

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/29/26 TIME: 9:00 A.M. DEPT: E CASE NO: FL 1903726

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: S. BOND

PETITIONER: MARGARET KIRSTEN
SCOTT

and

RESPONDENT: DAVID MICHAEL
COLLINS

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – SET ASIDE ORDER

RULING

This matter is set for hearing on Respondent/Husband’s 4/23/2026 Request for Order (“RFO”), pursuant to California Code of Civil Procedure (“CCP”) 437(b) to Set Aside an Order After Hearing filed 12/9/2025 requiring him to pay \$157,813 to Petitioner/Wife, or a Receiver would be appointed. The Order followed a hearing on 10/31/2025. Husband argues that he was inadequately represented by his counsel, who did not present evidence to the Court of what he claims was an agreement made between he and Wife in 2024. Husband asks that the Order be set aside and that the Court order an evidentiary hearing so he can present evidence of the 2024 agreement.

On 5/15/2025, Wife filed a Responsive Declaration and Memorandum of Points and Authorities in which she opposes Husband’s RFO as both unwarranted and not reasonably timely. On 5/19/2026, Husband filed a Reply Declaration and Memorandum of Points and Authorities to in further support of his RFO.

CCP §437(b) provides the Court with discretion to grant relief by way of setting aside an order taken against a party as a result of the party’s mistake, inadvertence, surprise, or excusable neglect.

The Court has reviewed the file and notes that, prior to the 10/25/2025 hearing, on 10/28/2025 Husband filed a Responsive Declaration to Wife’s RFO; the first page of the Form FL-320, which was handwritten identifies Husband’s attorney as “Self.” The Declaration is clearly written by Husband; he advised the Court that his attorney had “quietly quit” and he was essentially without counsel. In his Declaration and Points and Authorities Husband argues the merits of Wife’s then pending RFO, with 54 pages of exhibits attached. The Court minutes and Findings and Order After Hearing confirm that Husband was present at the hearing, and also that his attorney was present. Husband timely paid Wife the \$157,813 ordered by the Court.

Husband then waited from October 31, 2025 until April 23, 2026 to seek set-aside relief. Even more important, the reasons why Husband is now seeking relief were already presented to the Court in Husband's Responsive Declaration.

After considering all of the above, the Court finds that Husband's request to set-aside the 12/9/2025 is not supported by mistake, inadvertence, surprise or excusable neglect, and is not reasonably timely under the circumstances. Therefore:

1. Husband's RFO to set-aside the Court's Order filed 12/9/2025 is DENIED.

SO ORDERED.

Counsel for Wife shall prepare the Order.

*Any party who disagrees with the Court's tentative ruling and wishes to have oral argument must notify the Court at (415) 444-7046 and opposing counsel (or if the opposing party is self-represented, notice must be given directly to the opposing party) of their intent to appear at the hearing for oral argument **by 4:00 pm on the court day before the hearing**, as required by Marin County Superior Court Family Law Local Rules 7.12(B) and (C). Notice may be given by telephone or in person. Absent proper notice, no oral argument will be permitted. If no request for oral argument is made, the tentative ruling will become the order of the Court.*

Unless otherwise ordered by the Court, persons who requested oral argument must appear for the hearing in person or remotely via Zoom, in accordance with the Court website guidelines. If appearing remotely via Zoom (video or telephone), you are responsible for ensuring you have adequate connectivity; the Court may proceed in a party's absence if technical issues arise. 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 being made.

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/29/26 TIME: 9:00 A.M. DEPT: E CASE NO: FL0000103

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: S. BOND

PETITIONER: KATHERINE BRUHN

and

RESPONDENT: NICOLAS DUFFORT

NATURE OF PROCEEDINGS: REVIEW HEARING -SETTING HEARING DATE;
TIMESHARE REVIEW; TRAVEL; STATUS OF CUSTODY EVALUATION

RULING

This matter is set for review/status conference. On 5/26/2026 Petitioner/Mother filed a Declaration and Respondent/Father filed a Status Conference Statement. The parties have reached a timeshare agreement for Lilou (DOB through the end of summer 2026. The parties have not reached agreement on where Lilou will start kindergarten for the 2026-2027 school year if the custody evaluation by Dr. Janelle Street is not completed before commencement of school, which appears likely. Nor have the parties reached agreement on a co-parent counselor.

Appearances required.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 5/29/26 TIME: 9:00 A.M. DEPT: E CASE NO: FL0001502

PRESIDING: HON. BETH S. JORDAN

REPORTER:

CLERK: S. BOND

PETITIONER: LINA ELISABETH SCOTT

and

RESPONDENT: SHAWN MITCHELL
SCOTT

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY

RULING

This matter is set for hearing on Respondent/Father’s Request for Order (“RFO”) re child custody/visitation regarding the parties’ sons, Weston (DOB 9/19/2013) and Leo (DOB 6/1/2017).

The parties were both interviewed by Family Court Services (“FCS”), and FCS filed its Report & Recommendations with the Court on 5/13/2026. Petitioner/Mother filed a Responsive Declaration on 5/18/2026 in which she disagrees with virtually all of the FCS recommendations. On 5/19/2026 Father filed a Statement of Agreement/Disagreement in which he states the parties reached an agreement regarding legal custody and timeshare and references an attachment agreement; however, the agreement is not attached so the Court has no idea what the agreement is, or whether Mother is actually in agreement.

Appearances required.

SO ORDERED.

*Any party who disagrees with the Court's tentative ruling and wishes to have oral argument must notify the Court at (415) 444-7046 and opposing counsel (or if the opposing party is self-represented, notice must be given directly to the opposing party) of their intent to appear at the hearing for oral argument **by 4:00 pm on the court day before the hearing**, as required by Marin County Superior Court Family Law Local Rules 7.12(B) and (C). Notice may be given by telephone or in person. Absent proper notice, no oral argument will be permitted. If no request for oral argument is made, the tentative ruling will become the order of the Court.*

Unless otherwise ordered by the Court, persons who requested oral argument must appear for the hearing in person or remotely via Zoom, in accordance with the Court website guidelines. If appearing remotely via Zoom (video or telephone), you are responsible for ensuring you have

adequate connectivity; the Court may proceed in a party's absence if technical issues arise. 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 being made.