

**First and Final Account and Report of Administrator and Petition for Allowance of Ordinary Commissions and Fees and for Distribution**

<b>DOD: 02/10/92</b>	<b>PUBLIC ADMINISTRATOR</b> , is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need consent to distribution in undivided interests from the beneficiaries pursuant to Local Rule 7.12.4.  2. The Petition was filed with a Fee Waiver. The Petition indicates that the distributees will be paying the costs of administration outside of the estate, but does not address the filing fee. Filing fee of \$435 should be paid as a cost of administration.
	Account period: <b>06/30/10 – 03/19/15</b>	
	Accounting: <b>\$107,198.00</b>	
	Beginning POH: <b>\$107,198.00</b>	
	Ending POH: <b>\$105,000.00</b>	
<b>Cont. from</b>	Administrator: <b>\$1,000.00</b> (less than statutory) – to be paid outside of the estate	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Attorney: <b>\$1,000.00</b> (less than statutory) – to be paid outside of the estate	
<input checked="" type="checkbox"/> <b>Verified</b>	Bond Fee: <b>\$268.00</b> (ok) – to be paid outside of the estate	
<input checked="" type="checkbox"/> <b>Inventory</b>	<b>Distribution, pursuant to intestate succession, is to:</b>	
<input checked="" type="checkbox"/> <b>PTC</b>	Danece A. Hannah-Hamilton – ½ interest in real property	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Jennifer N. Hannah-Hamilton – ½ interest in real property	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b> 04/7/92		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 01/25/16		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 1- Hamilton</b>		



## Page 2

**Petitioner states** he and his sister Patricia Leonard are the duly appointed co-conservators of the person and estate. When their mother died on 8/15/13, she was staying with Patricia. Taking care of a dying parent is very stressful, and after her death, Patricia wanted Petitioner to take care of everything. Petitioner took over paying bills for the residence in Fresno and has been dealing with this conservatorship. Patricia Leonard will not appear regarding this matter and when the conservatorship is dissolved, Petitioner will be the one to petition for the probate estate. Although she has not been formally removed, she asked Petitioner to finish up this case and he agreed.

In the Second Account, two bank accounts were listed. Petitioner closed one of the accounts after the Second Account; therefore, in this report, Petitioner is providing information on the only account he has been using.

Petitioner states the conservatorship technically stopped and the probate estate started when his mother died. He did not account for and deal with the conservatorship estate assets subsequent to her death as stated in the prior declaration because petitioner plans to deal with those assets in the probate estate.

Petitioner states in the prior Examiner Notes, it states he requested termination without distribution of the assets or indicating that an estate has been opened. Petitioner states he did say he would open a probate case. He thought this had to be closed first. Petitioner did not know that assets could be distributed out of the conservatorship estate.

Petitioner states he is not an attorney and there are no funds to hire one. While he knows he is responsible for knowing the rules, he respectfully asks for some guidance. Since he and his sister are the only heirs, if it is not necessary to open a probate case, he would like to know if the house can be distributed from the conservatorship case.

Concerning the other probate notes, Petitioner has amended the accounting and the charges and credits now match and the beginning property on hand now matches the property on hand at the close of the Second Account.

Re Request for Special Notice filed by Leigh Burnside: Petitioner states he originally hired that firm to help recover about \$300,000 that someone stole from the estate prior to the conservatorship. Instead of doing what he hired them to do, they spent about a year and \$90,000 of estate funds in attorney fees for multiple attorneys and paralegals relative to this conservatorship. He fired them and they had the gall to try and come back and collect more attorney fees. He told them if they continued in their effort to get paid for not doing what they were hired to do, he would sue them. Mr. Burnside and his firm (sic) have been gone for several years and have not been noticed. Petitioner objects to having to waste additional time and money keeping them notified when they were fired for non-performance and basically ripping off his mother for \$90,000.

Petitioner states he has not accounted for estate assets subsequent to his mother's death and again respectfully requests that the assets be distributed out of this case or that this case be closed/dismissed so a probate can be opened. The Court could also accept this third account and then have a fourth and final account for the subsequent period. Either way, Petitioner respectfully requests help.

**SEE ADDITIONAL PAGES**

**NEEDS/PROBLEMS/COMMENTS:**

1. The petition is not verified by Co-Conservator Patricia Leonard. (Although Petitioner states he and his sister agreed that he would finish up the conservatorship, this issue remains noted pursuant to Probate Code §1020.)
2. Although Petitioner revised the summary to balance, no accounting schedules are provided in support of the summary pursuant to Probate Code §1062. Summary and schedules should be completed on the mandatory Judicial Council forms. (Although Petitioner previously provided the bank statements, these are supplemental and are not in a format reviewable by the court.)
3. As previously noted, Petitioner provides an “account current” that ends at the end of the month after the conservatee’s death, but does not account for any subsequent period per §2620(b) or request distribution of assets in order to close the conservatorship. In this amended petition, Petitioner requests direction as to how to proceed – whether to open an estate or whether distribution can occur from this conservatorship estate.

While the Court cannot provide legal advice, Examiner notes that if the value of the remaining assets, reappraised at date of death, is under \$150,000.00, Petitioner may be able to use a summary proceeding for distribution to the heirs rather than opening a full probate estate. See Probate Code §13150 et seq. However, this type of proceeding, while simpler, would require some participation by Ms. Leonard. Petitioner may wish to review Form DE-310 (Petition to Determine Succession) along with DE-160, DE-161 (Inventory and Appraisal). Please note that the manner of closing of this conservatorship estate may depend on the proceeding Petitioner intends to use (full probate or summary proceeding), and final account herein according to the Probate Code may still be necessary.

4. Need Notice of Hearing (Mandatory Judicial Council Form GC-020) for this hearing date and proof of service of Notice of Hearing on all relatives at least 15 days prior to the hearing pursuant to Probate Code §§ 1220, 2621, 1460(b)(6). (It appears Petitioner served notice of a prior hearing date that was taken off calendar. Petitioner should have filed this amended petition and thereafter served the Notice of Hearing on all relatives.
5. Request for Special Notice: Petitioner states the law firm did not do what they were hired to do and he fired them. However, Court records indicate that the Co-Conservators were represented by Dowling Aaron from commencement of conservatorship proceeding through the settling of the first account, which also included a petition and order for substituted judgment revoking estate planning documents and powers of attorney. See file for history and details. The Court granted attorney fees and costs of \$42,563.75 on 4/21/11 and \$4,730.25 on 8/23/11.

Substitution of Attorney was filed 8/9/11, and Request for Special Notice was filed 8/25/11. It appears the majority of the fees granted were paid according to the Co-Conservators’ Second Account; however, Pursuant to Probate Code §1252, Notice of Hearing with a copy of the petition must be served on the party requesting special notice unless dispensed by the Court. Therefore, notice is required.

**SEE ADDITIONAL PAGES**

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**Note:** Petitioner states his bond was waived pursuant to the Court's minute order of 2/21/13; however, as previously noted, the Order Approving Second Account signed by the Court on 2/21/13 states at Paragraph 13 on Page 4: "The Co-Conservators have on file a bond totaling \$181,280 from International Fidelity Insurance Company in connection with their appointment as Co-Conservators, which is sufficient in this estate." This Order clarifies that the bond was not waived or canceled; rather, the current bond was found sufficient at that time to proceed without increase.

**Petition for Probate of Will and for Letters of Administration with Will Annexed;  
Authorization to Administer Under the Independent Administration of Estates Act**

<b>DOD: 10/3/11</b>		<p><b>FRESNO COUNTY PUBLIC ADMINISTRATOR</b> is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA without bond.</p> <p>Full IAEA – ok</p> <p>Will dated 8/11/09</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Real property: \$311,000.00</p> <p>Probate Referee: Rick Smith</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Petitioner lists only the decedent’s four living children at #8; however, it appears that there are additional people entitled to notice of this proceeding, including:</b></p> <ul style="list-style-type: none"> <li>- Vanessa Galvan (Daughter of deceased son Frank Garcia Galvan, mentioned in the will)</li> <li>- Vivian Saicon (Granddaughter and Named alternate executor and former conservator of the person)</li> </ul> <p>Therefore, need revised declaration re #8 and proof of service of Notice of Petition to Administer Estate on Vanessa Galvan and Vivian Saicon at least 15 days prior to the hearing per Probate Code §8110.</p> <p>2. Need date of death of Frank Garcia Galvan per Local Rule 7.1.1.D.</p> <p><b>Note:</b> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> <li>• Wednesday May 25, 2016 for filing the Inventory and Appraisal</li> <li>• Wednesday March 29, 2017 for filing the first account or petition for final distribution.</li> </ul>	
<b>Cont. from 121515</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			S/P
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>			
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>			
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input checked="" type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input checked="" type="checkbox"/>	<b>Order</b>			
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<b>Reviewed by:</b> skc				
<b>Reviewed on:</b> 1/22/16				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 3 - Galvan</b>				



**4B Jacob Martin Elias Farino (GUARD/P) Case No. 12CEPR01138**

**Attorney Koligian, Robert, JR (for Carole Jarvis and Danyell Farino)**

**Notice of Motion and Motion to Be Relieved as Counsel**

		<b>ROBERT KOLIGIAN, JR.</b> , attorney for Carole Jarvis and Danyell Farino, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Court Trial that was set for 01/15/2016 was continued to 03/18/2016 pursuant to Order signed by Judge Snauffer on 12/16/2015.</b></p> <p>1. Need Order.</p>
		<b>DANYELL FARINO</b> , maternal step-grandmother, and <b>CAROLE JARVIS</b> , maternal grandmother, were appointed Co-Guardians on 03/19/2013.	
Cont. from		<b>Petitioner states:</b> Carole Jarvis has violated the terms of the written agreement by failing to cooperate with her attorney in this matter. Further, the Attorney/Client relationship has deteriorated to the extent Mr. Koligian can no longer represent her. Due to the lack of cooperation of Ms. Farino, Mr. Koligian is unable to properly prepare for trial.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	<p>Subsequent to the filing of this motion, Mr. Koligian has requested that both Ms. Farino and Ms. Jarvis execute a Substitution of Attorney forms. Correspondence was sent to Ms. Farino and Ms. Jarvis on 09/09/2015 and 10/14/2015, as of date of preparation of this declaration Mr. Koligian has failed to hear from either of them.</p> <p>Mr. Koligian respectfully requests that the Court relieve him as the Attorney of Record for Danyell Farino and Carole Jarvis.</p>	
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 01/25/2016
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 4B- Farino</b>

**5 Mikaylah & Aubreyella Pizano-Ortiz & Jameson Cruz (GUARD/P)**  
**Case No. 13CEPR01010**

Petitioner Cruz, Patricia (Pro Per – Paternal Grandmother)  
 Petition for Appointment of Guardian of the Person

<b>Jameson Age: 2</b>	<b><u>NO TEMPORARY REQUESTED</u></b>	<b>NEEDS/PROBLEMS/ COMMENTS:</b>
	PATRICIA CRUZ, paternal grandmother, is petitioner.	<p><b>This petition pertains to Jameson Cruz only.</b></p> <p><b>Note:</b> Maternal Grandmother, Nellie Ortiz, was appointed guardian of Mikaylah and Aubreyella Pizano-Ortiz, minor's siblings, on 1/21/14.</p>
	<b><u>Please see petition for details</u></b>	
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input checked="" type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input checked="" type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input checked="" type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 01/25/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 5- Pizano-Ortiz &amp; Cruz</b>

**6 Isamu Bob Urabe (Estate) Case No. 14CEPR00717**

Attorney Kruthers, Heather H (for Public Administrator)

**Report of Administration and Petition for Final Distribution of Insolvent Estate**

<b>DOD: 07/28/2014</b>	<b>PUBLIC ADMINISTRATOR</b> , Administrator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 09/19/2014 to 11/17/2015	
<b>Cont. from</b>	Accounting - <b>\$201,030.04</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$185,000.00</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH (cash) - <b>\$3,407.89</b>	
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>	Administrator (less statutory) - <b>\$1,500.00</b>	
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Attorney (less statutory) - <b>\$1,500.00</b>	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>	X/O - <b>\$1,000.00</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>	(sale of decedent's property and taxes pursuant to Local Rule 7.18(B)(1))	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b> 9/9/14	Bond fee - <b>\$502.58</b>	
<input type="checkbox"/> <b>Duties/Supp</b>	<b>Petition states</b> due to insufficiency of estate, after only partial payment of allowed commissions, fees and costs, there will be no estate to distribute or to pay creditor's claims.	
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>	<b>Petitioner prays for an Order:</b>	
<input checked="" type="checkbox"/> <b>Order</b>	1. Approving, allowing and settling final account;	
<input type="checkbox"/> <b>Aff. Posting</b>	2. Authorizing the administrator and attorney fees and commissions;	
<input type="checkbox"/> <b>Status Rpt</b>	3. Payment of bond fee.	
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 01/25/2016
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6- Urabe</b>

Attorney Heather H. Kruthers (for Petitioner Public Guardian)

First Account Current and Report of Conservator and Petition for Allowance of Compensation

		<p><b>PUBLIC GUARDIAN</b>, Conservator of the Person and Estate, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Court Investigator's Report was filed 11/4/2015.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Paragraph 9 of the <i>Petition</i> states the Conservatee has received benefits from or through the Veterans Administration. Pursuant to Probate Code § 1822(d), if the <i>Petition</i> states the proposed conservatee is receiving or is entitled to receive benefits from the Veterans Administration, notice shall be mailed to the Office of the Veterans Administration referred to in Probate Code § 1461.5. Need proof of 15 days' mailed service of <i>Notice of Hearing</i> to the Office of the Veterans Administration.</p> <p>2. Paragraph 10 of the <i>Petition</i> states the Conservatee has been confined in a state hospital in California during the pendency of these proceedings. Probate Code § 1461(b) provides notice of the time and place of hearing on the petition, report or account, and a copy of the petition, report, or account, shall be mailed to the director at the director's office in Sacramento at least 15 days before the hearing.</p> <p align="center">~Please see additional page~</p>	
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			
Letters	101614			
<input 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 type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: LEG		
		Reviewed on: 1/25/16		
		Updates:		
		Recommendation:		
		File 7- Badiali		

**Note:** If the *Petition* is granted, Court will set a status hearing as follows:

- **Tuesday, January 9, 2018 at 9:00 a.m. in Dept. 303** for filing of the second account.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

**Dept. 303, 9:00 a.m. Wednesday, January 27, 2016**

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

<b>DOD: 10/31/14</b>		<p><b>BEVERLY KITCHEN</b>, spouse, was appointed Administrator with limited IAEA and without bond on 08/12/15. Letters of Administration were issued on 08/13/15.</p> <p><b>Minute Order</b> from hearing on 08/12/15, set this status hearing regarding filing of the Inventory &amp; Appraisal.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b><u>OFF CALENDAR</u></b>  <b>Inventory &amp; Appraisal filed</b>  <b>01/22/16</b></p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF	
		<b>Reviewed on:</b> 01/25/16	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 8- Kitchen</b>	

Attorney Gregory J. Roberts (for Richard A. Herzog, Trustee)  
 Attorney Randolph Krbechek (for Eugene D. Herzog, Beneficiary)

Trustee's First Account and Petition for Its Approval

Darrell DOD: 5/26/2011	<p><b>RICHARD A. HERZOG</b>, son and Successor Trustee of the <b>HERZOG FAMILY TRUST</b> dated <b>1/31/2008</b>, is Petitioner.</p> <p align="center">~Please see Petition for details~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Minute Order dated 12/8/2015 from the hearing on the Verified Petition for Accounting and for Order Instructing Trustee and Compelling Final Distribution from Trust filed by <b>EUGENE HERZOG</b>, son and Trust Beneficiary, set a Settlement Conference on <b>2/9/2016</b>, stating mandatory settlement conference statements are due by <b>2/2/2016</b>, and set the matter for Trial with a one-day time estimate on <b>3/8/2016 at 8:30 a.m. in Department 303.</b></p> <p align="center">~Please see additional page~</p> <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 1/25/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9- Herzog</b></p>
Anna DOD: 12/7/2012		
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 checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail <span style="float:right">w/</span>		
<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		

**NEEDS/PROBLEMS/COMMENTS, continued:**

1. *Proof of Service by Mail* filed 12/7/2015 shows notice was served to the following persons named in the Trust instrument as contingent beneficiaries of the Trust; however, their names are omitted from Paragraph 7 of the *Petition* that lists the names and residences of trust beneficiaries and others entitled to notice:
  - **BRYAN EUGENE HERZOG;**
  - **KARI L. TRAXLER;**
  - **SHELLIE M. MAZZEI** (*Note: Proof of Service by Mail filed 12/7/2015 does not show notice was served to her.*)
  
2. Need proof of service by mail of **30 days'** notice prior to hearing for the following Trust beneficiary pursuant to Probate Code §§ 15804(a) and 17203(a)(2):
  - **SHELLIE M. MAZZEI**, contingent Beneficiary.

**Note:** Proposed order does not make a specific finding that Petitioner is authorized to reimburse Petitioner **RICHARD HERZOG** as Trustee the sum of **\$4,082.28**; to authorize Petitioner to distribute **\$1,983.96** to **DANIELLE HERZOG**; to authorize the holding of a reserve from the distribution of Trust assets; and to authorize the distribution of Trust assets as proposed.

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

<b>DOD: 4/15/15</b>	<p><b>BRAD JACOBSON</b> was appointed Administrator with full IAEA and without bond on 7/6/15.</p> <p>Letters issued 7/8/15.</p> <p>Inventory and Appraisal filed on 10/15/15 showing a value of \$305,000.00.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 12/9/15. Minute order</b> states the filed Inventory and Appraisal was not signed by the probate referee. If a signed Inventory and Appraisal is filed at least two court days prior to 1/27/16, then no appearance is necessary on 1/27/16. – A copy of the minute order was mailed to Steven R. Hrdlicka and Brad Jacobson on 12/9/15.</p> <p>1. Inventory and appraisal was not signed by the probate referee.</p>
<b>Cont. from 120915</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 1/25/16</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 10 – Craig</b>

**Waiver of Accounting and Petition for Allowance of Statutory Fees to Administrator and Attorney for Administrator, and Petition for Final Distribution**

DOD: 11/07/14		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Calendared in Dept. 303 in error.</p> <p>This matter is to be heard in Dept. 54 at 8:30am.</p> <p>See page 31 for additional notes.</p>	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		w/
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		07/06/15
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		x
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice	x	
		Reviewed by: JF	
		Reviewed on: 01/25/16	
		Updates:	
		Recommendation:	
		File 11- Rustigian	

Probate Status Hearing RE: Filing of the Inventory and Appraisal

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><b><u>OFF CALENDAR</u></b>  <b>Inventory &amp; Appraisal filed</b>  <b>01/11/16</b></p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/16
		Updates:
		Recommendation:
		File 12- Simone

Probate Status Hearing RE: Report from the Public Guardian

<b>Age: 41</b>	<p><b>PUBLIC GUARDIAN</b>, was appointed Successor Conservator on 08/19/15. Letters of Conservatorship were issued on 01/13/16.</p> <p><b>Minute Order dated 8/19/2015</b> from the hearing on the petition stated that the Court would sign the order upon receipt of resignation from the current Conservator [Carolyn Sadler] and set a status hearing for 11/18/15.</p> <p><b>Minute Order from 11/18/15</b> set this status hearing for a report from the Public Guardian and stated: Counsel reports that San Mateo retained jurisdiction as to Ms. Sadler's final accounting, setting it for a hearing on 12/22/15. The Public Guardian has arranged a meeting with Ms. Sadler for today and will make a demand for the assets to be turned over.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need status report from Public Guardian.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<b>Reviewed by:</b> JF	
	<b>Reviewed on:</b> 01/25/16	
	<b>Updates:</b>	
	<b>Recommendation:</b>	
	<b>File 13- Eidson</b>	

**Amended Petition to Determine Succession to Real Property and Personal Property**

<b>DOD: 6/5/15</b>		<p><b>TARAN BALDERRAMA and JORDAN BALDERRAMA</b>, Sons, are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&amp;A: \$121,500.00 (A 50% interest in real property in Fresno plus a 100% interest in two vehicles)</p> <p>Decedent died intestate</p> <p>Petitioners request Court determination that the real and personal property passes to them in equal shares.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 1/25/16
			<b>Updates:</b>
			<b>Recommendation:</b> SUBMITTED
			<b>File 14- Balderrama</b>

**Amended Petition to Determine Succession to Real Property and Personal Property**

<b>DOD: 6/5/15</b>		<p><b>TARAN BALDERRAMA and JORDAN BALDERRAMA</b>, Sons, are Petitioners.</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&amp;A: \$110,000.00 (A 50% interest in real property in Fresno)</p> <p>Decedent died intestate</p> <p>Petitioners request Court determination that the real property passes to them in equal shares.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
	<b>Aff.Sub.Wit.</b>			
✓	<b>Verified</b>			
✓	<b>Inventory</b>			
	<b>PTC</b>			
	<b>Not.Cred.</b>			
✓	<b>Notice of Hrg</b>			
✓	<b>Aff.Mail</b>			
	<b>Aff.Pub.</b>			
	<b>Sp.Ntc.</b>			
	<b>Pers.Serv.</b>			
	<b>Conf. Screen</b>			
	<b>Letters</b>			
	<b>Duties/Supp</b>			
	<b>Objections</b>			
	<b>Video Receipt</b>			
	<b>CI Report</b>			
	<b>9202</b>			
✓	<b>Order</b>			
	<b>Aff. Posting</b>			
	<b>Status Rpt</b>			
	<b>UCCJEA</b>			
	<b>Citation</b>			
	<b>FTB Notice</b>			
			<b>Reviewed by: skc</b>	
			<b>Reviewed on: 1/25/16</b>	
			<b>Updates:</b>	
			<b>Recommendation: SUBMITTED</b>	
			<b>File 15- Balderrama</b>	

Attorney Thomas A. Markeson (for Petitioner Alfredo Cantu)

First Amended Petition (1) for Court Order Determining Whether Construction of the Trust Terms Means that Alfredo Cantu is the Proper Successor Trustee of the Maria Navarrette 2005 Revocable Trust; (2) for Court Order appointing Alfredo Cantu as Trustee of the Maria Navarrette 2005 Revocable Trust; and (3) for Court Order Instructing Trustee as to the Ultimate Beneficiaries of the Maria Navarrette 2005 Revocable Trust to the Extent the Determination is not made in the Trust and to Instruct Trustee Whether the Trustee may Ultimately make Direct Distributions from the Trust Estate to said Ultimate Beneficiaries or Whether the Entire Trust Estate must be Probated because of Failed Disposition

<b>DOD: 9/29/2015</b>		<b>ALFREDO CANTU</b> , son, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note Re Related Case: ESPERANZA CANTU ALLEN</b>, Administrator of the estate of <b>ANTHONY DOMINIC CANTU</b>, Case 15CEPR00506, is also represented by Attorney Thomas Markeson; the next upcoming hearing in that matter is <b>9/20/2016</b> for the filing of the first and final account and/or petition for distribution.</p> <p>1. <i>Petition</i> states that because the Trust fails to make a distribution to any known individual, Petitioner believes the beneficiaries of the Trust are those persons who would be entitled to the estate of the Decedent, as if she died intestate. cursory review of the Estate of <b>ANTHONY DOMINIC CANTU</b>, Case <u>15CEPR00506</u>, appears to omit potential heirs to his estate, which may affect the distribution of the estate of <b>MARIA NAVARRETTE</b>, and it is unclear whether those persons who would be entitled to the estate of <b>MARIA NAVARRETTE</b> are the same as persons who might be entitled to Trust assets, since subsequent to the death of <b>ANTHONY DOMINIC CANTU</b> who died without issue, there exist no Trust beneficiaries.</p> <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 1/26/16</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16- Navarrette</b></p>
		<b>Petitioner states:</b>	
		<ul style="list-style-type: none"> <li>Petitioner believes he is the presently acting Trustee of the <b>MARIA NAVARRETTE 2005 REVOCABLE TRUST</b> dated 1/7/2005 (copy attached as Exhibit A);</li> </ul>	
<b>Cont. from</b>		<b>First Request: Determining whether construction of the Trust terms means that Petitioner is the proper Successor Trustee of the Trust, based upon the following:</b>	
	Aff.Sub.Wit.	<ul style="list-style-type: none"> <li>Petitioner believes that Ms. Navarrette was the initial Trustee of the Trust; Article One states she was the initial Trustee and she signed the Trust as Trustee;</li> </ul>	
✓	Verified	<ul style="list-style-type: none"> <li>the Trust terms state that if <b>ANTHONY DOMINIC CANTU</b>, who died on 4/5/2015, ceases to act as Trustee, Petitioner <b>ALFREDO CANTU</b> shall act as Trustee;</li> </ul>	
	Inventory	<ul style="list-style-type: none"> <li>The Trust does not appear to have any other language regarding successor trustees;</li> </ul>	
	PTC	<ul style="list-style-type: none"> <li>Because neither the original Trustee nor the first successor trustee are living, Petitioner asserts that a reasonable construction of the terms is that he is the intended successor;</li> </ul>	
	Not.Cred.	~Please see additional page~	
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioner states, continued:

- It appears the intent of the Settlor was that she be the initial trustee; she signed the Trust as trustee, and she signed a grant deed the same day transferring her residence to herself as trustee of her trust; it appears that Settlor intended Anthony Dominic Cantu be her first successor; it appears that Settlor's intent was that Petitioner be the next successor trustee;
- Because both previous trustees are no longer living, Petitioner requests that the Court construe the terms of the Trust to find that Petitioner is the named proper successor trustee of the Trust.

**Second Request:** Petitioner requests a Court order appointing Petitioner as Trustee of the Trust; regardless of whether the Court construes the Trust terms to mean that Petitioner is the lawful Trustee, Petitioner requests that he be appointed as Trustee of the Trust;

- The Trust fails to include language as to what should happen if the original trustor dies; the only language included in regards to succession of trustee is when the previously named successor, **ANTHONY DOMINIC CANTU**, for any reason fails to act or ceases to act, the Trust designates Petitioner as trustee.

**Third Request:** Petitioner requests a Court order instructing the Trustee as to the ultimate beneficiaries of the Trust, to the extent the determination is not made in the Trust, and to instruct the Trustee whether the Trustee may ultimately make direct distributions from the Trust estate to the ultimate beneficiaries, or whether the entire Trust estate must be probate because of failed disposition;

- Trust terms state that on the death of the Settlor, the Trust estate is to be distributed as provided on Schedule B of the Trust;
- Schedule B of the Trust distributes the trust estate to **ANTHONY DOMINIC CANTU** if he is then living, and if not, to his living issue;
- **ANTHONY DOMINIC CANTU** predeceased the Settlor and left no issue; his estate is in progress in Case 15CEPR00506; the sole beneficiary of his estate is **MARIA NAVARRETTE** (Settlor/Decedent);
- Assuming the Court confirms that Petitioner is Trustee, Petitioner requests an order of this Court instructing him as to the proper beneficiaries of the Trust, and whether he may make direct distributions to said beneficiaries, or whether the entire Trust estate is subject to probate;
- The Trust holds title to property; because the Trust fails to make a distribution to any known individual, Petitioner believes the beneficiaries of the Trust are those persons who would be entitled to the estate of the Decedent, as if she died intestate;
- Petitioner seeks an order confirming that belief, or otherwise instructing the Petitioner as to the proper course of action, including instructing Petitioner whether to probate the entire trust estate because the Trust fails to name a beneficiary or whether the Trustee may directly distribute assets of the Trust to the proper trust beneficiaries without Court approval.

**Petitioner prays for an Order:**

1. That construes the terms of the Trust to find that Petitioner is named proper successor trustee of the Trust;
2. That appoints Petitioner as Trustee of the Trust; and
3. That instructs Petitioner as to the ultimate beneficiaries of the Trust to the extent the determination is not made in the Trust and whether the Trustee may ultimately make direct distribution from the Trust estate to the said ultimate beneficiaries, or whether the entire Trust estate must be probated because of failed disposition.

Petition for Letters of Administration, Authorization to Administer under IAEA

DOD: 6/6/15		<p><b>GENARO A. SALAS</b>, spouse, is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Clovis                  Publication: Fresno Business Journal.</p> <p><b>Estimated value of the estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 5,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$68,569.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$73,569.00</b></td> </tr> </table> <p><b>Probate Referee: Steven Diebert</b></p>	Personal property	-	\$ 5,000.00	Real property	-	\$68,569.00	<b>Total</b>	-	<b>\$73,569.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Wednesday, June 29, 2016</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, March 29, 2017</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$ 5,000.00									
Real property	-		\$68,569.00									
<b>Total</b>	-		<b>\$73,569.00</b>									
Cont. from 120915												
<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											
<input checked="" type="checkbox"/>	Aff.Mail		W/									
<input checked="" type="checkbox"/>	Aff.Pub.											
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<input type="checkbox"/>	Pers.Serv.											
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<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											
			Reviewed by: KT									
			Reviewed on: 1/25/16									
			Updates:									
			Recommendation:									
			File 17 – Salas									



Probate Status Hearing RE: Filing of the Bond

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><b><u>OFF CALENDAR</u></b>  <b>Bond in the amount of</b>  <b>\$150,000.00 filed 12/18/15</b></p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/25/16
		Updates:
		Recommendation:
		File 19- Freeman

Petitioner Ireland, Montray Dernell (pro per – maternal uncle)  
 Petitioner Hollis, Twyla (pro per – maternal grandmother)

Petition for Appointment of Guardian of the Person

Age: 1		<p style="text-align: center;"><u>TEMPORARY EXPIRES 01/27/16</u></p> <p><b>TWYLA HOLLIS</b> and <b>MONTRAY IRELAND</b>, maternal grandmother and maternal uncle, are Petitioners.</p> <p>Father: <b>NATHANIEL RICKS, JR.</b> – personally served on 12/09/15</p> <p>Mother: <b>MONIQUE ISAIAH</b> – Consent &amp; Waiver of Notice filed 11/25/16</p> <p>Paternal grandfather: NATHANIEL RICKS – served by mail on 11/25/15                  Paternal grandmother: UNKNOWN</p> <p>Maternal grandfather: ANTHONY ISAIAH – Declaration of Due Diligence filed 01/21/16 states that his whereabouts are unknown, Petitioners have not seen him for 16 years</p> <p><b>Petitioners state</b> [see file].</p> <p><b>Court Investigator Julie Negrete filed a report on 01/21/16.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or Consent &amp; Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Paternal grandmother <b>Note:</b> Proof of service filed 12/15/15 states that Ewanda West was personally served on 12/14/15; however, her relationship to the minor is unknown</p> <p>b. Anthony Isaiah (maternal grandfather) – unless diligence is found</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 checked="" type="checkbox"/>	Notice of Hrg			
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<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: JF		
		Reviewed on: 01/25/16		
		Updates:		
		Recommendation:		
		File 20- Isaiah		

**21 Kaitlynn Vargas (GUARD/P) Case No. 15CEPR01148**  
**Attorney Nuttall, Natalie R. (for Matthew G. Shattuck and Amanda E. Shattuck – Petitioners)**  
**Petition for Appointment of Guardian of the Person**

<b>Age: 2</b>		<p><u>TEMPORARY EXPIRES 01/27/2016</u></p> <p><b>AMANDA SHATTUCK</b> and <b>MATTHEW SHATTUCK</b>, maternal first cousin once removed and her husband, are Petitioners.</p> <p><u>Please see petition for details</u></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Letters.</p>
<b>Cont. from</b>			
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b> w/		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
✓	<b>Pers.Serv.</b> w/		
✓	<b>Conf. Screen</b>		
	<b>Letters</b> x		
✓	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
✓	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
✓	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV	
		<b>Reviewed on:</b> 01/25/2016	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 21- Vargas</b>	

**22 Stevee Barboza, Apollonia Barboza (GUARD/P) Case No. 15CEPR01160**

Petitioner Delsid, Steve (Pro Per – Father)

**Petition for Visitation**

<b>Age: 10</b>		<p>STEVE DELSID, father, is petitioner.</p> <p>CARMEN BARBOSA, maternal grandmother, and GABRIELLE VASQUEZ, sister, were appointed temporary guardian on 12/09/2015. Temporary Letters were extended to 03/02/2016.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>This petition pertains to Stevee Delsid only.</p> <p><b>Note: The General Guardianship petition is set to be heard on 03/02/2016.</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition Visitation for: <ul style="list-style-type: none"> <li>• Carmen Barboza (Temporary co-guardian)</li> <li>• Gabrielle Vasquez (Temporary co-guardian)</li> <li>• Caroline Barboza (Mother)</li> </ul> </li> </ol>	
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
<input type="checkbox"/>	<b>Inventory</b>			
<input type="checkbox"/>	<b>PTC</b>			
<input type="checkbox"/>	<b>Not.Cred.</b>			
<input type="checkbox"/>	<b>Notice of Hrg</b>			x
<input type="checkbox"/>	<b>Aff.Mail</b>			x
<input type="checkbox"/>	<b>Aff.Pub.</b>			
<input type="checkbox"/>	<b>Sp.Ntc.</b>			
<input type="checkbox"/>	<b>Pers.Serv.</b>			
<input type="checkbox"/>	<b>Conf. Screen</b>			
<input type="checkbox"/>	<b>Letters</b>			
<input type="checkbox"/>	<b>Duties/Supp</b>			
<input type="checkbox"/>	<b>Objections</b>			
<input type="checkbox"/>	<b>Video Receipt</b>			
<input type="checkbox"/>	<b>CI Report</b>			
<input type="checkbox"/>	<b>9202</b>			
<input type="checkbox"/>	<b>Order</b>			n/a
<input type="checkbox"/>	<b>Aff. Posting</b>			
<input type="checkbox"/>	<b>Status Rpt</b>			
<input type="checkbox"/>	<b>UCCJEA</b>			
<input type="checkbox"/>	<b>Citation</b>			
<input type="checkbox"/>	<b>FTB Notice</b>			
<b>Reviewed by: LV</b>				
<b>Reviewed on: 01/26/2016</b>				
<b>Updates:</b>				
<b>Recommendation:</b>				
<b>File 22- Barboza</b>				

**First Account Current and Report of Trustee and Petition for Settlement of First Account and for Distribution of Trust**

<b>DOD: 09/07/13</b>	<b>CHARLES CASPARIAN</b> , trustee, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>There appears to be a discrepancy in the account period. The beginning property on hand indicates that the account period started on 09/07/13 (Trustor's date of death) and the account states 07/07/13 as the start date. Need clarification.</li> <li>Need Order.</li> </ol>
	Account period: <b>09/07/13 – 10/31/15</b>	
	Accounting: <b>\$970,045.44</b>	
	Beginning POH: <b>\$889,972.25</b>	
	Ending POH: <b>\$878,425.51</b>	
<b>Cont. from</b>	Trustee: <b>\$17,799.44</b> (1% of trust value on an annual basis - \$8,899.72 annually)	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Reserve: <b>\$25,000.00</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Preliminary distribution to Katrina Lancaster: <b>\$47,488.72</b>	
<input type="checkbox"/> <b>Inventory</b>	Petitioner states that during the account period, litigation was initiated by Cynthia Herbert (a child of decedent). The matter was settled and trustee agreed to pay Cynthia Herbert \$60,000.00.	
<input type="checkbox"/> <b>PTC</b>	Petitioner proposes to distribute the remaining Trust assets to Katrina Lancaster (90%) and Theresa Harris (10%).	
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Distribution, pursuant to Article Five of the Trust and subject to adjustments for attorney's fees, and settlement agreement, is to:</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Theresa Harris: <b>\$89,392.83</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	Katrina Lancaster: <b>\$686,233.23</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>	Cynthia Herbert: <b>\$60,000.00</b> (pursuant to settlement agreement)	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b> x		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 01/26/16
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 23- Diprinzio</b>

Petition for Letters of Administration with IAEA

DOD: 11/29/15	<b>DANIEL J. STEVESON</b> , son, is Petitioner, and requests appointment as Administrator without bond.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED TO 03/07/16</u></b> <b>Per request of Counsel</b></p> <ol style="list-style-type: none"> <li>1. Need proof of publication.</li> <li>2. The Petition states that the decedent had a deceased spouse. Need name and date of death of deceased spouse pursuant to Local Rule 7.1.1D.</li> </ol> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Wednesday, June 29, 2016</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, March 29, 2017</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	Full IAEA – <b>NEED PUBLICATION</b>		
Cont. from	Petitioner states that he is the sole heir and waives bond.		
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate		
<input checked="" type="checkbox"/> Verified	Residence: Clovis Publication: <b>NEED</b>		
<input type="checkbox"/> Inventory	<b>Estimated Value of the Estate:</b>		
<input type="checkbox"/> PTC	Personal property - \$ 7,500.00		
<input type="checkbox"/> Not.Cred.	Real property - 350,000.00		
<input checked="" type="checkbox"/> Notice of Hrg	<b>Total - \$357,500.00</b>		
<input checked="" type="checkbox"/> Aff.Mail	w/	Probate Referee: <b>STEVEN DIEBERT</b>	
<input type="checkbox"/> Aff.Pub.	x		
<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			
			Reviewed by: JF
			Reviewed on: 01/26/16
			Updates: 01/27/16
			Recommendation:
			File 24- Steveson



		See petition for details.	NEEDS/PROBLEMS/COMMENTS:  <u>SEE ADDITIONAL PAGES</u>	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 1/26/16	
			Updates:	
			Recommendation:	
			File 26- Tashjian	

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**NEEDS/PROBLEMS/COMMENTS:**

1. **Need Notice of Hearing.**
2. **Need proof of personal service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing on Proposed Conservatee Wilma Tashjian pursuant to Probate Code §2250(e).**
3. **Need proof of service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing on all relatives listed at #11 of the Petition pursuant to Probate Code §2250(e) as follows:**
  - Sam O. Houston, III (grandson)
  - Amy I. Houston-Baldisamo (granddaughter)
  - Joel A. Houston (grandson)
  - Janna J. Cochran (granddaughter)
  - Layna D. Marshal (granddaughter)
4. **Petitioner filed Ex Parte Application for Good Cause Exception to Notice of Hearing on Petition for Appointment of Temporary Conservator of the Person and Estate. If notice is not dispensed, the Court may also require notice to the following interested persons:**
  - Teresa Petty-Jones (Agent under DPOA and AHCD)
  - W. Keith Lane (Agent under DPOA and AHCD)
  - Ann Lane (Agent under DPOA and AHCD)
5. **Petitioners request placement of the Proposed Conservatee in a memory care (locked) facility; however, no Capacity Declaration has been filed in support of dementia placement powers.**

Age: 7 years	COLBY LEWIS and JENNY LEWIS, maternal uncle and aunt, were appointed guardians on 01/13/2015.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Current Visitation Order for Mr. Willis Walker (father), supervised visitation every other weekend, commencing on Friday at 7pm and concluding on Sunday at 7pm. Mr. Walker’s visitation is to be supervised by Carol Duarte (Willis Walker’s mother) or Carlos Duarte (Carol’s husband).</b></p> <p>1. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Ex Parte Petition for Modification of Visitation for:</p> <ul style="list-style-type: none"> <li>• Willis Walker (Father)</li> </ul> <p><b>Note:</b> Proof of Service filed 01/21/2016 indicates that the father was served in c/o Attorney James H. Vallis on 01/20/2016. According to Odyssey Mr. Vallis represented the father during the guardianship proceedings.</p>
Cont. from	<u>Please see petition for details</u>	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	w/	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	x	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 01/26/2016
		Updates:
		Recommendation:
		File 27- Lewis

28  
 Attorney  
 Attorney

Ruth Perehoduk (CONS/PE)  
 Amador, Catherine A. (for Warren Perehoduk – Nephew – Petitioner)  
 Boyett, Deborah K. (Court appointed counsel for Conservatee)

Case No. 13CEPR01113

Petition for Appointment of Successor Probate Conservator of the Person and Estate

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:  <b><u>OFF CALENDAR</u></b> Order signed 1/25/16 per Minute Order 1/20/16.  <u>Minute Order 1/20/16</u> : Counsel is to file a verified declaration with the dementia powers and the reverse mortgage issue. If upon filing of the video receipt and clarifying documents the Court is able to approve the matter, then the 1/27/16 hearing may come off calendar. No appearance is necessary at the status hearing if the proof of bond is filed at least two court days prior.	
Cont. from 012016				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: skc		
		Reviewed on: 1/22/16		
		Updates: 1/26/16		
		Recommendation:		
		File 28- Perehoduk		

First and Final Account and Report of Executor, Petition for Final Distribution

<b>DOD: 11/14/13</b>		<b>KIMBERLY KYLE HALL</b> , Executor, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>OFF Calendar.</u></b>  <b><u>First Amended and Final Account and Distribution filed 01/25/2016. Hearing is set for 03/02/2016.</u></b></p> <p><b>Continued from 1/20/16 for status of the filing of an amended petition.</b></p> <p><b>Need Amended Petition based on but not limited to the following:</b></p> <ol style="list-style-type: none"> <li>1. Petition states this is an accounting however there is no accounting attached. Probate Code §1060.</li> <li>2. Inventory and Appraisal did not include the date of death of Decedent.</li> <li>3. Petition did not include a statement as to whether or not creditors have been noticed. Probate Code §9050 states that the personal representative shall give notice to all known or reasonably ascertainable creditors. This is in addition to the publication.  <b>Please see additional page</b></li> </ol> <p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 1/25/16</b></p> <p><b>Updates: 01/26/2016 (LV)</b></p> <p><b>Recommendation:</b></p> <p><b>File 29- Oppelt</b></p>
		Account period: ??	
<b>Cont. from 012016</b>		Accounting - ?	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - \$300,000.00	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - ?	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Executor - waives	
<input checked="" type="checkbox"/>	<b>PTC</b>	Attorney - \$5,000.00 (less than statutory)	
<input type="checkbox"/>	<b>Not.Cred.</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Mail</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Kimberly Kyle Hall	
<input type="checkbox"/>	<b>Pers.Serv.</b>	Whitney Erin Hurd	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	11/17/14	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

4. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board.
5. Petition requests distribution to Kimberly Kyle Hall and Whitney Erin Hurd. However, the Will devises the estate to the John J. Oppelt and Barbara J. Oppelt Revocable Trust.
6. Notice of Hearing was not on the Mandatory Judicial Council form (DE-020).
7. Proof of service of the Notice was not signed.
8. Petition does not comply with Local Rule 7.12.1. Petition must list the property to be distributed. The description shall include the cash on hand. Description in the petition of any asset by reference to the inventory is not acceptable.
9. Need Order.

**Waiver of Accounting and Petition for Allowance of Statutory Fees to Administrator and Attorney for Administrator, and Petition for Final Distribution**

<b>DOD: 11/07/14</b>	<b>GALE RUSTIGIAN</b> , Administrator, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED TO 03/08/16</u></b> <b>Per request of Counsel</b></p> <p><b>This matter is to be heard in Dept. 54 at 8:30am.</b></p> <p>1. The Petition does not make a statement regarding the notice required under Probate Code § 9202(b) – to the Victim Compensation Board; or 9202(c) – to the Franchise Tax Board.</p>
	I & A - <b>\$267,500.00</b>		
	POH - <b>\$68,378.86</b> (all cash)		
<b>Cont. from</b>	Administrator - <b>waived</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Attorney - <b>\$5,000.00</b> (less than statutory)		
<input checked="" type="checkbox"/> <b>Verified</b>			
<input checked="" type="checkbox"/> <b>Inventory</b>			
<input checked="" type="checkbox"/> <b>PTC</b>			
<input checked="" type="checkbox"/> <b>Not.Cred.</b>			
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Distribution, pursuant to intestate succession, is to:</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	Makayla Rustigian: \$63,378.86	
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>	07/06/15		
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>	x		
<input checked="" type="checkbox"/> <b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>	x		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 01/25/16
			<b>Updates:</b> 01/26/16
			<b>Recommendation:</b>
			<b>File 1- Rustigian</b>