

(1) Fourth and Final Account and Report of Conservator, (2) Petition for Allowance of Fees to Attorney and for (3) Termination of Conservatorship

		JULIE CARTER , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Due to the request to terminate the conservatorship, need proof of service of Notice of Hearing to relatives within the 2 nd degree.
		Account period: 01/01/10 – 12/31/12	
		Accounting - \$90,095.36	
		Beginning POH - \$18,251.49	
		Ending POH - \$4,871.58 (\$671.58 is cash)	
Cont. from		Conservator - not addressed	
<input type="checkbox"/>	Aff.Sub.Wit.	Attorney - \$4,320.00 (to be paid outside of the estate from the Family Needs Trust, itemized by date for 20.25 hours at \$200 - \$250/hr.)	
<input checked="" type="checkbox"/>	Verified	Petitioner states that conservatorship of the Person and Estate is no longer necessary because assets of the estate are less than \$5,000.00 and the conservatee's only income is from Social Security. Petitioner has an advance health care directive to make medical decisions for the conservatee. Petitioner requests that the Court terminate the Conservatorship.	
<input type="checkbox"/>	Inventory	Petitioner prays for an Order:	
<input type="checkbox"/>	PTC	1. Approving, allowing and settling the Fourth and Final Account;	
<input type="checkbox"/>	Not.Cred.	2. Authorizing the payment of attorney's fees; and	
<input checked="" type="checkbox"/>	Notice of Hrg	3. Terminating the conservatorship.	
<input checked="" type="checkbox"/>	Aff.Mail w/	Court Investigator Julie Negrete filed a report on 02/14/14.	
<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 checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620(c)		
<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: 02/12/14
			Updates: 02/18/14
			Recommendation:
			File 1 – Lane

Atty Shekoyan, James E., of Baker Manock & Jensen (for John R. Panzak, Jr., Deceased Executor)
 Atty Kruthers, Heather H., of County Counsel's Office (for Public Administrator, Successor Administrator with Will Annexed)
 Atty Risner, Randy, sole practitioner (for Objector Gordon Panzak, Beneficiary)

First and Final Account of Deceased Personal Representative (PC 10953)

DOD: 3/12/2010	JAMES E. SHEKOYAN , legal representative for JOHN R. PANZAK, JR. , Executor appointed on 8/11/2010, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Page 10 is the related matter of the John R. Panzak Living Trust, Case #13CEPR00196.
	Account period: 3/12/2010 – 2/15/2013	Continued from 1/8/2014.
Cont. from 090413, 091813, 110613, 010814	Accounting - \$620,182.86 Beginning POH - \$575,843.31 Ending POH - \$558,887.37 (POH consists of brokerage account and vehicle.)	Note: Court records show the Case Management Conference in Case #12CECG03842 was continued to 10/15/2013, citing the reason "service." Entry for 10/15/2013 states Order to Show Cause hearing was set for 12/19/2013 at 10:00am in Dept. 401 for plaintiff for failure to serve. Entry for 12/18/2013 states Motion for Continuance granted; OSC scheduled for 12/19/2013 is now rescheduled to 02/27/2014 at 10:00 am in Dept. 401 per plaintiff request.
<input type="checkbox"/> Aff.Sub.W	Executor - not requested	
<input checked="" type="checkbox"/> Verified	Attorney - not requested	
<input checked="" type="checkbox"/> Inventory	Costs - \$1,765.86 (filing fees, publication, certified copies; research by runner; parking fees and travel/mileage to Court)	
<input checked="" type="checkbox"/> PTC	Petitioner states:	
<input checked="" type="checkbox"/> Not.Cred.	<ul style="list-style-type: none"> Most of Decedent's assets were in the JOHN R. PANZAK LIVING TRUST, which are not part of the probate estate; GORDON PANZAK, son, filed two litigation matters between himself and the deceased personal representative, JOHN PANZAK, JR., as the Executor of the estate; one of the litigation matters involves the probate estate; the second matter is a civil litigation action filed by Gordon Panzak (Case # 11CECG00789) regarding the Decedent's trust and trust assets; John Jr. was prepared to commence trial in the civil litigation action, which was scheduled to begin on 12/12/2012; however, on 12/6/2012, Gordon dismissed this case without prejudice, and on the same day, he filed a new civil litigation action in Case #12CECG03842, citing the same causes of action grievances as alleged in the action he just dismissed; 	
<input checked="" type="checkbox"/> Notice of Hrg		Note: Letters of Administration with Will Annexed issued to the Public Administrator on 6/3/2013. Court may set status hearing for the filing of the final account of the successor personal representative on Friday, August 8, 2014, at 9:00 a.m. in Department 303.
<input checked="" type="checkbox"/> Aff.Mail		Note: Please refer to Seventh Additional page for the last Status Report filed by Public Administrator on 1/7/2014.
<input type="checkbox"/> Aff.Pub.		~Please see additional page~
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/S		
<input checked="" type="checkbox"/> Objection		
<input type="checkbox"/> Vid Rcpt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Post		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 2/14/14
		Updates:
		Recommendation:
		File 2A – Panzak

Petitioner states, continued:

- The issues in the civil litigation matter are entwined with the issues in the probate estate; as soon as the civil litigation is resolved, John Jr. intended to close the probate estate;
- **SHARON PANZAK**, spouse of John Jr., petitioned this Court to become the successor personal representative citing conflicts of interest in the appointment of Gordon, who also petitioned this Court to be appointed as personal representative;
- On 4/29/2013, the Court appointed the **PUBLIC ADMINISTRATOR** as the successor personal representative of this estate;
- All claims filed with the Court or presented against the estate, consisting of claims by Gordon Panzak filed 12/8/2010 for claims such as rent waste, damage to property, conversion of truck, ½ interest in Santa Cruz real property, and various other items of personal property, totaling **~\$1,582,940.00**, were rejected on 2/28/2011;
- The sole beneficiary of the estate is the **JOHN R. PANZAK LIVING TRUST**; Gordon has received the distributions he was entitled to under the terms of the Trust; the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr.;
- When John Jr. opened the estate brokerage account, he arranged to have the dividends paid into the account distributed to him monthly (*please refer to Schedule D, Distributions to Beneficiary*); Schedule D shows dividends from pre-August/2010 to 2/15/2013 distributed to John Jr. in the sum of **\$61,168.76**;
- John Jr. was entitled to receive the dividends through the Trust estate; additionally, John Jr. was paying the Decedent's bills and probate administration expenses from these assets;
- **Petitioner requests approval of the monthly distributions to John Panzak, Jr.**

Petitioner prays for an Order:

1. Settling, allowing and approving the First and Final Account of the attorney for the deceased personal representative;
2. Confirming and approving all acts and proceedings of the deceased personal representative, including the monthly distributions of the dividends paid to himself totaling **\$61,168.76**; and
3. Authorizing and directing the successor personal representative to pay to Baker Manock & Jensen the sum of **\$1,765.86** for costs advanced to the estate.

NEEDS/PROBLEMS/COMMENTS, continued:

Note: The devisee of the estate pursuant to Decedent's Will admitted to probate on 8/11/2010 is **JOHN R. PANZAK, JR.**, Trustee of the **JOHN R. PANZAK LIVING TRUST**. *Petition* states the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr. It appears John R. Panzak, Jr. has received payments of **\$61,168.76** from this Decedent's estate prior to court order approving such payments in contravention of Probate Code §§ 11603(a), 11640, and 11641.

Note: *Petition* requests reimbursement of **\$9.72** for parking expenses and mileage to Court, and **\$36.00** for research by a runner service, which pursuant to Local Rule 7.17(B)(3), (5) and (7) are not reimbursable costs, such that the total cost reimbursement amount should be **\$1,720.14**. Proposed order has been interlineated to reflect costs allowed of **\$1,720.14**.

~Please see additional page~

Beneficiary's Objections to Inventory and Appraisal and Beneficiary's Objections to First and Final Accounting, and Declaration in Support filed by GORDON PANZAK on 9/3/2013 states:

- John Panzak, Sr. died on 3/12/2010; John Panzak, Jr., became Executor of the estate [on 8/11/2010], and in turn died on 2/15/2013;
- No inventory and appraisal was filed until November of 2012, when the Court ordered it to be done;
- The account filed with the Court was not furnished to Beneficiary Gordon Panzak; no accounting was filed until the one presently before the Court;
- Gordon is a named beneficiary of the estate, and was entitled to copies of the accounting and notice of actions by the Executor; none were given;
- In reviewing the November 2012 documents filed with the Court, the Executor lied by declaring that the only beneficiary of the estate was the **JOHN PANZAK TRUST**; both John R. Panzak, Jr., and Gordon Panzak were to share the personal property of the estate;
- John Panzak, Jr., sold the pick-up truck which is the subject of a separate creditor's claim and action by Charles Panzak;
- The current *First and Final Accounting* shows that John R. Panzak, Jr., **embezzled** [partial emphasis in original] the proceeds from the sale, thereby committing a felony under Penal Code § 484, et seq.
- It is a fair inference that the remaining personal property was also embezzled by John R. Panzak, Jr., since it was not listed;

- **Inventory and appraisal and First and Final Accounting are incomplete** and were presented so with intent to defraud the Court, the Beneficiary, and to cover up the theft of certain property and funds; John Panzak, Sr., died in possession of the following property which is not reflected in either document:
 1. At least one Savings Account;
 2. At least one Checking Account;
 3. At least one Certificate of Deposit;
 4. Antique furniture;
 5. Guns;
 6. A new pick-up truck (the inventory shows the truck is still in the estate, when in fact it was sold and the proceeds were embezzled).

- **First and Final Accounting contains many grievous lies** in the narrative part, as follows:
 1. Paragraph 5 omits the numerous items stated in this objection, and hence is false and fraudulent by omission;
 2. Paragraph 11 states all debts of Decedent have been paid; where is the accounting? What debts? How much? When Paid? The Accounting filed in November 2012 stated all debts of Decedent had been paid as of November 2012 if not sooner, yet the excuse given in Paragraph 26 for the Executor's embezzlement is that the money was needed to pay the Decedent's expenses; if they were paid in November, clearly the last 4 payments to John Panzak, Jr., listed in Schedule D are embezzled funds since all expenses of John Panzak Sr. were paid no later than October 2012; the last payment was made on the same date John Panzak, Jr. lay on his deathbed and is highly questionable;

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Beneficiary Gordon Panzak's Objections filed 9/3/2012, continued:

- First and Final Accounting contains many grievous lies, continued:
 3. Paragraph 15 states all taxes were paid; there is no accounting of those funds;
 4. Paragraph 17 states John Panzak, Sr. had accounts in interest-bearing accounts when he died; where are the accounts? Paragraph 17 is ambiguous in that "John" could refer to the Executor John Panzak, Jr. as opposed to Decedent; the trust accounts set up should be included in the account and inventory, especially in light of the embezzlement;
 5. Paragraph[s 19 and 20] restate the same lie that has been published by John Panzak Jr. and his lawyers several times in these proceedings [that the beneficiary of the estate is the successor trustee of the **JOHN R. PANZAK LIVING TRUST**]; why do they persist in that lie? Gordon Panzak is a beneficiary of the estate;
 6. In Paragraph 20, Attorney Shekoyan tries to cover up a massive embezzlement by John Panzak, Jr. by creating a series of lies and by blurring the distinction between John Panzak Sr, the Decedent, and John Panzak, Jr., the Executor;
 - (a) The Estate and Trust [emphasis in original] are the subjects of litigation on Creditor's Claims that exceed the value of the combined entities; NO [emphasis in original] distribution to any beneficiary should have been made while the issue is pending; any such transfer is, per se, done with the intent to defraud Creditors;
 - (b) Attorney Shekoyan refers to "John" as opening a Merrill Lynch Account; again, does he mean John Panzak Sr. or John Panzak Jr.? No Merrill Lynch Account is listed in the inventory or the accounting; In Paragraph 5, Attorney Shekoyan states the Merrill Lynch account was in the estate and set up by John Panzak, Sr., not John Panzak Jr., but neither account is listed;
 - (c) John Panzak, Jr. had a right to set up a probate trust account and pay the Decedent's bills; he did not have a right to embezzle the funds to himself; no accounting has been done for those expenses or of any Estate Trust Account; there was never a petition for distribution from the estate to John Panzak, Jr. or any other person;
 - (d) Per the account filed in November 2012, there were no longer any expenses of John Panzak Sr. to pay; at least the last 4 payments of Schedule D were therefore embezzled;
- Litigation: The Estate was engaged in litigation for over a year; no claim for those attorney fees has been made; the estate would be the entity to pay the fees;
- The Will of Decedent does not [emphasis in original] allow for the hiring of an attorney for litigation;
- The Trust of the Decedent does not allow for the hiring of an attorney for litigation;
- The proper procedure would have been for the Estate and/or Trust to file a petition for instructions in regards to the litigation before incurring the expenses;
- This would have brought the matter to the direct scrutiny of the Court and would have assisted in a rapid conclusion to the litigation by Settlement; this was not done;
- It is obvious that Shekoyan and Paloutzian conspired to prolong the litigation and to have John Panzak Jr. launder the money to them;
- On 3 separate occasions, Paloutzian referred to John R. Panzak, Jr. in his personal capacity [emphasis in original] as his client, as opposed to John Panzak Jr.'s status as Executor or Trustee; this shows the funds embezzled by John Panzak Jr. went to Paloutzian as fees bypassing the Estate and Court scrutiny;

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Beneficiary Gordon Panzak's Objections filed 9/3/2012, continued:

Litigation, continued:

- The payments to John Panzak, Jr., listed in Schedule D start with the commencement of litigation; the sum total is close to the amount of attorney fees due Paloutzian;
- No claim or lien for fees due to the litigation is reflected in the documents filed; Shekoyan states they have been paid, yet they are not reflected in those documents; no petition for instructions was filed; no lien for fees was filed; no petition for distribution from the Estate was filed [emphasis in original];
- The money goes to John Panzak Jr. and is laundered to Shekoyan and Paloutzian to avoid Court scrutiny and to defraud Creditors and needlessly prolong litigation;
- Schedule D and Paragraph 20 reflect a preferential payment to a beneficiary in deference to creditors and to avoid scrutiny of the Court and without Court permission;
- The pick-up truck payment listed on Schedule D should in no way be ratified by the Court as the Court would become accessory after the fact to the commission of the felony of embezzlement by John Panzak, Jr., which was done with the connivance of his attorneys Shekoyan and Paloutzian.

Beneficiary Gordon Panzak prays that the Court:

1. Reject the Inventory and appraisal;
2. Order that the missing assets be located, inventoried and appraised;
3. Reject the First and Final Accounting;
4. Order all accounts, assets, transactions and supporting documents be produced;
5. Order that the Public Administrator and/or Beneficiary be authorized to audit the accounts of the Estate of John Panzak, Sr., including the documents showing payments of attorney fees to Baker, Manock & Jensen for litigation;
6. Order that the Public Administrator and/or Beneficiary be authorized to examine all financial records of John Panzak, Jr. from 3/12/2010 to present;
7. Order that no fees or costs be authorized to Shekoyan given the false and fraudulent manner in which the accounting and inventory were presented.

Note: Proof of Service filed 9/3/2013 by Gordon Panzak shows a copy of the *Beneficiary's Objections* was served on Attorney James Shekoyan and the Public Administrator on 9/3/2013.

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Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support filed by GORDON PANZAK on 11/1/2013 states:

- All prior statements of facts and objections filed in the *Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support* on 9/3/2013 are incorporated herein by reference and made a part of these pleadings [emphasis in original];
- In addition to the previous filed objections, the Petitioner supplements his pleadings as follows (John Panzak, Sr. will be referred to as "Senior; and John Panzak Jr., will be referred to as "Junior"): Noting that none had been filed since March 2012, the Court on the fall of 2012 ordered Junior to file an accounting of the Estate assets and an inventory and appraisal; the hearing was set for 9/7/2012;
- Attorney Shekoyan did not appear, Junior did not appear [emphasis in original]; Sharon Panzak was a stranger to the estate and has no authority by law to appear; a reasonable inference can be drawn that either Attorney Shekoyan or Junior or both share confidential estate information with Sharon Panzak, thereby waiving Attorney/Client Privilege and breaching the Executor's Fiduciary Duty of loyalty to the Estate;
- The Accounting (page 3) stated that all debts of the Decedent had been paid; no dates were given, but the reasonable inference is that they were paid no later than 9/7/2013;
- The documents further state, that the income taxes have been paid, giving rise to an inference that both Attorney Shekoyan and Junior were aware of an approved the last tax returns of Senior; the previous tax returns clearly showed 10 bank accounts owned by Senior which were not shown in the inventory and appraisal or the accounting;
- The document states in Item 19 that "No advance distributions have been made";
- The documents were signed by Attorney Shekoyan and Junior;
- There was no disclosure that Junior was terminally ill and was unable to perform his duties;
- On 1/11/2013, a status hearing was held for a Report of the Personal Representative;
- Again, there was no disclosure that Junior was terminally ill and was unable to perform his duties;
- Language in the report states that Junior "is and has been duly qualified as personal representative of the estate"; again, no notice to the Court of terminal illness, the fact that he was in hospice, or the fact that Sharon Panzak appeared for Junior on 9/7/2012 because Junior could no longer perform his duties;
- The report states on Page 4 that the Estate has only a single asset – the Merrill-Lynch account;
- No notice of the proceedings was given to Gordon Panzak, personally, or as a creditor, or as an attorney for litigant/Creditor, Charles Panzak;
- The Personal Representative of the Estate of Junior, Sharon Panzak, failed to file an account in 60 days after the Executor's death;
- Attorney Shekoyan had the cooperation of his new client, Sharon Panzak, when he filed petitions to take over the Estate of Senior and presumably could have gotten any financial document from the estate of Senior upon request;
- Steven German, CPA, had done Senior's income taxes and was familiar with all of Senior's financial holdings; a simple request by Attorney Shekoyan to Mr. German would have filled in gaps in information.

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Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support filed by GORDON PANZAK on 11/1/2013, continued:

- **Breach of Fiduciary Duty by Junior:** Junior has breached various fiduciary duties imposed on him by law and of which he was made aware when he signed the Statement of Duties and Responsibilities, including [citations omitted]: (1) failure to establish a segregated Trust Account for the Estate; (2) failure to file petitions for instructions to engage in litigation which is not authorized in the will or trust instrument; (3) failure to use ordinary care and diligence in matters of the estate by not keeping accounts of expenditures; (4) not seek court approval and providing notice for preliminary distribution from the estate; (5) failure to transfer funds he removed from the estate to the trust; (6) secretly transferring money from the estate to himself, when he had acknowledge under penalty of perjury that he was not a beneficiary of the estate and that the trust was the only beneficiary; (7) published documents with the court on 9/7/2012, stating under oath that no advance distributions have been made, when at the time he had taken over 29 such payments for himself; (8) signing documents stating that all expenses of the estate had been paid no later than 9/7/2012 and yet according to Attorney Shekoyan who stated on the record the advance payments to Junior were for "expenses of the estate."
- **Duty of Attorney Shekoyan:** Probate Code § 10953 places a duty of due diligence upon Attorney Shekoyan [citation to case law omitted]
- **Conflict of interest:** Attorney Shekoyan represented Junior as Trustee; Junior as Executor; Junior personally in litigation; Junior as deceased executor; Sharon Panzak as Petitioner to become executor; Sharon Panzak as Petitioner to become successor trustee; the office of Public Administrator; his duty of loyalty is to the office of trustee and the office of executor and not personally to the person holding those offices; he had a duty to disclose all records and information to the successors to those two offices, and he failed to do so; one the Court appointed the Public Administrator, Attorney Shekoyan failed to tell the Court or opposing parties of his conflict of interest and told the staff of the Public Administrator and County Counsel to not worry about the case, it was nothing and would go away once the accounting was accepted; Attorney Shekoyan breached his duty as an attorney and his duty of candor; he breached his duties by: (1) representing parties adverse to the trust and estate; (2) failing to properly turn over estate and trust files to the successor trustee and executor; (3) keeping confidential communications secret from the successor trustee and successor executor; (4) telling County Counsel and the Public Administrator to stand down and not diligently do their duties; (5) failure to disclose to: the Probate Court, the Beneficiaries, the Creditors, the Attorneys for Creditors, the successor trustee, the successor executor; (6) failure to disclose that there had been massive embezzlement from the estate by Junior, and affirmatively attempted to cover up the embezzlement and obtain immunity for Junior by (a) not reporting the embezzlement and (b) not providing proper notice of the accounting, (c) affirmatively making false statements on the record, (d) attempting to have the Court sign an Order ratifying the embezzlement to terminate Civil liability, (e) captioning the action as First and Final Accounting thereby attempting to obtain an Order which would extinguish civil liability of Junior; and (f) failing to list all know assets of the estate including accounts which had been embezzled.

Objector Gordon Panzak prays that the Court: (1) Order Attorney Shekoyan to produce Senior's last personal income tax return in its entirety; (2) Order Attorney Shekoyan to produce all bank records of Senior's estate and trust accounts; and (3) Order the Personal Representative Sharon Panzak to produce the records of Junior's bank accounts into which stolen money was deposited and show all disbursements of those funds.

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Declaration of Gordon Panzak in Support of Supplement to Objections to Inventory and Appraisal; and Objections to First and Final Accounting of John R. Panzak, Jr. attached to his Objections filed on 11/1/2013 states:

Gordon Panzak declares that:

- He is a named beneficiary of the Estate of John R. Panzak;
- He is a creditor of the Estate of John R. Panzak to the extent of **1.5 million** dollars;
- He has personal knowledge of the facts averred to and if called as a witness, under oath in a court of law, could competently testify to the truth of those matters;
- He is an Attorney for Creditor Charles Panzak;
- No notice was given to Gordon Panzak as a Creditor, Beneficiary, or an Attorney of Record for Creditor Charles Panzak, of any advance payments made to John Robert Panzak, Jr., from the Estate of John Robert Panzak, Sr. while creditors' claims were pending;
- Steven German prepared the taxes of John Robert Panzak, Sr., and had readily available all records of the Decedent's financial records;
- The Estate of John Robert Panzak, Sr. consisted primarily of assets easily traceable, i.e., stocks and bank accounts;
- No notice of the pending First and Final Accounting and Inventory and Appraisal was served upon him as a Beneficiary, Creditor, or Attorney for a Creditor/litigant.

Note: Proof of Service filed 11/1/2013 shows the *Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support* were served by mail to Attorney James Shekoyan, County Counsel, and the Public Administrator on 11/1/2013.

Status Report Regarding Final Distribution filed by Public Administrator on 1/7/2014 states:

- At the 4/29/2013 hearing, both of the Petitions for Probate filed by Sharon Panzak and Gordon Panzak were denied;
- The Court appointed the Public Administrator as the personal representative;
- James Shekoyan, attorney for John Panzak, Jr. (deceased personal representative), was informed that he would need to prepare a final account;
- Attorney Shekoyan filed a final account and an inventory and appraisal on 7/29/2013, and Gordon Panzak filed objections to both on 9/3/2013;
- Heather Kruthers never received a copy of these objections from Gordon Panzak's attorney until 11:51 a.m. on 1/6/2014;
- Attorney Shekoyan's office provided a copy to Ms. Kruthers last week;
- Attorney Shekoyan is currently out of the office, but is expected to be able to provide a copy of the Decedent's 2009 tax return when he gets back to the office;
- In the meantime, there appears to be no reason why Mr. Shekoyan cannot respond to the issue of missing bank accounts already questioned by Gordon Panzak.

	<p>TEMPORARY DISMISSED PER COURT TRIAL MINUTE ORDER 10-25-12</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 121312, 022113, 082113</p>	<p>LARRY and LIBBY JOHNSON, Maternal Grandparents, are Petitioners.</p>	<p><u>Examiner notes that:</u></p>
<p>Aff.Sub.Wit.</p>	<p>Father: TREVOR J. GREENE</p>	<ul style="list-style-type: none"> • Pursuant to Court Trial Minute Order 10-25-12, the parties agree to <u>dismiss the temporary guardianship and return the child to his mother.</u>
<p>Verified</p>	<p>Mother: EMILY MCKAY GREENE</p>	<ul style="list-style-type: none"> • The parties also agreed to participate in mediation.
<p>Inventory</p>	<p>Paternal grandfather: Edwin Greene Paternal grandmother: Sandra Greene</p>	<ul style="list-style-type: none"> • The Court ordered visitation to the maternal grandparents as set forth on the record.
<p>PTC</p>	<p>Petitioners state the mother and the child have resided primarily with Petitioners since Silas was born.</p>	<ul style="list-style-type: none"> • Atty Walters was directed to reduce the agreement to writing.
<p>Not.Cred.</p>	<p>There were brief periods of time in which the mother and Silas resided elsewhere, but for the most part Silas has lived with and been cared for by Petitioners.</p>	<ul style="list-style-type: none"> • As of 2-19-12, nothing has been submitted by the attorney; however, a Probate Mediation Agreement dated 2-18-13 signed by the parties was received. The agreement provides a visitation schedule for the grandparents.
<p>Notice of Hrg</p>	<p>Petitioners describe numerous incidents involving alcohol and state the mother would frequently leave Silas alone. She moved back in with Petitioners in June 2011 and Petitioners hired a professional interventionist. During the intervention, the mother admitted to a significant history of blackouts and admitted that she was an alcoholic and needed help. She stopped drinking for the next few weeks up until Trevor, the father, returned from deployment in Aug. 2011. Trevor was openly undermining Emily's sobriety. Emily relapsed during that time. They tried to live in Tennessee for a brief time, and an incident resulted in Emily being incarcerated overnight for assault. Emily then returned to Petitioners home in Nov. 2011. Since then, Emily does not participated in Silas' activities, missed Open House at preschool despite reminders. Petitioner Libby took the initiative to enroll Silas in preschool. It would be detrimental for Silas to be in either parents' custody for several reasons and Petitioners' home has been Silas' safe and secure environment for nearly his entire life.</p>	<ul style="list-style-type: none"> • At hearing on 2-21-13, the Court adopted the Probate Mediation Agreement dated 2-18-13 as the order of the Court and continued the matter to see how things progress.
<p>Aff.Mail</p>	<p>Mother filed Objection to Temporary Petition filed 5-23-12; Motion to Terminate Temporary Guardianship filed 8-15-12.</p>	<ul style="list-style-type: none"> • As of 2-12-14, nothing further has been filed.
<p>Aff.Pub.</p>	<p><i>[Examiner has not summarized objections here as they were specific to the temporary guardianship, which has been dismissed.]</i></p>	<ul style="list-style-type: none"> • Pursuant to Probate Code §1602, <u>visitation matters should be addressed in the Family Court when there is no longer a guardianship in place.</u>
<p>Sp.Ntc.</p>	<p>Court Investigator Dina Calvillo filed reports on 6-7-12, 10-10-12, and 10-24-12. DSS Social Worker Jennifer Cooper filed a report on 7-20-12.</p>	<p>Reviewed by: skc</p>
<p>Pers.Serv.</p>		<p>Reviewed on: 2-12-14</p>
<p>Conf. Screen</p>		<p>Updates:</p>
<p>Letters</p>		<p>Recommendation:</p>
<p>Duties/Supp</p>		<p>File 3 - Greene</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>		

DOD: 3-13-13		SANDRA L. FUNK , Executor with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petitioner states the promissory notes were paid in full as a result of the lawsuit filed by the estate. The Court may require clarification regarding the status of the lawsuit. Is all estate litigation concluded? Petitioner states creditor's claims <u>will be</u> satisfied prior to closing the estate; however, this petition does not appear to request payment of the claims. <u>Therefore, it appears the estate is not in a condition to close (Probate Code §11640).</u> Unless the proposed final order specifically provides for payment in full of the claims, additional continuance may be required to ensure claims are adequately provided for. Is there a reason the claims have not yet been paid? Need Allowance or Rejection of Creditor's Claim (DE-174), including proof of service, for the four creditor's claims: <ul style="list-style-type: none"> - \$603.40 filed 10-28-13 by Phillips & Cohen Associates, Ltd. on behalf of Citibank, N.A. - \$4,587.83 filed 9-16-13 by AscensionPoint Recovery Services, LLC, on behalf of Citibank, N.A. - \$4,044.75 filed 7-29-13 by Intrust Bank, N.A. - \$5,668.03 filed 5-20-13 by West Asset Management, Inc., for American Express <p><u>Note:</u> If any amounts are rejected, continuance of at least 90 days is required for response.</p> Petitioner states the assets on hand are stated in Exhibit "A," but no Exhibit "A" is attached. Need assets on hand. Cal. Rules of Court 7.550. Petitioner requests distribution to the decedent's three children equally; however, Decedent's will devises the entire estate to The Floyd Zielke 2013 Trust. Therefore, need amended proposed distribution. Need waiver of accounting from trustee of the trust and written acceptance of trust pursuant to Probate Code §10954(b)(4). If the trustee is the same person as the personal representative, need proof of service of Notice of Hearing on all trust beneficiaries pursuant to Probate Code §1208. Need declaration of trustee pursuant to Local Rule 7.12.5 <u>in addition to</u> above waiver and acceptance. Need order. Order should comply with Local Rule 7.6.1. <p>Reviewed by: skc</p> <p>Reviewed on: 2-12-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Zielke</p>
		Accounting is waived.	
	Aff.Sub.Wit.	I&A: \$534,362.68 POH: Not stated	
✓	Verified		
✓	Inventory	Executor (Statutory): Waived	
✓	PTC		
✓	Not.Cred.	Attorney (Statutory): Waived	
✓	Notice of Hrg		
✓	Aff.Mail	<i>Note:</i> Decedent's will devises the entire estate to the trustee of The Floyd Zielke 2013 Trust.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen	Petitioner requests distribution to decedent's three children: Sandra L. Funk, Linda Strand, and Keith Zielke, equally.	
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		

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

		TEMP EXPIRES 2-20-14	NEEDS/PROBLEMS/COMMENTS:
		DEBRA SUSAN PAYNE and STEVEN EUGENE PAYNE, Maternal Grandparents, are Petitioners.	
		Father: RAYMOND RUDY LUNA - Personally served 1-14-14	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Mother: JENNIFER ANN PAYNE - Personally served 12-30-13	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Paternal Grandfather: Joe Luna - Served by mail 12-16-13	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	Paternal Grandmother: Henrietta Luna - Served by mail 12-16-13	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	Petitioners state they have been caring for the minor since 10-9-13 when the mother left him in their care. See attached note. Petitioners state the mother is a meth drug addict and is suffering from mental illness and delusions to the point that she hears voices telling her to do harm and cause property damage. Petitioner state the mother was transferred to Exodus on 11-9-13 for approx. 24 hours, and on 12-9-13, went to the Dept. of Behavioral Health Urgent Care/Wellness Center for delusions and drug use. She refused to complete the assessment and instead went to City Hall to confront the mayor for unintelligible reasons. Petitioners state the mother has stated that she hears voices telling her to get a gun and shoot herself. Petitioners state the mother received a notice of eviction on 12-3-13 and has no other place to live. They were informed that she had cut the wires in her apartment causing other apartments to be without power. The father is in Wasco State Prison.	
<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 checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<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	Court Investigator Charlotte Bien filed a report on 2-7-14.	
			Reviewed on: 2-12-14
			Updates:
			Recommendation:
			File 5 – Luna

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		ERNESTO A. RIVAS GOMEZ , Minor, is Petitioner and requests that his brother, JOSE LUIS RIVAS GOMEZ , be appointed as Guardian of his Person.	Note: There are two orders in the file for signature:
	Aff.Sub.Wit.	Father: ALBERTO RIVAS AYALA	1) Guardianship order (GC-240)
✓	Verified	- Consents and waives notice	2) Order Regarding Eligibility for Special Immigrant Juvenile Status – Probate Guardianship (GC-224)
	Inventory	Mother: MARIA GOMEZ	
	PTC	- Consents and waives notice	
	Not.Cred.	Paternal Grandparents: Deceased	
	Notice of Hrg	Maternal Grandparents: Deceased	
	Aff.Mail	Petitioner states he fled his home country of El Salvador because he had been performing dangerous child labor from age 12. He was physically and verbally abused by his employer and also by his father. He was not allowed to attend school regularly. He had no protection in El Salvador. He was allowed to travel to the US without supervision and has been living with his brother since arriving in the US (April 2013). Jose has provided him with a safe and stable environment. He is attending school and learning English. Guardianship is necessary to qualify for "Special Immigrant Status" that will entitle him to apply for lawful permanent residency. Petitioner requests the Court make the appropriate findings for qualification. See petition for details.	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Court Investigator Jo Ann Morris filed a report on 2-6-14.	Reviewed by: skc
			Reviewed on: 2-13-14
			Updates:
			Recommendation:
			File 6 – Gomez

DOD: 01/29/98	DENNIS W. SNIFFIN, JAMES L. SNIFFEN, and CELESTE M. FISHER , children of the decedent, are Petitioners.	NEEDS/PROBLEMS/COMMENTS: 1. There appears to be no provision in the Probate Code for Assignments in Summary Proceedings.
Cont. from	40 days since DOD.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	I & A - \$9,800.00	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Will dated 08/27/97 devises her estate equally to her 4 children.	
<input checked="" type="checkbox"/> Aff.Mail w/	Son, Mark Sniffen, assigns his interest in the estate 1/2 to Dennis Sniffen and 1/2 to James Sniffen.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioners request court determination that the decedent's 100% interest in mineral interests in real property pass to them pursuant to decedent's will and subject to the assignment of interest by Mark Sniffen.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 02/13/14
		Updates:
		Recommendation:
		File 7 – Sniffin

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

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>Notice of Status Hearing 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>Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11 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>Inventory & Appraisal, partial no. 1 filed 07/24/13 - \$1,619,273.76</p> <p>Clerk's Certificate of Mailing filed 10/08/13 states that a copy of the Minute Order from 10/04/13 was mailed to Larry Donaldson on 10/08/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 01/30/14</p> <p>Partial Accounting filed 01/29/14, set for hearing on 03/04/04</p> <p>Note: 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>Note: Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p>As of 10/01/13, the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need Final Inventory & Appraisal. 2. Need Accounting and/or Petition for Final Distribution.
Cont. from 012513, 032913, 042613, 072613, 100413, 102513, 120513, 010214, 013014		
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		

Continued on Page 2

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.

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

DOD: 06/22/07	<p>LARRY A. DONALDSON, 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, LARRY DONALDSON resigned as Executor and the PUBLIC ADMINISTRATOR, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p>Minute order from 12/05/13 set this matter for an Order to Show Cause and states: 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>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/30/14</u></p>
Cont. from 010214, 013014		
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: 02/12/14
		Updates:
		Recommendation:
		File 8B - 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>LARRY A. DONALDSON, 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, LARRY DONALDSON resigned as Executor and the PUBLIC ADMINISTRATOR, was appointed as Administrator. Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p>Minute order from 12/05/13 set this matter for an Order to Show Cause and states: 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>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/30/14</u></p>
Cont. from 010214, 013014		
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: 02/12/14	
	Updates:	
	Recommendation:	
	File 8C - Wallace	

	<p>JENNIFER SANCHEZ, Maternal Aunt, was appointed Guardian of the Estate on 3-6-13 without bond, funds blocked.</p> <p>The petition originally anticipated receipt</p> <p>I&A Partial No. 1 was filed 4-18-13 consisting of personal property valued at \$17,255.00.</p> <p>I&A Partial No. 2 was filed 8-26-13 consisting of CalSTRS proceeds of \$5,955.33.</p> <p>A Final I&A has not yet been filed.</p> <p>Notice of Taking Possession or Control of an Asset of Minor was filed 6-24-13 at the request of the insurance company.</p> <p>A Status Hearing Report filed 9-3-13 states Ms. Sanchez has received two checks from CalSTRS, which include retroactive benefits, which checks have been deposited to the blocked guardianship estate account. Receipt attached as Exhibit B.</p> <p>Ms. Sanchez has been awaiting funds from the mother's life insurance policy with Great American Life Ins. Company, which will be deposited to blocked account upon receipt. The report requested 45 days.</p> <p>On 9-5-13, the Court reset the status hearings scheduled for 9-6-13 to 10-10-13 pursuant to request.</p> <p>On 10-10-13, this status hearing was continued to 11-14-13. On 11-14-13, there were no appearances and the matter was continued to 1-16-14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 10-10-13, 11-14-13, 1-16-14</u></p> <p>Minute Order 1-16-14: Counsel informs the Court that a partial I&A will be filed today. Counsel requests continuance.</p> <p>Note: a Receipt for Blocked Account was filed 1-21-14; however, a Final I&A has not yet been filed.</p> <p>1. Need Final I&A or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 101013, 111413, 011614</p>		
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		
		<p>Reviewed by: skc</p> <p>Reviewed on: 2-12-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - Navarro</p>

Atty Kruthers, Heather H., of County Counsel's Office (for Public Administrator, Successor Trustee)

Status Hearing

DOD: 3/12/2010	<p>JOHN R. PANZAK, JR., son, served as Trustee of the JOHN ROBERT PANZAK LIVING TRUST dated 11/27/2000 since the Decedent's death in March 2010.</p> <p>Beneficiaries of the Decedent's Will are John R. Panzak, Jr., Gordon Panzak, and the JOHN ROBERT PANZAK LIVING TRUST; beneficiaries of the JOHN ROBERT PANZAK LIVING TRUST are John R. Panzak, Jr., and Gordon Panzak.</p> <p><i>Petition for Appointment of Successor Trustee</i> was filed 3/11/2013 by SHARON PANZAK, spouse, stating the Successor Trustee, JOHN R. PANZAK, JR., died on 2/15/2013, and requesting she be appointed successor trustee.</p> <p><i>Objections to and Opposition to Sharon Panzak's Petition for Appointment of Successor Trustee</i> was filed 4/24/2013 by GORDON PANZAK, claiming the position of successor trustee vested in him no later than 3/18/2013 as the second named successor trustee of the Trust.</p> <p><i>Minute Order</i> dated 4/29/2013 from the hearing on Sharon Panzak's petition for appointment of successor trustee states: "The petition is denied as to Sharon Panzak and the Court appoints the PUBLIC ADMINISTRATOR as successor trustee. Matter is set on 7/8/2013 for Status Hearing."</p> <p><i>Order Appointing Public Administrator as Successor Trustee</i> was filed 5/22/2013.</p> <p><i>Minute Orders</i> dated 7/8/2013, 8/5/2013, 10/7/2013, and 11/6/2013 state only continuation dates of the Status Hearing, ending with the 1/8/2014 continuance.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Page 2</u> is the related matter of the John R. Panzak, Sr. Estate, Case #10CEPR00505.</p> <p><u>Continued from 1/8/2014.</u></p>
Cont. from 070813, 080513, 100713, 110613, 010814		
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: LEG		
Reviewed on: 2/14/14		
Updates:		
Recommendation:		
File 10 – Panzak		

11 **Elijah & Elaina Vasquez (GUARD/P)**
 Atty Hopper, Cindy (for Lisa Elizando and Abraham Elizondo Co-Guardians)
 Atty Elizondo, Rebecca (pro per Co-Guardian)
 Atty Vasquez, Elizabeth (pro per Mother)
 Atty Vasquez, Michael Jay (pro per Father)

Case No. 11CEPR00584

Hearing Re: Visitation

Elijah age: 9	<p>ELIZABETH VASQUEZ, mother, petitioned the court regarding visitation stating the guardians were not fulfilling their duties and caretakers. They were not following the court's orders which granted her telephone visitation on Mondays and Thursdays and visitation two hours per week at CYS.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: A Declaration in Support of Notice of Motion to Stay Proceedings has been filed however the actual Notice of Motion has not been filed.</p>
Elaina age: 7		
Cont. from 121213	<p>REBECCA ELIZONDO, maternal aunt, ABRAHAM ELIZONDO, maternal grandfather and, LISA ELIZONDO, maternal grandmother, and co-guardians also petitioned the court regarding visitation. In their petition the guardian's alleged the parents were a danger and threat to the children. The Family Court granted permanent restraining orders protecting the children from their respective parents, however the Family Court deferred the issue of the parents having visitation with the children to the Probate Court.</p>	
Aff.Sub.Wit.		
Verified	<p>Father: MICHAEL JAY VASQUEZ</p>	
Inventory		
PTC	<p>Minute order dated 9/12/13 from the Court Trial Re: Visitation states Judge Oliver orders continuation of therapeutic visits for ninety (90) days at which time the court continues the visitation hearing. Dr. Taylor, Dr. Punnett and CYS are to provide a confidential letter to Judge Robert Oliver regarding the progress and comfort level.</p>	
Not.Cred.		
Notice of Hrg	<p style="text-align: center;">Please see additional page</p>	
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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 2/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – Vasquez</p>

Letter from Laura Laird, MS, Registered MFT Intern at Comprehensive Youth Services dated 11/13/13

Letter from Robert C. Taylor dated 12/4/13

Minute Order dated 12/12/13 states the Court orders that visitation continue as previously set. Father is ordered to provide the Court a progress report regarding his employment efforts and providing proof of any counseling.

Order After Hearing dated 3/11/2013 ordered:

1. Neither parent shall have telephone communication with the minor children.
2. The parents shall have separate therapeutic visitation through Comprehensive Youth Services or a comparable agency that provides therapeutic visitation with the children. All therapeutic visitation shall be arranged by the agency and/or therapeutic counselor with dates and times to be arranged by the agency and/or therapeutic counselor.
3. The children's therapists shall each provide the Court and the Court Investigator with a letter regarding the children's progress in therapy, any issues pertinent and relevant regarding the children's contact with their parents, and any other issues the therapist deems pertinent. The letters shall be provided to the court prior to July 11, 2013.
4. The mother and/or father shall provide the Court Investigator proof of any mental health treatment they are engaged in or have engaged in.
5. The parties shall not discuss the substance of this matter around the children.

(1) Petition for Final Distribution on Waiver of Accounting and (2) for Allowance of Statutory

DOD: 3-24-13		<p>TOM MIYAKE, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$340,867.55 POH: \$340,867.55 (cash, vehicles)</p> <p>Executor (Statutory): Waived</p> <p>Petitioner requests distribution pursuant to Decedent's will and Assignment of interest as follows:</p> <p>Masaji Miyake: A 1/3 interest in the various accounts, vehicles</p> <p>Marilyn Y. Ishimaru: A 1/3 interest in the various accounts, vehicles</p> <p>Tom Miyake: A 1/3 interest in the various accounts, vehicles</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need consent to distribution of accounts and personal property in undivided interests pursuant to Local Rule 7.12.3 from:</p> <ul style="list-style-type: none"> - Masaji Miyake - Marilyn Ishimaru
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/o		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 2-13-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Miyake</p>	

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

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		LUZ AMARILLAS , Paternal Grandmother, is Petitioner.	<ol style="list-style-type: none"> 1. Petitioner's Request to Waive Court Fees was denied by the Court on 12-18-13 because the request was incomplete, and no additional request was filed. Therefore, need filing fee \$225.00. 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Heather Salem (Mother) 4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Maternal Grandfather - Maternal Grandmother - Siblings age 12 or older (three siblings are listed in the petition)
		Father: REYMUNDO AMARILLAS - Consents and waives notice	
		Mother: HEATHER SALEM	
		Paternal Grandfather: Deceased Maternal Grandfather: Unknown Maternal Grandmother: Unknown	
<input type="checkbox"/>	Aff.Sub.Wit.	<p>Petitioner states the minor needs a steady home, medical care, and psychological evaluation for help with issues in school. She is not friendly at school and is at risk of failing second grade. Petitioner needs to make sure they try every avenue to help. Petitioner states that if guardianship is granted, she will place the minor on her insurance so that they can find out if the minor has a learning disability and get her help.</p> <p>Court Investigator Samantha Henson filed a report on 2-14-14.</p>	
<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 type="checkbox"/>	Aff.Mail		X
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		X
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	Clearances		
<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: skc
			Reviewed on: 2-13-14
			Updates:
			Recommendation:
			File 13 – Amarillas

ProPer Draper, Cynthia Lucia (pro per – mother/Petitioner)

ProPer Kelley, Sabrina Irene (pro per – mother’s domestic partner/Petitioner)

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 18	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	CYNTHIA DRAPER , mother and SABRINA KELLEY , mother’s domestic partner, are Petitioners and request appointment as Conservators of the Person with medical consent powers.	Court Investigator advised rights on 01/31/14.
	Petitioners state that Kaycee is intellectually disabled and requires assistance in activities of daily living. She is not able to provide for her own needs of housing, food, etc.	1. The Petition is marked at item 1e requesting orders relating to the capacity of the proposed conservatee under Probate Code § 1873 or 1901 but did not specify which powers are being requested. Need more information.
Cont. from		2. The Capacity Declaration of Dr. Martin is incomplete as follows:
<input type="checkbox"/> Aff.Sub.Wit.		a. #4a – date proposed conservatee was last seen
<input checked="" type="checkbox"/> Verified		b. #5 – Ability of proposed conservatee to attend the hearing
<input type="checkbox"/> Inventory		c. #7b – Dr. Martin did not initial item 7b. Initials are required if item 7b is selected.
<input type="checkbox"/> PTC		3. It does not appear that item 11 (conservatee’s relatives) of the Petition is complete. All relatives within the 2 nd degree (father, maternal and paternal grandparents, siblings) should be listed. Pursuant to Local Rule 7.1.1D – if a relative is deceased, their name and date of death should be stated in the petition.
<input type="checkbox"/> Not.Cred.		4. The Citation filed 02/14/14 is incomplete. The Person’s name who is cited is blank, and item 1(b) is incomplete. Further, the proof of service on the back page indicates that the Citation was served on Kevin Draper. It is unclear who Kevin Draper is; the Citation is to be served on the proposed conservatee (Kaycee Draper).
<input type="checkbox"/> Notice of Hrg	x	5. Need <i>Notice of Hearing</i> .
<input type="checkbox"/> Aff.Mail	x	6. Need proof of personal service on the proposed conservatee at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the Citation and a copy of the Petition.
<input type="checkbox"/> Aff.Pub.		7. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the Petition for:
<input type="checkbox"/> Sp.Ntc.		a. Donna Losurdo (grandmother)
<input type="checkbox"/> Pers.Serv.	x	b. All other relatives within the 2 nd degree (father, maternal and paternal grandparents, siblings)
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input checked="" type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 02/13/14
<input type="checkbox"/> UCCJEA		Updates: 02/14/14
<input checked="" type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 14 – Draper