

**FILED**

**MAR 25 2024**

United Executive Officer/Clerk  
Superior Court of CA County of Santa Clara  
BY \_\_\_\_\_ DEPUTY

*J. MOLLOY*

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SANTA CLARA

In re the Marriage of:	)	Case No.: 19FL001660
	)	
EKATERINA STRULYOV	)	FINDINGS AND ORDER AFTER HEARING
	)	
Petitioner,	)	APJ: Hon. Brooke A. Blecher
	)	Dept.: 72
v.	)	February 27, 2024
	)	
EUGENE STRULYOV,	)	
	)	
Respondent.	)	

**INTRODUCTION**

Petitioner, Ekaterina Strulyov, (hereinafter referred to as "Ekaterina") appeared with her attorney of record, Stephanie Finelli and Respondent, Eugene Strulyov, (hereinafter referred to as "Eugene") representing himself at the February 27, 2024 Trial.

**BACKGROUND**

The parties married on October 29, 2010 and separated on April 8, 2019. Their Judgment of dissolution was entered on November 18, 2019, and was signed by both parties on May 28, 2019. They are parents to one child, Sofia, date of birth April 7, 2013.

1 The parties participated in a two day Trial in 2022, which resulted in the April 8, 2022  
2 Findings and Order After Hearing (“April 2022 FOAH”). Eugene appealed that Order. The Sixth  
3 District Court of Appeal affirmed the Court’s April 2022 FOAH on all but one issue. The Court  
4 affirmed that the Google stock was an omitted asset but reserved for division of the Google  
5 stock, and, in particular, whether there is good cause for an unequal division of the Google stock.

6 Parties submitted their closing statements by March 15, 2024. At that time, the matter  
7 was deemed submitted.

### 8 DISCUSSION

9 Both parties have made additional requests in their pleadings, such as a finding of a  
10 breach of fiduciary duty, determination of the value of vehicles, attorney’s fees, a finding of  
11 duress, the Google stock was not omitted, the valuation of other previously divided assets, etc.  
12 None of these additional issues will be addressed or ruled upon as they are not before the Court.  
13

14 Eugene argues that Ekaterina received half the value of the stock accounts, and that to  
15 give her any shares of Google stock would be an unequal division of the community assets.  
16 Eugene valued the stocks as of April 19, 2019, by calculating the number of shares times the  
17 value of each share. In July 2019, Eugene transferred various shares of stock to Ekaterina, which  
18 he believed equalized the party’s assets. Eugene relies upon his calculations of the stock value  
19 for his argument that Ekaterina received at least one-half of the community assets. Eugene  
20 argues that even if he had valued the assets in July 2019, Ekaterina received more than one-half  
21 of the community property.

22 Ekaterina argues that Eugene should have transferred one-half of the shares stock to her,  
23 based upon the date of division transfer. In other words, half of the Facebook shares, half of the  
24 AT&T shares, etc. Eugene unilaterally selected which stock he transferred to Ekaterina. Eugene  
25 transferred the Facebook, Gold, and A&T to Ekaterina, resulting in capital gains of

1 approximately \$13,000. Eugene retained Ford, Honda and Micron which resulted in a tax loss, as  
2 he had no capital gains. Ekaterina argues that this resulted in Ekaterina receiving less than one-  
3 half of the community assets. The Court finds this argument persuasive and relevant with respect  
4 to the valuation and division of the parties' stock, and in particular, the omitted Google stock.

5 Eugene's Exhibit "A" was his April 8, 2019, email to Ekaterina, with the subject "divorce  
6 settlement proposal." In that email, Eugene states: "6. Mortgage. Last year I expected a  
7 recession, so I sold a lot of stocks and bought mostly bonds and gold (that's why we have the tax  
8 bill)." At the February 2024 Trial, Eugene testified that he did not consider the tax basis when  
9 determining which shares of stock to transfer to Ekaterina. The Court did not find Eugene's  
10 testimony credible regarding his lack of awareness of the impact of the tax basis or now that  
11 affects the actual value of these assets.

12 Eugene received post separation Google shares in between the April and June 2019. By  
13 Eugene's own testimony these additional shares were not factored into his calculations to divide  
14 the stock. Eugene kept those shares.

15 Indeed, factoring the post-tax value of an asset allows for a more accurate calculation of  
16 its value. The parties received different values of stock in what was to be an equal division of an  
17 asset. Thus, there was not an equal division of their stock.

18 The Court of Appeals has affirmed this Court's decision that the Google stock was an  
19 omitted asset. As such, this Court looks to divide these shares of stock.

20 Based on the above, the Court finds good cause for an unequal division of assets.

21  
22 **I. ORDER**

23 The Court Orders:

- 24 1. Eugene is Ordered to transfer one-half of the community shares of Google stock (36  
25 shares as of July 2019, including any subsequent stock splits) to Ekaterina. Within

1 ten days of this Order, Ekaterina shall provide the necessary information for this  
2 transfer to occur. Eugene shall immediately transfer the shares thereafter.

- 3 2. Parties shall appear for a June 27, 2024, 9:01am status conference in Department 72  
4 to assure there has been compliance with this Order. Parties may stipulate to vacate  
5 this if the Google stock transfer occurs.

6  
7  
8 March 25, 2024



Hon. Brooke A. Blecher  
Judge of the Superior Court