



## 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.

1A Paul Harvey Wallace (Estate)

Case No. 08CEPR00294

Atty Kruthers, Heather H. (for Public Administrator – Successor Administrator)

Atty Leonard, Laura (pro per – daughter)

Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution

|   |  |  |
|---|--|--|
| DOD: 06/22/07   | <p><b>LARRY A. DONALDSON</b>, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p><b>Notice of Status Hearing</b> filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.</p> <p><b>Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11</b> states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.</p> <p><b>Inventory &amp; Appraisal, partial no. 1 filed 07/24/13</b> - \$1,619,273.76</p> <p><b>Clerk's Certificate of Mailing filed 10/08/13</b> states that a copy of the Minute Order from 10/04/13 was mailed to Larry Donaldson on 10/08/13.</p> <p style="text-align: center;">Continued on Page 2</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 01/02/14</b><br/>Minute order from 01/02/14 states: Mr. Donaldson requests a two weeks continuance. Matter continued to 01/30/14. The Court will expect Mr. Donaldson to file something by 01/16/14.</p> <p><b>Note:</b> Minute order from 07/26/13 states: Mr. Donaldson advises the Court that he filed a status statement yesterday. He further advises that the accounting is being done however he may have a conflict which may require another attorney to complete the work in this matter. The Court on its own motion accepts Mr. Donaldson's withdrawal as Executor in this matter and appoints the Public Administrator. Mr. Donaldson is directed to contact Ms. Kruthers.</p> <p><b>Note:</b> Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p><b>As of 10/01/13, the following remains outstanding:</b></p> <ol style="list-style-type: none"> <li>1. Need <b>Final Inventory &amp; Appraisal.</b></li> <li>2. Need <b>Accounting and/or Petition for Final Distribution.</b></li> </ol> |
| Cont. from 012513, 032913, 042613, 072613, 100413, 102513, 120513, 010214 |  |  |
| 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  |  |  |
| <b>Reviewed by:</b> JF  |  |  |
| <b>Reviewed on:</b> 01/28/14  |  |  |
| <b>Updates:</b>   |  |  |
| <b>Recommendation:</b>  |  |  |
| File 1A - Wallace   |  |  |

**Report Regarding Status of Estate filed 11/27/13** states: At a hearing on 07/26/13, the Court accepted Larry Donaldson's resignation as Administrator and appointed the Public Administrator. According to the 07/26/13 minute order, Mr. Donaldson advised that the accounting was being done, however a conflict that may require another attorney to complete the work has come up. No accounting has been filed. Mr. Donaldson was not returning calls to the Public Administrator, who called him weekly on Wednesdays. He finally answered a call made from a personal cell phone. At a hearing on 10/04/13, Judge Hamilton ordered Mr. Donaldson to be present at the continued hearing on 10/25/13. Mr. Donaldson did not appear on 10/25/13. The Public Administrator advised the Court that all estate assets had been liquidated and rolled into a trust, of which Mr. Donaldson is the trustee. Despite requests by the Public Administrator, a copy of the trust has not been provided. The Public Administrator is concerned about the assets considering they have not yet been accounted for in the estate.

According to the Inventory & Appraisal filed by Mr. Donaldson on 06/24/13, the estate's value was \$1,619,273.76. The Public Administrator has not been able to access the Bank of America or Security First Bank accounts. He filed and was granted an ex parte order directing financial institutions to provide access to and information regarding all accounts held by the estate or trust of the decedent. The Public Administrator has made several attempts to locate a company whereby "Person Education Publication Royalties" are paid. According to attachment 2 to the Inventory & Appraisal, future royalties will be paid to the estate. There are two timeshares listed, and the Public Administrator has asked Chicago Title to determine the status of these properties. The real property, valued at \$750,000.00 was reportedly sold for \$600,000 and the proceeds placed into a Bank of America bank account. The Public Administrator believes that Mr. Donaldson should once again be ordered to appear before this Court to account for all assets listed on the Inventory & Appraisal that he filed. He should also be ordered to provide a copy of the Trust and an accounting of those assets to the Public Administrator.

**Status Conference Statement** filed 01/17/14 by Larry Donaldson, former Executor, states:

1. He retained an accounting firm to prepare an accounting for the estate in August 2013.
2. The accounting firm has indicated that they believe the accounting can be completed by 01/28/14.
3. Several months ago, he provided the beneficiaries a bank ledger showing all income and expenditures for both the Bank of America and Security First Bank accounts pending the filing of an official accounting.
4. He has provided original estate documents to the accounting firm and therefore does not have personal possession of the documents in order to be able to prepare an accounting himself.
5. He requests a short continuance to allow him to file an accounting, he believes he should be able to have it filed on or before 01/31/14.

**1B Paul Harvey Wallace (Estate)**

Case No. 08CEPR00294

Atty Donaldson, Larry A. (former Executor)

Atty Kruthers, Heather H. (for Public Administrator – Successor Administrator)

Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$600.00

|                   |   |  |
|-------------------|---|--|
| DOD: 06/22/07     | <p><b>LARRY A. DONALDSON</b>, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>On 07/26/13, <b>LARRY DONALDSON</b> resigned as Executor and the <b>PUBLIC ADMINISTRATOR</b>, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p><b>Minute order from 12/05/13 set this matter for an Order to Show Cause and states:</b> The Court sets the matter for an Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to appear and imposition of sanctions in the amount of \$600.00. The Court sets a further Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to provide information to the successor administrator timely and imposition of sanctions in the amount of \$800.00. Larry Donaldson is ordered to be personally present on 01/02/14.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>CONTINUED FROM 01/02/14</u></p> |
| Cont. from 010214 |   |  |
| 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: 01/28/14  |
|                   |   | Updates:   |
|                   |   | Recommendation:  |
|                   |   | File 1B - Wallace  |

Order to Show Cause Re: Failure to Provide Information to the Successor Administrator Timely; Imposition of Sanctions in the Amount of \$800.00

|                   |   |  |
|-------------------|---|--|
| DOD: 06/22/07     | <p><b>LARRY A. DONALDSON</b>, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>On 07/26/13, <b>LARRY DONALDSON</b> resigned as Executor and the <b>PUBLIC ADMINISTRATOR</b>, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p><b>Minute order from 12/05/13 set this matter for an Order to Show Cause and states:</b> The Court sets the matter for an Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to appear and imposition of sanctions in the amount of \$600.00. The Court sets a further Order to Show Cause on 01/02/14 regarding Larry Donaldson's failure to provide information to the successor administrator timely and imposition of sanctions in the amount of \$800.00. Larry Donaldson is ordered to be personally present on 01/02/14.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>CONTINUED FROM 01/02/14</u></p> |
| Cont. from 010214 |   |  |
| 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: 01/28/14   |  |
|                   | Updates:  |  |
|                   | Recommendation:   |  |
|                   | File 1C - Wallace   |  |

**First Amended Petition for Approval of Trustee's First Account Current and for Authority to Add Additional Asset to Trust Estate**

|   |   |  |
|---|---|--|
|   | <b>CHRISTINE ADAMS</b> , Trustee, is Petitioner.    | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> It appears that only an original proposed order was provided, no copies to conform. If Petitioner wishes to receive conformed copies, additional copies of the proposed order may be submitted ahead of time, or Petitioner may purchase copies of the original order once it has been entered.</p> <p><u>Note:</u> If granted, the Court will set status hearing for filing of the next account as follows:</p> <ul style="list-style-type: none"> <li>• Friday 10-9-15</li> </ul> |
|   | Account period: 8-31-12 through 8-31-13             |  |
|   | Accounting: \$ 631,275.20                           |  |
|   | Beginning POH: \$ 21,000.00                         |  |
|   | Ending POH: \$ 631,275.20<br>(\$610,275.20 is cash) |  |
|   | Aff.Sub.Wit.  |  |
| ✓ | Verified  |  |
|   | Inventory   |  |
|   | PTC   |  |
|   | Not.Cred.   |  |
| ✓ | Notice of Hrg                                       |  |
| ✓ | Aff.Mail <span style="float:right">w</span>         |  |
|   | 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  |  |

Trustee: Not requested

Attorney: \$8,940.00 for 29.8 hours @

Petitioner states that although she was granted approval for the initial deposit to the trust, she did not formally request approval for adding the \$9,409.75 wrongful death settlement funds to the trust estate because she considered it to be part of the probate estate. Petitioner now formally requests authority to add this sum to the trust estate.

**Petitioner prays for an order:**

1. Approving, allowing, and settling the Amended First Account;
2. Authorizing payment of the attorney fees;
3. Authorizing the addition of the wrongful death settlement received by the Executor of the Barbara Scharon Estate in the sum of \$9,409.75;
4. Granting such other relief as the Court considers proper.

**Reviewed by:** skc

**Reviewed on:** 1-28-14

**Updates:**

**Recommendation:**

**File 2B – Fulbright**

**Petition for Termination of Guardianship of the Estate**

|   |                      |   |  |                             |                 |                        |                         |
|---|----------------------|---|--|-----------------------------|-----------------|------------------------|-------------------------|
| <b>Age: 16 years</b>  |                      | <p><b>CHRISTINE ROBERTS</b>, mother/guardian, is petitioner.</p> <p>Father: <b>DECEASED</b></p> <p>Paternal grandfather: Kenneth Roberts<br/>         Paternal grandmother: Charlotte Roberts<br/>         Maternal grandfather: Gary Dawson<br/>         Maternal grandmother: Sigried Oliphant<br/>         Sibling: Jessica Roberts</p> <p><b>Petitioner states</b> the guardianship was established in order to collect insurance policy proceeds, where were subsequently deposited into a blocked account in case no. 12CEPR00751 [The Special Needs Trust of Jennifer Roberts]. Any additional assets will be distributed to the same blocked account already established in case no. 12CEPR00751. The purpose of establishing the guardianship has been accomplished.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.</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 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>       |   |  |                             |                 |                        |                         |
| <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>         |   |  | X                           |                 |                        |                         |
| <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>    |   |  |                             |                 |                        |                         |
| <table border="1"> <tr> <td><b>Reviewed by:</b> KT</td> </tr> <tr> <td><b>Reviewed on:</b> 1/28/14</td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 3 – Roberts</b></td> </tr> </table> |                      |   | <b>Reviewed by:</b> KT   | <b>Reviewed on:</b> 1/28/14 | <b>Updates:</b> | <b>Recommendation:</b> | <b>File 3 – Roberts</b> |
| <b>Reviewed by:</b> KT  |                      |   |  |                             |                 |                        |                         |
| <b>Reviewed on:</b> 1/28/14   |                      |   |  |                             |                 |                        |                         |
| <b>Updates:</b>   |                      |   |  |                             |                 |                        |                         |
| <b>Recommendation:</b>  |                      |   |  |                             |                 |                        |                         |
| <b>File 3 – Roberts</b>   |                      |   |  |                             |                 |                        |                         |

5A  
Atty  
Atty  
Atty  
Atty

**Dale W. Balagno Revocable Trust**  
Armo, Lance E. (for Joseph Balagno – Beneficiary – Petitioner)  
Gromis, David Paul (for Nicholas Kovacevich – Former Trustee)  
Kruthers, Heather (for Public Administrator)  
Motsenbocker, Gary L. (for Mary Pond – Respondent)

Case No. 13CEPR00389

**Status Hearing Re: Assets and Accounting**

|                                  |  |   |
|----------------------------------|--|---|
|                                  | <p><b>PUBLIC ADMINISTRATOR</b> was appointed as Trustee pursuant to Minute Order 9-9-13.</p>   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>  |
| <p>Cont. from 120913, 011614</p> | <p>The Court set this Status Hearing Re: Assets and Accounting.</p>  | <p><u>Continued from 12-9-13, 1-16-14</u></p>   |
| <p>Aff.Sub.Wit.</p>              | <p><b>HISTORY:</b></p>   | <p><b>A: Continued Status Hearing Re Assets and Accounting</b></p>  |
| <p>Verified</p>                  | <p><b>JOSEPH BALAGNO</b>, Beneficiary, filed a Petition to Remove Trustee, to Appoint Public Administrator as Trustee, and to Compel Trustee to Account.</p>   | <p><b>B: Petition for Payment of Attorney's Fees &amp; Payment for Trustee's Fees filed by Former Trustee Nick Kovacevich</b></p>   |
| <p>Inventory</p>                 | <p><b>NICHOLAS T. KOVACEVICH</b>, Trustee, filed a Declaration on 8-8-13 (prior to Settlement Conference) indicating information provided to Petitioner's attorney.</p>  | <p><b>C: OFF CALENDAR – First Amended Petition for Court Order to Determine Title and Require Transfer of Personal Property to Petitioner filed by Beneficiaries Joseph Balagno, Linda Balagno, and Lori Jo Brown as Petitioners (Beneficiary Mary E. Pond as Respondent is set for hearing on 2-27-14.</b></p> |
| <p>PTC</p>                       | <p><b>Minute Order 9-9-13:</b> The Court is informed that Mr. Kovacevich has agreed to step down. The Court grants the petition and appoints the Public Administrator as the personal representative. The Court directs that any fees come before the court. Parties stipulate to having the minute order become the order of the court. Set on 12-9-13 for status hearing re assets and accounting.</p>       | <p><b>Note:</b> The former trustee filed a petition for fees for himself and for his attorney (Page B); however, no accounting or status report has been filed regarding the assets. <u>Therefore, this status hearing remains on calendar.</u></p>   |
| <p>Not.Cred.</p>                 | <p><b>On 11-1-13, Attorney David Paul Gromis</b>, Attorney for former trustee Nicholas Kovacevich, filed a Petition for Payment of Attorney's Fees and Payment for Trustee's Fees that is set for hearing on 12-19-13. The petition requests payment of \$5,976.00 from the trust estate to the attorney and \$16,452.00 from the trust estate to Nick Kovacevich, CPA, for services as successor trustee.</p> | <p><b>Minute Order 1-16-14:</b> The Court would like an accounting completed by Mr. Gromis' client by 1-30-14.</p>  |
| <p>Notice of Hrg</p>             | <p><b>In addition, on 11-18-13</b>, Joseph Balagno, Linda Balagno, and Lori Jo Brown filed a Petition for Court Order to Determine Title and Require Transfer of Personal Property to Petitioner that is set for hearing on 1-16-14.</p>   | <p><u>As of 1-28-14, nothing further has been filed.</u></p>  |
| <p>Aff.Mail</p>                  |  | <p><b>1. Need status of assets and accounting from former trustee Nicholas Kovacevich.</b></p>  |
| <p>Aff.Pub.</p>                  |  | <p><b>Reviewed by:</b> skc</p>  |
| <p>Sp.Ntc.</p>                   |  | <p><b>Reviewed on:</b> 1-28-14</p>  |
| <p>Pers.Serv.</p>                |  | <p><b>Updates:</b></p>  |
| <p>Conf. Screen</p>              |  | <p><b>Recommendation:</b></p>   |
| <p>Letters</p>                   |  | <p><b>File 5A – Balagno</b></p>   |
| <p>Duties/Supp</p>               |  |   |
| <p>Objections</p>                |  |   |
| <p>Video Receipt</p>             |  |   |
| <p>CI Report</p>                 |  |   |
| <p>9202</p>                      |  |   |
| <p>Order</p>                     |  |   |
| <p>Aff. Posting</p>              |  |   |
| <p>Status Rpt</p>                |  |   |
| <p>UCCJEA</p>                    |  |   |
| <p>Citation</p>                  |  |   |
| <p>FTB Notice</p>                |  |   |

**5B Dale W. Balagno Revocable Trust**  
**Atty Armo, Lance E. (for Joseph Balagno – Beneficiary)**  
**Atty Gromis, David Paul (for Nicholas Kovacevich – Former Trustee)**  
**Atty Kruthers, Heather (for Public Administrator)**  
**Atty Moisenbocker, Gary L. (for Mary Pond – Respondent)**

**Case No. 13CEPR00389**

**Petition for Payment of Attorney's Fees and Payment for Trustee's Fees**

|  |   |   |
|--|---|---|
| <b>Dale W. Balagno</b><br><b>DOD: 3-16-13</b>            | <b>NICHOLAS KOVACEVICH</b> , Successor Trustee, is Petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|  | <b>Petitioner states:</b>   | <b>Examiner's Note:</b> On 9-9-13, per Corrected Minute Order, Mr. Kovacevich agreed to step down and the Court directed that any fees come before the Court. Accordingly, this petition was filed on 11-1-13.  |
| <b>Cont. from 011614</b>                                 | <ul style="list-style-type: none"> <li>Dale W. Balagno died on 3-16-13. The trust provides names Petitioner as first successor trustee.</li> </ul>  |   |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             | <ul style="list-style-type: none"> <li>On 4-23-13, Petitioner provided information on the trust estate to his attorney, David Gromis.</li> </ul>  |   |
| <input checked="" type="checkbox"/> <b>Verified</b>      | <ul style="list-style-type: none"> <li>On 9-9-13, Petitioner agreed to allow the Public Administrator to become the Trustee.</li> </ul>   |   |
| <input type="checkbox"/> <b>Inventory</b>                |   |   |
| <input type="checkbox"/> <b>PTC</b>                      |   | <b>This petition requests attorney and trustee fees totaling \$22,428.00. However, at this point, the value of the trust/assets has not been provided to the Court so Examiner does not have a basis for review other than hourly rates and services.</b> |
| <input type="checkbox"/> <b>Not.Cred.</b>                |   |   |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> | <b>Attorney: \$5,976.00</b>   |   |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>      | Exhibit A is a schedule of the attorney's billing in this proceeding from 4-23-13 through 9-9-13. All services were reasonable and necessary in representing Mr. Kovacevich. 24.9 hours @ \$240/hr.   |   |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 |   |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  | <b>Successor Trustee: \$16,452.00</b>   |   |
| <input type="checkbox"/> <b>Pers.Serv.</b>               | Exhibit B is a schedule of the successor trustee's services provided to the estate from 3-19-13 through 9-9-13. All services were reasonable and necessary in his role as successor trustee. 91.4 hours @ \$180/hr.   |   |
| <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>                    | <b>Petitioner requests an order:</b> <ol style="list-style-type: none"> <li><b>Directing the Public Guardian to pay David Paul Gromis, Attorney at Law, the sum of \$5,976.00 from the trust estate for legal services rendered to Nick Kovacevich while he was acting as trustee for the D.W. Balagno Trust dated 3-6-13;</b></li> </ol> |   |
| <input type="checkbox"/> <b>Aff. Posting</b>             | <ol style="list-style-type: none"> <li><b>Directing the Public Guardian to pay Nick Kovacevich, CPA, the sum of \$16,452.00 for time spent and for services rendered to the D.W. Balagno Trust dated 3-6-13 as the successor trustee; and</b></li> </ol>  |   |
| <input type="checkbox"/> <b>Status Rpt</b>               | <ol style="list-style-type: none"> <li><b>For such other relief as the Court deems just and proper.</b></li> </ol>  |   |
| <input type="checkbox"/> <b>UCCJEA</b>                   |   |   |
| <input type="checkbox"/> <b>Citation</b>                 |   |   |
| <input type="checkbox"/> <b>FTB Notice</b>               |   |   |
|  |   |   |
|  |   |   |
|  |   |   |

**5C Dale W. Balagno Revocable Trust**  
**Atty Armo, Lance E. (for Joseph Balagno – Beneficiary – Petitioner)**  
**Atty Gromis, David Paul (for Nicholas Kovacevich – Former Trustee)**  
**Atty Kruthers, Heather (for Public Administrator)**  
**Atty Moisenbocker, Gary L. (for Mary Pond – Respondent)**

**Case No. 13CEPR00389**

**Petition for Court Order to Determine Title and Require Transfer of Personal Property to Petitioner [Prob. C. 850(a)(2)(C); 856 et seq.]**

|                                    |               |   |  |
|------------------------------------|---------------|---|--|
| Dale W. Balagno<br>DOD: 3-16-13    |               | <p><b>JOSEPH BALAGNO, LINDA BALAGNO, and LORI JO BROWN</b>, beneficiaries, are petitioners.</p> <p>Petitioners state they are the children of the decedent and <b>Respondent MARY E POND</b> is a former personal acquaintance of the decedent.</p> <p>Petitioners state the trust corpus consists primarily of bank and investment accounts held with several banking institutions, cash, and other personal property.</p> <p>Petitioners state <b>Former Trustee NICHOLAS KOVACEVICH</b> was the trustee before his being removed by this Court. Petitioners believe Mr. Kovacevich has wrongfully conveyed certain personal property of the trust estate to Ms. Pond without any accounting, notice, or acknowledgment whatsoever to Petitioners, after having demanded such information from the former trustee. Additionally, the former trustee allowed mailing addresses and ownership of several bank and investment accounts to be changed to that of Ms. Pond, without notice or accounting to Petitioners. Petitioners state unfortunately, and to the detriment of the estate, Ms. Pond changed the mailing address of the decedent's important financial papers thereby learning confidential information of the decedent and subsequently, by the use of undue influence, persuaded, convinced and manipulated the decedent, while extremely ill and of a vulnerable state, to add her name to certain accounts, real property, and assets, and to conceal other assets of the estate which are not nor have ever been intended for Ms. Pond.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>OFF CALENDAR</u></b></p> <p><b>Amended Petition filed 1-23-14 is set for hearing on 2-27-14.</b></p> |
| Cont. from 011614                  |               |   |  |
|                                    | Aff.Sub.Wit.  |   |  |
| ✓                                  | Verified      |   |  |
|                                    | Inventory     |   |  |
|                                    | PTC           |   |  |
|                                    | Not.Cred.     |   |  |
|                                    | Notice of Hrg | X   |  |
|                                    | Aff.Mail      | X   |  |
|                                    | 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    |   |  |
| <b><u>SEE ADDITIONAL PAGES</u></b> |               | <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 1-28-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5C – Balagno</b></p>  |  |

**5C**

## Page 2

**Petitioners state** the Decedent was hospitalized and extremely ill and in an very vulnerable state and was unduly influenced, coerced, persuaded, and convinced to execute a testamentary plan including a will and living trust adding Ms. Pond as a beneficiary shortly before his death, although she was a girlfriend of the decedent for nearly 15 years and was never added to his estate until shortly before his demise. Petitioners state the decedent had stated to his family shortly before his passing that his estate was all set up as he had Transfer of Death (TODs) completed for most of his assets. However, Ms. Pond still added herself to bank accounts, financial investment and life insurance accounts, and liquidated an \$80,000.00 annuity shortly before the decedent's death.

Petitioners state that during the decedent's final hours, Ms. Pond excluded Petitioners and other close family members to see and communicate with their father as she did not want them to interfere with her plan to manipulate him into signing the necessary forms evidencing the testamentary plan and changes to the accounts.

Details re accounts provided (see petition for additional details and specific allegations:

- Fresno Fire Dept. Credit Union Account containing approx. \$142,000.00
- Bank of America account containing approx. \$3,100.00
- Bank of America account containing approx. \$7,096.00
- Wells Fargo Account (no value alleged)
- Chase Bank Account (no value alleged)
- Citibank Account containing approx. \$70,000.00

Petitioners allege that decedent was heard to state before his death that Ms. Pond was only to be added to one certain account, "and none others."

Petitioners provide details of transfers by Ms. Pond.

**Additionally Petitioners state** that Ms. Pond has refused to answer questions as to the whereabouts of five valuable guns belonging to the decedent. Ms. Pond and Mr. Kovacevich have provided conflicting statements as to the guns.

**Petitioners state** that the decedent provided the **safe combination** to the former trustee, who provided it secretly to Ms. Pond, who then opened it and accumulated the contents thereof, with Mr. Kovacevich, without video recording or transcribing any inventory. Petitioners were informed by the decedent prior to his passing that the safe contained over \$100,000.00 in "cash," and Ms. Pond uttered to a friend of the family that she had initially counted over \$80,000.00 when opening the safe and discovering it, and was going to go home and "count the rest." Now, Ms. Pond declares there was only \$47,000.00 in the safe.

Petitioners state that statements to family and Robin Duke by the decedent included "Uncle Gene and Mary should each receive \$10,000 from the safe, then Lori, Linda and Joe to split the rest."

Petitioners state there were also several pieces of jewelry in the safe that Ms. Pond denies, thousands in savings bonds, and hundreds in rolled coins.

**SEE ADDITIONAL PAGES**

Page 3

Petitioners state that a Morgan Stanley Investment Account contained approx. \$288,000.00 at the decedent's death, but the month prior contained approx. \$34,354. Petitioners believe Ms. Pond delivered stock certificates to Morgan Stanley to sell and proceeds were deposited to this account.

Another Morgan Stanley investment account had a balance of \$241,000 and family was listed as beneficiaries. Substantial sums were used to purchase stocks on 3-13-13 although the decedent was in a coma as of 3-14-13. Now these accounts are being threatened to be liquidated and distributed. Such instructions by Morgan Stanley are being refuted by Petitioners.

**Additional issues:** Petitioners state Ms. Pond learned of additional assets and sold or concealed stock without informing the family or providing any accounting. Ms. Pond was reimbursed \$12,000 in funeral expenses by the trustee although the trustee claimed that he had paid funeral expenses. No receipts or bills have been produced.

Ms. Pond's name was added to the decedent's 2007 pickup shortly before his death. All of his work tools and equipment were in the truck and were not accounted for.

Lastly, demand has been made to both trustee and Ms. Pond for copies of all accounts, bills, etc., but none have been provided.

Petitioners state Ms. Pond has two safes in her home that are believed to contain many of the possessions.

**Petitioners state the Court has ordered the former trustee removed and the PUBLIC ADMINISTRATOR has now been appointed,** although Petitioner Joseph Balagno is still the personal representative of the Estate of Dale Balagno.

**[Examiner's Note: Court records do not indicate an open estate for this decedent.]**

Additional details re circumstances prior to death are detailed in the petition.

**SEE ADDITIONAL PAGES**

**Petitioners pray for an order as follows:**

- 1. The Court grant and distribute the vehicles along with all cash, guns, jewelry, bonds, coins, and other items located in the safe and removed by Ms. Pond and/or the former trustee to Petitioner as representative of the estate;**
- 2. The Court grant and distribute all investment accounts to the Petitioner as representative of the estate;**
- 3. The Court grant and distribute all bank accounts to the Petitioner as representative of the estate;**
- 4. The Court grant and distribute all bonds and insurance proceeds to the Petitioner as representative of the estate;**
- 5. For all costs of suit incurred; and**
- 6. For such other and further relief as the Court may deem just and proper.**

**Petition for Appointment of Successor Trustee**

|  |  |                                 |
|--|--|---------------------------------|
| <b>DOD: 12-18-95</b>                                     | <b>WILDA K. MOLLER</b> is Petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b> |
|  | <b>Petitioner states</b> Ina Jean Ravarra created the Ina Jean Ravarra Revocable Trust on 8-3-92, which became irrevocable upon her death on 12-18-95. The Trust designates Daniel Patrick Ryan, Sr., as first successor trustee and Daniel Patrick Ryan, Jr., as second successor trustee. Petitioner states she has been acting as trustee since 1996 pursuant to an appointment made by Daniel Patrick Ryan, Sr., as set forth in Affidavit Death of Trustee/Trustor (attached).  |                                 |
| <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 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>               |  |                                 |
|  | <p>Petitioner desires to and does hereby resign as trustee effective upon appointment of a successor. Daniel Patrick Ryan, Sr., died in 2007. Daniel Patrick Ryan, Jr., was previously in 1996 unable to act due to a disability. Petitioner has attempted to contact him at his last known address, but has been unable to do so. Accordingly, a court order to appoint a successor trustee is necessary under Probate Code § 15660(d).</p> <p><b>MICHELLE DELABARRE</b> has been nominated as successor trustee by the only two adult beneficiaries of the trust and consents to act: Yusuf As Shakuur (formerly Joseph Ravarra) and Patricia Ravarra.</p> <p>Petitioner states the only assets remaining are real property known as 3039-41 California Street, San Francisco, CA, and approx. \$10,000 cash. Pursuant to the trust agreement, the trustee is to allow Yusuf As Shakuur to reside rent-free in Apartment #2 in this property and after paying all monthly bills, including repairs and maintenance on said property, to disburse net income equally between the two beneficiaries. The trust does not provide specifically for disposition of the trust after their deaths other than to say that if the remaining trust estate is not completely disposed of by the preceding provision, the undisposed portion shall be distributed outright to the settlors' heirs. Accordingly, the only current beneficiaries are Yusuf As Shakuur and Patricia Ravarra.</p> <p><b>Petitioner request that the Court appoint MICHELLE DELABARRE as successor trustee of the Ina Jean Ravarra Revocable Trust dated August 3, 1992, and for such other and further relief as the Court deems proper.</b></p> |                                 |
|  |  | <b>Reviewed by:</b> skc         |
|  |  | <b>Reviewed on:</b> 1-28-14     |
|  |  | <b>Updates:</b>                 |
|  |  | <b>Recommendation:</b>          |
|  |  | <b>File 8 – Ravarra</b>         |

|                                  |  |  |
|----------------------------------|--|--|
| <b>DOD: 9/7/2001</b>             | <p><b>JACK SINOR</b> was appointed as Administrator with full IAEA and without bond on 12/18/2001.</p> <p>Letters issued on 12/18/2001.</p> <p>Inventory and Appraisal was filed on 5/13/2002 showing an estate valued at \$142,111.42.</p> <p><b>Creditor's Claims filed:</b></p> <p>Household Retail Services - \$509.77</p> <p>Discover Card - \$5,747.00</p> <p>Sears - \$2,056.92</p> <p>Wells Fargo - \$9,100.19 (Note: an Abstract of Judgment was filed whereby Wells Fargo was awarded \$12,131.50 in a Civil case for the rejected creditor's claim).</p> <p><b>Status Report of the Public Administrator filed on 1/8/14</b> states Deputy Public Administrator Noe Jimenez conducted research in order to ascertain the whereabouts of the four heir of the estate and has learned that Jack Sinor died on 10/30/08, Rita Somer died on 3/13/07, and Renee Perez died on 1/22/08. He found the last known address for Rhonda N. Perry. He sent her a letter requesting she contact him but received no response. According to the I &amp; A filed by Jack Sinor the estate consisted of \$60, real property, a 1987 Oldsmobile Ciera and furniture and furnishings. Deputy Jimenez learned that the real property sold on 3/12/02. The disposition of the other assets and the proceeds from the sale of the real property are not known.</p> <p><b>The Public Administrator requests that the next status hearing be set no sooner than 90 days</b> from the date of this hearing to allow time to complete his investigation and any other outstanding tasks regarding the administration of the estate.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order dated 10/24/13 states the court on its own motion removes Jack Sinor as the administrator and appoints the Public Administrator.</b></p> |
| <b>Cont. from 092013, 102413</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: 1/28/14</b>      |  |  |
| <b>Updates:</b>                  |  |  |
| <b>Recommendation:</b>           |  |  |
| <b>File 11 – Sinor</b>           |  |  |



|                                  |   |  |
|----------------------------------|---|--|
| <b>DOD: 2-7-07</b>               | <p><b>LORENA GARCIA</b>, Daughter is Administrator with limited IAEA without bond. Letters issued 7-21-08.</p> <p><b>On 7-14-09</b>, the Court approved a settlement agreement between Administrator (daughter) and Omega Ochoa Garcia (surviving spouse) and allowed continuation of estate administration pending certain issues:</p> <p>1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and</p> <p>2) Receipt of proceeds due from an eminent domain matter</p> <p><b>On 10-4-11</b> (the 7<sup>th</sup> status hearing regarding retrial of the damages issue), Attorney Emerzian advised the Court that a motion for a new trial was denied and an appeal has been filed, and that deposits need to be made. The Court set this hearing for further status.</p> <p><b>Status Report filed 12-1-11 by Attorney LeVan</b> states that Attorney Ty Kharazi filed a Notice of Appeal on behalf of his clients, the Roberts'. The Fifth District Court of Appeal has set a mediation for the parties on 12-12-11. Attorney LeVan requests to set a status hearing in March 2012 to follow the progress of the appeal.</p> <p><b>Minute Order 12-6-12:</b> No appearances. Matter continued to 3-13-12.</p> <p><b>Minute Order 3-13-12:</b> Counsel informs the Court that the case has been appealed. Matter continued to 9-13-12, then 3-14-13.</p> <p><b>Status Report filed 3-13-13 states there are no entries in the civil docket regarding appeal since 1-8-13. Until that matter is decided, we do not know what the final I&amp;A will be. Attorney LeVan requests a six-month continuance for resolution of the appeal.</b></p> <p><b>Minute Order 3-14-13:</b> The Court orders all attorneys involved in case 04CECG03607 appear for status conference on 4-26-13. Order to Show Cause for attorneys regarding the status of litigation and status of mediation.</p> <p><b>Minute Order 4-26-13:</b> Counsel informs the Court that the appeal matter has been fully briefed. The Court directs Mr. Hannah and Mr. Littlewood to submit a joint status letter to Ms. LeVan so she can update the Court at the next hearing.</p> <p><b>A Status Report (not verified by Administrator) was filed 8-27-13: See Page 2</b></p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: This Probate Court has held at least 14 status conferences since January 2010 regarding status of this litigation. Need current status.</b></p> |
| <b>Cont. from 042613, 083013</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>                |   |  |
|                                  | <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 1-28-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b><br/>File 13 - Garcia</p>   |  |

**Page 2**

**Unverified Status Report states** the estate of Johnny Garcia is currently in a holding pattern pending the outcome of the appeal of the civil matter which holds the bulk of the estate property. There have been no funds received into the estate from the \$184,798 awarded in 7/2011 due to the appeal filed by Atty. Kharazi in 9/2011 on behalf of the Roberts. The estate is not in a condition to be closed at this time.

The personal property listed on the inventory is currently in the possession of Omega Garcia (spouse) pursuant to the agreement that she was going to get one-half of the estate. This property was going to be part of her distribution.

Per docket, as of 7/30/13, oral argument notice was sent to both attorneys. On 8/6/13, Atty Kharazi requested oral argument, personal appearance. On 8/8/13, Atty Littlewood filed a conditional oral argument waiver or personal appearance. On 8/21/13, oral arguments were set for 9/18/13. See attached.

**Until the civil matter is decided, we do not know what the final I&A amount will be. A six month continuance is requested.**

**Minute Order 8-30-13: Ms. Johnson is appearing specially for Ty Kharazi. The Court is advised that oral argument in the appellate court is set for 9-18-13.**

**As of 1-28-14, nothing further has been filed.**

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Filing of First Account or Petition for Final Distribution

|                   |  |   |
|-------------------|--|---|
| DOD: 9-22-11      | <p><b>KATHLEEN M. NORKUNAS</b>, Surviving Spouse, was appointed Executor with Full IAEA without bond and Letters issued on 9-4-12.</p> <p>No Inventory and Appraisal has been filed; however, the original petition for probate estimated that the estate contained personal property valued at \$450,000.00, income of \$20,000.00, and real property valued at \$250,000.00.</p> <p>On 8-15-13, the Court set this status hearing for failure to file Inventory and Appraisal and failure to file a first account or petition for final distribution. Notice was mailed to Attorney Weinberg on 8-15-13.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 11-15-14</u></p> <p><u>As of 1-28-14, nothing further has been filed.</u></p> <p>1. <b>Need Inventory and Appraisal and first account or petition for final distribution, or verified status report pursuant to probate code and local rules.</b></p> <p><b>Note:</b> Per the decedent's will, Ms. Norkunas is the sole heir; however, Letters have issued and the estate must be properly closed with appropriate notice pursuant to applicable law.</p> |
| Cont. from 111513 |  |   |
| 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: skc  |
|                   |  | Reviewed on: 1-28-14  |
|                   |  | Updates:  |
|                   |  | Recommendation:   |
|                   |  | File 14 – Karlee  |

16 Patrick James Beebe (GUARD/E)

Case No. 12CEPR00753

Atty Beebe, James Kern

Atty Beebe, Yvette Renee

(1) First Account and Report of Guardian of Estate and (2) Petition for Approval

|               |  |   |
|---------------|--|---|
| Age:          |  | NEEDS/PROBLEMS/COMMENTS:<br><br><b><u>CONTINUED TO 3-3-14</u></b><br>Per Petitioner request |
| DOB:          |  |   |
|               |  |   |
|               |  |   |
| 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: skc  |
|               |  | Reviewed on: 1-28-14  |
|               |  | Updates:  |
|               |  | Recommendation:   |
|               |  | File 16 – Beebe   |

17 Parker Kern Beebe (GUARD/E)

Case No. 12CEPR00754

Atty Beebe, James Kern

Atty Beebe, Yvette Renee

(1) First Account and Report of Guardian of Estate and (2) Petition for Approval

|               |  |   |
|---------------|--|---|
| Age:          |  | NEEDS/PROBLEMS/COMMENTS:<br><br><b><u>CONTINUED TO 3-3-14</u></b><br>Per Petitioner request |
| DOB:          |  |   |
|               |  |   |
|               |  |   |
| 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: skc  |
|               |  | Reviewed on: 1-28-14  |
|               |  | Updates:  |
|               |  | Recommendation:   |
|               |  | File 17 – Beebe   |

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

|                                   |  |  |  |
|-----------------------------------|--|--|--|
| Age: 1½                           | <b><u>TEMPORARY EXPIRES 01/30/14</u></b>   |  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED FROM 11/21/13</u></b><br/> <b>Minute Order from 11/21/13 states: Court Investigator will be in contact with guardian. Temporary Letters extended.</b></p> <p><b>As of 01/28/14, nothing new has been filed in this matter.</b></p> <ol style="list-style-type: none"> <li>1. Need proof of personal service 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 or Consent &amp; Waiver of Notice or Declaration of Due Diligence</i> for:           <ul style="list-style-type: none"> <li>- Darwin Bush, Jr. (father?)<br/> <b>Note:</b> A notice of hearing for the hearing on the Temporary Guardianship was filed 01/28/13 reflecting personal service on Mr. Bush on 01/11/13, it is unclear however, if he was also served with a copy of the documents and also with a Notice of Hearing regarding the hearing on 03/12/13.</li> </ul> </li> <li>2. 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 or Consent &amp; Waiver of Notice or Declaration of Due Diligence</i> for:           <ul style="list-style-type: none"> <li>- Paternal grandparents</li> <li>- Maternal grandfather</li> </ul> </li> </ol> |
|                                   |  |  |  |
|                                   |  |  |  |
|                                   |  |  |  |
| Cont. from 031213, 062513, 112113 | Father: <b>DARWIN BUSH, JR.</b> – <i>Personally served on 01/11/13</i>   |  |  |
| Aff.Sub.Wit.                      | Mother: <b>SHAKIRA MONIQUE ROSEMOND</b> – <i>Personally served on 01/15/13</i>   |  |  |
| ✓ Verified                        | Paternal grandfather: NOT LISTED   |  |  |
| Inventory                         | Paternal grandmother: JANET MACKLIN  |  |  |
| PTC                               | Maternal grandfather: NOT LISTED   |  |  |
| Not.Cred.                         | <p><b>Petitioner alleges</b> that the mother is incarcerated and the father is unknown. Petitioner states that the mother gave Petitioner custody of the child.</p> <p><b>Court Investigator Samantha Henson filed a report on 03/05/13.</b></p> |  |  |
| ✓ Notice of Hrg                   |  |  |  |
| Aff.Mail                          | x  |  |  |
| Aff.Pub.                          |  |  |  |
| Sp.Ntc.                           |  |  |  |
| ✓ Pers.Serv.                      |  |  |  |
| ✓ Conf. Screen                    |  |  |  |
| ✓ Letters                         |  |  |  |
| ✓ Duties/Supp                     |  |  |  |
| Objections                        |  |  |  |
| Video Receipt                     |  |  |  |
| CI Report                         | x  |  |  |
| 9202                              |  |  |  |
| ✓ Order                           |  |  |  |
| Aff. Posting                      |  |  |  |
| Status Rpt                        |  |  |  |
| ✓ UCCJEA                          |  |  |  |
| Citation                          |  |  |  |
| FTB Notice                        |  |  |  |
|                                   |  |  | Reviewed by: JF  |
|                                   |  |  | Reviewed on: 01/28/14  |
|                                   |  |  | Updates:   |
|                                   |  |  | Recommendation:  |
|                                   |  |  | File 18 - Bush   |

|                                     |               |   |   |
|-------------------------------------|---------------|---|---|
|                                     |               | <b>NO TEMP REQUESTED</b>  | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|                                     |               | <b>ASMAHAN SALAYMEH</b> , Spouse, is Petitioner and requests appointment as Conservator of the Person and as Conservator of the Estate without bond.  | Court Investigator advised rights on 11-18-13   |
| <b>Cont. from 120513</b>            |               | <b>Voting rights affected</b>   | <b>Voting rights affected – need minute order</b>   |
| <input type="checkbox"/>            | Aff.Sub.Wit.  |   | <u>Continued from 12-5-13</u>   |
| <input checked="" type="checkbox"/> | Verified      |   | 1. The Court Investigator's report indicates that Petitioner wishes to handle specific matters related to closing the proposed conservatee's business. However, the Petition did not include a request for independent powers under Probate Code §2590. Note that pursuant to Local Rule 7.15.2, it is the policy of the Court to grant only those independent powers necessary in each case to administer the estate. Each power must be justified by, and narrowly tailored to the specific circumstances. Therefore, need clarification regarding the powers sought. |
| <input type="checkbox"/>            | Inventory     |   | 2. Petitioner does not provide an estimated value for the conservatorship estate. Pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207, every conservator of the estate must furnish bond, including a reasonable amount for cost of recovery. Therefore, need estimated value of estate to determine appropriate bond amount.  |
| <input type="checkbox"/>            | PTC           | <b>Capacity Declaration filed 12-3-13.</b>  | 3. Petitioner lists only two daughters at #11 and those are the only two that were served. However, according to the Court Investigator's report, the proposed Conservatee has four children. Need complete list of relatives.  |
| <input type="checkbox"/>            | Not.Cred.     |   |   |
| <input checked="" type="checkbox"/> | Notice of Hrg | <b>Estimated Value of Estate: \$0</b>   |   |
| <input checked="" type="checkbox"/> | Aff.Mail      | <b>Petitioner states</b> her husband had a heart attack on 9-9-12. Since his heart attack, he has been in a coma and non-responsive. At this time, he is on a feeding tube and has to be taken care of 24 hours a day. He is currently at Horizon Nursing Home. |   |
| <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 checked="" type="checkbox"/> | Duties/Supp   |   |   |
| <input type="checkbox"/>            | Objections    | <b>Court Investigator Jennifer Daniel filed a report on 11-26-13.</b>   |   |
| <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  |   | <b>SEE PAGE 2</b>   |
| <input type="checkbox"/>            | Status Rpt    |   | Reviewed by: skc  |
| <input type="checkbox"/>            | UCCJEA        |   | Reviewed on: 1-28-14  |
| <input type="checkbox"/>            | Citation      |   | Updates:  |
| <input checked="" type="checkbox"/> | FTB Notice    |   | Recommendation:   |
|                                     |               |   | File 19 – Salaymeh  |

## NEEDS/PROBLEMS/COMMENTS (Cont'd):

4. Need Citation and proof of personal service of Citation with a copy of the Petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Proposed Conservatee Fawzi Salaymeh.
5. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1822 and Cal. Rules of Court 7.51 (including minors).
6. Need video receipt per Local Rule 7.15.8.A.
7. Petition does not request medical consent powers; however, a capacity declaration was filed in support of medical consent powers. The Court may require clarification as to the request.

**Note:** If Petition is granted, the Court will set the following status hearings:

- **Friday, 3-14-14 at 9:00 a.m. in Dept. 303** for filing of bond;
- **Friday, 6-6-14 at 9:00 a.m. in Dept. 303** for the filing of the inventory and appraisal; and
- **Friday, 6-5-15 at 9:00 a.m. in Dept. 303** for the filing of the first account.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.