

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1200396

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: COUNTY OF MARIN

and

RESPONDENT: SHANNON A. BYNUM

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY

RULING

Ashley Powel (“Mother”) filed a Request for Order (“RFO”) on September 16, 2025, seeking modification to custody and visitation orders. There is no proof of service to indicate that Respondent Shannon Bynum (“Father”) was served with a copy of the RFO, nor has he filed a responsive declaration.

The parents were referred to Marin Family Court Services (“FCS”) for mediation and counseling on the issues raised by Mother. [Marin is a recommending county. (Family Code § 3183; Marin County Rule, Family 7.17(A).)] Both parents met with Marin Family Court Services on or about October 13. Father’s participation with FCS is an indication that Father received Mother’s RFO.

These parents have two children. Kamari is 15, born September 25, 2010. Kayari is 13, born June 20, 2012. Both teenagers were interviewed by FCS.

Prior orders entered on April 2, 2023, provide that the children reside in the primary physical custody of Father. Mother, who lives in Sacramento, has custody on alternate weekends.

Both children stated they wish to have a different living arrangement than the one they currently have. Keyari’s first choice is to live with her grandfather during the school week and see her mother on the weekends. Although Keyari also stated that she wants to live with her mother during the school week, she does not want to disrupt her good grades at her current school by having to change schools. Kamari wants to live with his mother because he feels like he has missed out on many years with her and because he believes that he will have more freedom to do whatever he wants at his mother’s home.

Although both children raised in the FCS report various complaints about Father, the complaints do not raise concerns about Father’s parenting. The children report no abuse by Father but merely complain about parenting practices that, as teenagers they do not like, but which are not unreasonable. The court is troubled that Father and Stepmother prepare home cooked meals which are not offered to the children. They require the children to eat TV dinners. Restricting

access for teenagers to home cooked nutritious food as a form of discipline is not the best parenting approach.

At the same time, Father's requirement that the children follow the rules and respect a curfew are not adequate reasons for a shift in physical custody. Father is facing the difficult choice of how to curb his son's natural push to independence as he becomes a young man.

It would not be in the children's best interest to uproot them to Sacramento where they would have to start at a new high school and be uprooted from the extracurricular activities that Father has set up for them as these activities are good for their ongoing development as teenagers. While the children may not at this time like or appreciate Father's parenting style, completely changing custody when Father has been the primary custodial parent who has provided stability and structure for these children since they were quite young is not in the children's best interest.

CUSTODY AND VISITATION

The court has reviewed Mother's RFO, as well as the prior agreed Order dated April 3, 2023, and the FCS report issued on October 13, and finds good cause and that it is in the best interest of the children to adopt the FCS recommendations as follows:

All prior orders not in conflict with the below shall remain in full force and effect with the following modifications.

1. The children shall remain in Father's custody during the school year and shall continue to attend school in Marin.
2. Mother shall show proof of her housing lease to Father.
3. Upon showing proof of her housing lease to Father, during the school year, the children shall be in Mother's custody on the first and third weekends of each month from Friday 7 PM through Sunday 7 PM. If Mother is available for an additional weekend during the month, the children shall be permitted to be in her custody for additional weekends. Exchanges shall be at the Popeye's restaurant in Vallejo near Six Flags.
4. Summers: The children shall be in the primary physical custody of Mother for the entire summer.
5. The children shall have unfettered phone/video conferencing contact with Mother whenever they wish to speak with her.
6. Kamari shall not be permitted to keep, own or smoke vape pens while at the home of either parent. Neither parent shall condone underage vaping or give Kamari the message that it is permissible for him to engage in underage vaping.

7. Neither parent shall interrogate or discuss with the children their interviews with FCS. The children shall not be made to suffer emotional or other retaliation for what they reported during their interviews.
8. Both parents shall take a coparenting class to learn how to best support the children's relationship with the other parent during their teenage years as well as how to best raise and coparent the children so that they are not undermining appropriate parental practices.
9. Both parents shall refrain from making comments to the children regarding the custody conflict, the parental conflict, etc. to keep the children out of the middle of the parental conflict.
10. Parents may make changes to the custody schedule at any time per mutual parental agreement. Mutual agreement shall be in writing and agreed to by both parents. A text or email stating the agreement shall suffice. If one parent does not agree with the changes, then there is no agreement and these order shall remain in place as the default.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing.

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1504579

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: LORENA SALAZAR

and

RESPONDENT: FRANCISCO G. MEDINA

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – COMPEL - DISCOVERY
FACILITATOR
2) REQUEST FOR ORDER – OTHER: ENFORCE PREVIOUS ORDER

RULING

This matter was last called on September 11, 2025, and continued over one month for further meet and confer efforts. There are multiple Requests for Orders (“RFO”) on calendar. Petitioner Lorena Salazar (“Wife”) filed an RFO on December 20, 2024, seeking to remove her name from the mortgage on Husband’s property, which was formerly the couple’s community property. Respondent Francisco Medina (“Husband”) filed a responsive declaration on February 27, 2025. Wife filed a reply declaration on March 20. Wife also filed an RFO to enforce prior orders regarding clearing the title of Husband’s residence.

Husband filed a Responsive Declaration on September 9, 2025, which explains at Exhibit E that a letter from PHH Mortgage, dated February 28, 2020, confirms that Wife’s name was removed from the mortgage as required by the Marital Settlement Agreement.

The parties were ordered to meet and confer on the status of removal of her name.

Appearances are required.

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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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1704558

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: SALMA HUSSEIN	
and	
RESPONDENT: HESHAM ABDULDAYEM	

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – CHILD
CUSTODY/VISITATION
2) ORDER - SHOW CAUSE

RULING

This matter was called on October 16, 2025, and continued one week at the request of Respondent who was unable to attend due to an illness. The case was previously called on July 31 and July 24, 2025. It was continued to July 31, 2025, to give the Department of Child Support Services (“DCSS”) notice to appear for the hearing.

This case has a long history. The file is voluminous. Respondent Hesham Abduldayem (“Father”) filed a Request for Order (“RFO”) on June 3, 2025, seeking enforcement of prior custody orders that were issued in Broward County, Florida on December 12, 2012; 13 years ago. Proof of “Personal Service” indicates that Husband served Petitioner Salma Hussein (“Mother”) through the Marin County Department of Child Support Services (“DCSS”) in June 2025, after she filed an RFO for child support with DCSS. The court notes the date of the service is illegible. Mother has not filed a response. DCSS accepted the service on behalf of Mother on June 6.

Together, these parents have two children. Amir Abdeldayem is 17 years old, born March 20, 2008. Serenity Amirah Abduldayem is 15, born June 4, 2010.

Family Code §17212 allows DCSS to maintain a parent’s address confidential to protect parental privacy rights and provide for effective child support enforcement services. The court may invalidate those protections based on a showing of good cause. Family Code §17212(b)(2).

The matter was transferred from Florida to California, with the action filed in the Superior Court, County of Marin on October 24, 2017. The file indicates that the Circuit Court of Broward County granted Father sole custody of the minor children on November 28, 2012.

Father alleges Mother fled with the children to the United Kingdom in 2013. He has not had contact with them since 2013. Mother filed a claim against him for child support on April 16, 2025. This upset Father because he has not seen his children for over a decade, resulting in his filing for contempt proceedings against Mother for not bringing the children to California as he believed was ordered.

On September 9, 2025, DCSS filed a Notice to Register Out-Of-State Support Orders. Father filed no objection to the request, which the court finds good cause to GRANT. The request brings forth 6 orders issued by the “High Court of Justice, Family Division” of the English High Court. On February 22, 2013, the English court GRANTED Father’s request to have the children returned to Father’s custody under the Hague Convention, which is referred to as the Uniform Child Custody Jurisdiction and Enforcement Act (“UCCJEA”) in California. After various appeals and hearings by 5 different judges over the course of 6 months, a final order was issued by the High Court of Justice, Family Division on July 10, 2013, which GRANTED Mother’s request to maintain legal custody of both children, and specifically orders Father to not remove them from that court’s jurisdiction in England and Wales.

Moreover, as this court advised Father during the last hearing, after the passage of 13 years the court would not be inclined to remove the children under the UCCJEA from Mother because it is not in their best interest to now enforce possibly outdated custody orders issued in Florida in 2012.

Father also did not tell the court that the validity of his claim that the children were abducted by Mother by her moving with them to Europe was fully litigated in England, with that court permitting the children to stay with Mother.

While Mother maintains custody in England, she may pursue child support from Father even though he resides in California and has not visited with his children for over a decade. It is the express public policy of the State of California that both parents are to support their minor children “in a manner suitable to the child’s circumstances.” Family Code §3900; *Marriage of Stanton* (2010), 190 Cal.App. 4th 547, 555. Both parents are *mutually responsible* for financially supporting their children. Family Code §4053(a)(b). (Emphasis the court).

Father’s request to enforce the custody and visitation order entered under the UCCJEA on November 28, 2012, in Broward County, Florida is DENIED.

Father’s Order to Show Cause why Mother should be held in contempt of court is vacated.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing.

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL1900336

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: JESSICA A. JACKSON

and

RESPONDENT: SAAD J. JACKSON

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – CHILD
CUSTODY/VISITATION

RULING

This matter is continued to November 6, 2025, at 9 am in this department at the request of Marin Family Services to have more time to interview with the child.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.**

***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.**

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL2201075

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PLAINTIFF: SHANE ALEXANDER HEGARTY	
and	
RESPONDENT: AMANDA MAE CHISHOLM	

NATURE OF PROCEEDINGS: STATUS OF JUDGMENT AFTER SETTLEMENT ON
RECORD

RULING

This matter is on for status of entry of judgment. Appearances are required

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0000794

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: KYLE BALOUGH

and

RESPONDENT: ANNA NEMETULAYEVA

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

The court issued comprehensive custody and visitation orders regarding these parents on May 9, 2025, granting Petitioner Kyle Balough (“Father”) with sole legal and physical custody of their child. Father filed a Request for Order (“RFO”) on July 29, 2025, seeking permission to move the child to Sacramento, where he has more family support. Respondent Anna Nemetulayeva (“Mother”) has not filed an opposition, nor is there proof in the file that she was served with the RFO.

There is proof of personal service filed by Father on October 14, 2025, to indicate Mother was served with the papers.

Mother filed a responsive declaration on October 17. Father filed a responsive declaration on October 21. The declarations do not address Father’s requested move away.

It would be helpful of both parents meet with Marin Family Court Services (“FCS”) before the hearing for mediation and counseling on the issues raised by Father regarding the move away. [Marin is a recommending county. (Family Code §3183; Marin County Rules, Family 7.17.A.)]. Again, the parents are re-referred to FCS.

Together, these parents have one child named London, who is 2 years old, born on February 8, 2023.

The court is familiar with this family. It issued dueling Domestic Violence Restraining Orders, and comprehensive child custody and visitation orders on September 13, 2024. Given Father’s grant of sole legal and physical custody, the court will likely grant his request to move with the child to Sacramento.

Appearances are required.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via

remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0001073

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: KIMMA BARRY

and

RESPONDENT: KEITH BARRY

NATURE OF PROCEEDINGS: 1) REVIEW HEARING – CHILD/SPOUSAL SUPPORT
2) CASE PROGRESS CONFERENCE

RULING

This matter was last called on September 18, 2025, with the court adopting the custody and visitation order portion of the RFO filed by Petitioner. The court ordered the parties to meet and confer on the request to modify support.

Findings and Order After Hearing (“FOAH”) was entered on July 3, 2025, responsive to a Request for Order for support filed by Petitioner Kimberly B. Barry (“Mother”). The court set a review date for Augst 28, 2025, which was continued to September 18, to check on Wife’s progress securing employment. Respondent Keith Barry (“Father”) filed a responsive declaration on September 12, 2025, to update the court with his concerns that Wife has not provided any additional evidence to support her claim of suffering a catastrophic injury that prevents her from working. Mother did not file an updated declaration.

Together, these parents have one child. Her name is Magdalena. She is 12, born on October 8, 2012.

The parents appeared in court. Mother explained her disability.

Support

Wife has been unemployed since 2003. Wife shall address Husband’s request that she be imputed with a \$20 per hour hourly income wage, which calculates to \$3,466 gross earning per week.

Husband works for KNTV Bay Area. He earns, according to his bi-weekly paystubs, \$8,148 gross, or \$17.655 gross per month. He files as single with Wife filing as head of household. He pays \$1,026 for combined medical healthcare insurance benefits, and \$1,029 in healthcare.. He pays \$882 per month to his 401k.

The time share is currently 5%. It will likely increase as visits become more regular for Magdalena.

Based on the above assumptions set forth in the attached *Xspouse* calculation, commencing September 1, 2025, Father shall pay to Mother monthly child support in the amount of \$2,242 payable one-half on the 1st and one-half on the 15th day of each month, and continuing until further court orders, or until the child in question marries, passes away, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first.

Father shall pay Mother spousal support of \$1,500, payable as above and continuing until the death of either party, Mother's remarriage or further court order, whichever shall first occur. Spousal support payments are not deductible by the payor spouse, and the payment is not considered income by the receiving spouse. The payor spouse may deduct support from their California income tax return.

Mother is admonished that it is the goal of this state that she shall make reasonable good faith efforts to become self-supporting, and that 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 support, which is addressed below. Family Code §4330; *Marriage of Gavron*, (1988) 203 Cal.App.3d 705, 712.

The parties shall share equally all reasonable uninsured medical and dental expenses incurred on behalf of their minor children, and childcare costs related to either party's employment or reasonably necessary education or training for employment skills. The parties are ordered to comply with the provisions of Family Code §4063 in seeking reimbursement for uninsured medical and dental expenses, and a copy of the *NOTICE OF RIGHTS AND RESPONSIBILITIES – Health-Care Costs and Reimbursement Procedures* shall be attached to the *ORDER AFTER HEARING*. These provisions shall apply to reimbursement for childcare expenses as well.

Regarding medical add-ons, the parents are directed to Family Code Section 4063(l), which provides that the parents shall arrange to use medical providers who are in the insurance network. If providers are used outside of network, the parent who arranged the medical and/or therapy appointment is obligated to pay the difference.

The parents are expected to share equally the costs of extracurricular activities for the child. The activities are to be agreed upon in advance, in writing, and the child's participation in that activity is not to be unreasonably withheld. It is reasonable for Mother to expect Father to share equally in the costs of tutoring, sports, musical equipment rentals, and similar activity costs.

The parties are ordered to report to each other, with documentation, all earnings more than the amounts used to calculate child support and spousal support by February 15th of each year. Any adjustments to support based on the attached bonus schedules to occur at the time the next support payment is due. The court understands that Father's income may vary from year to year. Either parent, if they are no longer represented by counsel, may seek the assistance of the Legal Self-Help Center if they have information regarding changes in earnings and ask for informal annual amendments to support based on new earnings. The Legal Self-Help Center is located at the Hall of Justice, 3501 Civic Center Drive, on the Court floor. Appointments are available via video conferencing. In person drop-in services are scheduled 8:30-noon on Tuesday – Thursday. Email service is from 8:30 a.m.-3 p.m. Monday – Friday. Phone consultations are available 8:30-noon, Monday – Friday, and 1 p.m. – 3 on Tuesday and Thursday via selfhelp@marin.courts.ca.gov). Zoom clinics are available 8:30-noon, Monday – Friday. https://www.marin court.org/legal_self_help_services.htm.

Good Cause

The court has reviewed Mother's prior RFO filed on February 28, 2025, and the FCS recommendations issued on March 6, 2025, as well as the Findings and Order After Hearing entered on July 3, 2025, and finds good cause and that it is in the best interest of the child to impute Mother with an income to fulltime employment earning \$20 per hour, as explained in this tentative ruling.

Litigants who require the assistance of an interpreter may appear in court to access the services of a staff interpreter, or they may appear remote. Persons who require interpreter services via remote appearance shall notify the clerk of the court in advance to schedule remote interpretation services.

Counsel for Husband 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.

2025

Xspouse 2025-1.2-CA

Monthly Figures

Fixed Shares	Keith	Kimma	Monthly Figures		Cash Flow		
Number of children	0	1	2025			Guideline	Proposed
Percent time with NCP	5.00%	0.00%			Combined net spendable	14645	14645
Filing status	MFSIN	HH/MLA	GUIDELINE		Percent change	0%	0%
Number of exemptions	1	2	Nets (adjusted)		Keith		
Wages and salary	17655	3466			Payment cost/benefit	-3602	-3437
Self employed income	0	0	Keith	11364	Net spendable income	7622	7787
Other taxable income	0	0	Kimma	3281	Change from guideline	0	165
TANF CS received	0	0	Total	14645	% of combined spendable	52%	53%
Other nontaxable income	0	0	Support		% of saving over guideline	0%	0%
New spouse income	0	0	Addons	0	Total taxes	5262	5056
Employee 401-k contribution	882	0	Guideln CS	2242	Dep. exemption value	0	0
Adjustments to income	0	0	User SS	1500	# withholding allowances	0	0
SS paid prev marriage	0	0	Total	3742	Net wage paycheck	9791	9791
CS paid prev marriage	0	0			Kimma		
Health insurance	1029	0	Settings changed		Payment cost/benefit	3742	3577
Other medical expenses	0	0	Proposed		Net spendable income	7023	6858
Property tax expenses	0	0	Tactic 9		Change from guideline	0	-165
Ded interest expense	0	0	CS	2283	% of combined spendable	48%	47%
Contribution deduction	0	0	SS	1500	% of saving over guideline	0%	0%
Misc tax deductions	0	0	Total	3783	Total taxes	185	391
Qualified business income deduction	0	0	Saving	0	Dep. exemption value	0	0
Required union dues	0	0	Releases	1	# withholding allowances	0	0
Mandatory retirement	0	0			Net wage paycheck	2874	2874
Hardship deduction	0	0					
Other GDL deductions	0	0					
Child care expenses	0	0					

Keith pays Guideline CS, Guideline SS, Proposed CS, Proposed SS

FC 4055 checking: ON

Per Child Information

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		5 - 95	0	0	0 Keith	2,242 Keith	2,242 Keith
Magdalena	2012-10-08	5 - 95	0	0	0 Keith	2,242 Keith	2,242 Keith

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 10/23/25 TIME: 9:00 A.M. DEPT: L CASE NO: FL0001545

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

PETITIONER: ELLEN MARY KRUGER

and

RESPONDENT: JOHN KRUGER

NATURE OF PROCEEDINGS: 1) REQUEST FOR ORDER – COMPEL – DISCOVERY FACILITATOR PROGRAM
2) REQUEST FOR ORDER – COMPEL – DISCOVERY FACILITATOR PROGRAM
3) REQUEST FOR ORDER – COMPEL – DISCOVERY FACILITATOR PROGRAM

RULING

This matter was last called in this department on September 18, 2025. It was continued to October 23, 2025, at the request for the parties to continue meet and confer efforts.

Ellen Mary Kruger is the Petitioner (“Wife”) and Michael Kruger, Shannon Kruger and Marguerite (Maggie) Coin are her adult children who have filed a Request for Order (“RFO”) on July 9, 2025, seeking an Order to Quash Deposition Subpoenas for Production of Business Records, and a Protective Order. They also seek sanctions against Respondent John Kruger (“Father”). He filed a responsive declaration on September 5, 2025. A reply declaration was filed on September 11, 2025, on behalf of the family members.

Here, Father issued subpoenas to his three adult children seeking transactional documents that he alleges may have been improperly kept from him. He alleges possible fraud, which he believes caused financial harm as part of being shorted from community property distribution.

In this case, the lawyers are signaling that progress is happening. Counsel for John Kruger filed a supplemental declaration on October 16, 2025, explaining that one of the parties subject to discovery, Ms. Coin, has new counsel, suggesting that progress has been renewed, stating that discovery may proceed if Respondent agrees to sign a release. Counsel for Petitioner filed a Case Progress Statement on October 13, 2025, advising that the parties have discussed participating in mediation “in the coming months.” Moreover, at the last hearing, the parties discussed the appropriateness of a Protective Order. The court is hopeful the issue will be resolved.

A discovery facilitator was appointed pursuant to Marin Local Rule 7.16 to attempt to mediate the dispute. The discovery facilitator indicated at that time that the parties might resolve this issue independently or through mediation because counsel are now engaged in the meet and

confer process. The discovery facilitator also indicated that there may be a procedural flaw with the motion to quash the discovery of the possible relevant financial records that are at issue. This procedural flaw may need to be addressed before substantive discovery orders are issued.

The court reminded the parties at the last hearing that reasonable attorney's fees may be awarded against any person who makes or opposes a motion to quash the opposition subpoena if the court finds that the motion was made or opposed in bad faith, or without substantial justification, or that one or more of the requirements of the subpoena were oppressive. Code of Civil Procedure §1987.2(a). *Evilsizor v. Sweeney* (2014) 230 Cal.App.4th 1304, 1311.

Moreover, the court must impose monetary sanctions against any party or person who unsuccessfully makes or opposes a motion to compel documents associated with a production request. See, CCP §§2031.300(c); 2031.320(b).

Appearances are required for an update or the setting of a hearing date.

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 evidentiary hearings shall be in-person in Department L. For routine appearances, the parties may access Department L for video conference via a link on the court website. Litigants in the virtual courtroom are required to leave the video screen on and wait for your case to be called.

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.