

TENTATIVE RULING: Plaintiff's Petition for Order Confirming the Arbitration Award is GRANTED.

The Arbitration award dated May 8, 2020 in the matter, executed by arbitrator Stephen Zalkind, Esq. is binding upon the parties and is CONFIRMED pursuant to CCP § 1285 and CCP § 1286.

The Arbitration award providing the Respondents pay the Petitioners a total of eleven percent (11%) of the total monthly New York Fitness Pacific Gas & Electric ("PGE") bill (5% allocation for the Café Space award and 6% for the Fitzpatrick Physical Therapy Space award) until the expiration of the January 28, 2017 Lease Agreement is confirmed.

Plaintiff's Memorandum of Costs filed August 3, 2020 indicates the attorney's fees of \$1,460 were incurred for the date(s) of "May 14, 2020". However, invoices attached to the (unsigned) Declaration of Rod W. Burton submitted with the May 26, 2020 Petition list attorney's fees as \$1,214.00.

The August 3, 2020 Declaration of Rod Burton filed with the Memorandum of costs fails to include new invoices, or provide a basis for a different attorney fee amount beyond that submitted on May 26, 2020, and seeks recovery pursuant to CCP § 1717, which is inapplicable in this matter.

Plaintiff is granted post judgment attorney's fees in the amount of \$1,214.00 and costs in the amount of \$370.00, for a total of \$1,584.00, as supported by invoices attached to Petition to Confirm Contractual Arbitration Award filed May 26, 2020, pursuant to Cal. Civil Code § 1717.

Plaintiff is to prepare and submit an order conforming to this ruling for the court's signature.

Unless a hearing is requested, this ruling is effective immediately. Neither further notice of the ruling nor a formal order per CRC 3.1312 is required.

20-CVC-11691 FROMME, JINELLE VS. NONE

CIVIL MISCELLANEOUS MOTION

TENTATIVE RULING:

Petitioner TASSI EARNEST has been appointed Guardian ad litem for family friend, minor JINELLE FROMME. Petitioner and minor, along with counsel, are ordered to appear. Attendance at the hearing by the Petitioner and the minor is mandatory. (California Rules of Court, Rule 7.952.)