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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE

JAMES GIBSON, III,)	
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PETITIONER,)	
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VS.)	CASE NO.
)	17PSFL00745
KARRIE GIBSON,)	
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REPORTER'S TRANSCRIPT OF PROCEEDINGS

FRIDAY MAY 3, 2019

APPEARANCES:

FOR PETITIONER:	CKB VIENNA LLP
	BY: ARIEL CARTER, ESQ.
	10390 COMMERCE CENTER DRIVE
	SUITE C-110
	RANCHO CUCAMONGA, CA 91730

CHANI D. LUDWIG, CSR NO. 13017
OFFICIAL REPORTER

1 CASE NUMBER: 17PSFL00745
2 CASE NAME: JAMES GIBSON VS. KARRIE GIBSON
3 POMONA, CALIFORNIA FRIDAY, MAY 3, 2019
4 DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE
5 REPORTER: CHANI D. LUDWIG, CSR 13017
6 TIME: 9:38 A.M.
7 APPEARANCES: (SEE TITLE PAGE)

8
9 THE COURT: LET'S START WITH THE GIBSON MATTER.
10 GIBSON VERSUS GIBSON, 17PSFL00745.

11 MS. CARTER: GOOD MORNING, YOUR HONOR. ARIEL
12 CARTER ON BEHALF OF JAMES GIBSON, NOT PRESENT, AND
13 MAKING A SPECIAL APPEARANCE FOR THE CORE LAW GROUP FOR
14 THE RESPONDENT.

15 THE COURT: SO THE CASE IS SET -- MY FILE IS NOT
16 UP YET, AND CORRECT ME IF I'M WRONG, BUT THERE WAS A
17 HEARING ON AN RFO REGARDING RECONSIDERATION OF A SPOUSAL
18 SUPPORT ORDER THAT WAS MADE FEBRUARY 7, 2019 AND THEN
19 THERE WAS A TSC; CORRECT?

20 MS. CARTER: THAT'S CORRECT.

21 THE COURT: SO I READ THE PAPERS ON THE MOTION FOR
22 RECONSIDERATION. AND I -- WHAT'S YOUR -- YOU'RE HERE
23 FOR BOTH PARTIES?

24 MS. CARTER: I --

25 THE COURT: IT WAS OPPOSED.

26 MS. CARTER: IT WAS. I MEAN, WELL, RESPONDENT
27 FILED THE MOTION. I OPPOSED THE MOTION.

28 THE ONLY REASON WHY WE'RE REALLY TRYING TO

1 CONTINUE EVERYTHING IS BECAUSE RESPONDENT DOES HAVE
2 COUNSEL NOW.

3 THE COURT: WHY DIDN'T COUNSEL COME TODAY?

4 MS. CARTER: COUNSEL DIDN'T COME BECAUSE THEY WERE
5 REQUESTING TO CONTINUE THIS HEARING.

6 THE COURT: THAT'S NOT A REASON. AND I KNOW I'M
7 TELLING THE WRONG PERSON THAT. BUT THAT'S NOT A REASON
8 NOT TO COME TO A HEARING.

9 MS. CARTER: I UNDERSTAND, YOUR HONOR. MY
10 UNDERSTANDING IS THAT RESPONDENT'S COUNSEL WAS RETAINED
11 LIMITED SCOPE TO CONTINUE THIS MATTER AND TO FILE AN
12 ADDITIONAL RFO. THERE ARE SEVERAL RFO'S ON THE COURT'S
13 CALENDAR RIGHT NOW. AND IN AN EFFORT TO TRY TO
14 CONSOLIDATE SOME OF THE MATTERS AND HOPEFULLY RESOLVE
15 SOME OF THE MATTERS, WE DID AGREE TO CONTINUE TODAY'S
16 HEARING OUT TO A DATE IN JULY, AS WELL AS ADVANCE
17 RESPONDENT'S JUNE 14TH HEARING AND CONTINUE THAT AS
18 WELL.

19 THE COURT: WELL, THE MOTION FOR RECONSIDERATION
20 IS DENIED. AND THE PARTIES WILL BE ADVISED IN THE
21 MINUTE ORDER THAT PARTIES CANNOT CONTINUE MATTERS
22 WITHOUT THE COURT -- WITHOUT AN ORDER FROM THE COURT AND
23 THAT, IF YOU CHOOSE TO DO THAT AND DO NOT CHOOSE COME TO
24 COURT ON THE DAY OF THE HEARING, THAT YOUR MATTER MAY
25 STILL GO FORWARD.

26 COUNSEL OR MS. GIBSON -- WHO CALLED US?

27 THE CLERK: YOUR HONOR, IT WAS COUNSEL.

28 THE COURT: COUNSEL FOR RESPONDENT CALLED THE

1 COURT TO INDICATE THAT THEY WERE REQUESTING A
2 CONTINUANCE. NO CONTINUANCE WAS GRANTED. SO THAT
3 REQUEST IS DENIED FOR FAILURE TO APPEAR AND PURSUE THE
4 MOTION AND ALSO ON THE MERITS BECAUSE THERE WAS NO MERIT
5 TO THE MOTION FOR RECONSIDERATION. AND I DID REVIEW THE
6 PAPERS FOR BOTH SIDES.

7 MS. CARTER: THANK YOU, YOUR HONOR. IF YOUR
8 MINUTE ORDER COULD JUST REFLECT THAT? BECAUSE WE DID
9 DISCUSS CONTINUING THE MATTER. AND I UNDERSTAND THE
10 COURT'S POSITION. AND I CERTAINLY AGREE WITH THE
11 COURT'S POSITION ON THE MOTION.

12 THE COURT: OKAY. AND THEN REGARDING THE TRIAL
13 SETTING CONFERENCE, I GUESS I'LL TAKE YOUR VIEW ON THE
14 ISSUES OF WHAT NEEDS TO BE RESOLVED FOR TRIAL.

15 MS. CARTER: SO THE ISSUES FOR TRIAL ARE SPOUSAL
16 SUPPORT. THE COURT ORDERED A VOCATIONAL EVALUATION ON
17 MARCH 14, 2019.

18 THAT WAS TO -- REGAIN WAS APPOINTED.
19 RESPONDENT WAS TO CONTACT REGAIN AND SET UP AN
20 APPOINTMENT, WHICH SHE'S NOT DONE TO DATE. AND WE
21 ACTUALLY JUST FILED A MOTION TO COMPEL WITH REGARD TO
22 DISCOVERY AND TO COMPEL HER APPEARANCE FOR THAT
23 EVALUATION. AND THAT'S SET TO BE HEARD ON JUNE 21ST.

24 SO I IMAGINE THAT EITHER WAY WE WOULD HAVE
25 TO CONTINUE THE TRIAL SETTING BECAUSE WE STILL HAVE
26 ISSUES OUTSTANDING WITH REGARD TO THE DISCOVERY AND THE
27 VOCATIONAL EVALUATION.

28 SO WE HAVE THE ISSUE OF SPOUSAL SUPPORT.

1 AND WE ALSO HAVE THE ISSUE OF DIVISION OF PROPERTY,
2 WHICH IS MAINLY THE HOME, MY CLIENT'S RETIREMENT, AND
3 THERE ARE SUBSTANTIAL DEBTS THAT HAVE TO BE DIVIDED AND
4 CHARACTERIZED.

5 THE COURT: SO THERE'S A HOME? A 401K?

6 MS. CARTER: YES.

7 THE COURT: AND WHAT ARE THE DEBTS?

8 MS. CARTER: THERE ARE -- THERE'S CREDIT CARD
9 DEBT, A LOT OF THE CREDIT CARD DEBT THAT MAY HAVE BEEN
10 ACCUMULATED BY RESPONDENT AFTER THE DATE OF SEPARATION
11 BUT ON JOINT ACCOUNTS.

12 SO THERE'S DEBTS THAT WERE OCCURRING BEFORE
13 SEPARATION. AND THERE'S DEBTS BETWEEN THE TIME OF
14 SEPARATION AND NOW.

15 THOSE ARE THE MAIN DEBTS. JUST CREDIT CARD
16 DEBT.

17 THE COURT: OKAY.

18 MS. CARTER: AND THEN THERE'S SOME POSSIBLE
19 REIMBURSEMENTS RELATED TO THE RESPONDENT STAYING IN THE
20 HOME FROM THE DATE OF SEPARATION TO THE TIME SHE FILED
21 HER RFO FOR SPOUSAL SUPPORT, AND OTHER COMMUNITY DEBTS
22 RELATED TO THE HOME THAT MY CLIENT WAS PAYING FOR THAT
23 PERIOD.

24 THE COURT: I'M CONCERNED BECAUSE THE COURT DID
25 AWARD ATTORNEY'S FEES AND THEN RESPONDENT HAS GONE AND
26 HIRED AN ATTORNEY LIMITED SCOPE TO ADDRESS A MOTION FOR
27 RECONSIDERATION OF A TEMPORARY SPOUSAL SUPPORT ORDER AND
28 TO FILE A MOTION FOR ADDITIONAL ATTORNEY'S FEES. SO I'M

1 CONCERNED ABOUT THE REASONABLENESS OF ADDITIONAL
2 ATTORNEY'S FEES REQUEST GOING FORWARD IF THAT'S THE WAY
3 THE ATTORNEY'S FEES ARE GOING TO BE SPENT.

4 MS. CARTER: I AGREE, YOUR HONOR. I WAS SURPRISED
5 MYSELF THAT WE RECEIVED A NOTICE OF LIMITED SCOPE. MY
6 APPROACH TO THAT WAS TO TRY TO MEET AND CONFER WITH NEW
7 COUNSEL AND SUGGEST THAT THEY REVIEW THE MINUTE ORDERS,
8 POTENTIALLY THE TRANSCRIPTS, TO SEE IF THAT'S EVEN
9 NECESSARY. I THINK THE MATTER NEEDS TO BE SET FOR
10 TRIAL. BUT I THINK THERE'S STILL SOME THINGS THAT ARE
11 KEEPING US FROM BEING ABLE TO SET FOR TRIAL WITH REGARD
12 TO THE DISCOVERY AND THE VOCATIONAL EVALUATION.

13 OTHERWISE, SPOUSAL SUPPORT IS GOING TO BE
14 HEARD AT THE TIME OF TRIAL AND ATTORNEY'S FEES ARE GOING
15 TO BE HEARD AT THE TIME OF TRIAL.

16 THE COURT: SO THE -- WHAT HEARINGS DID YOU WANT
17 TO CONSOLIDATE?

18 MS. CARTER: THERE IS -- SO WE HAVE OUR TRIAL
19 SETTING THAT WE WANT TO CONTINUE TO A DATE IN JULY, I
20 THINK. I SPOKE TO YOUR CLERK ABOUT JULY 11.

21 THE COURT: WHY NOT ON THE DATE OF THE DISCOVERY
22 MOTION?

23 MS. CARTER: ONLY BECAUSE MY UNDERSTANDING IS THAT
24 LIMITED SCOPE COUNSEL WANTED THE OPPORTUNITY TO BE ABLE
25 TO REVIEW THE FILE, GET ANY TRANSCRIPTS NECESSARY, AND
26 THEY THOUGHT THEY NEEDED A DATE IN JULY.

27 THE COURT: I'M GOING TO SET IT FOR THE SAME DATE
28 AS THE DISCOVERY MOTION, WHICH IS JUNE 21, 2019.

1 MS. CARTER: OKAY.

2 THE COURT: SO THE TRIAL SETTING CONFERENCE WILL
3 BE CONTINUED TO JUNE 21, 2019.

4 COUNSEL AND PARTY -- BOTH PARTIES ARE
5 ORDERED TO APPEAR ON THAT DATE.

6 AND THEN WHAT OTHER HEARING?

7 MS. CARTER: THE ONLY OTHER HEARING WOULD BE THE
8 MOTION FOR RECONSIDERATION OF THE VOCATIONAL EVALUATION
9 ORDER SET FOR JUNE 14TH.

10 THE COURT: THERE WERE TWO MOTIONS FOR
11 RECONSIDERATION?

12 MS. CARTER: YES. THE ONE FOR TODAY AND THE ONE
13 SET ON JUNE 14TH.

14 THE COURT: THE ONE SET FOR JUNE 14TH WE WILL
15 CONTINUE TO JUNE 21ST, THE SAME DATE.

16 MS. CARTER: RIGHT. OKAY.

17 THE COURT: TO HAVE ALL OF THE MATTERS HEARD ON
18 THE SAME DATE.

19 MS. CARTER: I APPRECIATE THAT, YOUR HONOR.

20 THE COURT: AND THEN THE ORDERS -- THE PARTIES ARE
21 GOING TO BE ORDERED TO MEET AND CONFER ON ALL OF THE
22 ISSUES PRIOR TO THE JUNE 21ST HEARING.

23 MS. CARTER: THANK YOU, YOUR HONOR.

24 THE COURT: OKAY. THANK YOU. WILL YOU GIVE
25 NOTICE OF ALL OF THAT.

26 MS. CARTER: YES. I WILL GIVE NOTICE. THANK YOU.

27 (THE PROCEEDINGS WERE CONCLUDED AT 9:46
28 A.M.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE

JAMES GIBSON, III,)	
)	
)	PETITIONER,
)	NO.
VS.)	17PSFL00745
)	
KARRIE GIBSON,)	REPORTER'S
)	CERTIFICATE
)	
)	RESPONDENT.
)	
-----)	

I, CHANI D. LUDWIG, OFFICIAL REPORTER OF
THE SUPERIOR COURT OF THE STATE OF CALIFORNIA, FOR THE
COUNTY OF LOS ANGELES, DO HEREBY CERTIFY THAT I DID
CORRECTLY REPORT THE PROCEEDINGS CONTAINED HEREIN AND
THAT THE FOREGOING PAGES 1 THROUGH 6, INCLUSIVE,
COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE
PROCEEDINGS AND TESTIMONY TAKEN IN THE MATTER OF THE
ABOVE-ENTITLED CAUSE ON FRIDAY MAY 3, 2019.

DATED THIS 16TH DAY OF MAY, 2019.

CHANI D. LUDWIG, CSR NO. 13017
OFFICIAL REPORTER, RPR