Superior Court of California
County of San Benito

Tentative Decisions for October 20, 2025

Courtroom #1: Judge J. Omar Rodriguez

CU-24-00064 Rose, vs. Duckhorn Wine Co., et al.

The unopposed Motion to approve the PAGA settlement is GRANTED as requested. The Case Management Conference is vacated.

CU-24-00156 Gomonet vs. Pacific Scientific Energetic Materials Company, LLC

In light the Fourth Amended Complaint filed on October 3, 2025, the Court continues the Case Management Conference to January 12, 2026, at 10:30 a.m. Plaintiff to provide notice of the hearing.

CU-25-00095 Ochoa Barajas vs. Zuniga

The Case Management Conference is continued to January 12, 2026, at 10:30 a.m. to be heard along with the Motion for Leave.

CU-25-00112 Valles & Associates, LLC vs. City of Hollister, et al.

In light of the amended petition that was filed, the demurrer is moot and the hearing is off calendar. The Case Management Conference will be heard as previously scheduled.

****Please contact Judicial Courtroom Assistant, Lesley Pace, at (831) 636-4057 x127 or lpace@sanbenitocourt.org with any objections or concerns.**

CU-25-00215 In Re: Matter of Wyatt Davis

The Request is GRANTED as requested. Petitioner, as Guardian ad Litem, shall deposit the compromised sum into a blocked account to be held for the minor until he turns 18, as requested.

PR-24-00114 In re the Estate of Robyn Marie Grannis, aka Robyn M. Grannis

The Petition for Determination of Entitles to Estate of Distribution filed by Kelly L. McCarty is DENIED. California Probate Code section 6402.5(a)(1) only applies if the Decedent is not survived by a spouse or issue. As Administrator Kody Gutierrez-Vela ("Administrator") points out, Probate Code section 50 defines "issues" of a person as "all his or her lineal descendants of all generations, with the relationship of parent and child at each generation being determined by the definitions of child and parent." (See also Estate of Beck (2009) 174 Cal.App.4th 34.) Here, Administrator and his brother are the grandsons of Decedent and qualify as Decedent's issue.

The request that successor administrator to serve with a surety bond is DENIED as the request is essentially a request for reconsideration and the moving party has not presented any new facts.

Accordingly, Administrator's Petition for Approval of Final Distribution is APPROVED as requested.

PR-25-00067 In the Matter of Nicolas Iglesias Toriche

The amended request is GRANTED as requested. Petitioner, as Guardian ad Litem, shall deposit the compromised sum into a blocked account to be held for the minor until he turns 18, as requested.

PR-25-00082 In re the Carmen Garza Trust Dated June 7, 2006

Regarding Petitioner's, David Garza, Petition for Order Determining Entitled to and Distribution of Trust Property Proceeds as well as the Trustee's Response and Petition to Ascertain Trust Beneficiaries, the Court makes the following orders:

Trustee, Margaret Mendolla, shall provide an accounting within 120 days after service of this order for the period of March 31, 2017, through July 31, 2025.

Subsections (b)(4) and (b)(6) of California Probate Code section 17200 provide that a trustee may petition the court concerning the internal affairs of a trust, including ascertaining beneficiaries of a trust and instructing a trustee. "The probate court has the general power and duty to supervise the administration of trusts." (*Schwartz v. Labow* (2008) 164 Cal.App.4th 417, 427.) A probate court "has the inherent power to decide all incidental issues necessary to carry out its express powers to supervise the administration of the trust." (*Blech v. Blech* (2019) 38 Cal.App.5th 941, 955.)

Due to the Trust's adversarial history, it is in the best interest of all beneficiaries that distribution is not made absent an agreement among all of the Trust beneficiaries or an order of this Court. Here, there was a six year period between Carmen Garza's death and Jesse Garza Jr.'s death, and but for the litigation and other issues stalling Trust administration during that time, Mr. Garza would have received one-third of the net sale proceeds of the property located at 69 Sally St, Hollister, California, as one of the named beneficiaries of the trust estate. The Court finds that the delay in concluding the administration of the Trust and distribution of Trust property until after the death of Jesse Garza Jr. was unreasonable and that the distribution vested in Jesse Garza Jr. prior to his death. The Court finds that Cathleen Garza, as Jesse Garza Jr.'s surviving spouse and as the trustee and lifetime beneficiary of the Jesse Garza Jr. and Catheleen Marie Garza Living Truste dated June 11, 2018, is entitled to the distribution which vested in Jesse Garza Jr. prior to his death. The distribution of all property held by the Trustee of the Carmen Garza Trust be made in accordance with the Distribution Agreement, which was attached as Exhibit C to Margaret Mendolla's Response filed on August 13, 2025.

END OF TENTATIVE DECISIONS