

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL 2203762

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: AUDON MAGANA
ZEPEDA

and

RESPONDENT: MARIA D. BRICENO

NATURE OF PROCEEDINGS: MOTION – RELIEVE COUNSEL

RULING

This matter is on calendar on Maria Briceno’s (Mother’s) attorney’s motion to be relieved as counsel. Counsel for Mother filed a supporting declaration attesting to the readiness of Counsel to inform the Court *in camera* as to the basis for the withdrawal.

The parties are ordered to appear.

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 B. For routine appearances, the parties may access Department B 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: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL0000273

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: BERNARDINA GLORIA
VELASQUEZ PERDOMO

and

RESPONDENT: FLORENCIO VICENTE
OSORIO

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – ATTORNEY’S FEES;
BIFURCATION; CASE MANAGEMENT; DISCOVERY

RULING

Gloria Perdomo (Mother) filed a request for guideline child support for two minor children: Angel Jesus Vicente Velasquez (DOB 05/19/2013) and Irma Isabel Vicente Velasquez (06/17/2015). Florencio Vicente Osorio (Father) has not filed a responsive declaration.

The parties married August 20, 2020. They separated April 8, 2023. Judgment of dissolution was entered March 1, 2024, leaving child support as a reserved issue.

As part of her Request for Order, Mother filed an Income and Expense Declaration. Father has not filed any materials with this Court.

Father is directed to this Court’s Legal Self Help Center to receive guidance on how to respond to a request for child support. Mother is directed to provide financial documents in support of her declaration consistent with the requirements of Local Rule 7.13.

The Court will continue this matter to July 2,2026. Failure to provide the required information before July 2, 2026, may result in the Court imputing income to Father in determining guideline child support.

As authorized by CRC Rule 5.125, the Court shall 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 B. For routine appearances, the parties may access Department B 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: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL0001118

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: MARIO ZOGBI

and

RESPONDENT: DABHNE PALACIOS
CURI

NATURE OF PROCEEDINGS: 1) REVIEW HEARING – CHILD CUSTODY/VISITATION –
RECEIPT OF FCS REPORT 2) MOTION – CHILD SUPPORT

RULING

Procedural History

On January 31, 2025, a three-year restraining order was issued with Mario Zogbi (Father) as the restrained party and Dabhne Palacios Curi (Mother) and the children Jonathan Zogbi (DOB 8/11/15) and Jimena Zogbi (8/15/17) as the protected parties. Father has not seen the children since June 2024.

A subsequent order from this Court from February 17, 2026, (following a hearing on 11/7/25), provides that Mother maintains sole legal and physical custody.

Under the February 2026 Order, the children are not mandated to visit with Father for supervised visits if they do not wish to do so. Further, Father was directed to complete all aspects of his mental health diversion including being medication compliant and is complete the 52-week batterers' treatment course Streets 2 School.

This Court indicated that professionally supervised visits for Father may again be considered in the future after Father successfully completes (1) his mental health diversion, (2) his batterers' treatment course, and (3) upon a showing that Father has genuinely taken responsibility for his violence and has been rehabilitated. Per a stipulation and order from March 2, 2026, the parties were rereferred to Marin Family Court Services with a review hearing set for May 22, 2026. (The hearing was subsequently continued to June 11, 2026.)

Father's Record of Compliance with this Court's Order

Father was asked to submit proof of completion of his domestic violence and parenting classes to FCS and to provide a letter from his therapist as well as a letter documenting the status of his mental health diversion.

The FCS report confirms that Father submitted certificates of completion for an eight-hour parenting class (completed 8/18/25) as well as a 52-week batterers' treatment class (Streets 2 Schools) (completed 3/3/26). Further, Father has submitted documentation from mental health professionals showing his continuing engagement in therapy and attesting to symptom improvement and compliance with medication schedule.

On June 4, 2026, Father successfully completed mental health diversion, was found to be in full compliance with the terms of diversion, and the case, *People v. Mario Zogbi* (CR0002883), was dismissed.

FCS Recommendations and the Parties' Statements of Agreement/Disagreement

FCS issued its report dated May 6, 2026. FCS provided the following recommendations: All prior orders not in conflict with the below shall remain in effect with the following modifications.

1. Father shall have either professionally supervised visits through Rally once every other week or therapeutically supervised visits once every other week. The visits shall be one hour in length.
2. Father shall not make statements to the children denying or minimizing his role in the domestic violence incident that led to him being ordered to mental health diversion through the criminal court.
3. The children shall continue in therapy until no longer clinically indicated.

Father filed a statement of disagreement on May 14, 2026, stating that he seeks both therapeutically supervised visits and professionally supervised visits.

Mother also filed a statement of disagreement on May 14, 2026, stating her opposition to therapeutic or supervised visits at this time. In support of her position, Mother submitted a letter from Meghan Kehoe of the Center for Domestic Peace. Mother urges that the children are making progress and achieving a degree of stability that is still precarious and introducing required visits with Father at this time would be disruptive.

Court's Adoption of FCS Recommendations with Modifications

The Court has reviewed the submissions of the parties, the FCS report, the filings in this action and the parallel criminal court proceedings. The Court finds good cause and that it is in the best interest of the children to adopt the recommendations of FCS as modified as follows:

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

1. Father shall have therapeutically supervised visits once every other week. The visits shall be one hour in length.
2. Father shall not make statements to the children denying or minimizing his role in the domestic violence incident that led to him being ordered to mental health diversion through the criminal court.
3. The children shall continue in therapy until no longer clinically indicated.

Counsel for the parties are directed to request recommendations for therapeutic supervisors from FCS. The parties are to return to this Court December 15, 2026, at 9:00 AM for a review hearing.

Counsel for Father to 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 B. For routine appearances, the parties may access Department B 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.

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**SUPERIOR COURT OF CALIFORNIA
COUNTY OF MARIN**

DATE: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL0002500

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: JAN NEUMARK

and

RESPONDENT: JENNIFER CHRISTINA
LYRA

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

RULING

Jan Neumark (Father) filed a Request for Order seeking (1) joint legal custody, (2) joint physical custody, and (3) a 50/50 visitation schedule. Specifically, Father seeks to have the children, Otto Neumark (DOB 08/01/2018) and Zoe Neumark (DOB 08/01/2018), on Mondays and Tuesdays, Mother to have the children Wednesday and Thursday, with weekends rotating Friday-Sunday. When either parent is traveling, the children shall be in the care of the other parent.

Jennifer Lyra (Mother) filed a responsive declaration opposing Father’s request and requests one midweek after school/dinner visit only in addition to alternating weekends for Father. Mother requests that the parties maintain joint legal custody and that she continues to have sole custody of the children when traveling in Brazil. Mother further seeks additional clarification regarding travel. Finally, Mother urges the Court to deny Father’s request for first refusal.

The parties were referred to Marin Family Court Services for mediation, counseling and recommendations. Both parents were interviewed, and FCS submitted its detailed report May 19, 2026.

Parents reached agreements with respect to several matters addressed in this Request for Order. First, the parties agreed (1) to joint legal custody, (2) for Father to take a parenting class, (3) for both parents to participate in coparenting counseling, and (4) that neither parent would change the children’s schools without consent of the other parent.

Parents separated three years ago and are currently practicing a 5/2/2/5 schedule. Father wants to continue with the existing schedule. Mother seeks modifications as outlined above.

The Court has reviewed the FCS report and the submissions of the parties. The Court finds good cause and that it is in the best interest of the children to adopt the recommendations from FCS as modified as follows:

1. Per an agreement reached in mediation, parents shall share joint legal custody.
2. Per an agreement reached in mediation, Father shall take a parenting class focused on parenting school-aged children.
3. Per an agreement reached in mediation, parents shall participate in coparenting counseling in order to align routines, structure, and rules in their respective households so that the children have consistency and predictability in both homes.
4. Per an agreement reached in mediation, neither parent shall change the children's school absent mutual parental consent.
5. Joint physical custody. However, Mother shall continue to have sole physical and legal custody of the children during any travel to Brazil by the children per the 11/18/24 Judgment and 6/23/22 stipulation and order in order to ensure the children's return back to California.
6. Parental Timeshare: The children shall be in Father's custody on alternate weekends from Friday after school through Monday morning drop off at school and each Wednesday and Thursday from after school until 7 PM (including dinner). The children shall be in Mother's custody at all other times when not in Father's custody.
7. Until further court order, first right of refusal shall not apply to Mother. When Mother is required to travel for work, the children shall remain on the regular custody schedule and shall be cared for by their maternal grandmother or Mother's partner. When Father is required to travel for work, the children shall be in Mother's custody during that time.
8. Both parents shall bring the children to school on time.
9. Following completion of the parenting class specified in paragraph 2, Father shall work with a parenting coach for a minimum of eight sessions.
10. Parents shall follow the recommendations of Zoe's nutritionist and dentist.
11. The children shall not miss school for the purposes of vacation. Vacations with the children shall be scheduled during school breaks. The children shall not be pulled out of school early to go to Tahoe more than once a semester.
12. The children shall not travel outside of the U.S. absent mutual parental consent.

13. Each parent shall ensure the children attend their regularly scheduled activities, therapy and medical appointments during their custody days and shall ensure that the children are brought to their activities and appointments on time.

Counsel for Mother shall prepare to 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 B. For routine appearances, the parties may access Department B 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: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL0002593

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: BRIAN KESTLER

and

RESPONDENT: AUBREY CUBILO

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION;
CASE PROGRESS CONFERENCE

RULING

This matter is before the Court on Aubrey Cubilo’s (Mother’s) Request for Order filed February 6, 2026, relating to child custody and visitation relating to the parties shared daughter Amelia Kestler Cubilo (DOB 04/25/2025).

The parties were referred to Marin Family Court Services (FCS) for mediation, counseling and recommendations. Mother and Brian Kestler (Father) were both interviewed. FCS submitted its report dated May 20, 2026.

The FCS report is detailed and encompasses a review of correspondence from Dr. Jessica Mantia. As Mother has been psychiatrically hospitalized three times in the past year with the last hospitalization less than four months ago, the FCS recommendation is for supervised visits to continue to be in place for at least six more months. Mother’s visits can be supervised by a nonprofessional supervisor such as her mother who will be residing with her. As Mother is engaged in extensive mental health care through the VA including medication management and various therapies, it would be appropriate to expand the length of the supervised visits to provide Mother opportunities to spend longer periods of time caring for Amelia. This would also provide for more bonding time between Amelia and Mother which is important at this stage of Amelia’s development.

The Court has reviewed the submissions of the parties, including the statements of agreement/disagreement and the declaration of Dr. Daniel Pickar. The Court finds good cause and that it is in the best interest of the child to adopt the recommendations of FCS as modified as follows.

Parenting Plan for Brian Kestler/ Aubrey Cubilo

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

1. Father shall continue to maintain temporary sole legal and physical custody until further court order. Joint legal and physical custody shall be considered upon a showing that Mother has established a track record of mental health stability of at least one year from the date of her most recent psychiatric hospitalization on 1/30/26.
2. Mother shall continue to have supervised visits for another six months (until December 11, 2026). Mother's visits shall be supervised by an independent supervisor such as Amelia's maternal grandmother. The following step up plan shall be in place:
 - a. Commencing June 11 26, for a period of one month, Mother shall have supervised visits with Amelia each Saturday from 10 AM to 2 PM.
 - b. Commencing July 11, 2026, Mother's supervised visits with Amelia shall be each Saturday from 9 AM to 4 PM.
 - c. Commencing August 11, 2026, Mother's supervised visits with Amelia shall be each Saturday and Sunday from 9 AM to 6 PM.
 - d. Commencing October 11, 2026, provided that the maternal grandmother or another independent supervisor is available to be in the home overnight with Mother, an overnight shall be added to the schedule such that Mother shall have visits with Amelia each Saturday from 9 AM through Sunday 6 PM.
 - e. If there have been no issues with the supervised visits, Mother's visits shall transition to unsupervised parenting time commencing December 11, 2026. Mother shall have unsupervised parenting time each weekend except for the first weekend of the month from Friday evening through Sunday evening. Mother shall have the option to have a midweek visit from 3 PM to 7 PM in the week prior to Father's custodial weekend (first weekend of the month).
3. The schedule of parenting time between Mother and Amelia may be modified per mutual parental agreement only. If there is no agreement to modify the schedule, parents shall follow the court ordered schedule.
4. Mother shall continue all recommended mental health treatment through the VA including being medication compliant, participating in therapy, etc. The parenting plan specified in paragraph 2 above is contingent on Mother continuing to be compliant with all recommended mental health care treatment.
5. Neither parent shall be under the influence of alcohol to the point of intoxication when Amelia is in their custody.

6. Father shall participate in a mental health assessment through the VA to determine whether he could benefit from mental health services. The assessment shall include an interview with Mother so that the assessment is not based entirely on a self-report by Father. Father shall participate in therapy or other mental health services if recommended to do so following the assessment.
7. Father shall not engage in verbal abuse toward Mother.
8. Father shall take a domestic violence class of no less than six weeks to learn about the impact on children of verbal and emotional abuse including use of threats in intimate partner relationships. Father shall provide verification of completion of such class to the Court by August 11, 2026.
9. Both parents shall take a coparenting class.
10. A BFA is not recommended at this time.

Counsel for Father to 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 B. For routine appearances, the parties may access Department B 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: 6/11/26 TIME: 9:00 A.M. DEPT: B CASE NO: FL0002667

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: HALEY BURNS

and

RESPONDENT: CHRISTOPHER
LAWRENCE LABRADO

NATURE OF PROCEEDINGS: REVIEW HEARING – CHILD CUSTODY/VISITATION

RULING

This matter is on calendar for a review hearing following a referral to Marin Family Court Services (FCS) for mediation, counseling and recommendations. Haley Burns (Mother) and Christopher Labrado (Father) were both interviewed. The parties share a son, Carter (DOB 4-23-2025).

Carter lives with Mother in Fairfax, although both are currently residing in Los Angeles with Mother's family. Father currently lives in Forestville.

There were no orders until a 3-year restraining order was put in place on May 4, 2026, under which both Mother and Carter are protected persons. The restraining order has an expiration date of May 4, 2026. Haley has sole legal and physical custody of Carter and no visits were ordered for Father, pending FCS and the scheduled hearing on June 11, 2026.

FCS submitted a detailed report dated June 4, 2026. Neither parent filed a statement of agreement/disagreement.

The interviews with FCS were fruitful. Both parents clearly love Carter very much. Carter is young and vulnerable, and he needs to be physically and emotionally safe in the care of both of his parents. FCS observed that more information is needed about Chris' substance use and mental health, as well as recommendations for the best way forward to address these issues.

The Court has reviewed the submissions of the parties, the FCS report and finds good cause and that it is in the best interest of the child to adopt the recommendations from FCS as modified as follows:

All current orders shall remain in effect with the following additions/modifications:

Timeshare

1. Carter shall continue to live primarily with Haley and shall have professionally supervised visits with Chris one time each month for up to three hours each visit. Visits shall be supervised at an agency or by a private professional agreed upon by both parents and shall take place at an agreed upon location within 30 minutes of where Haley is living.
2. If Haley travels to the Bay Area with Carter, she shall offer Chris a professionally supervised visit at an agreed location in the Bay Area.

Collateral Issues

3. Chris shall have an evaluation that addresses his mental health and substance use and shall follow any recommendations made by evaluator.
4. Chris shall refrain from using marijuana or any other drugs at least 24 hours prior to any visits with Carter.
5. The parents shall engage in peaceful contact only in the presence of Carter.
6. Neither parent shall make any disparaging comments about the other parent in the presence of Carter or allow others to do so.

As authorized by CRC Rule 5.125, the Court shall 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 B. For routine appearances, the parties may access Department B 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: 6/11/26 TIME: 1:30 P.M. DEPT: B CASE NO: FL 1702190

PRESIDING: HON. JAMES M. SCHURZ

REPORTER:

CLERK: A. URTON

PETITIONER: VERONICA PERRY

and

RESPONDENT: NOE FIGUEROA

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – VISITATION

RULING

This matter is scheduled for hearing following an *ex parte* request from Veronica Perry (Mother) to address the shared daughter—Olivia Figueroa’s (DOB 1/24/2015)—attendance at her fifth-grade graduation. Following a discussion with the parents, it was stipulated that Noe Figueroa (Father) would take Olivia to her graduation, both parents would attend, and that Father was free to leave (with Olivia) at 11:00 AM. Further, this Court referred the parties to Marin Family Court Services (FCS) for mediation, counseling and recommendations.

The parties are on calendar for a discussion relating to summer vacation schedules that are time sensitive and cannot await completion of the FCS process.

Parties are ordered to appear.

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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