



Superior Court of California,
County of Mendocino

Tentative Rulings

for
DECEMBER 8, 2017
Ukiah Department E
Friday, 9:00 & 9:30am Law & Motion Calendar

Calendar Date:

Prior to a Civil Law & Motion or Probate hearing, the Court may issue a tentative ruling pursuant to California Rule of Court 3.1308. Unless a party requests to appear and notifies both the opposing party and the court, no hearing will be held, and the tentative ruling will become the order of the Court.

A party wishing to appear to provide oral argument must advise the opposing party and the Court by phone or by e-mail no later than 4:00pm on the court day before the hearing.

Phone: (707) 468-2007, Option 2
E-mail: tr@mendocino.courts.ca.gov

If you do not notify the opposing party and the Court by 4:00pm on the court day before the hearing, no hearing will be held.

If you do not find information regarding your particular case, and you have not previously been informed that you are excused from the calendar, an appearance is required.

TABLE OF CONTENTS

SCUKCVPB-17-26913, Estate of Paul Clinton Bliss:	3
SCUKCVPB-17-26915, In Re The Mina Gabler Revocable Trust:	3
SCUKCVPB-17-26922, In Re Donald A. Heller and Shirley Heller Trust:	3
SCUKCVPB-16-26664, Estate of Carol A. Sellmer:	3
SCUKCVPB-16-26688, The Gilbert and Betty Patten Trust:	3
SCUKCVPB-17-26875, The Mattern Trust:	3
SCUKCVG-17-69661, Fagerskog v. Quality Loan Service et al.,:	3
SCUKCVG-13-61968M Milick v. Milick:.....	3
SCUKCVPO-12-60467, Brutocao Cellars v. Mulcahy:	3
SCUKCVPO-17-69148, Munoz v. Dietzee:.....	4
SCUKCVPO-17-69148, In Re the Matter of The Jasmine Sierra Marks Trust:	4

SCUKCVPB-17-26913, Estate of Paul Clinton Bliss:

Approve Petition for Probate and sign Order as presented.

SCUKCVPB-17-26915, In Re The Mina Gabler Revocable Trust:

Approve Petition for Order Confirming Asset In Trust and sign Order as presented.

SCUKCVPB-17-26922, In Re Donald A. Heller and Shirley Heller Trust:

Approve Petition for Order Compelling Trustee to Account. Petitioner to prepare Order.

SCUKCVPB-16-26664, Estate of Carol A. Sellmer:

Approve Petition for Amendment to Order settling First and Final Account. Sign Order as presented.

SCUKCVPB-16-26688, The Gilbert and Betty Patten Trust:

Motion to Amend Petition is denied as it relates to the inclusion of Ms. Gibbs as an "individual." The Court has discretion to deny leave to amend when a proposed amendment fails to state a cause of action. In this instance, the proposed amended pleading does not state any claim against Ms. Gibbs as an individual and, in fact, only requests that Ms. Gibbs perform certain acts relating to the administration of the trust. To force Ms. Gibbs to demur to the Petition is a waste of trust and court resources. The court will accept the amended pleading with the modification.

SCUKCVPB-17-26875, The Mattern Trust:

Parties to appear

SCUKCVG-17-69661, Fagerskog v. Quality Loan Service et al.,:

The Demurrers to the Complaint filed by JP Morgan Chase Bank and Specialized Loan Servicing are sustained without leave to amend. Defendants to prepare Orders.

SCUKCVG-13-61968M Milick v. Milick:

In view of the ruling by the Court of Appeal, the court will not retry the entire general trespass claim. The only issues for trial will relate to the survey and fence construction damages.

SCUKCVPO-12-60467, Brutocao Cellars v. Mulcahy:

Parties to appear

SCUKCVPO-17-69148, Munoz v. Dietzee:

Parties to appear.

SCUKCVPO-17-69148, In Re the Matter of The Jasmine Sierra Marks Trust:

Motion for fees is denied.