

## **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: 6/23/26      TIME: 9:00 A.M.      DEPT: G      CASE NO: FL 1904143

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

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PETITIONER:    DI YAO

and

RESPONDENT:    FEI XIE

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NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD CUSTODY;  
ATTORNEY’S FEES; REIMBURSEMENT OF CHILD SUPPORT

**RULING**

Respondent Fei Xie (Mother) filed a Request for Order (RFO) on April 28, 2026 for (1) child custody and parenting orders with respect to the parties’ children, Malvina (DOB 11/23/2014) and Mirabelle (DOB 05/03/2017), (2) attorney’s fees and costs, (3) reimbursement for child support Add-ons and an order to fix the amount of child support add-ons owed by Petitioner at \$6,374.91, through April 27, 2026.

Petitioner filed a responsive declaration on 06/11/2026. Petitioner requests that (1) the Court adopt the Family Court Services (FCS) recommendations, (2) order a payment plan for child support add-ons, and (3) Deny attorney’s fees and costs.

Respondent filed a reply adding on additional costs to her request.

**Custody**

Respondent’s requests included a request for parenting orders that include not using the children as messengers or involving them in court matters, not leaving the children unsupervised, unfettered access to communicate with the non-custodial parent via telephone, messaging or FaceTime, and requiring separate beds at Petitioner’s home. Respondent also requests Petitioner take parenting classes.

The parties were referred to Family Court Services (FCS), and FCS filed a report on June 8, 2026. Both parents and both children were interviewed. FCS reports the parties reached several agreements and FCS also made recommendations. The Court finds it is in the best interest of the children to adopt the mediated agreement and recommendations of FCS, as modified herein:

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

1. Joint legal and physical custody shall remain in place.
2. Parental Timeshare:
  - a. The children shall be in Father's custody on alternate weekends from Friday after school through Sunday morning drop off at swim practice in Tiburon. If Father can get the girls to their Chinese class following swim practice on Sundays, he has the option to extend his custodial time to Sunday afternoon. The children shall be in Mother's custody at all other times when not in Father's custody.
  - b. Commencing school year 2026 – 2027, provided Father has consistently exercised his alternating weekend schedule during summer 2026, if the girls wish to spend Sunday overnights with Father on his alternate weekends, they shall be permitted to do so, and Father shall drop the children off at school on Monday morning.
3. Neither parent shall disparage the other parent to the children or within hearing of the children.
4. Parents may modify the timeshare at any time per mutual parental agreement.
5. Communications regarding timeshare scheduling shall occur between the parents only. Parents shall not use the children as messengers to communicate scheduling changes, to coordinate visits, etc. so as to leave them out of the middle of adult matters.
6. Each parent may travel with the children to China in alternate years. The children may have daily phone calls with the other parent when they are abroad. If the other parent does not wish to exercise daily phone calls, daily phone calls shall not be obligatory. Starting this summer, the children shall be permitted to travel to China with Father for two weeks to visit their paternal grandmother and other family members. Parents shall provide one another with confirmation of plans for international travel at least three months in advance.
7. Father shall take a parenting class focused on parenting preteen/"tween" girls.
8. Both parents shall take a coparenting class.
9. Parents shall respond to coparenting communications within 48 hours. If there has been no response to a coparenting communication, the parent initiating the communication may act on the request.
10. Neither parent shall destroy the children's personal property for the purposes of discipline or out of anger.
11. Neither parent shall use the children as messengers or involve them in adult related matters.

12. Neither parent shall leave the children unsupervised during their custodial time until the children are old and mature enough to be left unsupervised.
13. The children shall be permitted to communicate with the noncustodial parent via telephone, messaging, FaceTime, or other videoconferencing, and neither parent shall interfere with those communications or discourage the children from communicating with the other parent.

### **Add-Ons**

Father does not dispute he owes the add-ons, but he requests a payment plan for the balance of the child support add-ons. Father did not propose a specific payment plan, did not file an income and expense declaration and did not file current financial information pursuant to MCR Fam 7.13. His responsive declaration states his net monthly income from wages is approximately \$6,000. Father lodged his tax returns for 2024 and 2023. His 2024 taxes show an adjusted gross income of \$123,790 (or \$10,315.83 a month).

Mother's reply also included additional expenses through May 27, 2026. The Court declines to add those to the order.

The Court orders Father to pay Mother child support add-ons in through April 27, 2026, in the amount of \$6,374.91, payable forthwith.

### **Attorney's Fees**

Mother requests prevailing party attorney's fees based on the parties' April 1, 2026, stipulation. The stipulation provides that a party who seeks court assistance in enforcing the stipulation is entitled to attorney's fees. The stipulation was a modification of the marital settlement agreement that was negotiated with the assistance of a former judge. Father argues that his refusal to pay the add-ons was based on an honest misunderstanding of the agreement. Mother counters that her attorney explained the stipulation to Father. The stipulation provides that each party has read and understood its provisions. Regardless of whether Father misunderstood, Mother is the prevailing party and needed to enforce the agreement. Father argues he cannot pay the attorney's fees, but has not provided an income and expense declaration. Based on the financial information he has provided, the Court finds he has the ability to pay the fees.

Mother's counsel filed a declaration on April 28, 2026, stating he spent 4 hours, or \$1,500, on this issue and anticipates another 3 hours for a reply and attending the hearing. Mother's request for fees is GRANTED. Father is ordered to pay Attorney's fees in the amount of \$2,625, payable beginning August 1, 2026 in \$500 increments until satisfied, on the first of each month.

Counsel for Respondent is ordered to prepare the formal Findings and Order After Hearing.

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 6/23/26      TIME: 9:00 A.M.      DEPT: G      CASE NO: FL0001018

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

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PETITIONER:      MARINA NARBUTOVICH

and

RESPONDENT:      DZMITRY SKAREDAU

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

**RULING**

Petitioner (Mother) filed a Request for Order (RFO) on April 27, 2026 for: (1) modification of Custody and Visitation of the parties' child, Mark (DOB 08/28/2014), (2) modification of Child Support, (3) an EC §730/ FC §3111 custody evaluation, (5) therapy/reunification therapy, and (6) non-interference with court orders.

The parties share joint legal custody per a mediated custody agreement filed on 06/30/2025 with Mark primarily living with Respondent (Father).

**Child Custody and Visitation/Custody Evaluation**

The parties were referred to Family Court Services (FCS), which provided a comprehensive support and plan. FCS does not believe a custody evaluation is necessary at this point, and the Court agrees. Instead, Mother must do the hard work of re-connecting with Mark and meeting him where he is at this point.

The Court finds it is in the best interest of the Child to adopt the FCS recommendation as modified herein:

1.      Sole physical custody to Father.
  
2.      Sole legal custody to Father until further court order. Mother shall still have access to medical and educational records for Mark, but Father shall have authority to unilaterally make legal custody decisions. Father shall inform Mother when such decisions are made.
  
3.      Mother shall take a parenting class focused on preteen boys.

4. Mother shall take a class to learn about how to best support children following separation/divorce.
5. After Mother has completed a parenting class and a class to learn about how to best support children of separated parents, Mother and Mark shall participate in a minimum of six sessions of reunification therapy/family therapy to work on their relationship with the goal of helping Mark become more comfortable with visiting and spending time with Mother. Father shall participate in the family therapy/reunification therapy at the discretion of the therapist including providing background information from his perspective. A copy of this FCS report shall be released and provided to the reunification/family therapist. Reunification/family therapy shall not commence until Mother has provided Father with verification that she has completed the parenting class and the class for children of divorce as specified in paragraphs 3 and 4.
6. After three sessions of family therapy, Mother shall have a one-hour supervised visit with Mark once a week. The visits shall be supervised by a parenting coach who shall observe the visits and shall work with Mother following the visits to help improve her parenting skills. The parenting coach shall intervene during the visit if needed per the guidelines followed by supervised visitation providers.
7. There shall be a minimum of six supervised visits to be supervised by a parenting coach. Visits shall then transition to unsupervised visits for a minimum of one hour per visit each week. If Mark wishes to visit with Mother longer, he shall be permitted to do so. Mark shall participate in at least four unsupervised visits. Mark shall have permission to leave the visit early by calling Father if Mother is not comporting herself in an appropriate manner and Mark is not comfortable continuing with the visit. If after these four unsupervised visits Mark does not wish to continue to visit with Mother, he shall not be mandated to do so.
8. Mother shall not denigrate Father to Mark. Failure to comply with this provision shall result in suspension of Mother's visits with Mark.
9. Mark may have video or phone contact with Mother whenever he wishes. Calls shall be monitored by Father until such time that visits have transitioned to unsupervised visits. Father shall end any calls in which Mother is engaging in inappropriate communications with Mark.
10. Mother shall not visit Mark at his school and shall not show up unannounced at school during the school day. Mother may attend school events where parents are invited to attend.
11. Mark shall not be shown a copy of the FCS report. Parents shall not interrogate Mark regarding his interview with FCS, nor shall he be made to suffer emotional retaliation for what he reported during his interview.

All prior orders not in conflict with these orders shall remain in effect.

### **Child Support**

Mother requests modification of her child support obligation. Father has requested a modification to his spousal support obligation, and that matter will be heard June 30, 2026.

Mother also has a separate RFO to be heard June 30, 2026, that requests reimbursement for expenses she incurred to travel to Belarus to investigate Father's income sources. Since all these matters are connected, Mother's request for modification of child support is CONTINUED to June 20, 2026.

**Other Issues**

Mother has an RFO set for July 7, 2026, requesting compensation for health issues and an RFO set for July 21, 2026, requesting reimbursement of community property. Mother's RFO currently set for July 7 is continued to July 21, 2026, and all briefing dates are re-set accordingly. Counsel for Father is to prepare the formal Findings and Order After Hearing.

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 6/23/26      TIME: 9:00 A.M.      DEPT: G      CASE NO: FL0002498

PRESIDING: HON. MATTHEW A. SIROKA

REPORTER:

CLERK: J. CHARIFA

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PETITIONER:    LEAH BRUCH

and

RESPONDENT:    LUCAS BRUCH

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NATURE OF PROCEEDINGS: 1) CHILD CUSTODY RECOMMENDING COUNSELING – CHILD/SPOUSAL SUPPORT - ATTORNEY’S FEES 2) CASE PROGRESS CONFERENCE

RULING

The matter is on for further hearing on support and attorney’s fees after the Court issued a domestic violence restraining order DVRO.

The Court held a hearing on April 14, 2026 and counsel for Petitioner Leah Bruch (Mother) prepared the formal Findings and Order After Hearing (FOAH) and presented it for Respondent (Father) to approve as to form, which he has not done so far.

Custody

The parties met with Family Court Services (FCS) and FCS provided a recommendation. The Court finds it is in the best interest of the children to adopt the FCS recommendation as modified by Mother. However, the Court needs input from the parties on the schedule; appearances required.

Child Support

Father submitted his Income and Expense declaration on 04/14/2026. Father reported W2 income of \$8,697 a month with an average of \$9,249. However, his paycheck stubs reflect that he gets paid weekly for 73.71 hours at a rate of \$39 an hour which results in a monthly amount of \$12,457; the Court uses the latter figure for the Xspouse calculation. Mother continues not to work while caring for Olive.

Using the inputs shown in the attached Xspouse calculation, the Court sets pendente lite Spousal support at \$2,013 and Child support at \$3,980, payable from Father to Mother one half on the first and one half on the fifteenth of each month, retroactive to December 22, 2025. The amount will be modified once Mother resumes work. The arrears will continue to accrue interest and

after Mother resumes work, the Court will set a payment schedule on the arrears, unless the parties make other arrangements.

Attorney's Fees

Petitioner's counsel provided a declaration in support of her request for fees as the prevailing party in the DVRO under Family Code section 6344. Petitioner requested \$9,258.74 in fees and \$908.54 in costs. Petitioner has incurred \$7,900 to date in fees; counsel requested extra fees for appearance at the hearing. The Court grants \$7,900 in fees and \$908.54 in costs, payable directly to Petitioner's counsel payable at a rate of \$800 per month due by the fifth of the month. Counsel for Mother is ordered to prepare the formal Findings and Order After Hearing.

# 2026 Guideline Summary Monthly Figures

Fixed Shares	Father	Mother	Monthly Figures		Cash Flow	
Number of children	0	2	<b>2026</b>		Combined net spendable 9987	
Percent time with NCP	6.00%	0.00%			<b>Father</b>	
Filing status	MFJIN	MFJIN	<b>Nets (adjusted)</b>		Payment cost/benefit -5994	
Number of exemptions	1	3	Father	9987	Net spendable income 3993	
Wages and salary	12457	0	Mother	0	Federal income tax 825	
Self employed income	0	0	Total	9987	Federal employment tax 953	
Other taxable income	0	0	<b>Support</b>		State income tax 342	
TANF CS received	0	0	Addons	0	State employment tax 149	
Other nontaxable income	0	0	Guideln CS	3980	Total taxes 2269	
New spouse income	0	0	Marin SS	2013	Federal filing status MFJIN	
Employee 401-k contribution	312	0	Total	5994	State filing status MFJIN	
Adjustments to income	0	0			<b>Mother</b>	
SS paid prev marriage	0	0			Payment cost/benefit 5994	
CS paid prev marriage	0	0			Net spendable income 5994	
Health insurance	180	0			Federal income tax 0	
Other medical expenses	0	0			Federal employment tax 0	
Property tax expenses	0	0			State income tax 0	
Ded interest expense	0	0			State employment tax 0	
Contribution deduction	0	0			Total taxes 0	
Misc tax deductions	0	0			Federal filing status MFJIN	
Qualified business income deduction	0	0			State filing status MFJIN	
Required union dues	21	0				
Mandatory retirement	0	0				
Hardship deduction	0	0				
Other GDL deductions	0	0				
Child care expenses	0	0				

FC 4055 checking: **ON**

**Per Child Information**

	DOB	Timeshare	cce(F)	cce(M)	Addons Payor	Basic CS Payor	Pres CS Payor
All children		6 - 94	0	0	0 Father	3,980 Father	3,980 Father
	0000-00-00	6 - 94	0	0	0 Father	1,493 Father	1,493 Father
	0000-00-00	6 - 94	0	0	0 Father	2,488 Father	2,488 Father