

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL2104166

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: DENISE P. JOHNSON

and

RESPONDENT: LEON C. JOHNSON

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – SPOUSAL SUPPORT

RULING

This matter was continued for hearing from 8/15/25 on Petitioner/Wife's Request for Order ("RFO") for a post-judgment modification of the 11/17/22 spousal support order, in order to afford Respondent/Husband an opportunity to provide additional financial documentation to the Court. Per the Court's order, Husband timely lodged with the court copies of his 2023 and 2024 Form 1040 IRS Transcripts and 1040-SR tax returns and 2023 and 2024 Forms SSA-1099 Social Security Benefit Statements. Wife did not file any response to the additional information provided.

This is a long-term marriage of 23 years and 1 month; the parties separated in 2021, and Judgment of Dissolution of Marriage was entered 11/17/22. Wife is now 70 years old and planned to retire on 9/1/25. Husband is 74; he has not worked since 2015, when he retired due to a back injury. The Judgment provides in section E.3. and 4. for Wife to pay spousal support to Husband of \$400/month until either party's death, Respondent's remarriage, or further order of court. The Judgment further provides that spousal support **may not** be modified upward, but is modifiable downward upon a showing of changed circumstances; and that Wife's retirement and change in employment status **may be** a change of circumstances.

Wife filed an Income & Expense Declaration ("I&E") on 7/1/25 and lodged an IRS transcript of her 2023 tax return, as well as copies of her 2024 state and federal income tax returns. Wife's I&E states her current income is \$5,798/month, including wages, Social Security benefits and investment income, but states her work hours were reduced by her employer to 5 hours a week, and as noted, she planned to retire effective 9/1/25. In 2023. Wife's total income was \$73,473, and in 2024, it was \$74,412 and included wages, Social Security benefits and investment income. She claims \$4,500 in cash and deposit accounts and real and personal property valued at \$624,000, which includes her retirement fund and condominium. Wife claims \$6,482 in monthly living expenses and outstanding debts of \$10,661.

Husband filed his Responsive Declaration on 8/1/25, in which he asks the Court to increase his spousal support \$400/month to \$500/month for life; however, as noted above, the Judgment expressly states that spousal support is not modifiable upward. Husband filed an Income & Expense Declaration ("I&E") on 8/4/25. In addition to the \$400/month in spousal support Husband receives from Wife, the supplemental financial documentation provided by Husband confirms his 2024 income was \$15,668 in Social Security benefits, \$4,879 in pensions and annuities, \$1,662 in dividends and \$3,166 in interest, for a total of \$25,375, or \$2,515/month (including spousal support). Per Husband's I&E, his monthly living expenses total \$2,987, and he lists outstanding debt of only \$300. He has \$1,500 in cash, \$115,000 in securities he could easily sell, and real property valued at \$225,000. Husband lives in Nevada, so his expenses are lower than in the San Francisco Bay Area. Husband raises a number of issues relating to provisions in the Judgment, which are not relevant to the issue of spousal support, and will not be considered.

The Court finds that, at age 70, Wife is certainly entitled to retire, and her retirement and the attendant loss of earnings (\$2,499/month in wages) constitutes a material change of circumstances which **may** warrant a downward modification of spousal support, as it reduces her income to Social Security benefits (\$2,527) and investment income of (\$1,300/month), for a total of \$3,827/month, while her monthly living expenses are \$6,492. This leaves Wife with a deficit of \$2,665/month. However, the Court notes that Wife's townhouse is currently listed for sale for \$760,000. This is a fact which Wife did not mention in her RFO. A move and/or other change in her living circumstances may well affect the Court's analysis with regard to spousal support. As a result, the Court orders as follows:

1. Until further Court order, Husband's remarriage or the death of either party, Wife shall continue to pay Husband \$400/month in spousal support.
2. Wife shall provide to the Court a Declaration stating what her intended plans are with regard to living situation once the townhome is sold, to be filed no later than 11/21/25.
3. Wife shall also provide proof to the Court of her retirement and the effective date thereof.
4. The hearing on this matter is continued to 12/5/25 at 9:00 am in Department D.

SO ORDERED.

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:

October 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)

Meeting ID: 160 111 4119

Passcode: 636308

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL2301127

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: MARK GOLDSTEIN

and

RESPONDENT: KRISTEN KOH
GOLDSTEIN

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

RULING

Appearances required.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL2104166

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: DENISE P. JOHNSON

and

RESPONDENT: LEON C. JOHNSON

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – SPOUSAL SUPPORT

RULING

This matter was continued for hearing from 8/15/25 on Petitioner/Wife's Request for Order ("RFO") for a post-judgment modification of the 11/17/22 spousal support order, in order to afford Respondent/Husband an opportunity to provide additional financial documentation to the Court. Per the Court's order, Husband timely lodged with the court copies of his 2023 and 2024 Form 1040 IRS Transcripts and 1040-SR tax returns and 2023 and 2024 Forms SSA-1099 Social Security Benefit Statements. Wife did not file any response to the additional information provided.

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SO ORDERED.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001104

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: ALISON MARIE
BASSMAN

and

RESPONDENT: ROBERT LANCE
BASSMAN

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

RULING

This matter is set for review hearing regarding custody/visitation with the parties' three children: Aden (DOB 10/30/16), Ethan (DOB 2/4/19) and Isla (4/19/22). Both parties were interviewed by Family Court Services ("FCS") and reached full agreement in mediation. Pursuant to the agreement reached by the parties and incorporated by FCS into its Recommendations filed with the Court on 10/7/25, the Court adopts the FCS Recommendations, as follows:

The following recommendations serve as an addendum to the Stipulation and Order re: Custody and Visitation filed September 5, 2025.

1. The schedule for school breaks, holidays, and other special days shall supersede the regular weekly timeshare schedule.
2. Thanksgiving Break: defined as the Monday through Friday in which school is not in session. Odd years with Father, even years with Mother. The regular weekend custody schedule shall remain in place before and after the break.
3. Winter Break: shall be divided in half with the first Saturday after the last day of school defined as Day 1. In odd numbered years, Mother shall have the first half of the break while Father has the second half. In even years, Father shall have the first half of the break and Mother shall have the second half.
4. Midwinter Break (February Break/Ski Week): defined as the Monday through Friday in which school is not in session. Even years with Mother, odd years with Father. The regular weekend custody schedule shall remain in place before and after the break.

5. Spring Break: defined as the Monday through Friday in which school is not in session. Even years with Father, odd years with Mother. The regular weekend custody schedule shall remain in place before and after the break.
6. Mother's Day/Father's Day: defined as from 9 AM through Monday morning drop off at school. Custody shall be with the parent being honored.
7. Jewish holidays: shall be determined per mutual parental agreement with the understanding that the children shall be in Father's custody on whatever Jewish holidays he wishes to exercise custody.
8. Fourth of July: shall be defined as from 9 AM through 8 AM the following day. Even years with Father, odd years with Mother. Parents may add additional days to the Fourth of July schedule per mutual parental agreement if they have those days off work.
9. Halloween: Provided that both parents are comfortable doing so, parents shall jointly celebrate Halloween with the children. If parents are unable to jointly celebrate Halloween, the noncustodial parent may join the festivities, (e.g. trick-or-treating) so that the children may spend time with both parents on Halloween.
10. Three-day holidays: Federal holidays not otherwise specified in this parenting plan and that fall on either a Monday or Friday shall attach to the parent who has custody on the weekend directly following (in the case of a Friday holiday) or preceding the holiday (in the case of a Monday holiday).
11. Children's birthdays: shall fall on the regular weekly custody schedule. The noncustodial parent shall have the option to have a brief visit (e.g. one hour or however long as agreed upon between the parties) with the birthday child. Parents shall continue to have a joint family dinner on the children's birthdays whenever possible provided that both parents are comfortable doing so.
12. Parent birthdays: shall fall on the regular weekly custody schedule. The birthday parent has the option to have a brief visit with the children on their birthday if they wish to do so.
13. Summers: Except for summer vacation periods, the school year schedule shall remain in place for the summer until the children are older and able to tolerate an alternating week schedule. Parents shall agree upon and map out the summer camp schedule by January 1 of each year so that they do not miss deadlines for registering the children for their desired camps. Parents shall work cooperatively to register the children for any desired summer camps that have usually early registration deadlines. Each parent shall be

responsible for transporting the children to their respective summer camps during their custodial days.

14. Summer vacations:

- a. For summer 2026, each parent shall have two 7-day vacation blocks with the children during the summer with the option to add additional days per mutual parental agreement. Unless otherwise agreed, parents shall select their vacation weeks by April 1 of each year. In the event that parents choose the same weeks, in even-numbered years Mother shall have first preference while Father has first preference in odd-numbered years.
- b. Commencing Summer 2027, each parent shall have two 10-day vacation blocks with the children with the option to add additional days per mutual parental agreement. Unless otherwise agreed, parents shall select their vacation weeks by April 1 of each year. In the event that parents choose the same weeks, in even-numbered years Mother shall have first preference while Father has first preference in odd-numbered years.

15. Sleep away camps: the children may be registered for sleep away camps per mutual parental agreement provided that the children are interested in and ready to participate in sleep away camps.

16. Face Time calls: the noncustodial parent shall have a daily Face Time call with the children to occur around 7 PM. If the schedule does not allow for a 7 PM call on any given day, parents shall find another time for the Face Time call that day.

17. Neither parent shall disparage the other parent to the children or within their hearing nor shall they allow others to do so.

18. Exchanges: for exchanges that do not occur at school such as the Saturday 9 AM exchange, the receiving parent shall pick the children up for the time being. Parents may modify this practice in the future per mutual parental agreement as Isla gets older.

19. Children's birthday parties: Parents shall alternate planning and hosting the children's birthday parties. An invitation shall be extended to the other parent, provided that both parents are comfortable attending the same party. Provided that both parents are comfortable doing so, both parents may be present at the children's birthday parties.

20. Parents shall continue sharing the use of their nanny.

21. Parents shall continue to use Google calendar to track important appointments for the children such as school, medical and dental appointments, therapy appointments, etc.

When an appointment is made for the children by one parent, the other parent shall be notified and the appointment entered in Google calendar.

22. If a parent schedules a meeting with one of the children's teachers, doctors, or other treating professionals, they shall inform the other parent to provide them an opportunity to join the meeting if they wish to do so.
23. If either parent is aware of a social event for the children that falls on the other parent's custody time, they shall advise the other parent and provide them with the appropriate contact information.
24. Neither parent shall discuss with their nanny or other childcare providers what goes on in the other parent's home so as to respect each parent's privacy.
25. Parents shall continue to participate in coparenting counseling or work with their private mediator on an as-needed basis to fine-tune their parenting plan if issues or challenges arise in the future that they are unable to address or resolve on their own.
26. Parents may modify any portion of their parenting plan at any time per mutual parental agreement.

SO ORDERED.

Counsel for Father shall 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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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001247

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: KAILEY BARNARD

and

RESPONDENT: ROBERT BARNARD

NATURE OF PROCEEDINGS: 1) CASE PROGRESS CONFERENCE
2) REVIEW OF REPORTS HEARING – CHILD CUSTODY/VISITATION; RE: FCS
REPORT

RULING

This matter is set for hearing on review of custody/visitation regarding the parties' children, Declan DOB 2/3/21) and Olivia (DOB 11/30/22). Both parents were interviewed together by Family Court Services ("FCS"), and the FCS Report & Recommendations was filed with the Court on 10/6/25. The matter is also set for Case Progress Conference.

Custody/Visitation

Respondent/Father expressed numerous continuing concerns regarding Mother's priorities, attentiveness to the children's needs and her use of marijuana. He believes the children should spend more time with him. Petitioner/Mother concedes some of the issues raised by Father, but states she is working on them (remembering shoes when taking the children to school, etc.), denies most other accusations by Father, and wants the existing custody and time-share orders to remain in effect. It is clear that the parties have serious difficulties in communicating and co-parenting peacefully, which they need to address for the benefit of their children.

After reviewing the history of the case, as well as previous FCS Reports & Recommendations and court orders, the Court finds that it is in the best interests of the children to adopt the FCS Recommendations, as modified below. Therefore, the Court orders as follows:

1. All current orders shall remain in effect, with the following additions/modifications:
2. Both parents shall enroll in and complete a co-parenting class and provide proof of completion to the Court no later than November 30, 2025. The parties may take separate classes.
3. Neither parent shall use marijuana, or any other drugs, during their designated custodial time with the children, and for at least 12 hours prior to their custodial time.

4. Both children shall be dressed in clothes and wearing shoes when they go to school.
5. Both parents shall use Our Family Wizard("OFW") as their only means of communication with each other, unless there is an emergency or very urgent matter which requires them to text. Both parents shall check their OFW accounts regularly and shall respond to any messages within 48 hours of them being sent.

Case Progress Conference

The Court notes that the parties exchanged their Preliminary Declarations of Disclosure in February and needs an update on the status of the non-custody-related matters.

SO ORDERED.

The Court will prepare the order pursuant to Rule 5.125, CA Rules of Court.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001292

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: AMANDA RICHARDSON
COLEMAN

and

RESPONDENT: TYLER RYAN BLANK

NATURE OF PROCEEDINGS: CLAIM OF EXEMPTION

RULING

This matter was set for hearing on Petitioner's Opposition to Judgment Debtor Tyler Ryan Blank's Request for Claim of Exemption. However, the caption of the Notice of Hearing indicates it is to be heard in the Alameda County Superior Court, as an Unlimited Civil case and names Amanda Coleman as the Plaintiff and Tyler Blank and Does 1-20 as Defendants. Yet the Notice contains the Marin County Case No. FL00001292, which is the Domestic Violence Restraining Order case, not an unlimited civil case. Further, neither party has filed the 8/11/25 Notice of Filing of Claim of Exemption form with the Court, and the Declaration submitted by counsel is based on inadmissible hearsay and unsupported by any evidence. As a result, the Court has no information as to what the purported claims for exemption are, which precludes the Court from rendering any decision in this matter.

The matter is taken off calendar.

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:

October 2025 at 09:00 AM

Join Zoom Meeting

<https://marin-courts-ca-gov.zoomgov.com/j/1601114119?pwd=p6bV9Ef8WHjm1j7izyTrwjExIV0by4.1>

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)

Meeting ID: 160 111 4119

Passcode: 636308

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0001648

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: STACY BOND

PETITIONER: VALERIE ELMAN
BATCHELDER

and

RESPONDENT: CHARLES LOUIS
BATCHELDER

NATURE OF PROCEEDINGS: REQUEST FOR ORDER - OTHER

RULING

This matter is set for hearing on Respondent/Husband's 7/29/25 Request for Order ("RFO") for bifurcation and setting an early and separate trial as to the issue of the parties' date of separation. On 10/6/25, Petitioner/Wife filed a Responsive Declaration in which she agrees to the setting of a separate trial on date of separation.

At the 10/15/25 Case Progress Conference, the issue was discussed. The parties are considering mediation and have a number of discovery issues to resolve before a date of separation trial is feasible. Therefore, the Court orders as follows:

- 1, The Court grants Husband's request to bifurcate and set a separate trial on the issue of the parties' date of separation.
2. This matter is set for Case Progress Conference on 12/8/25 at 9:00 AM in Department D for status regarding mediation, discovery, and whether the matter is ready for setting trial on the parties' date of separation.
3. The hearing on Respondent/Father's Request for Order ("RFO") re: child custody/visitation shall remain on calendar for 11/14/25 at 9:00 am in Department D.

Counsel for Husband shall 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.

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: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0002037

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: ARLYN VERENICE
CALDERON ORTIZ

and

RESPONDENT: ASTRID MADELINE
ORTIZ ESCOBAR

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – VISITATION

RULING

This matter is set for hearing on the 8/8/25 Request for Order (“RFO”) filed by Other Parent (Biological Father) Elder Anderson Calderon Barrios for communication and visitation with the parties’ daughter, Arlyn (DOB 5/12/19).

At the 8/8/25 hearing in this matter, this Court heard argument and granted Arlyn’s 6/23/25 RFO that her Mother, Astrid Madeline Ortiz Escobar, be granted sole legal and physical custody of Arlyn. Based on the information provided in the Request for Special Immigrant Juvenile Findings, as well as the testimony provided at the hearing (which included Mr. Calderon Barrios’ admissions of abuse), the Court made Special Immigrant Juvenile Findings, including the finding that, due to the abuse and neglect of Arlyn by Mr. Calderon Barrios, Arlyn’s reunification with him is not viable at this time.

Based on the Court’s findings of abuse and neglect by Mr. Calderon Barrios, as well as the finding that reunification with Mr. Calderon Barrios is not viable at this time, his request for communication and visitation with Arlyn is DENIED.

SO ORDERED.

The Court will prepare the order per Rule 5.125, CA Rules of Court

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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Meeting ID: 160 111 4119

Passcode: 636308

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0002067

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: CHRISTINA CERRETANI

and

RESPONDENT: MICHAEL HARTMANN

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

On 8/19/25, the Court issued a three-year Domestic Violence Restraining Order After Hearing (“DVRO”), amended 8/5/25, in which Respondent/Father is the restrained person, and the protected persons are and Petitioner/Mother, the parties’ son, Cole (DOB 10/24/08), as well as Mother’s two other children, Avery and Aiden Cerrtani. The Court ordered temporary sole legal and physical custody of Cole to Mother, with Father to have visitation supervised by Anne Hillberg (paternal grandmother) every other Saturday, based on Ms. Hillberg’s availability. The matter was referred to Family Court Services (“FCS”) for custody/visitation recommendations. Both Mother and Cole were interviewed by FCS, but Father did not attend his appointment or otherwise make any contact with FCS. Cole had been living with Father and Grandmother in Benicia until 7/9/25, and has lived with Mother in Corte Madera since then. Supervised visits have not started, and Father has not had any communication with either Mother or Cole.

Mother reports that Cole started the 2025-2026 school year as a sophomore at San Andreas, is doing much better than last year at Benicia High School, and he is in counseling. Cole confirmed that he likes San Andreas, feels he is getting the support he needs, and wants to continue to live with Mother until he graduates high school. Cole wants to see his Father, but on his own time.

After careful review and consideration of the history of this case and the FCS Report & Recommendations, the Court finds that it is in the best interests of Cole to adopt the FCS Recommendations, as modified below, and orders as follows:

Parental Responsibilities

1. Mother shall continue to have sole legal and sole physical custody of Cole.

Timeshare Schedule

2. Cole shall continue to live with Mother and shall have professionally supervised visits with Father, as desired by Cole.

Collateral Issues

3. Neither parent shall make any disparaging comments about the other parent in the presence of Cole or allow others to do so.
4. Cole shall be exposed to peaceful contact only between his parents.
5. Cole shall not be exposed to any verbal or physical abuse.
6. Mother shall maintain her sobriety and shall not be under the influence of any drugs or alcohol while Cole is in her care.
7. Mother shall ensure that Cole has good attendance and gets to school on time.
8. Cole shall be in counseling.

SO ORDERED.

The Court will prepare the order per Rule 5.125, CA Rules of Court.

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

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/17/25 TIME: 9:00 A.M. DEPT: D CASE NO: FL0002141

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK:

PETITIONER: REGINALD SIMMONS

and

RESPONDENT: DOMINIQUE JACOBS

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

RULING

This matter is set for review hearing on Petitioner/Father's Request or Order ("RFO") re: child custody/visitation regarding the parties' daughter, Agape (DOB 8/7/18). Currently there are no custody/visitation orders in place; however, since Agape was a year old, the parties have had an informal time-share arrangement with Agape in Father's care/custody on alternating weekends. Father resides in Lathrop with his wife and 7-year-old daughter. Father requests joint legal and physical custody of Agape, that Agape reside with him in Lathrop during the school week and attend Epic Academy in Lathrop, and for Agape to be with Mother every other weekend with extended time during holidays and summers. Father bases his request on concerns regarding Agape's education and her current school environment.

Respondent/Mother filed a Responsive Declaration on 10/6/25, in which she states that, since Agape's birth, she has been the primary caretaker, she and Agape have a very close relationship, and Mother believes it would be detrimental to Agape to make the drastic changes suggested by Father.

Both parties were interviewed by Family Court Services ("FCS") on 10/1/25, and FCS filed its Report & Recommendations with the Court on 10/7/25.

The Court has fully reviewed and considered the parties' respective positions as stated in their pleadings, as well as the FCS Report & Recommendations. While the Court appreciates Father's interest in securing the best education for Agape, the Court finds that, at Agape's young age, the interest in her education is outweighed by interests of stability and continuity in her primary parental relationship with Mother, and that having Agape change her primary residence, primary caretaker, community and school would not be in her best interests. Therefore, the Court adopts the FCS' recommendations, as modified below, and orders as follows:

Parental Responsibilities

1. The parents shall share joint legal custody of Agape, which includes sharing in the responsibility and conferring in good faith on matters concerning her health, education

and welfare. Both parents shall have access to Agape's school, medical, mental health, and dental records and the right to consult with professionals who are providing services to her.

2. The parents shall share joint physical custody of Agape.

Timeshare Schedule

3. **School year:** Agape shall continue to live primarily with Mother and shall be with Father on alternate weekends from Friday after school until Sunday at 4:00 p.m. If the Monday following Reggie's weekend is a holiday not otherwise specified in the Holiday/Vacation schedule, then Agape shall be with Father until Monday at 4:00 p.m.
4. **Summer:** Agape shall live with both parents on a "week on/week off" schedule with the exchanges occurring on Sunday at 4:00 p.m.
5. Any changes to the schedule, or any additional time for Agape to be with either parent, shall occur as mutually agreed upon by the parents.
6. **Exchanges:** During the school year, Father shall pick Agape up at school at the start of his custodial time and the parents shall meet at an agreed upon halfway point between the parents' homes at the conclusion of his custodial time. During the summer, the exchanges shall occur at an agreed upon halfway point between the parents' homes.

Holidays/Vacations

7. **Winter Break (February):** Winter Break shall be the five weekdays of the break, with the parents keeping their regular custodial weekends. During the even-numbered years, Agape shall be with Mother for Winter Break and during the odd-numbered years she shall be with Father.
8. **Spring Break:** Spring Break shall be the five weekdays of the break, with the parents keeping their regular custodial weekends. During the even-numbered years, Agape shall be with Father for Spring Break and during the odd-numbered years she shall be with Mother.
9. **Mother's Day/Father's Day:** Agape shall be with Mother every year on Mother's Day and with Father every year on Father's Day.
10. **Agape's birthday:** The regular custodial schedule shall remain in place, but both parents shall have the opportunity to celebrate with her.
11. **Thanksgiving:** In the even-numbered years Agape shall be with Mother for Thanksgiving break and in the odd-numbered years she shall be with Father.
12. **Christmas:** The first half of Christmas break shall be from after school on the release day to December 25th at 2:00 p.m. and the second half of Christmas break shall be from December 25th at 2:00 p.m. to the last day of break at 4:00 p.m. During the even-

numbered years, Agape shall be with Father for the first half of Christmas break and with Mother for the second half of Christmas break, and in the odd-numbered years the schedule shall be reversed.

Collateral Issues

13. For the remainder of the 2025-2026 school year, Agape shall continue to attend school at Riverside Elementary, unless another school is mutually agreed upon by the parents.
14. For the 2026-2027 school year, Agape shall attend school near Mother's home or work, at a school agreed upon by both parents.
15. The parents shall engage in peaceful contact only in the presence of Agape.
16. Neither parent shall make any disparaging comments about the other parent in the presence of Agape or allow others to do so.
17. Both parents shall take a co-parenting class and bring proof of successful completion to any future mediations or court hearings.

SO ORDERED.

The Court will prepare the order per Rule 5.125, CA Rules of Court

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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