

Tentative Rulings

**Judge Matthew A. Siroka
Department G**

REVIEW BEFORE OBTAINING THE TENTATIVE RULING:

The parties shall comply with Marin County Superior Court Local Rules 7.12(B) and (C). Any party requesting oral argument must notify the Court at (415) 444-7046 and all opposing parties by 4:00 p.m. on the court day before the hearing. Notice may be provided by telephone or in person. Absent proper notice, no oral argument will be permitted, and if no request is made, the tentative ruling shall become the order of the Court.

Appearances may be made in person or via Zoom unless otherwise ordered. Parties are responsible for ensuring adequate connectivity and availability; the Court may proceed in a party's absence if technical issues arise. Parties requesting oral argument must appear in person or remotely by Zoom (video or telephone) in accordance with court website guidelines. Proper Zoom etiquette and courtroom decorum are required, and failure to comply may result in the hearing being halted and an order to appear in person.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/12/26 TIME: 9:00 A.M. DEPT: G CASE NO: FL 1502727

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

<p>PETITIONER: CHRISTINA FARNSWORTH</p>	
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and

<p>RESPONDENT: LARS FARNSWORTH</p>	
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NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

Appearances required.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/12/26 TIME: 9:00 A.M. DEPT: G CASE NO: FL 2204084

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

PETITIONER: SHANNON RENEE
MANCINI

and

RESPONDENT: PHILLIP DOMINICK
MANCINI

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – REQUEST FOR
RECONSIDERATION

RULING

Respondent Phillip Mancini (Phillip) brought a motion for reconsideration of the Court’s March 24, 2026, order granting Petitioner (Shannon) appellate attorney’s fees. Shannon originally filed a request for order (RFO) attorney fees on February 18, 2026. Phillip failed to file a timely opposition to Shannon’s February 18 RFO, filing his responsive declaration on March 18 for the March 24 hearing, and only served Shannon by mail. Then, on March 20, Phillip filed a witness list. On March 23, the Court issued a tentative order granting Shannon’s RFO in part and denying it in part. Phillip did not give notice he was contesting the tentative but appeared on March 24, and requested an evidentiary hearing. The Court declined to grant an evidentiary hearing and adopted the tentative ruling.

Phillip now requests reconsideration on two grounds, one procedural and one substantive. Procedurally, Phillip argues that he was denied due process because the Court declined to grant an evidentiary hearing on his opposition to the RFO. Phillip was provided all the process due to him - he had notice of Shannon’s motion and had the opportunity to oppose it. He forfeited his right to oppose it by failing to file a timely opposition. Then Phillip was given notice of the Court’s tentative ruling, he again forfeited his right to oppose the tentative by failing to give Shannon notice that he intended to appear to contest it. Phillip’s due process claim is undermined by his failure follow proper procedures entitled to ensure both parties have notice and an opportunity to be heard. Nor did Phillip show good cause for his failure to timely file a responsive opposition or to follow the tentative ruling procedures. He has not shown that any new or different facts, circumstances or law applies that would justify reconsideration of the order.

Substantively, Phillip simply repeats his argument that Shannon should not be awarded fees, but has not shown any new or different facts, circumstances or law that would justify reconsideration

of the order. Just as he did in his opposition brief to the original motion – which the Court considered notwithstanding its untimeliness – he argues Shannon is willfully underemployed and failing to heed the Court’s prior *Gavron* warning. The Court already considered these factors in making its prior ruling. Phillip argues there are material disputed facts which he would seek to address at an evidentiary hearing but fails to identify any specific facts that are in dispute. Phillip mostly takes issue with how he believes Shannon characterized his lifestyle, but the Court only considered the information in the income and expense declaration and gave no weight to extraneous consideration such as how one party characterized the other. Furthermore, Phillip failed to comply with Local Rule 7.13 in both his original opposition and his motion for reconsideration and failed to provide necessary updated financial documentation to support his claim. That rule is precisely designed to give the Court information it needs to rule on fee requests.

It remains the case that Phillip earns more than Shannon and is better able to pay the attorney fees she will incur as a result of his decision to appeal.

The motion for reconsideration is DENIED. Phillip shall comply with the Court’s March 24, 2026, order, with the first payment due by May 19.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/12/26 TIME: 9:00 A.M. DEPT: G CASE NO: FL0002177

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

PETITIONER: JANE MCCARTHY

and

RESPONDENT: DANIEL MCCARTHY

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

RULING

On March 30, 2026, Petitioner Jane McCarthy (Mother) filed a request for order (RFO) seeking the following:

1. Joint legal and physical custody of the minor children with an equal time share;
2. Guideline child support;
3. Temporary guideline spousal support;
4. Temporary exclusive use of the family residence and in the alternative an order that Father distribute to Mother \$15,000 as an advance on Mother's share of the community property assets so that Mother can obtain a separate residence to live;
5. An order for the family residence to be listed for sale until sold; and
6. An order for need-based attorney's and expert fees and costs in the amount of \$15,000.

Father has not filed a responsive declaration to the RFO but has filed an income and expense declaration.

On April 15, 2026, Mother filed a petition for a domestic violence restraining order (DVRO), which is set to be heard May 14, 2026. The DVRO petition requests custody orders, support orders, exclusive control of the marital residence, and attorney fees, among other things. Neither party has complied with Local Rule 7.13 with regard to providing financial documents. Mother's request for attorney fees includes an FL-158 form but provides no information about the why the requested fees are necessary.

Currently, the parties are still both residing in the marital residence.

The request for custody orders is DEFERRED pending the outcome of the DVRO hearing.

The request for support is DEFERRED pending the outcome of the DVRO hearing.

The request for temporary exclusive use of the marital residence is DEFERRED pending the outcome of the DVRO hearing.

The request for an order requiring sale of the marital residence is DENIED without prejudice. Mother has shown no pressing reason to sell the marital residence. According to her declaration there are sufficient assets to permit the parties to reside separately and maintain the costs of the marital residence.

The request for attorney's fees is DEFERRED pending the outcome of the DVRO hearing. Mother states she has so far been able to pay for counsel with credit cards and Father is paying those bills.

Both parties are ordered to comply with Local Rule 7.13 and lodge tax returns and other required financial information by 4:00 pm May 13, 2026, so the Court has the information available in time for the May 14, 2026 DVRO hearing.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/12/26 TIME: 9:00 A.M. DEPT: G CASE NO: FL0002372

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

PETITIONER: SIMRAN BENTEL

and

RESPONDENT: TABITHA MARIE
BENTEL

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY

RULING

Petitioner filed a request for order (RFO) for custody orders and for orders regarding disposition of certain property, alleging that Respondent has misappropriated property belonging to his mother. The parties mediated the custody issues, but the property issues remain outstanding. In his reply, Petitioner asks for an order that the property at issue be ordered to be held in a safe deposit box. Respondent identifies certain property in her possession and asserts there may be a community property interest in that property.

Characterization of property is an issue reserved for trial. Both parties are subject to the automatic temporary restraining orders (ATROS) that prevent them from disposing of property, and both owe continuing fiduciary duties to the other, which must be respected.

Petitioner's mother has other means to enforce her property rights, should she deem that to be necessary.

Petitioner's request for an order that the property be held in a safe deposit box is DENIED without prejudice.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/12/26 TIME: 9:00 A.M. DEPT: G CASE NO: FL0002618

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

PETITIONER: EUN MI YANEZ

and

RESPONDENT: AYTHAMI YANEZ

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

RULING

Petitioner Eun Yanez (Mother) filed a request for order (RFO) on April 1, 2026, seeking sole legal and physical custody and spousal and child support.

Father did not file financial documents as required by Local Rule 7 and did not file an opposition to the RFO. The parties met with Family Court Services (FCS) and reached a mediated agreement, which Mother later decided she was not comfortable with.

The Court finds it is in the best interests of the child to follow the FCS recommendation. The Court awards joint legal and physical custody. Siena will mostly reside with Mother and spend alternate weekends with Father on such schedule as is mutually agreed on by the parents. The parents shall cooperate to allow additional visitation that works for Father and Siena's schedule.

The Court awards temporary family support in the amount of \$2,000 per month, \$1,000 payable on the first of the month and \$1,000 on the 15th of every month, effective April 1, 2026. The matter is continued until June 30, 2026, for further hearing and Father must file his Rule 7 documents by May 31, 2026. The Court reserves jurisdiction retroactively to April 1, 2026 on both child and pendente lite spousal support.