

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 07/25/24      TIME: 9:00 A.M.      DEPT: L      CASE NO: FL1204904

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

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PETITIONER: JOHN CONNOLLY

and

RESPONDENT: JOCELYN CONNOLLY

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NATURE OF PROCEEDINGS: REVIEW HEARING – RE: VISITATION

**RULING**

This matter is on for an update regarding the progress of visits between Respondent Jocelyn Connolly (“Mother”) and her son. Mother filed an updated declaration on July 22, 2024, informing the court that there have been no visits with Keirnan, who is almost 18 years old. Petitioner John Connolly (“Father”) also provided the court with an updated declaration, filed on July 18.

Father states in his declaration:

Kiernan is a Senior at Tam with a 3.65 weighted GPA. He is doing very well academically, athletically, and socially. Last semester, he took one Honors and two Advanced Placement classes and received 4 As and a C (AP Honors Algebra). He is taking Business Law at the College of Marin. He has a summer job. He ranked in the top-4 110-meter varsity hurdlers in Marin County, qualifying him for both Redwood Empire and NCS Meet of Champions.

The court met in chambers with Keirnan when he was 16 years old and found him to be an impressive, articulate and resilient young man. He appears to be thriving as a high school senior, despite living a challenging relationship with his Mother and older brothers.

Current orders allow Keirnan to visit and communicate with his Mother when he wants.

The current orders shall remain in place.

Litigants who require the assistance of an interpreter shall appear in person. Interpreter services via video technology are not available.

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As authorized by CRC 5.125, the court will prepare the Findings and Order After Hearing.

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***IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department L. The parties may access Department L for video conference via a link on the court website.***

***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.***

***Any party contesting the ruling and requesting oral argument shall appear in person or remotely through Zoom either by video or telephone. Please follow the guidelines set forth on the court website at [www.marin.courts.ca.gov](http://www.marin.courts.ca.gov)***

***The Zoom appearance information is as follows:***

***July 2024, 09:00 AM***

***Join Zoom Meeting***

***<https://www.zoomgov.com/j/1610321093?pwd=YW5DaGY2ekZsSUFNbE51T1JsRTMvZz09>***

***Meeting ID: 161 032 1093***

***Passcode: 991058***

***If you are only able to appear by phone you may dial the phone number below, follow the prompts and enter the meeting ID and passcode.***

***+1-669-254-5252***

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 07/25/24      TIME: 9:00 A.M.      DEPT: L      CASE NO: FL2301348

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

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PETITIONER:    KATHERINE  
DOMBROSKY

and

RESPONDENT: BRUCE DOMBROSKY

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NATURE OF PROCEEDINGS: 1) CASE PROGRESS CONFERENCE  
2) REQUEST FOR ORDER – MODIFY CHILD/SPOUSAL SUPPORT

**RULING**

Respondent Bruce Dombrosky (“Father”) filed a Request for Order (“RFO”) on April 4, 2024, seeking modification to child support orders because he was laid-off from work in January, with his last day of work in February 2024. Petitioner Katherine Dombrosky (“Mother”) filed a responsive declaration on May 21.

No additional papers were filed by Father to update the court regarding his current income.

The court is prepared to modify support based on the information provided in the Income and Expense Declarations filed by the parties. However, it would be helpful if more information was provided regarding current income by Father.

Appearances are required.

Litigants who require the assistance of an interpreter shall appear in person. Interpreter services via video technology are not available.

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***IT IS ORDERED that video appearances though Zoom are permitted unless a party is ordered to appear in court. In-person appearances are also permitted. Evidentiary hearings shall be in-person in Department L. The parties may access Department L for video conference via a link on the court website.***

***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: 07/25/24      TIME: 9:00 A.M.      DEPT: L      CASE NO: FL0000665

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

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PETITIONER:    ROBERT FRANK  
CONTINI

and

RESPONDENT:    VERONICA PHAM

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NATURE OF PROCEEDINGS: 1) CASE PROGRESS CONFERENCE  
2) REQUEST FOR ORDER – CHILD CUSTODY/VISITATION

RULING

Appearance required.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 07/25/24      TIME: 9:00 A.M.      DEPT: L      CASE NO: FL0000683

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

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PETITIONER: MEREDITH  
OBENDORFER

and

RESPONDENT: DAVID HOGGAN

---

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – ATTORNEY’S FEES

**RULING**

Petitioner Meredith Obendorfer filed a Request for a Domestic Violence Restraining Order on February 21, 2024. A temporary restraining order was issued against Respondent David Hoggan. On April 22, 2024, Petitioner and Respondent stipulated to the entry of a Domestic Violence Restraining Order, with Respondent as the restrained party.

Petitioner’s request for an award of reasonable attorney’s fees is GRANTED. She now seeks prevailing party fees pursuant to Family Code §6344. A court has broad authority to award fees for a DVRO and may award fees even if they are not originally sought by the applicant. *Faton v Ahmedo*, (2015) 236 Cal.App.4<sup>th</sup> 1160, 1170.

Petitioner argues that fees incurred were necessary to pay for litigation to protect her from injurious behavior by Father. She seeks fees for compensable time billed by her lawyer, Casey McNamara, Esq.

Family Code §6344(b) provides in pertinent part:

In any action in which the petitioner is the prevailing party and cannot afford to pay for the attorney’s fees and costs, the court shall, if appropriate based on the parties’ respective abilities to pay, order that the respondent pay petitioner’s attorney’s fees and costs for commencing and maintaining the proceeding. Whether the respondent shall be ordered to pay attorney’s fees and costs for the prevailing petitioner, and what amount shall be paid, shall be determined based upon (1) the respective incomes and needs of the parties, and (2) *any factors affecting the parties’ respective abilities to pay*. (Emphasis the court.)

Here, there is no dispute that Petitioner is the prevailing party following the hearing. She is therefore entitled to an award of statutory attorney's fees and costs under the Family Code.

Respondent's argument that fees do not apply is unavailing. The court has reviewed his Income and Expense declaration filed on July 18, 2024, and finds that it does not support his defense. He declares that his monthly income is "NA". He reports that he holds \$248,000 in assets.

The court has reviewed the declaration and motion of points and authorities submitted by Petitioner on May 22, 2024. The court finds her request for fees in the amount of \$28,281.85, plus fees on the fee request in the amount of \$3,200 to be eminently fair and reasonable. The total fee awarded is \$31,481.85.

Litigants who require the assistance of an interpreter shall appear in person. Interpreter services via video technology are not available.

Counsel for Petitioner to prepare the order.

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF MARIN**

DATE: 07/25/24      TIME: 9:00 A.M.      DEPT: L      CASE NO: FL0000794

PRESIDING: HON. MARK A. TALAMANTES

REPORTER:

CLERK: JENN CHARIFA

---

PETITIONER:    KYLE BALOUGH

and

RESPONDENT: ANNA NEMETULAYEVA

---

NATURE OF PROCEEDINGS: REQUEST FOR ORDER – CHILD SUPPORT

**RULING**

This is a parentage action. Respondent Anna Nemetulayeva (“Mother”) filed this Request for Order (“RFO”) on May 13, 2024, seeking child support orders. Petitioner Kyle Balough (“Father”) filed a responsive declaration on June 27, 2024.

Together, these parents have one child. London is one year, four months old.

Joint Domestic Violence Restraining Orders were entered against both parents for a duration of 3 years, with joint custody awarded to both, after the court rendered findings expressing concerns with giving either parent sole legal custody of the child. Case No. FL0000841.

These parents were ordered to take a parenting class, an anger management class, and attend batterer’s intervention classes.

**Case Consolidation**

Regarding the two matters involving these parents filed in this department, California Code of Civil Procedure § 1048(a) provides:

When actions involving a common question of law or fact are pending before the court, it may order a joint hearing or trial of any or all the matters in issue in the actions; it may order all the actions consolidated and it may make such orders concerning proceedings therein as may tend to avoid unnecessary costs or delay.

Accordingly, the DVRO case FL0000841 is consolidated with the case at bar, and henceforth these cases will be known as FL0000794.

**Child and Spousal Support**

Mother is self-employed. The court recognizes the California economy was struggling as a result of the Covid-19 pandemic; however, it appears the economy is back. Father, in his declaration, illustrates a number of irregularities in Mother's income reporting. The court is troubled that she reports \$0 income in her Income and Expense Report. Father also alleges that she under reported spousal support figures from a parallel support case filed in this department from a prior relationship. He also claims that she does not report the regular income she receives from family.

Family Code Sec. 2102 imposes on the parties an on ongoing duty of disclosure about activities that impact assets and liabilities of the other party. This duty continues from the date of separation to the date of distribution of all assets.

"Family law court is a court of equity." *In re Marriage of Calcaterra & Badakhsh* (2005) 132 Cal.App.4th 28, 38. "Family law cases 'are equitable proceedings in which the court must have the ability to exercise discretion to achieve fairness and equity'." [Citation.] *In re Marriage of Egedi* (2001) 88 Cal.App.4th 17, 22-23. Given Mother's lack of candor in her income reporting, and the fact that California public policy prioritizes the payment of child support before all other obligations, the court takes a dim view of Mother's willingness to provide false testimony in an effort to gain on guideline child support.

When a party has refused to cooperate with discovery requests or the court believes a party has committed perjury on the IED provided, the court may rely on other evidence to determine that party's income. *IRMO Calcaterra and Badakhsh* (2005) 132 Cal.App.4th 28. Mother's IED is unreliable. Simply put, her numbers do not add up.

Father reports he earns \$12,583 gross per month as base salary. He is employed by First Citizen's Bank. This amount is supported by the pay stubs and bank statements provided. He pays \$1,222 in monthly healthcare insurance premiums. He does not own real property. He contributes \$839 per month to a 401k.

The court will adopt the approach taken in the DissoMaster report identified as "Exhibit C" and attached to Father's declaration filed on June 27, 2024. The court imputes Mother with monthly gross income of \$8,500, plus spousal support income of \$1,791, totaling monthly income of \$10,291.

The timeshare is 50%.

Based on the above assumptions set forth in the attached *DissoMaster* calculation referenced above, commencing May 15, 2024, Father shall pay to Mother monthly guideline child support in the amount of \$6, payable on the 1<sup>st</sup> day of each month, and continuing until further order of court, or until their minor child marries, dies, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first.

The parties shall share equally all reasonable uninsured medical and dental expenses incurred on behalf of their minor child. The parties are ordered to comply with the provisions of Family Code §4063 in seeking reimbursement for uninsured medical and dental expenses, and a copy of

the *NOTICE OF RIGHTS AND RESPONSIBILITIES–Health-Care Costs and Reimbursement Procedures* shall be attached to the ORDER AFTER HEARING.

Counsel for the parents is ordered to assist them with arranging to take the anger management, violence prevention, and parenting classes as previously ordered.

Litigants who require the assistance of an interpreter shall appear in person. Interpreter services via video technology are not available.

Counsel for Father to prepare the order.

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ATTORNEY (NAME AND ADDRESS):  <b>California</b>	TELEPHONE NO:	Superior Court Of The State of California, County of COURT NAME: STREET ADDRESS: MAILING ADDRESS: BRANCH NAME:
ATTORNEY FOR: <b>Father</b>	<b>DISSOMASTER REPORT</b> 2024, Monthly	
		CASE NUMBER:

Input Data	Father	Mother	Guideline (2024)	Cash Flow Analysis	Father	Mother
Number of children	0	1	<b>Nets (adjusted)</b>	<b>Guideline</b>		
% time with Second Parent	49%	0%	Father	7,611	Payment (cost)/benefit	(6) 6
Filing status	Single	HH/MLA	Mother	7,874	Net spendable income	7,605 7,880
# Federal exemptions	1*	2*	Total	15,485	% combined spendable	49.1% 50.9%
Wages + salary	12,583	10,291	<b>Support</b>		Total taxes	3,750 2,417
401(k) employee contrib	839	0	CS Payor	Father	Comb. net spendable	15,485
Self-employment income	0	0	Presumed	(6)	<b>Proposed</b>	
Other taxable income	0	0	Basic CS	(6)	Payment (cost)/benefit	(6) 6
Short-term cap. gains	0	0	Add-ons	0	Net spendable income	7,605 7,880
Long-term cap. gains	0	0	Presumed Per Kid		NSI change from gdl	0 0
Other gains (and losses)	0	0	Child 1	(6)	% combined spendable	49.1% 50.9%
Ordinary dividends	0	0	Marin	0	% of saving over gdl	0% 0%
Tax. interest received	0	0	Total	(6)	Total taxes	3,750 2,417
Social Security received	0	0	<b>Proposed, tactic 9</b>		Comb. net spendable	15,485
Unemployment compensation	0	0	CS Payor	Father	Percent change	0.0%
Operating losses	0	0	Presumed	(6)	<b>Default Case Settings</b>	
Ca. operating loss adj.	0	0	Basic CS	(6)		
Roy, partnerships, S corp, trusts	0	0	Add-ons	0		
Rental income	0	0	Presumed Per Kid			
Misc ordinary tax. inc.	0	0	Child 1	(6)		
Other nontaxable income	0	0	Marin	0		
New-spouse income	0	0	Total	(6)		
SS paid other marriage	0	0	Savings	0		
CS paid other relationship	0	0	Mother	0		
Adj. to income (ATI)	0	0	Father	0		
9.3% elective PTE payment	0	0	No releases			
Ptr Support Pd. other P'ships	0	0				
Health insurance	1,222	0				
Qual. Bus. Inc. Ded.	0	0				
Itemized deductions	0	0				
Other medical expenses	0	0				
Property tax expenses	0	0				
Ded. interest expense	0	0				
Charitable contribution	0	0				
Miscellaneous itemized	0	0				
State sales tax paid	0	0				
Required union dues	0	0				
Cr. for Pd. Sick and Fam. L.	0	0				
Mandatory retirement	0	0				
Hardship deduction	0*	0*				
Other gdl. adjustments	0	0				
AMT info (IRS Form 6251)	0	0				
Child support add-ons	0	0				

PETITIONER: RESPONDENT:	CASE NUMBER:
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TANF,SSI and CS received                    0                    0

