



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Seventh Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 2620; 2623; 2630; 2942]

Age: 67		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Notice of Hearing filed 12/07/12 indicates that the hearing date is 01/30/13; however the correct hearing date is 01/23/13. Need revised Notice of Hearing with proof of service by mail at least 15 days before the hearing with the correct hearing date.
		Account period: 11/01/10 – 10/31/12	
		Accounting - \$130,970.22	
		Beginning POH - \$44,440.19	
		Ending POH - \$53,728.94	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Conservator - \$2,778.56 (21.20 Staff hours @ \$76/hr. and 12.16 Deputy hours @ \$96/hr.)	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$1,250.00 (Less than allowed per Local Rule)	
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.	Bond Fee - \$339.40 (ok)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report	Petitioner prays for an Order: 1. Authorizing, allowing and settling the seventh account; 2. Authorizing the conservator and attorney fees and commissions; and 3. Authorizing payment of the bond fee.	
<input type="checkbox"/>	2620(c)	n/a	
<input checked="" type="checkbox"/>	Order	Court Investigator Jennifer Daniel filed a report on 04/20/12.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 01/15/13
			Updates:
			Recommendation:
			File 1 - Leslie

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 07/23/09	PUBLIC ADMINISTRATOR , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 10/16/09 – 10/10/12	
	Accounting - \$2,662,040.72	
	Beginning POH - \$2,391,992.13	
	Ending POH - \$109,170.64	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Administrator - \$39,489.54 (statutory)	
<input checked="" type="checkbox"/> Inventory	Administrator x/o - \$27,253.92 (per	
<input checked="" type="checkbox"/> PTC	itemization for 351.24 Staff hours @ \$76/hr. and	
<input checked="" type="checkbox"/> Not.Cred.	1.80 Deputy hours @ \$96/hr. for a total of \$26,867.04 for	
<input checked="" type="checkbox"/> Notice of Hrg w/	services provided in the continued management of	
<input type="checkbox"/> Aff.Mail	decedent's business and \$386.88 per Local Rule for the	
<input type="checkbox"/> Aff.Pub.	sale of real property)	
<input type="checkbox"/> Sp.Ntc.	Attorney - \$39,489.54 (statutory)	
<input type="checkbox"/> Pers.Serv.	Attorney x/o - \$4,500.00 (per	
<input type="checkbox"/> Conf. Screen	itemization for 30 hours @ \$150/hr. for services related to	
<input type="checkbox"/> Letters 01/12/10	the continuation of decedent's business, litigation	
<input type="checkbox"/> Duties/Supp	regarding decedent's spouse claims for support &	
<input type="checkbox"/> Objections	wages, and participation in settlement negotiations)	
<input type="checkbox"/> Video Receipt	Bond Fee - \$19,965.33 (ok)	
<input type="checkbox"/> CI Report	Costs - \$690.00 (for certified	
<input checked="" type="checkbox"/> 9202	copies and filing fees)	
<input checked="" type="checkbox"/> Order	Preliminary Distributions to heirs:	
<input type="checkbox"/> Aff. Posting	Jesus Esther Bise - \$1,172,877.80	
<input type="checkbox"/> Status Rpt	Ruth Rios - \$733,525.38	
<input type="checkbox"/> UCCJEA	Petitioner states that the property on hand	
<input type="checkbox"/> Citation	(\$109,170.64) is not sufficient to pay all of the fees and	
<input checked="" type="checkbox"/> FTB Notice	costs (\$133,388.33). Petitioner requests that the	
	beneficiaries each pay ½ of the outstanding fee	
	balance (\$22,217.69 total) \$11,108.84 each.	
	Petitioner prays for an Order:	
	1. Settling, allowing and approving the final	
	account and all proceedings of Petitioner as	
	Administrator be confirmed and approved;	
	2. Authorizing the statutory fees to the	
	Administrator and Attorney;	
	3. Authorizing the extraordinary fees to the	
	Administrator and Attorney;	
	4. Authorizing payment of the bond fee and	
	costs; and	
	5. Directing the two beneficiaries pay the	
	outstanding balance of fees.	
	Reviewed by: JF	
	Reviewed on: 01/15/13	
	Updates:	
	Recommendation:	
	File 2 - Bise	

(1) First Account and Report of Guardian, (2) Petition for Its Settlement, for (3) Attorney Fees and Reimbursement of Costs Advanced (Prob. C. 2620, 2640, Local Rules 7.16A, CRC 7.750-7.752)

Age: 8		<p>MARK L. CLARK, Father and Guardian of the Estate, is Petitioner.</p> <p>Account period: 4-21-11 through 4-30-12</p> <p>Accounting: \$63,498.34 Beginning POH: \$62,466.08 Ending POH: \$57,227.20 (\$1,025.20 cash, remaining funds equities and taxable bonds; account blocked)</p> <p>Conservator: Not addressed</p> <p>Attorney: \$2,546.50</p> <p>Costs: \$460.50</p> <p>Petitioner prays for an Order:</p> <ol style="list-style-type: none"> Settling and allowing this account and report and approving and confirming the acts of Petitioner as Guardian; Authorizing payment of the attorney fees and costs; Such other orders as the Court deems proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11-14-12, 12-5-12.</p> <p>Minute Order 11-14-12: Counsel requests a continuance.</p> <p>Minute Order 12-5-12: The Court indicates to counsel that it is concerned with whether or not there is an obligation to surcharge Mark Clark. The Court continues the matter to 1/23/13 for further hearing on the First Account. The issue of surcharge to be addressed at the next hearing. Continued to 1-23-13</p> <p>As of 1-15-13, nothing further has been filed. The following issue remains:</p> <ol style="list-style-type: none"> Guardianship Estate funds are held in a blocked account as ordered; however, Petitioner states the account consists of cash, equities, and taxable bonds. The account incurred a loss in this first account period of \$1,955.14, which was more than the receipts from dividends, etc., during this period. <p>Examiner notes that the Court order does not appear to include authorization of these types of investments.</p> <p>Need clarification with reference to Petitioner's duty to manage the estate in interest-bearing, insured accounts (Probate Code §2453, Duties, etc.).</p> <p>The Court may also require bond, including cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207, of \$64,085.41 as a blocked account does not protect from losses on investments.</p>
Cont. from 111412, 120512			
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters	4-21-11		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 2620(c)			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 1-15-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Clark</p>	

(1) First Account Current and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney and (3) for Dispensation of Further Accounts [Prob. C. 2620; 2623; 2630; 2942]

Age: 74	PUBLIC GUARDIAN is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 1-5-11 through 8-7-12	<u>Note: Permanent conservatorship does not appear to have been established.</u>
	Accounting: \$75,010.70	The file indicates that the Public Guardian was appointed as Temp Conservator of the Person and Estate on 1-4-11, and the temporary conservatorship has been extended through various conferences between the parties, along with other orders regarding Marlene Hubbell's involvement with Mr. McClintic's finances and other ongoing litigation on behalf of Mr. McClintic, and also regarding Mr. McClintic's real property.
	Beginning POH: \$0.00	
	Ending POH: \$3,405.49 (cash)	
<input type="checkbox"/> Aff.Sub.Wit.	Conservator: \$9,883.76 (itemized)	
<input checked="" type="checkbox"/> Verified	Attorney: \$5,475.00 (itemized)	
<input type="checkbox"/> Inventory	Bond fee: \$37.50 (ok)	
<input type="checkbox"/> PTC	Processing Fee (costs): \$130.00 (certified copies)	
<input type="checkbox"/> Not.Cred.	Petitioner requests that due to the insufficiency of the estate, Petitioner seeks a lien for any unpaid commissions and fees against the estate of the Conservatee.	
<input type="checkbox"/> Notice of Hrg	Petitioner prays for an order:	
<input type="checkbox"/> Aff.Mail	1. Approving, allowing and settling the account;	
<input type="checkbox"/> Aff.Pub.	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/> Sp.Ntc.	3. Authorizing payment of the bond fee and processing fee;	
<input type="checkbox"/> Pers.Serv.	4. Imposing a lien against the estate for any unpaid balances of the authorized compensation and costs due to the insufficiency of the estate; and	
<input type="checkbox"/> Conf. Screen	5. Other relief be granted that the court considers proper	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
N/A <input type="checkbox"/> 2620(c)		Reviewed by: skc
<input checked="" type="checkbox"/> Order		Reviewed on: 1-15-13
<input type="checkbox"/> Aff. Posting		Updates:
<input type="checkbox"/> Status Rpt		Recommendation:
<input type="checkbox"/> UCCJEA		File 4 - McClintic
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Marlene Hubbell filed "Declaration of Marlene Hubbell in Support of Ex Parte Request for Compliance with Prior Court Order Dated December 5, 2011 to Enforce Sale of Real Property" on 12-10-12.	
	<u>SEE PAGE 2</u>	

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Examiner's note: *The Declaration does not appear to be an objection to the account filed by the Public Guardian. The title of the document appears to infer that an ex parte request was filed; however, the document was filed alone. Rather than a Declaration for consideration in connection with this account, the Declaration appears to be a motion requesting relief.*

As such, it is not reviewed for this hearing with reference to the Public Guardian's petition for settlement of account.

If the Declarant wishes the Court to consider the matters discussed in this Declaration, a filing fee is required and noticed hearing may be required, depending on the method of presentation.

Regardless, authority is necessary, as Examiner notes that the property that is the subject of this Declaration does not appear to be under the control of any conservatorship estate at this time. Further, the Declaration indicates expenses paid by a trust, and appears to indicate that the property is held in trust. Trust issues cannot be resolved unless an appropriate case is opened under appropriate authority with appropriate notice. Trust issues cannot be resolved in a conservatorship matter.

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 9/8/2011	PUBLIC ADMINISTRATOR , Administrator, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Account period: 11/30/11 – 9/27/12		
Cont. from	Accounting	- \$163,776.50	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$ 93,317.56	
<input checked="" type="checkbox"/> Verified	Ending POH	- \$135,903.45	
<input checked="" type="checkbox"/> Inventory	Administrator	- \$5,613.30	
<input checked="" type="checkbox"/> PTC	(statutory)		
<input checked="" type="checkbox"/> Not.Cred.	Administrator x/o	- \$2,248.00	
<input checked="" type="checkbox"/> Notice of Hrg	(per Local Rule for sale of real and personal property and preparation of taxes.)		
<input checked="" type="checkbox"/> Aff.Mail	Attorney	- \$5,613.30	
<input type="checkbox"/> Aff.Pub.	(statutory)		
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Bond fee	- \$341.20 (o.k.)	
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters	Court fees	- \$471.50 (filing fee, certified copies)	
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections	Distribution, pursuant to Decedent's Will, is to:		
<input type="checkbox"/> Video Receipt	Gina Leigh Kaklikian Taro - \$121,181.15		
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 1/15/13
			Updates:
			Recommendation: SUBMITTED
			File 5 - Kasparian

(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and (3) for Distribution [Prob. C. 9202; 10800; 10810; 10951; 11600; 11850(a)]

DOD: 3/7/12		PUBLIC ADMINISTRATOR , Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 3/7/12 – 10/2/12	
Cont. from		Accounting - \$177,388.19	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$177,058.73	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$173,935.25	
<input checked="" type="checkbox"/>	Inventory	Administrator (statutory) - \$6,321.65	
<input checked="" type="checkbox"/>	PTC	Administrator x/o - \$786.70 (per Local Rule for sale of personal property and preparation of taxes.)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Attorney (statutory) - \$6,321.65	
	Aff.Pub.		
	Sp.Ntc.	Bond - \$221.74 (o.k.)	
	Pers.Serv.		
	Conf. Screen	Court fees - \$471.50 (filing fee, certified copies)	
<input checked="" type="checkbox"/>	Letters	5/3/12	
	Duties/Supp	Distribution, pursuant to intestate succession, is to:	
	Objections		
	Video Receipt	Rodger Anderson - \$159,377.00	
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 1/15/13
			Updates:
			Recommendation: SUBMITTED
			File 6 - Anderson

(1) First and Final Report of Administration and (2) Petition for Allowance of Requested Fees to Attorney and (3) for Final Distribution on Waiver of Accounting and Notice (PC 11002, 11600, 11601, 11640, 10810, 10954)

DOD: 05/11/12		STEVE HAYHURST, II , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$569,101.18	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$552,709.64	
<input checked="" type="checkbox"/>	Verified	(\$441,709.64 is cash)	
<input checked="" type="checkbox"/>	Inventory	Executor - waived	
<input checked="" type="checkbox"/>	PTC	Attorney - \$12,000.00 (less than statutory)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Closing- \$5,000.00	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Distribution, pursuant to decedent's will, is to:	
<input type="checkbox"/>	Pers.Serv.	Debra McGinnis - \$100,000.00	
<input type="checkbox"/>	Conf. Screen	Steven Hayhurst, II - \$324,709.64	
<input type="checkbox"/>	Letters	cash plus real property and household furniture and furnishings	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 01/15/13
			Updates:
			Recommendation: SUBMITTED
			File 7 - Hayes

DOD: 03/07/11		<p>MARIA NOEMI GARCIA BEJARANO, surviving spouse, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$33,000.00</p> <p>Will dated 09/30/10 devises entire estate to Maria Noemi Garcia Bejarano.</p> <p>Petitioner requests court confirmation that decedent's 100% interest in real property located at 466 Sixth Street, Orange Cove pass to her pursuant to decedent's will.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: JF	
		Reviewed on: 01/15/13	
		Updates:	
		Recommendation: SUBMITTED	
		File 8 - Salazar	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 01/16/05		JOHN T. LAETTNER , son/named Executor without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Full IAEA – OK	1. The Petition indicates that the Decedent had a predeceased spouse. It is unclear if Dr. Grady Mullinnix listed in item 8 of the petition is the predeceased spouse because no relationship is stated. Need clarification.
Cont. from		Will dated 01/22/04	
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Residence: Fresno			
Publication: The Business Journal			
Estimated Value of the Estate:			
Personal property - \$18,000.00			
Probate Referee: RICK SMITH			
Reviewed by: JF			
Reviewed on: 01/15/13			
Updates:			
Recommendation:			
File 9 - Mullennix			

Petition for Order Confirming Trust Assets [Prob. C. 850(a)(3)]

		BRUCE BICKEL , Trustee, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order</p>
		Petitioner alleges: Anna Lorraine McNalley, as settlor ("Settlor"), established the Anna Lorraine McNalley Living Trust, pursuant to declaration of trust on 4/19/1991. Settlor amended and completely restated the original trust agreement on 6/14/2011 ("Restated Trust"). Petitioner is the current acting Trustee of the Restated Trust.	
Cont. from		On 5/15/2001, the Settlor established the ALM Trust of 2001 pursuant to Trust agreement. Petitioner is the current acting Trustee of the ALM Trust ("ALM Trust").	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	On 10/7/2011 the Settlor signed a change of beneficiary form in which she purported to change the beneficiaries of a life insurance policy on the Settlor's life by Lincoln Beneficial Life Company ("Lincoln Benefit").	
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Petitioner believes that on 10/10/2011 the original change of beneficiary form was mailed to the Settlor's insurance agent/financial advisor for processing.	
	Letters		
	Duties/Supp	The Settlor died on 11/10/2011.	
	Objections	It was only after the Settlor's death that petitioner learned that the change of beneficiary form had not been processed.	
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting	On 4/12/12, Petitioner submitted the change of beneficiary to Lincoln Benefit. On April 19, 2012 Lincoln Benefit responded as follows:	
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	<p>"The Owner of the policy is The ALM Trust of 2001 dtd 5-15-01. Only the Owner of the policy has a contractual right to change the beneficiary of the policy, and that Owner must sign any beneficiary change request. Since the trustee of that Owner Trust did not sign the request, and because it also included white-outs, that request is not valid."</p>	
Please see additional page			<p>Reviewed by: KT</p> <p>Reviewed on: 1/16/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 – McNally</p>

It was at that point that Petitioner learned that the Settlor was not the owner of the policy and, therefore, unable to change the beneficiaries of it.

At the time of the Settlor's death, Billie Knapp was the trustee of the ALM Trust. On 7/2/12, Billie Knapp designated Bruce D. Bickel to serve as successor Trustee of the ALM Trust, pursuant to the terms of the Trust.

After submitting a new application on behalf of the ALM Trust, the Trustee received the proceeds from the Policy in the net amount of \$515,632.65.

Pursuant to the terms of the ALM Trust, the trustee is required to distribute a share of trust property outright to each of the Settlor's children who survive her. All five of the Settlor's children have survived the Settlor.

The Restated Trust provides for the distribution of trust property after the Settlor's death as follows:

75% of the settlor's shares of the common stock of Calbusma, Inc., free of Trust to the Settlor's daughter, Theresa A. Brymer.

26% of the settlor's shares of the common stock of Calbusma, Inc., free of Trust to the Settlor's son, Timothy B. McNally.

The Trustee shall distribute the balance of the trust estate in equal shares free of trust as follows:

One (1) such share to the settlor's son, Michael D. McNally;

One (1) such share to the settlor's daughter, Maureen N. Patton; and

One (1) such share to the settlor's son, Marc S. McNally.

Any gifts not otherwise disposed of by the provisions of this paragraph shall be added on a prorated basis to the gifts that are effectively disposed of in this paragraph.

On 10/7/11 the Settlor amended and Restated the Trust to provide that the trust property would be retained in trust for the benefit of the Settlor's children Maureen N. Patton, Michael D. McNally and Marc S. McNally respectively. Included in the schedules is a description of the following asset:

1/5 interest in Lincoln Beneficial in the face amount of \$500,000.00

Based on the foregoing, the Settlor intended that Maureen N. Patton, Michael D. McNally and Marc S. McNally, each receive 1/5 of the proceeds from the Policy but that the proceeds would remain in trust as specified in the Amendment rather than distributed to them outright, as required by the ALM Trust.

Petitioner requests that this court confirm that the portion of the net proceeds of the Policy was intended by the Settlor to be retained in separate trusts for the benefit of Maureen N. Patton, Michael D. McNally and Marc S. McNally pursuant to the Amendment is money subject to the Restated Trust and under the control of Bruce Bickel as successor trustee.

Please see additional page

The balance of the net proceeds is to be distributed outright to Teri Brymer and Tim McNally pursuant to the change in beneficiary form and the Restated Trust. Petitioner believes the Settlor's intent as expressed under both the application for change of beneficiary form and under the Schedules attached to the Amendment. In addition, failure to fund the separate trusts for Michael D. McNally and Marc S. McNally with their respective shares of the net proceeds of the Policy may frustrate the Settlor's estate plan. For example, the Settlor intended that real property located in Fresno be retained in trust for the benefit of Michael D. McNally. If Michael D. McNally's separate trust is not funded with his share of the Policy, the trustee may have insufficient funds with which to maintain this property for his benefit. The same holds true for the mobile home and real property located in Fresno that are to be retained in trust for the benefit of Marc S. McNally.

Wherefore Petitioner prays for an order of this Court that:

1. The portion of the net proceeds of the Policy that was intended by the Settlor to be retained in the trust for the benefit of Maureen N. Patton, Michael D. McNally and Marc S. McNally pursuant to the Amendment is money subject to the Restated Trust as amended under the control of Bruce Bickel as successor Trustee.

Atty Burks, William Joseph (pro per Petitioner/step-maternal great grandfather)

Atty Burks, Vicki Lynn (pro per Petitioner/maternal great grandmother)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Joseph age: 3	<p style="text-align: center;">THERE IS NO TEMPORARY. No temporary was requested.</p> <p>WILLIAM JOSEPH BURKS, maternal step-great grandfather and VICKI LYNN BURKS, maternal great grandmother, are petitioners.</p> <p>Father: SALVADOR ANTHONY PADILLA – Declaration of Due Diligence filed on 1/9/13.</p> <p>Mother: EMILY MAE MARIE PADILLA – personally served on 1/7/13.</p> <p>Paternal grandfather: Salvador Garcia Padilla – deceased.</p> <p>Paternal grandmother: Judy Ann Padilla – Declaration of Due Diligence filed on 1/7/13.</p> <p>Maternal grandfather: Timothy Dean Rylant – served on 1/7/13</p> <p>Maternal grandmother: Gina Dean Parisi – personally served on 1/8/13.</p> <p>Petitioners state the boys are 2 and 3 years old and the parents don't want them. The boys have been in the petitioners' care since October 2011. Petitioners would like to have legal custody of the children.</p> <p>Court Investigator Charlotte Bien's Report filed on 1/14/13.</p>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need proof of personal service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice for: <ol style="list-style-type: none"> Salvador Anthony Padilla – unless the court dispenses with notice. Need proof of service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on: <ol style="list-style-type: none"> Judy Ann Padilla (paternal grandmother) – unless the court dispenses with notice. 	
Henry age: 2				
Cont. from				
Aff.Sub.Wit.				
✓ Verified				
Inventory				
PTC				
Not.Cred.				
✓ Notice of Hrg				
✓ Aff.Mail				W/
Aff.Pub.				
Sp.Ntc.				
✓ Pers.Serv.				W/
✓ Conf. Screen				
✓ Letters				
✓ Duties/Supp				
Objections				
Video Receipt				
✓ CI Report				
9202				
✓ Order				
Aff. Posting				
Status Rpt				
✓ UCCJEA				
Citation				
FTB Notice				
<p>Reviewed by: KT</p> <p>Reviewed on: 1/15/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Padilla</p>				

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 1 year		<p style="text-align: center;">THERE IS NO TEMPORARY. No temporary was requested.</p> <p>ROSARIO RODRIGUEZ, maternal grandmother, is petitioner.</p> <p>Father: FERNANDO (LAST NAME UNKNOWN) – Declaration of Due Diligence filed on 11/20/12.</p> <p>Mother: JEANNETTE RODRIGUEZ – consents and waives notice.</p> <p>Paternal grandparents: Unknown Maternal grandfather: Gabriel Rodriguez – consents and waives notice.</p> <p>Petitioner alleges: the mother has special needs and is unable to care for herself therefore, is unable to care for the minor.</p> <p>Court Investigator JoAnn Morris' Report filed on 1/9/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #11 of the Confidential Guardian Screening Form is not answered. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> Fernando (father) – unless the court dispenses with notice. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> Paternal grandparents – unless the court dispenses with notice. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 1/16/13		
		Updates:		
		Recommendation:		
		File 14 - Rodriguez		

**Petition for Amended Letters of Conservatorship Granting Conservator Powers
Under Probate Code Section 2591**

Age: 52	<p>JOANNA REJNIAK, Co-Conservator, is Petitioner.</p> <p>JOANNA REJNIAK, Ex-wife, and DIANA FATYGA, Daughter, were appointed Co-Conservators of the Person and Estate without bond on 8-25-11.</p> <p>Petitioner states The Conservatee is the sole borrower on the house where he lives, although title is held as Marek Fatyga and Joanna Fatyga, husband and wife as joint tenants. Petitioner is Conservatee's sole caregiver.</p> <p>Petitioner has been negotiating terms with Bank of America and also attempting to find another lender who may offer better terms on the mortgage. There is a lender willing to refinance the debt, but the title company requires amended Letters of Conservatorship in order to execute the necessary documentation. Although Bank of America did preapprove a loan modification, a foreclosure date is set for 11-21-12. Petitioner hopes that filing this petition will enable her to postpone the foreclosure and reinstate the loan.</p> <p>Petitioner states the current balance of the mortgage is \$75,331.35 and closing costs are anticipated at \$1,000.00. Co-Conservator Diana Fatyga is studying medicine in Poland and is not easily able to attend to these duties at this time.</p> <p>Attached is a letter dated 11-6-12 from Chicago Title Company requiring amended letters of conservatorship granting Petitioner full authority to execute all necessary documentation for the refinance.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1-9-13: Matter continued to 1-23-13; Petitioner is directed to speak to the Examiner.</p>
Cont. from 010913		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	W	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 1-15-13</p> <p>Updates: 1-15-13</p> <p>Recommendation:</p> <p>File 15 - Fatyga</p>

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 6 months	<u>TEMPORARY EXPIRES 1/23/13</u>	NEEDS/PROBLEMS/COMMENTS:
	<u>GENERAL HEARING 3/12/13</u>	
	DONYALE KINGSBY , maternal grandmother, is petitioner.	1. UCCJEA is incomplete need minor's residence information from 7/2/12 to 12/16/12.
Cont. from	Father: UNKNOWN	2. Need Notice of Hearing.
<input type="checkbox"/> Aff.Sub.Wit.	Mother: SHAKIRA MONIQUE ROSEMOND	3. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence on: a. Unknown father b. Shakira Rosemond (mother)
<input checked="" type="checkbox"/> Verified	Paternal grandparents: Not Listed Maternal grandfather: Not Listed	4. Confidential Guardian Screening form is incomplete. The proposed guardian has answered yes to questions #3, #5, #9, #10, #11, #14 and #15 without explaining.
<input type="checkbox"/> Inventory	Petitioner states she needs a guardianship in order to take the baby to all her doctor appointments. Her mother is in custody and gave her permission to make any decisions needed while the baby is in her care.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: KT
<input type="checkbox"/> Status Rpt		Reviewed on: 1/16/13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 17 - Bush

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

Age: 11 months		<p align="center">GENERAL HEARING 03/13/2013</p> <p>TONYA MARIE GOMEZ, paternal grandmother, is petitioner.</p> <p>Father: ALFONSO JOSEPH LEAL, Consents and Waives Notice</p> <p>Mother: RAQUEL BRITTANY HARRIS, Consents and Waives Notice</p> <p>Paternal Grandfather: Alfonso Soto Leal</p> <p>Maternal Grandfather: Robert Nigglet Harris, Declaration of Due Diligence filed 01/11/2013</p> <p>Maternal Grandmother: Yolanda Martinez</p> <p>Petitioner states: the child has resided with her and the father since the child's birth. The child's parents are 15 and 16 years old and the petitioner believes they are very young. The petitioner wishes to allow the mother visits with the child but is seeking guardianship to ensure that the child is returned to her care.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			n/a
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			n/a
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: LV
				Reviewed on: 01/16/2013
		Updates:		
		Recommendation:		
		File 18 - Leal		