

**DEPARTMENT FOUR
JUDGE E. BRADLEY NELSON
707-207-7304**

**CIVIL TENTATIVE RULINGS AND
PROBATE PREGRANTS FOR
MATTERS SCHEDULED FOR
MONDAY, NOVEMBER 30, 2020**

**EFFECTIVE APRIL 8, 2019
UNTIL FURTHER NOTICE**

- **Probate Staff E-Mail**

Due to temporary staffing reductions, the Probate Staff E-Mailbox will be unmonitored until further notice. Emails sent to the Probate Staff E-Mail address will not be read and no response will be sent.

- **Probate Notes – Department 4**

Due to temporary staffing reductions, until further notice, Probate Notes will no longer be posted on the Court's website.

- **Probate Pregrants and Civil Tentative Rulings – Department 4**

The Probate Pregrant and Civil Tentative Ruling procedure remains unchanged. Pregrants and Tentative Rulings will be posted for Department 4 the day before the hearing after 2:00 p.m.

Unless otherwise directed by the court, probate pregrants are not posted for guardianship matters or for ex parte petitions.

**PROBATE PREGRANTS AND CIVIL TENTATIVE
RULINGS START ON NEXT PAGE**

The parties may join this court calendar remotely utilizing the following information:

Join Zoom Meeting

<https://us02web.zoom.us/j/86518846112?pwd=MllvOW41eUltRkNZNWw5RTFkUVYyZz09>

Meeting ID: 865 1884 6112

Password: 950146

Telephone No.: + 1 669 900 6833 US (San Jose)

8:30 CALENDAR

**IN RE THE ESTATE OF CLARA HANSEN, DECEASED
Case No. FPR050400**

Petition to Administer Estate

PREGRANT ORDER

Department 4's courtroom is open to the public. However, because of emergency orders and public health directives related to the COVID-19 pandemic, appearances need not be in person, but they may be. If the court has an e-mail address on file for a petitioner, attorney or interested person, that person will receive an invitation to attend the hearing via Zoom. They may forward that invitation to any party, party-representative or person interested in the action, and such persons may appear remotely via Zoom as well. The recurring Zoom meeting ID, password, and phone number(s) will also appear on the probate pre-grant posting for the calendar date in question. The Zoom based calendar is intended to facilitate continued case management while pandemic related guidelines, directives or requirements are in effect. If you are enabling a video Zoom appearance make sure you can't be seen or heard eating, drinking or engaging in other behavior that would not be permitted in the courtroom. Observe all the protocols you would observe if appearing before the judge in open court or via Court Call. For individuals appearing in the courtroom, social distancing and face masking measures will be enforced as long as they are required by state or local public health directives or the presiding judge.

This matter was previously continued from November 9, 2020 to allow the petitioner to address issues with the petition. The court has reviewed the Supplemental Declaration and other documents filed November 9, 2020 which resolved most of the outstanding issues.

The court on its own motion continues this hearing to December 21, 2020, at 8:30 a.m. in Department 4. Pending the continued hearing, the petitioner shall resolve the following outstanding issue:

1. The original will is not filed with the court and must be filed. (Prob. Code § 8200.)

IN RE THE ESTATE OF KWAN HEUNG QUAN, DECEASED
Case No. FPR050452

Petition to Administer Estate

PREGRANT ORDER

Department 4's courtroom is open to the public. However, because of emergency orders and public health directives related to the COVID-19 pandemic, appearances need not be in person, but they may be. If the court has an e-mail address on file for a petitioner, attorney or interested person, that person will receive an invitation to attend the hearing via Zoom. They may forward that invitation to any party, party-representative or person interested in the action, and such persons may appear remotely via Zoom as well. The recurring Zoom meeting ID, password, and phone number(s) will also appear on the probate pre-grant posting for the calendar date in question. The Zoom based calendar is intended to facilitate continued case management while pandemic related guidelines, directives or requirements are in effect. If you are enabling a video Zoom appearance make sure you can't be seen or heard eating, drinking or engaging in other behavior that would not be permitted in the courtroom. Observe all the protocols you would observe if appearing before the judge in open court or via Court Call. For individuals appearing in the courtroom, social distancing and face masking measures will be enforced as long as they are required by state or local public health directives or the presiding judge.

The court finds all notices have been given as required by law. The petition is granted as prayed.

The court appoints Steven Quan as administrator with full authority under the Independent Administration of Estates Act.

Bond is waived.

The court appoints Paul Miller as probate referee. The personal representative is reminded of the requirement to file the Inventory & Appraisal within four months as required by Probate Code section 8800.

IN RE THE ESTATE OF LILLIE F. CLARK, DECEASED
Case No. FPR050456

Petition to Administer Estate

PREGRANT ORDER

Department 4's courtroom is open to the public. However, because of emergency orders and public health directives related to the COVID-19 pandemic, appearances need not be in person, but they may be. If the court has an e-mail address on file for a petitioner, attorney or interested person, that person will receive an invitation to attend the hearing via Zoom. They may forward that invitation to any party, party-representative or person

interested in the action, and such persons may appear remotely via Zoom as well. The recurring Zoom meeting ID, password, and phone number(s) will also appear on the probate pre-grant posting for the calendar date in question. The Zoom based calendar is intended to facilitate continued case management while pandemic related guidelines, directives or requirements are in effect. If you are enabling a video Zoom appearance make sure you can't be seen or heard eating, drinking or engaging in other behavior that would not be permitted in the courtroom. Observe all the protocols you would observe if appearing before the judge in open court or via Court Call. For individuals appearing in the courtroom, social distancing and face masking measures will be enforced as long as they are required by state or local public health directives or the presiding judge.

The court finds all notices have been given as required by law. The petition is granted as prayed.

The will of Lillie Faye Clark dated May 9, 2016 is ordered admitted to probate.

The court appoints Albert Alva Clark Jr. as executor with full authority under the Independent Administration of Estates Act.

Bond is waived.

The court appoints Paul D. Miller as probate referee. The personal representative is reminded of the requirement to file the Inventory & Appraisal within four months as required by Probate Code section 8800.

IN RE THE MATTER THE MINOR'S COMPROMISE OF PAYTON GINGERICH
Case No. FPR050468

Minor's Compromise

PREGRANT ORDER

Department 4's courtroom is open to the public. However, because of emergency orders and public health directives related to the COVID-19 pandemic, appearances need not be in person, but they may be. If the court has an e-mail address on file for a petitioner, attorney or interested person, that person will receive an invitation to attend the hearing via Zoom. They may forward that invitation to any party, party-representative or person interested in the action, and such persons may appear remotely via Zoom as well. The recurring Zoom meeting ID, password, and phone number(s) will also appear on the probate pre-grant posting for the calendar date in question. The Zoom based calendar is intended to facilitate continued case management while pandemic related guidelines, directives or requirements are in effect. If you are enabling a video Zoom appearance make sure you can't be seen or heard eating, drinking or engaging in other behavior that would not be permitted in the courtroom. Observe all the protocols you would observe if appearing before the judge in open court or via Court Call. For individuals appearing in the courtroom, social distancing and face masking measures will be enforced as long as they are required by state or local public health directives or the presiding judge.

The minor, the minor's mother, and counsel shall appear but may choose to appear via Zoom, in person, or by CourtCall.

9:00 CALENDAR

**PORTFOLIO RECOVERY ASSOCIATES v. CRAIG MINOR.
Case No. FCM169986**

Motion That Matters in Request for Admission....BE ADMITTED

TENTATIVE RULING

Plaintiff's motion is granted unless defendant CRAIG MINOR has served plaintiff with verified responses to the nine requests in the motion, without objection, before the hearing. Code of Civ. Proc. §2033.280 (c). Defendant shall pay a monetary sanction of \$100.00 to plaintiff (even if not requested, monetary sanctions are mandatory) [Ibid.]

**HARTFORD ACCIDENT & INDEM. CO. v. VALERO REFINING CO. –
CAL., ET AL.
Case No. FCS054535**

Motion to Intervene

TENTATIVE RULING

The motion to intervene is granted. The opposition to the motion has been made by a former defendant who is not yet a party to the action. The motion is timely because filed early in the action and no trial date is set. The statute of limitations as to the moving party has not expired, he has a direct interest in the action, and there is no apparent prejudice to granting the motion. Code of Civ. Proc. § 387(b); Labor Code §§ 3852 and 3853. The fact that opposing former defendant was previously dismissed from the action by moving party's employer's workers compensation insurer is not a bar to the motion. Lohnes v. Astron Computer Prods., Inc. (2001) 94 Cal. App. 4th 1150, 1153-1154. Andersen v. Barton Mem'l Hosp. (1985) 166 Cal. App. 3d 678 is factually and legally distinguishable.
