,291 and outstanding debts of \$42,500.

The Court does acknowledge that Mother is paying virtually all of the children's living expenses; however, per the parties' Marital Settlement Agreement, Mother agreed to pay 100% of the children's expenses, including her childcare costs, their extracurricular and enrichment expenses, conditioned upon her not paying Father child support.

While the Court continues to have some questions about Father's full financial picture, it remains clear there is a substantial disparity in the parties' relative incomes and assets. Family Code § 2030 (a)(1) imposes upon the Court an obligation to ensure both parties have access to legal representation to preserve each party's rights.

Mother's reliance on *In re Marriage of Duncan* (2001) 90 Cal.App.4th 617 is misplaced. In that case, Wife requested an order that Husband pay her attorneys' fees. Although Husband earned more than 10 times what Wife earned, Wife had an estate of \$11.6 million, including \$2.5 million in liquid assets. (*Id.* at 630.) The Court does not find the facts of the present case to be even close to those in *Duncan*.

After considering all of the circumstances of both parties, the Court finds that Father can bear some of his own legal fees, and that it is just and reasonable that Mother should contribute \$30,000.

Therefore, the Court orders Mother to pay Father the sum of \$30,000, as and for attorneys' fees by June 30, 2025.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

FURTHER ORDERED that the parties are responsible for ensuring that they have a good connection and that they are available for the hearing. If the connection is inadequate, the Court may proceed with the hearing in the party's absence.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 06/20/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0000204

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: VALON GRAJQEVCI

and

RESPONDENT: GINA KOSSLER

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – ATTORNEY’S FEES

RULING

This matter is set for hearing on Petitioner/Father’s 5/1/25 Request for Order (“RFO”) for Respondent/Mother’s failure to obtain a medallion signature guarantee, necessary to effectuate division of a Fidelity Roth IRA account in Mother’s name, after being advised in 12/2024 of the need for her to do so. Petitioner also requests the Court impose a sanction of \$3,500 in attorneys’ fees, per Family Code § 271. Mother filed no responsive papers.

The Court orders as follows:

1. Mother shall obtain the medallion signature guarantee on the IRA transfer form regarding the Fidelity Roth IRA account No. ending in 5552 on or before June 27, 2025 to effectuate division of the account.
2. If Mother fails to provide confirmation of the above by the close of business on June 27, 2025, counsel for Father shall notify the Courtroom D clerk via email, and on June 30, 2025, the Court will issue an order appointing the Clerk of the Court as Elisor to sign the IRA transfer form.
3. Mother shall pay to Father the sum of \$3,500 as and for attorneys fees per Family Code § 271 as a sanction per Family Code § 271, for her failure to cooperate and

frustrating resolution of this matter, requiring the filing of the instant RFO. Said sum shall be paid one-half by July 15, 2025 and the remaining half by August 29, 2025.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will be permitted except by order of the Court. In the event no party requests oral argument in accordance with Rule 7.12(C), the tentative ruling shall become the order of the court.

IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department D. The parties may access Department D for video conference via a link on the court website.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 06/20/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0000644

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: LISA SIRABELLA

and

RESPONDENT: BRYAN ETKIE

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – ATTORNEY’S FEES

RULING

This matter was originally set for hearing on 5/23/25 on Respondent/Father’s 3/28/25 Request for Order (“RFO”) re: attorneys’ fees and costs in the amount of \$56,886, per *In re Marriage of Borson* (1974) 37 Cal. App. 3d 632 and pursuant to Family Code §§ 2030 and 271. Petitioner/Mother filed a Responsive Declaration on 5/19/25 in which she opposes any award of attorneys’ fees in reliance on the Prenuptial and Postnuptial agreements where each party agrees to pay their own legal fees, and the fact that she was previously ordered to pay \$60,000 for Father’s fees.

The matter was continued for hearing due to Petitioner/Mother’s failure to provide the required financial information and documentation for the Court to be able to evaluate her ability to pay the requested fees. On 5/23/25 the Court ordered Mother to provide to the Court, by 5/30/25, an updated Income and Expense declaration, her last two most recently filed federal and state income tax returns, both business and personal, and 2024 and 2025 profit and loss statements for the rental properties she owns.

The Court has reviewed Mother’s Responsive Declaration filed 5/19/25, her Income & Expense Declarations filed on 5/30/25 and financial documents filed 6/13/25. She has failed to comply with the Court’s 3/28/25 order to produce any profit and loss statements for 2024 or 2025, and has provided only the first page of her Form 1040 for 2023. Without profit and loss statements, the Court is unable to tell what expenses are being deducted which may be appropriate add-backs.

Mother continues a pattern she has exhibited throughout this litigation of disregarding Court orders. Moreover, Mother filed two I&E’s – on both Mother states the fair market value of her real estate assets (minus debts she owes) is \$2.5 million. However, on the I&E she filed on 5/30/25, she claimed real property income between \$8,800 and \$10,500/month, and \$47,424 in monthly expenses. In contrast, in her I&E filed on 6/10/25, Mother claims she receives between \$10,000 and \$12,000/month in rental income, noting \$44,000 in annual depreciation, and lists

her monthly expenses as \$32,234. She also claims a business home equity loan of \$400,000 and \$53,100 other outstanding debts. Mother also states, without supporting documentation, she has spent \$300,000 on her own attorneys' fees in this case, which is difficult to understand since she has been self-represented through most of this case. In short, Mother's submissions to the Court are contradictory and not complete. What does remain constant is Mother's assertion that she has real property valued at \$2.5 million.

The Court notes that Mother's refusals to abide by Court orders, including numerous restraining order violations (after repeated warnings), has significantly and unfairly increased Respondent's attorneys' fees and costs, requiring him to repeatedly file motions and appear in court. Father is requesting \$41,886 for fees and costs incurred since 7/27/24 plus \$15,000 for fees and costs to take the matter through Bench Bar Settlement Conference.

It remains clear that there is a significant disparity in the parties' incomes, assets and access to funds, in favor of Mother. Father's updated I&E indicates he earns an average of \$3,402/month and receives \$2,400/month in rental income. He values his real and personal property at \$332,902. His monthly expenses are \$7,035 and has an outstanding mortgage of \$100,000. Father has had sole custody of the parties' daughter, Eliza (DOB 7/4/21) for the past nine months, and she has been in his primary care and physical custody for close to a year.

Father asks the Court to award him \$41,886 in fees and costs incurred since 7/27/25, plus \$15,000 for future fees for the upcoming Bench Bar Settlement Conference, or a total of \$56,886. Although, as noted, Mother's financial position is significantly better than Father's, the Court does not find that Mother should bear all of Father's fees. Therefore, the Court orders as follows:

1. Mother shall pay to Father, as and for attorneys' fees and costs, the sum of \$42,664.50, representing 75% of the requested fees. Father shall bear the remaining \$14,221.50.
2. Said fees shall be paid to Father by 7/15/25.

SO ORDERED.

Counsel for Father to prepare the order.

Parties must comply with Marin County Superior Court Local Rules, Rule 7.12(B), (C), which provide that If a party wants to present oral argument, the party must contact the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. the court day preceding the scheduled hearing. Notice may be by telephone or in person to all other parties that argument is being requested (i.e., it is not necessary to speak with counsel or parties directly.) Unless the Court and all parties have been notified of a request to present oral argument, no oral argument will

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