

JAMES A. HENNENHOEFER
STATE BAR #47992

(SPACE BELOW FOR FILING STAMP ONLY)

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ATTORNEYS AT LAW
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(760) 941-2260

F I L E D
Clerk of the Superior Court

FEB 19 2008

By: L. GARIBAY-SANCHEZ, Deputy

Attorneys for Petitioner

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN DIEGO

In re the marriage of

) No. DN 149413

Petitioner: DIANNE YORK GOLDMAN

) STIPULATION FOR APPOINTMENT

and

) OF HONORABLE WILLIAM J.

Respondent: MITCHEL PAUL GOLDMAN

) HOWATT (RET.) AS PRIVATELY

) COMPENSATED JUDGE PRO TEM;

) OATH OF OFFICE; AND ORDER

STIPULATION FOR APPOINTMENT

1, Scope of Appointment. IT IS HEREBY STIPULATED by and between
Petitioner, DIANNE YORK GOLDMAN ("Petitioner"), and Respondent, MITCHEL PAUL
GOLDMAN ("Respondent"), through their respective counsel, that the HONORABLE
THOMAS W. HOWATT, JR. (RET.), a retired judge of the San Diego Superior Court,
office address c/o JAMS, 401 B Street, Suite 2100, San Diego, CA 92101, telephone (619)
236-1848, pursuant to provisions of the California Constitution, Article VI, §21, and CRC
3.901 *et seq.*, shall be appointed as JUDGE FOR ALL PURPOSES and shall hear and

IRMO: GOLDMAN

CASE NO. DN 149413

STIPULATION FOR APPOINTMENT OF WILLIAM J. HOWATT, JR. (RET.)

AS PRIVATELY COMPENSATED JUDGE PRO TEM;

OATH OF OFFICE; AND ORDER

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determine all issues in the above-referenced matter and any other actions currently existing between the parties.

2. This Stipulation shall not extend to post-judgment enforcement and modification proceedings.

3. **IDENTIFICATION OF COUNSEL**

The parties and their respective attorneys are identified as follows:

a) Petitioner, DIANNE YORK GOLDMAN , is represented by JAMES A. HENNENHOEFER, A.P.C., by JAMES A. HENNENHOEFER, ESQ., and LESLIE A. RYLAND, ESQ., 316 South Melrose Drive, Suite 200, Vista, CA 92081; telephone (760) 941-2260, and fax (760) 945-1805.

b) Respondent, MITCHEL PAUL GOLDMAN , is represented by GORDON D. CRUSE, A.P.C. by GORDON D. CRUSE, ESQ., 110 West C Street, 23rd Floor, San Diego, CA 92101; telephone (619) 696-9922, and fax (619) 696-0586.

IT IS HEREBY STIPULATED by and between counsel for the respective parties, in the above-entitled action:

4. **HEARING DATES:** To be determined.

5. **PLACE OF TRIAL:** To be determined.

6. **COMPLETION DATE OF JUDGE PRO TEM'S AUTHORITY UNDER THIS STIPULATION AND ORDER:**

Entry of Judgment upon referred issues.

7. **OTHER TERMS OF APPOINTMENT OF JUDGE PRO TEM**

a) **Fees of Judge Pro Tem:** The compensation of the Judge Pro Tem

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shall be equally borne by the parties herein.

8. **Certified Shorthand Reporter:**

Unless waived by each party, a certified shorthand reporter shall be present at all proceedings before the Judge Pro Tem, and shall make a record thereof. The parties shall equally share/pay the fees for the Court Reporter.

if a reporter is not utilized, the parties hereby waive any right to a Statement of Decision, a motion for a new trial, and the right of appeal.

9. **Procedural Rules Governing:**

The Judge Pro Tem shall apply all California Rules of Procedure and Evidence and shall apply the substantive law of California in deciding the issues submitted hereunder.

10. **Review.**

The Judge Pro Tem's decision shall stand as a Judgment of this Court, subject to review as provided by the laws of this state.

11. **Powers and Duties of the Temporary Judge**

The temporary judge shall have and exercise all powers and duties of a San Diego Superior Court Judge, including but not limited to those enumerated in California Code of Civil Procedure sections 166, 167, 177, 177.5 and 187. The temporary judge must refer any domestic violence restraining order and any action for contempt which may result in actual imprisonment to the Supervising Family Judge.

12. **Facsimile Signatures:**

Facsimile signatures on this and any other Order shall be deemed to be of the same force and effect as an original, and signature in counterparts is acceptable to this Court.

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13. Miscellaneous Provisions:

- The case file may not be removed from the court.
- The parties are responsible for providing the temporary judge with file stamped copies of all relevant pleadings, records and documents necessary to adjudicate the case at their own expense.
- All original pleadings must be filed with the court prior to submission of a filed stamped, conformed copy of the pleading to the temporary judge.
- Parties must file one original and one copy of the "Notice of Posting of Stipulation and Order for Appointment of Temporary Judge" for all matters pending before the temporary judge. The Clerk of the Court will post the Notice in the lobby of the courthouse where the matter is pending.
- Signed orders of the temporary judge must be presented for filing to the business office where the case was initiated.
- Minute orders will not be accepted unless signed by the temporary judge. If the minute order format is used, the order must set forth the name, address, telephone number, and CSR number of any retained court reporter. If electronic reporting is used, the minute order shall so state.

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JOINDER BY COUNSEL OF RECORD

The foregoing stipulation is approved as to form and content, and counsel of record for the respective parties join therein, and on behalf of their respective clients, do hereby so stipulate.

DATED: 1/17/ 2008

JAMES A. HENNENHOEFER, A.P.C.

By

JAMES A. HENNENHOEFER
Attorneys for Dianne York Goldman

DATED: 1-17 2008

By

GORDON D. CRUSE
Attorneys for Mitchel Paul Goldman

JOINDER BY THE PARTIES

The parties hereby authorize their attorneys of record to enter into the foregoing stipulation and hereby approve said stipulation and agree to be bound by all of the terms thereof.

DATED: 1/18 2008

Dianne York Goldman
DIANNE YORK GOLDMAN, Petitioner

DATED: _____ 2008

For Signature Next Page
MITCHEL PAUL GOLDMAN,
Respondent

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IRMO: GOLDMAN

CASE NO. DN 149413

STIPULATION FOR APPOINTMENT OF WILLIAM J. HOWATT, JR. (RET.)

AS PRIVATELY COMPENSATED JUDGE PRO TEM;

OATH OF OFFICE; AND ORDER

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GORDON D CRUSE, CRLS

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JOINER BY COUNSEL OF RECORD

The foregoing stipulation is approved as to form and content, and counsel of record for the respective parties join therein, and on behalf of their respective clients, do hereby so stipulate.

DATED: 1/17/2008

JAMES A. HENNENHOEFER, A.P.C.

By

JAMES A. HENNENHOEFER
Attorneys for Diane York Goldman

DATED: 1-17-2008

GORDON D. CRUSE
Attorneys for Mitchell Paul Goldman

JOINER BY THE PARTIES

The parties hereby authorize their attorneys of record to enter into the foregoing stipulation and hereby approve said stipulation and agree to be bound by all of the terms thereof.

DATED: 1/18/2008

DIANNE YORK GOLDMAN, Petitioner

DATED: 1/18/2008

MITCHEL PAUL GOLDMAN, Respondent

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IRMO. GOLDMAN
STIPULATION FOR APPOINTMENT OF WILLIAM J. HOWATT, JR. (RET.)
AS PRIVATELY COMPENSATED JUDGE PRO TEM;
OATH OF OFFICE, AND ORDER
CASE NO. DN 148413

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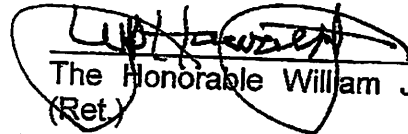
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CONSENT

I consent to act as Temporary Judge (Judge Pro Tem) in the above entitled matter in accordance with the terms and provisions of this Stipulation.

At the completion of the above-entitled matter before me, I shall give written notice of said completion to the Family Law Supervising Judge of the above-entitled Court.

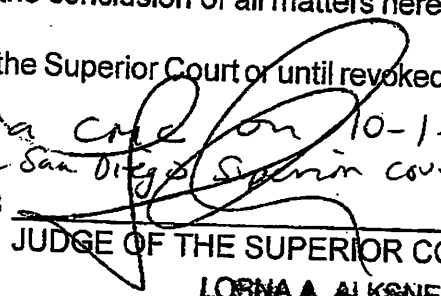
DATED: January 23, 2008


The Honorable William J. Howatt, Jr.
(Ret.)

APPROVAL AND ORDER

The stipulation of the parties hereto that Honorable William J. Howatt, Jr. (Ret.), a retired Judge of the Superior Court, act as a Temporary Judge (Judge Pro Tem), is approved and said person is hereby appointed Temporary Judge (Judge Pro Tem) in the above-entitled matter, upon his taking and subscribing the oath of office. Such oath is on file with the San Diego Superior Court which oath is attached hereto. Said Appointment shall remain in full force and effect until the conclusion of all matters herein which may be determined within the trial jurisdiction of the Superior Court or until revoked by further order of this Court. *The court sets a case on 10-1-08 @ 9⁰⁰ in Dept F-5 of the San Diego Superior court.*

DATED: FEB 19 2008


JUDGE OF THE SUPERIOR COURT
LORNA A. ALKSNE

IRMO: GOLDMAN

CASE NO. DN 149413

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