

1
 2
 3
 4
 5
 6
 7
 8
 9
 10
 11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

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

JAMES GIBSON,)
)
) PETITIONER,)
))
 VS.) NO.)
) 17PSFL00745
 KARRIE GIBSON,)
))
) RESPONDENT.)
))
 -----))
))

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MONDAY, SEPTEMBER 23, 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 MONDAY, SEPTEMBER 23, 2019
4 DEPARTMENT NO. PSB HON. SARAH J. HEIDEL, JUDGE
5 REPORTER: CHANI D. LUDWIG, CSR 13017
6 TIME: A.M. SESSION
7 APPEARANCES: (SEE TITLE PAGE)

8
9 THE COURT: ITEM 3 IS THE GIBSON VERSUS GIBSON
10 MATTER, 17PSFL00745.

11 MS. CARTER: GOOD MORNING, YOUR HONOR. ARIEL
12 CARTER ON BEHALF OF PETITIONER JAMES GIBSON, WHO IS
13 PRESENT.

14 THE COURT: OKAY. GOOD MORNING.

15 THE PETITIONER: GOOD MORNING, YOUR HONOR.

16 THE COURT: THERE ARE TWO MATTERS SET IN THIS CASE
17 THIS MORNING. THE FIRST WAS A HEARING ON MS. GIBSON'S
18 REQUEST FOR RECONSIDERATION THAT WAS FILED ON JULY 5,
19 2019.

20 THE SECOND IS A -- IT WAS A TRIAL READINESS
21 CONFERENCE OR A STATUS CONFERENCE IN THE CASE.

22 SO LET'S START WITH THE ISSUE OF THE MOTION
23 FOR RECONSIDERATION FIRST.

24 THIS WAS THE SECOND -- WELL, IT'S ACTUALLY
25 THE THIRD REQUEST FOR RECONSIDERATION.

26 MS. CARTER: YOUR HONOR, THIS IS ACTUALLY THE
27 FOURTH MOTION FOR RECONSIDERATION. I DO BELIEVE IT'S
28 JUST -- IT'S BEEN SIMILAR ISSUES. BUT IT'S THE FOURTH.

1 THE COURT: OKAY. WELL, IT'S THE SECOND ON THESE
2 PARTICULAR ISSUES.

3 MS. CARTER: CORRECT.

4 THE COURT: I BELIEVE. SO WHAT HAPPENED WAS THERE
5 WAS AN ORDER MADE ON JUNE 21, 2019.

6 MS. CARTER: THERE WAS THE INITIAL ORDER ON MARCH
7 14, 2019, AND THEN THE ORDER COMPELLING THE COMPLIANCE
8 WITH THAT ORDER ON JUNE 21ST.

9 THE COURT: AND THE CURRENT RFO THAT WAS ON
10 CALENDAR FOR TODAY I UNDERSTOOD TO BE A MOTION FOR
11 RECONSIDERATION OF BOTH THE ORDER -- THE MOTION TO
12 COMPEL AND ALSO THE MARCH 14, 2019 ORDERS. SO THERE
13 WERE DISCOVERY REQUESTS AND ALSO THERE WAS THE REQUEST
14 FOR A VOCATIONAL EXAMINATION.

15 MS. CARTER: MY UNDERSTANDING -- I APOLOGIZE, YOUR
16 HONOR. MY UNDERSTANDING OF THIS RECONSIDERATION WAS
17 SOLELY TO THE MOTION TO COMPEL COMPLIANCE WITH THE
18 VOCATIONAL EVALUATION. WE WERE HERE, I BELIEVE, ON
19 SEPTEMBER 6TH. AND THERE WAS A MOTION FOR
20 RECONSIDERATION OF THE MOTION TO COMPEL THE RESPONSES TO
21 DISCOVERY, WHICH WAS TAKEN OFF CALENDAR.

22 THE COURT: I SEE. I UNDERSTOOD THE TWO REQUESTS
23 TO BE THE SAME, BUT I COULD BE WRONG ABOUT THAT. BE
24 THAT AS IT MAY, MS. GIBSON HAS NOT APPEARED TODAY FOR
25 THE HEARING ON THE MOTION FOR RECONSIDERATION FILED JULY
26 5, 2019.

27 AT 8:59 THIS MORNING, WE RECEIVED THE
28 FOLLOWING MESSAGE:

1 CAN YOU PUT THAT ON THE RECORD.

2 THE CLERK: YOUR HONOR, I RECEIVED A MESSAGE FROM
3 A GENTLEMAN. HIS NAME IS [REDACTED] SH (PHONETIC).
4 HE STATED HE WAS KARRIE GIBSON'S SON. HE STATED THAT
5 SHE'S HAVING AN EPISODE OF A MIGRAINE AND FINALLY GOT TO
6 SLEEP AND NOT ABLE TO MAKE IT IN TODAY.

7 THE COURT: SO THAT WAS THE ONLY COMMUNICATION
8 WE'VE RECEIVED FROM MS. GIBSON. SHE DIDN'T ASK FOR MORE
9 TIME ON THIS HEARING. AND SHE HAS HAD THIS ISSUE
10 BEFORE, WHERE SHE'S CALLED RIGHT AROUND NINE O'CLOCK AND
11 REPORTED THAT SHE'S SUFFERING FROM MIGRAINES.

12 I BELIEVE THAT WAS THE SAME MESSAGE WE
13 RECEIVED ON JANUARY -- SEPTEMBER 6, 2019, WHEN SHE
14 DIDN'T APPEAR AT THE HEARING IN THAT MATTER.

15 SO THE REQUEST FOR ORDER REGARDING THE
16 MOTION FOR RECONSIDERATION WILL BE TAKEN OFF CALENDAR,
17 UNLESS THERE'S SOME OTHER WAY YOU WANT TO PROCEED?

18 MS. CARTER: IN LIGHT OF THE FACT THAT THERE WAS A
19 RESPONSE FILED -- AND I SAW IN THE COURT'S REGISTER OF
20 ACTIONS THAT A REPLY DECLARATION MIGHT HAVE BEEN FILED.
21 I'M NOT SURE IF IT WAS RELATED TO TODAY'S HEARING. I
22 DIDN'T RECEIVE IT.

23 BUT IF THE COURT IS INCLINED TO MAKE A
24 RULING, I WOULD JUST ASK THE COURT TO RULE ON THE
25 MATTER.

26 THE COURT: ALL RIGHT. I'M NOT GOING TO DO THAT
27 AT THIS TIME. THERE WAS -- I'M NOT GOING TO DO THAT AT
28 THIS TIME. IN THE MEANTIME, MS. GIBSON ALSO FILED A

1 REQUEST FOR ORDER REGARDING ATTORNEY'S FEES. SHE FILED
2 THAT ON SEPTEMBER 19TH. HAVE YOU RECEIVED THAT?

3 MS. CARTER: I HAVE NOT.

4 THE COURT: WELL, THAT MAY NOT HAVE BEEN SERVED
5 YET.

6 BUT THE HEARING DATE, SHOULD YOU BE PROPERLY
7 SERVED ON THAT, WOULD BE DECEMBER 11, 2019.

8 AND THEN THERE WAS ALSO THE ISSUE OF THE
9 PRETRIAL CONFERENCE. AND I SEE THAT MR. GIBSON HAS
10 FILED A TRIAL BRIEF, WITNESS LIST, EXHIBIT LIST, AND
11 DECLARATIONS OF DISCLOSURE.

12 MS. GIBSON HAS NOT COMPLIED WITH ANY
13 PRETRIAL ORDERS AT THIS TIME.

14 REMIND ME, WAS THERE AN ORDER FOR PRETRIAL
15 ORDERS MADE OR DID YOU JUST DO THAT ON YOUR OWN?

16 MS. CARTER: PRETRIAL ORDERS WERE MADE.

17 THE COURT: OKAY. ALL RIGHT. SO WOULD YOU LIKE
18 TO SET THE CASE FOR FURTHER STATUS CONFERENCE? HOW DO
19 YOU WANT TO MOVE FORWARD?

20 MS. CARTER: WE WANT TO SET THE CASE FOR TRIAL.

21 THE COURT: ALL RIGHT. SO THERE WERE ORDERS MADE
22 JUNE 21ST REGARDING TRIAL READINESS. THAT WAS SET FOR
23 TODAY. MS. GIBSON IS NOT IN COMPLIANCE WITH ANY OF
24 THOSE ORDERS AND SHE DOES HAVE THOSE REQUESTS FOR
25 ATTORNEY'S FEES THAT'S BEEN FILED ON THE 19TH.

26 THEN WE'RE GOING TO SET THE MATTER FOR
27 TRIAL. WHAT'S YOUR TRIAL ESTIMATE?

28 MS. CARTER: ONE DAY, YOUR HONOR.

1 THE COURT: OKAY. MY NOTES ARE THAT THE ISSUES
2 ARE COMMUNITY PROPERTY, COMMUNITY DEBTS, SPOUSAL
3 SUPPORT, AND ATTORNEY'S FEES AND REIMBURSEMENTS
4 REGARDING THE FAMILY RESIDENCE. IS THAT ACCURATE?

5 MS. CARTER: THAT'S ACCURATE, YOUR HONOR.

6 THE COURT: HAVE YOU RECEIVED ANY DISCOVERY
7 REQUESTS FROM MS. GIBSON AT THIS TIME?

8 MS. CARTER: WE RECEIVED FORM INTERROGATORIES
9 MAYBE SOMETIME AROUND FEBRUARY OF 2019.

10 THEY WERE NOT PROPERLY SERVED. I TRIED TO
11 MEET AND CONFER WITH MS. GIBSON ON THAT, AND IT DIDN'T
12 GO ANYWHERE.

13 SHE HAS NOT RESPONDED TO OUR DISCOVERY AT
14 THIS POINT, DESPITE THE MOTION TO COMPEL ORDERS THAT
15 WERE MADE ON JUNE 21ST. SO WE HAVE NOT RECEIVED ANY
16 RESPONSES OR DOCUMENTS FROM HER IN THAT REGARD.

17 THE COURT: ALL RIGHT. AND YOUR ONE-DAY ESTIMATE,
18 IS THAT JUST TAKING INTO ACCOUNT YOUR CASE, OR ARE YOU
19 ALSO TAKING INTO ACCOUNT MS. GIBSON'S CASE?

20 MS. CARTER: THAT'S TAKING INTO ACCOUNT OUR CASE
21 AND HER CASE.

22 THE COURT: OKAY. SO YOU'VE GOT THE FOUR
23 WITNESSES, THE PARTIES, AND THEN ALSO THE VOCATIONAL
24 EXPERT WHO HAS NOT CONDUCTED THE EXAM AT THIS POINT;
25 CORRECT?

26 MS. CARTER: THE VOCATIONAL EXPERT HAS.

27 THE COURT: THAT DID HAPPEN?

28 MS. CARTER: IT DID HAPPEN. WE DID LIST HIM ON

1 OUR EXHIBIT LIST ON -- I MEAN, ON OUR WITNESS LIST.
2 HOWEVER, WE AREN'T SURE AT THIS TIME WHETHER WE'RE GOING
3 TO CALL HIM.

4 THE COURT: OKAY. SO THERE'S FOUR -- POTENTIALLY
5 FOUR WITNESSES AND ABOUT 20 EXHIBITS THAT YOU'VE LISTED.

6 MS. CARTER: CORRECT.

7 THE COURT: ALL RIGHT. SO WHAT I'M GOING TO DO IS
8 SET THE CASE FOR FURTHER TRIAL READINESS IN DEPARTMENT
9 2. WITH A ONE-DAY ESTIMATE, IT WOULD BE TREATED AS A
10 LONG CAUSE MATTER.

11 HAVE YOU SENT THE EXHIBITS TO MS. GIBSON?

12 MS. CARTER: YES.

13 THE COURT: OKAY. HAVE YOU RECEIVED ANY EXHIBITS
14 FROM MS. GIBSON?

15 MS. CARTER: NO.

16 THE COURT: OKAY. ALL RIGHT. SO WE CAN SET IT
17 FOR ANY DAY BUT A WEDNESDAY AS EARLY AS THREE WEEKS FROM
18 TODAY. WHAT DAY MAKES SENSE?

19 MS. CARTER: EXCEPT FOR A WEDNESDAY?

20 THE COURT: UH-HUH.

21 MS. CARTER: I ACTUALLY HAVE ANOTHER MATTER, I
22 BELIEVE, IN THE SAME DEPARTMENT ON OCTOBER 7TH. IF WE
23 CAN DO OCTOBER 7, I CAN DO THAT.

24 THE COURT: I THINK THAT'S TOO SOON.

25 MS. CARTER: OKAY. WELL, THAT WOULD BE FOR
26 FURTHER TRIAL READINESS. IT WOULDN'T BE FOR THE ACTUAL
27 TRIAL OR IT WOULD BE?

28 THE COURT: FURTHER TRIAL READINESS?

1 MS. CARTER: OKAY.

2 THE CLERK: THE WEEK OF OCTOBER 15TH, YOUR HONOR?

3 THE COURT: AS EARLY AS OCTOBER 14TH WE CAN DO A
4 DATE.

5 MS. CARTER: OCTOBER 14 SHOULD WORK, YOUR HONOR.
6 WOULD MY CLIENT HAVE TO BE PRESENT?

7 THE COURT: HE DOESN'T HAVE TO BE PRESENT AT THE
8 NEXT TRIAL READINESS -- YOU KNOW WHAT, I THINK HE SHOULD
9 BE PRESENT. WILL THE 14TH WORK FOR YOU?

10 THE PETITIONER: YES, YOUR HONOR. BUT I JUST
11 STARTED A NEW JOB. I'M THREE WEEKS INTO A NEW JOB. SO
12 BEING PRESENT -- I'LL BE HERE IF YOU WANT ME TO, YOUR
13 HONOR.

14 THE COURT: THE 14TH IS A HOLIDAY. I'M SORRY.

15 MS. CARTER: THAT'S FINE. I'M ACTUALLY -- I WOULD
16 HAVE SENT SOMEONE ON MY BEHALF THAT WEEK. SO WE CAN GO
17 OUT.

18 THE COURT: I DON'T THINK YOU SHOULD SEND SOMEBODY
19 ON YOUR BEHALF.

20 MS. CARTER: THAT PROBABLY MAKES MORE SENSE, YOUR
21 HONOR. I AM -- OCTOBER 25TH?

22 THE COURT: SO WE WILL SET THIS FOR TRIAL
23 READINESS IN DEPARTMENT 2 ON OCTOBER 25, 2019, AT 8:30.

24 DEPARTMENT 2 DOES REQUEST THAT PARTIES BE
25 PRESENT, AND I WOULD ADVISE THAT HERE.

26 THE COURT WILL PROVIDE NOTICE TO MS. GIBSON
27 AND NOTE IN THE MINUTE ORDER THAT SHE'S NOT COMPLIED
28 WITH THE TRIAL READINESS OR THE PRETRIAL ORDERS FROM

1 JUNE 21, 2019.

2 AND I THINK THAT'S IT. WE'LL PROVIDE -- AND
3 THE MINUTE ORDER, CAN WE PROVIDE NOTICE AS TO WHERE
4 DEPARTMENT 2 IS?

5 AND WE'LL INCLUDE AN ADDRESS FOR DEPARTMENT
6 2 IN THAT NOTICE.

7 MS. CARTER: THANK YOU, YOUR HONOR.

8 THE COURT: THANK YOU.

9

10 (THE PROCEEDINGS WERE CONCLUDED.)

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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

JAMES GIBSON,)	
)	
)	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 8, INCLUSIVE, COMPRISE A FULL, TRUE, AND CORRECT TRANSCRIPT OF THE PROCEEDINGS AND TESTIMONY TAKEN IN THE MATTER OF THE ABOVE-ENTITLED CAUSE ON MONDAY, SEPTEMBER 23, 2019.

DATED THIS 21ST DAY OF JANUARY, 2020.

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