

PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: Omar Raul Serrato FIRM NAME: The Eagle Law Firm STREET ADDRESS: [REDACTED] CITY: [REDACTED] TELEPHONE NO.: [REDACTED] EMAIL ADDRESS: [REDACTED] ATTORNEY FOR (name): Michael Marraccini		STATE BAR NUMBER: 295975 STATE: CA ZIP CODE: [REDACTED] FAX NO.: [REDACTED]	FOR COURT USE ONLY <h1>FILED</h1> San Francisco County Superior Court OCT 02 2025 CLERK OF THE COURT BY: <i>[Signature]</i> Deputy Clerk
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Francisco STREET ADDRESS: 400 McAllister St. MAILING ADDRESS: CITY AND ZIP CODE: San Francisco 94102 BRANCH NAME: Civic Center Courthouse			
PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:			
REQUEST FOR ORDER <input type="checkbox"/> CHANGE <input checked="" type="checkbox"/> TEMPORARY EMERGENCY ORDERS <input type="checkbox"/> Child Custody <input type="checkbox"/> Visitation (Parenting Time) <input type="checkbox"/> Spousal or Partner Support <input type="checkbox"/> Child Support <input type="checkbox"/> Property Control <input type="checkbox"/> Attorney's Fees and Costs <input checked="" type="checkbox"/> Other (specify): Motion To Shorten Time on Pending Motions		CASE NUMBER: FDV-18-813693	

Note: Read form FL-300-INFO for information about how to complete this form. To ask to change or end an order that was granted in a Restraining Order After Hearing (form DV-130 or JV-255), read form FL-300-INFO and form DV-300-INFO

NOTICE OF HEARING

- TO (name): **Laura Owens**
☐ Petitioner ☒ Respondent ☐ Other Parent/Party ☐ Other (specify):
- A COURT HEARING WILL BE HELD AS FOLLOWS:

a. Date: 10/10/25	Time: 1:20 pm	<input checked="" type="checkbox"/> Dept.: 405A (Gold)	<input checked="" type="checkbox"/> Room.: 414
b. Address of court <input checked="" type="checkbox"/> same as noted above <input checked="" type="checkbox"/> other (specify): Hearing in Dept 414 before Judge Gold			
- WARNING to the person served with the Request for Order:** The court may make the requested orders without you if you do not file a *Responsive Declaration to Request for Order* (form FL-320), serve a copy on the other parties at least nine court days before the hearing (unless the court has ordered a shorter period of time), and appear at the hearing. (See form FL-320-INFO for more information.)

COURT ORDER (FOR COURT USE ONLY)

- It is ordered that:
- ☒ Time ☐ for service ☒ until the hearing is shortened. Service must be on or before (date): **already served**
 - ☒ A *Responsive Declaration to Request for Order* (form FL-320) must be served on or before (date): **10/7/25**
 - ☐ The parties must attend an appointment for child custody mediation or child custody recommending counseling as follows (specify date, time, and location):
 - ☐ The orders in *Temporary Emergency (Ex Parte) Orders* (form FL-305) apply to this proceeding and must be personally served with all documents filed with this *Request for Order*.
 - ☒ Other (specify):
Opposition to be filed & served by 10/7/25
reply (if any) to be filed & served by 10/9/25
Carkey copies via email to department 405A clerk received.
- Date: **10/2/25**
- [Signature]* JUDICIAL OFFICER
ANNE COSTIN

PETITIONER: Laura Owens RESPONDENT: Micahel Marraccini OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
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REQUEST FOR ORDER

Note: Place a mark **X** in front of the box that applies to your case or to your request. If you need more space, mark the box for "Attachment." For example, mark "Attachment 2a" to indicate that the list of children's names and birth dates continues on a paper attached to this form. Then, on a sheet of paper, list each attachment number followed by your request. At the top of the paper, write your name, case number, and "FL-300" as a title. (You may use *Attached Declaration* (form MC-031) for this purpose.)

1. ☐ RESTRAINING ORDER INFORMATION

One or more domestic violence restraining/protective orders are now in effect between (specify):

☐ Petitioner ☐ Respondent ☐ Other Parent/Party (Attach a copy of the orders if you have one.)

The orders are from the following court or courts (specify county and state):

- | | |
|---|----------------------|
| a. <input type="checkbox"/> Criminal: County/state (specify): | Case No. (if known): |
| b. <input type="checkbox"/> Family: County/state (specify): | Case No. (if known): |
| c. <input type="checkbox"/> Juvenile: County/state (specify): | Case No. (if known): |
| d. <input type="checkbox"/> Other: County/state (specify): | Case No. (if known): |

2. ☐ CHILD CUSTODY☐ VISITATION (PARENTING TIME)

☐ I request temporary emergency orders

a. I request that the court make orders about the following children (specify):

Child's Name	Date of Birth	<input type="checkbox"/> Legal Custody to (person who decides: health, education, etc):	<input type="checkbox"/> Physical Custody to (person with whom child lives):
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b. ☐ The orders I request for ☐ child custody ☐ visitation (parenting time) are:

(1) ☐ Specified in the attached forms:

<input type="checkbox"/> Form FL-305	<input type="checkbox"/> Form FL-311	<input type="checkbox"/> Form FL-312	<input type="checkbox"/> Form FL-341(C)
<input type="checkbox"/> Form FL-341(D)	<input type="checkbox"/> Form FL-341(E)	<input type="checkbox"/> Other (specify):	

(2) ☐ As follows (specify):

☐ Attachment 2a.

☐ Attachment 2b.

c. The orders that I request are in the best interest of the children because (specify):

☐ Attachment 2c.

PETITIONER: Laura Owens RESPONDENT: Michael Marraccini OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
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2. d. ☐ This is a change from the current order for ☐ child custody ☐ visitation (parenting time).
- (1) ☐ The order for legal or physical custody was filed on (date): . The court ordered (specify):
- (2) ☐ The visitation (parenting time) order was filed on (date): . The court ordered (specify):

☐ Attachment 2d.

3. ☐ CHILD SUPPORT

(Note: An earnings assignment may be issued. See *Income Withholding for Support* (form FL-195))

- a. I request that the court order child support as follows:

Child's name and age

☐ I request support for each child Monthly amount (\$) requested
based on the child support guideline. (If not by guideline)

☐ Attachment 3a.

- b. ☐ I want to change a current court order for child support filed on (date):
The court ordered child support as follows (specify):

- c. I have completed and filed with this *Request for Order* a current *Income and Expense Declaration* (form FL-150) or I filed a current *Financial Statement (Simplified)* (form FL-155) because I meet the requirements to file form FL-155.

- d. The court should make or change the support orders because (specify):

☐ Attachment 3d.

4. ☐ SPOUSAL OR DOMESTIC PARTNER SUPPORT

(Note: An *Earnings Assignment Order for Spousal or Partner Support* (form FL-435) may be issued.)

- a. ☐ Amount requested (monthly): \$

- b. ☐ I want the court to ☐ change ☐ end the current support order filed on (date):
The court ordered \$ per month for support.

- c. ☐ This request is to modify (change) spousal or partner support after entry of a judgment.
I have completed and attached *Spousal or Partner Support Declaration Attachment* (form FL-157) or a declaration that addresses the same factors covered in form FL-157.

- d. I have completed and filed a current *Income and Expense Declaration* (form FL-150) in support of my request.

- e. The court should make, change, or end the support orders because (specify):

☐ Attachment 4e.

PETITIONER: RESPONDENT: OTHER PARENT/PARTY:	CASE NUMBER: FDV-18-813693
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5. ☐ **PROPERTY CONTROL** ☐ I request temporary emergency orders
- a. The ☐ petitioner ☐ respondent ☐ other parent/party be given exclusive temporary use, possession, and control of the following property that we ☐ own or are buying ☐ lease or rent (specify):
- b. The ☐ petitioner ☐ respondent ☐ other parent/party be ordered to make the following payments on debts and liens coming due while the order is in effect:
- | | | | |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
- c. ☐ This is a change from the current order for property control filed on (date):
- d. Specify in Attachment 5d the reasons why the court should make or change the property control orders.
6. ☐ **ATTORNEY'S FEES AND COSTS**
- I request attorney's fees and costs, which total (specify amount): \$ _____ . I filed the following to support my request:
- a. A current *Income and Expense Declaration* (form FL-150).
- b. A *Request for Attorney's Fees and Costs Attachment* (form FL-319) or a declaration that addresses the factors covered in that form.
- c. A *Supporting Declaration for Attorney's Fees and Costs Attachment* (form FL-158) or a declaration that addresses the factors covered in that form.
7. ☒ **OTHER ORDERS REQUESTED (specify):** ☒ Attachment 7.
- Order Shortening Time for David Gingras Motion to Intervene and other requests and Respondents Motion to Disqualify David Gingras
8. ☐ **TIME FOR SERVICE / TIME UNTIL HEARING** I urgently need:
- a. ☐ To serve the *Request for Order* no less than (number): _____ court days before the hearing.
- b. ☐ The hearing date and service of the *Request for Order* to be sooner.
- c. I need the order because (specify): _____ ☐ Attachment 8.
9. ☒ **FACTS TO SUPPORT** the orders I request are listed below. The facts that I write in support and attach to this request cannot be longer than 10 pages, unless the court gives me permission. ☐ Attachment 9.
- Please see attached Attorney Omar Serratos Declaration attached that supports both Opposition to David Gingras Motion and an Order Shortening Time.

I declare under penalty of perjury under the laws of the State of California that the information provided in this form and all attachments is true and correct.

Date: 09/30/2025

Omar Serrato

(TYPE OR PRINT NAME)

▶ Omar Serrato

(SIGNATURE OF APPLICANT)



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to courts.ca.gov/forms for *Disability Accommodations Request* (form MC-410). (Civ. Code, § 54.8.)

Attachment 7

Respondent MICHAEL MARRACCINI, by and through the undersigned counsel, pursuant to California Rules of Court, Rules 3.1200-3.1207 and California Code of Civil Procedure § 128(a)(3), and hereby respectfully submits this Statement in Support of Ex Parte Application to Shorten Time for hearing on

(1) Intervenor David S. Gingras's Motion to Intervene (and related requests to strike, for sanctions, and for a disciplinary referral). Opposition to this motion from Respondent is attached.

(2) Respondent's Motion to Disqualify David S. Gingras. Cal Code Civ Proc § 128 Cal Rules of Court, Rule 3.1202. This motion is not expected to be opposed.

Requested Relief

Respondent requests ruling on these matters on the pleadings, or in the alternative, that the Court special set both motions for hearing on the date of the ex parte—Thursday, October 2, 2025, or the earliest available date before the DVRO evidentiary hearing, and that the Court order shortened time for any opposition/reply as the Court deems appropriate so these collateral issues are fully resolved in advance.

This application is supported by the Declaration of Omar Serrato, which provides a factual showing of the need for expedited consideration. Cal Rules of Court, Rule 3.1202.

Also attached is Respondent's Opposition to David Gingras's Motion to Intervene, request to Strike,, Sanctions, and for a disciplinary referral.

There are no additional briefings required for adjudication of either motion, therefore, hearing on both matters is requested on the date of the ex parte, presently requested for Friday, October 2, 2025.

Points and Authorities

Good cause to grant this motion is as follows:

1. Gingras is a percipient witness to disputed events and has personal disciplinary exposure arising from the same facts, creating Rule 3.7/1.7 issues if his role remains unresolved. He has improperly filed a motion to intervene and for other relief in a way that serves to enlarge the issues of the underlying DVRO.
2. On September 12, 2025, Mr. Gingras, identifying himself as an Intervenor, filed a procedurally defective (as outlined in Respondent's attached opposition to Gingras's Motion(s)) Motion to Intervene, along with a procedurally defective request to strike the Motion to Disqualify, impose sanctions under CCP § 128.5, and refer Respondent's counsel to the State Bar for disciplinary action. These filings introduce collateral attorney-focused disputes that risk derailing trial preparation and delaying the DVRO hearing.
3. Addressing these threshold matters now promotes judicial economy and prevents avoidable continuances. Mr. Gingras's filing enlarges the case with collateral attorney-focused disputes (intervention, strike, sanctions, and disciplinary referral) that should be resolved before the evidentiary hearing, so trial preparation is not derailed.
4. Prompt resolution is necessary to avoid last-minute disruption of the DVRO renewal hearing and to preserve the integrity of the proceedings. The underlying case concerns a domestic violence

restraining order (DVRO) between Petitioner Laura Owens and Respondent Michael Marraccini. The DVRO was initially issued in 2018, renewed in 2020, and is now the subject of a renewal request by Petitioner to make the order permanent.

5. Respondent further advises the Court that the Motion to Disqualify Mr. Gingras is expected to be unopposed, given Mr. Gingras's current intervention posture; accordingly, Respondent seeks the earliest available hearing date on both motions.
6. This application is supported by the Declaration of Omar Serrato, which provides a factual showing of the need for expedited consideration. Cal Rules of Court, Rule 3.1202

WHEREFORE, Respondent respectfully requests that this Court:

1. Either Rule on these matters on the pleadings; or
2. Special-set the hearing on (1) Mr. Gingras's Motion to Intervene (and related strike/sanctions/disciplinary requests) and (2) Respondent's Motion to Disqualify, on the earliest possible date before the DVRO evidentiary hearing; and
2. Order shortened time for opposition and reply so these collateral issues are decided in advance of the DVRO evidentiary hearing.