

1A Wilfred Carl Mell (Estate)

Case No. 12CEPR00225

Atty Krbechek, Randolph (for Executor Dale G. Mell)
 Atty Burnside, Leigh (for Petitioner Dale L. Mell)

Petition for Allowance of Attorney's Fees for Ordinary and Extraordinary Services and Advanced Costs

DOD: 5/29/2009		<p>DALE L. MELL, objector, is petitioner.</p> <p>Please see petition for details.</p> <p>Objections to the Request for Attorney Fees are included in the Response of Dale G. Mell filed in connection with the Amended First and Final Account on page 1B.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 2/27/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1A - Mell</p>				

1B Wilfred Carl Mell (Estate)

Case No. 12CEPR00225

Atty Krbechek, Randolph (for Petitioner/Executor Dale G. Mell)
Atty Burnside, Leigh (for Objector Dale L. Mell)

Amended First and Final Account and Report of Executor and Petition for its Settlement, for Allowance of Attorneys' Fees, and for Final Distribution

DOD: 5/29/2009	DALE GEORGE MELL , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition states a supplemental inventory and appraisal has been filed reflecting the promissory note. However, the court's case management system does not reflect the filing of said Supplemental Inventory and Appraisal. Need Supplemental Inventory and Appraisal. 2. Promissory Note cannot be counted as a loss if it is also being deducted from Dean C. Mell's share of the estate. 3. Need Order Please see additional page.
Cont. from	See Petition for Details.	
<input type="checkbox"/> Aff.Sub.Wit.	Objections to the Amended First and Final Account filed by Dale L. Mell on 2/26/15.	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Response to Objections to Amended First and Final Account filed by Petitioner Dale G. Mell on 2/27/15	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	X	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	1/14/13	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 2/27/15
		Updates: 3/2/15 (skc)
		Recommendation:
		File 1B - Mell

NEEDS/PROBLEMS/COMMENTS (cont.):

Note: Petition does not treat the promissory note as an asset of the estate. When treated as an asset of the estate, distribution should as follows:

Residue (bank account & promissory note, interest and erroneous loan to Dale L. Mell in the sum of \$2,500.00)	\$54,647.94 (\$40,433.01 is the cash on hand plus the \$2,500.00 loan amount to Dale L. Mell that was returned to the estate.)
Minus Statutory fees	-7,702.98
Net estate for distribution	46,944.96
Dean C. Mell's share	15,648.32
Amount owed on promissory note	14,214.93
Subtotal	1,433.39
½ to Tina L. Liles	716.70
½ to Dale L. Mell less \$2,500 advance distribution	716.70
Larry E. Mell	\$15,648.32
Dale G. Mell	\$15,648.31
Reconciliation of final distribution	
Statutory fees	\$ 7,702.98
Net to Dale L. Mell	\$ 716.70
Net to Tina L. Liles	\$ 716.70
Net to Larry E. Mell	\$15,648.32
Net to Dale G. Mell	\$15,648.31
Total	\$40,433.01

Amended First Account and Report of Trustee of Edward Crable Special Needs Trust; Amended Petition to Settle Account

	PATTI CRABLE , trustee, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 01/13/15 As of 02/26/15, nothing further has been filed and the following notes remain:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i> and proof of service by mail at least 30 days before the hearing of Notice of Hearing to all interested parties. 2. There appears to be an addition error in the accounting and it does not balance. Further, it does not appear that the ending balance on hand is correct, as the bank statement attached to the Supplement filed 12/03/14 indicates that the balance is \$9,251.55 and not \$9,250.00 as stated on the Summary of Account. Also, the figures on the Summary of Account do not match the Summary on page 3 of the Supplement. Need revision/clarification. 3. The account indicates that the trust disbursed \$10,000.00 to the Leigh Law Group for legal services that resulted in the beneficiary being placed in a private out of state school valued at over \$50,000.00 that was paid for by the school district. Declaration of Jay Jambeck indicates that the placement was essential to the well-being of the beneficiary and the family agreed to pay the fees from the Special Needs Trust. However, it does not appear that a court order was obtained authorizing the payment and it is unclear whether this type of expenditure was authorized by the Trust instrument without a Court order. The court may require more information/authority for this expenditure. Further Notice of Hearing to the bonding company (International Fidelity Insurance Company) may be required. 4. Need Order.
	Account period: 09/25/12 – 08/15/14		
	Accounting	- \$19,250.00?	
	Beginning POH	- \$0.00	
	Ending POH	- \$9,250.00	
Cont. from 011315			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory	Trustee	- not addressed	
PTC			
Not.Cred.	Attorney	- not addressed	
Notice of Hrg	x	Bond is currently filed in the amount of \$11,000.00, petitioner is requesting that bond be reduced to zero because the remaining assets of the Trust are held in a blocked account.	
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
	Reviewed by: JF		
	Reviewed on: 02/26/15		
	Updates:		
	Recommendation:		
	File 2 - Crable		

		<p>DENNIS FREEMAN, Moves this Court, in accordance with CCP § 664.6, for an Order and entry or Judgment enforcing the terms of a settlement agreement between Petitioner, Dennis Freeman and Respondent, Christopher Lull.</p> <p>On 08/13/14, Petitioner and Respondent reached a stipulated settlement. The basic terms of the settlement were recited in open court at that time and were reflected on the minute order, account information was described in general terms. The parties exchanged a few drafts, and ultimately prepared a written Stipulation for Settlement and for Entry of Order Thereon that Petitioner executed. The Stipulation for Settlement and for Entry of Order Thereon was substantially the same as the settlement reached on 08/13/14 except for a term requiring that certain unidentified assets were to be divided equally by the parties.</p> <p>Respondent Christopher Lull has refused to comply with the terms of the settlement agreement in that he has refused to sign the Stipulation for Settlement and for Entry of Order Thereon, which how own counsel prepared.</p> <p>Petitioner respectfully requests that the Court issue an order pursuant to CCP§664.6, entering a written order and judgment thereon in conformance with the terms of the stipulation of settlement with the exception of paragraph 4 of the written Stipulation.</p> <p>Response to Notice of Motion and Motion to Enforce Settlement filed by Respondent, Christopher Lull on 02/26/15 states: the problem that has occurred is the transfer of certain tangible personal property of decedent to Respondent. It appears that that personal property is no longer available and there is no understanding as to what the parties would do if the personal property was not available. It is Respondent's position that except for specific issues related to the "tangible personal property" the remainder of the stipulation for settlement is acceptable and, Respondent has fully complied with his multiple obligations under the terms thereof.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. The Notice of Motion and Motion to Enforce Settlement is not verified by the Movant.
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified x		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg x		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 02/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3A - Winter</p>	

	DENNIS FREEMAN , successor Trustee under Amendment, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	CHRISTOPHER LULL , son of Debra Winter, is Respondent.	
	The Parties participated in a Court Trial on 11/04/14 and 01/13/15.	
Cont. from	Minute Order from Court Trial on 01/13/15 set this matter for Status Hearing regarding Agreement and states: Counsel requests 60 days for a status update. Mr. Pape is to file any necessary Petition to Enforce the Settlement Agreement at least 15 days prior to the hearing. Christopher Lull is ordered to be personally present in court on 03/03/15.	
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: 02/27/15
		Updates:
		Recommendation:
		File 3B - Winter

Notice of Motion and Motion to be Relieved as Counsel

DOD: 6-12-07	CATHERINE A. AMADOR , Attorney for Former Administrator KIM MARIE GALLO , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 020415	Petitioner's Declaration in Support of Motion to be Relieved as Counsel states she is an associate of Pascuzzi, Pascuzzi & Stoker, attorneys of record for Kim Marie Gallo, the duly appointed administrator of the estate. Ms. Amador prepared and filed the petition for appointment of Ms. Gallo as administrator of the estate of Pauline Sidam, who had been Ms. Gallo's mother-in-law. Ms. Gallo was appointed 9-11-13 and Letters issued. Ms. Gallo was given full IAEA powers.	Note: The Court removed Kim Marie Gallo as Administrator and appointed the Public Administrator on 1-7-15.
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input checked="" type="checkbox"/> Aff.Mail	The Inventory and Appraisal filed 10-4-13 consisted of a single asset, a single family residence in Fresno. Ms. Gallo exercised her IAEA authority and sold the house in April 2014.	<u>SEE PAGE 2</u>
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Prior to the sale, Ms. Gallo had informed Ms. Amador that she and her disabled son had decided to move to Minnesota to reside with her sister. She provided an address and stated that she could be reached at her current cell phone number.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections	Ms. Amador had provided Ms. Gallo with necessary documents and information to open an estate account to receive proceeds from the sale of the residence and instructions on how to handle the escrow in March 2014. Ms. Amador wrote to Ms. Gallo in April and May requesting information on the estate, and attempted to call, but the cell phone number had been disconnected. Ms. Amador wrote again in December following the status conference where she had been ordered to file the final report no later than 1-5-15, but no reply has been received.	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		Reviewed by: skc
<input type="checkbox"/> Aff. Posting		Reviewed on: 2-26-15
<input type="checkbox"/> Status Rpt		Updates:
<input type="checkbox"/> UCCJEA		Recommendation:
<input type="checkbox"/> Citation		File 4 - Sidam
<input type="checkbox"/> FTB Notice	To the best of Ms. Amador's knowledge, the address for Ms. Gallo in Minnesota is a valid address. None of the letters have been returned undeliverable. Even if she no longer resides there, it is expected that her sister would forward her mail. The attorney respectfully requests to be relieved as counsel of record for Ms. Gallo. She does not respond to efforts to contact her, and the attorney is unable to complete estate administration without her cooperation.	

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner filed "Proof of Service by First-Class Mail – Civil" Form POS-030 rather than the mandatory "Notice of Hearing – Probate" Form DE-120, which contains mandatory language regarding the hearing date and place pursuant to Probate Code §1211. The Court may require further service.
2. Notice was not served on the Public Administrator or County Counsel, attorney for Public Administrator, who was appointed Successor Administrator 1-7-15. Need proof of service pursuant to Probate Code §1220.
3. Petitioner's Declaration in Support of Motion to be relieved as Counsel is not on the mandatory Judicial Council Form MC-052 as required by Cal. Rule of Court 3.1362(d), which form includes verified statements relative to the petition, service, and the case. The Court may require further information pursuant to this form.
4. According to the Declaration, the attorney was aware of the Administrator's removal of her residence from California to Minnesota, and her permanent address there, in March of 2014. However, no change of address was not filed with the Court or served on interested persons pursuant to Probate Code §8573 and Cal. Rule of Court 2.200. The Court may require clarification.
5. On 1-7-15, the Court removed Kim Marie Gallo as Administrator and appointed the Public Administrator. Pursuant to Probate Code §§ 10952 and 10953(c), the Court may compel the former Administrator or the attorney for the absconding former administrator to account.

5 Sylvia Valencia (Estate)

Case No. 14CEPR00857

Atty Rodriguez, Frankie (for Primavera Damme – Daughter – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 8-1-13	PRIMAVERA DAMME , Daughter, is Petitioner and requests appointment as Administrator with Full IAEA with bond of \$175,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This is the 4th hearing on this petition. The following issues remain:</p> <ol style="list-style-type: none"> 1. Need Duties and Liabilities of Personal Representative (DE-147) and Confidential Supplement (DE-147S) 2. Need publication pursuant to Probate Code §8120. 3. Need Order. 4. Need Letters.
Cont from 110314, 120314, 011315	Petitioner is a resident of Mesa, AZ.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA – need publication	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Decedent died intestate	
<input type="checkbox"/> Not.Cred.	Residence: Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication: need publication	
<input checked="" type="checkbox"/> Aff.Mail	w	
<input type="checkbox"/> Aff.Pub.	x	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Probate Referee: Rick Smith	
<input type="checkbox"/> Letters	x	
<input type="checkbox"/> Duties/Supp	x	
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	x	
<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: 2-25-15
		Updates:
		Recommendation:
		File 5 – Valencia

6A Bernice Kasabian Irrevocable Granddaughter's Trust, Number Two (Trust)
Case No. 14CEPR01006

Atty Teixeira, J. Stanley (for Jennifer Kapur Kirklin – Petitioner)
Atty Roberts, Gregory J. (for Dana Kahler – Trustee/Respondent)

Petition for Removal of Trust, Account and to Appoint Successor Trustee

DOD: 01/17/13	JENNIFER KAPUR KIRKLIN , granddaughter and beneficiary is Petitioner.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 02/03/15 Minute Order from 02/03/15 states: Mr. Teixeira states he should be able to obtain waivers of bond. If the required documents are filed at least 2 court days prior, then no appearance is necessary 03/03/15.
Cont. from 121814, 012015		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/o	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FIB Notice		

Petitioner states:

- Dana Kahler ("Kahler"), is the current acting trustee of the Bernice Kasabian Irrevocable Granddaughter's Trust, Number Two (the "Granddaughter Trust"). The Granddaughter Trust is irrevocable.
- The Granddaughter Trust was to have been funded with the remainder and residue of the Bernice C. Kasabian Trust, dated 03/24/99 (the "Kasabian Trust"), for which Kahler also served as trustee.
- While serving as trustee of the Kasabian Trust, Kahler loaned substantial trust funds to his son's winery business without obtaining any security for those loans.
- In the informal accounting provided for the Kasabian Trust, there were three large cash withdrawals totaling \$21,950.00. Despite requests for explanation and identification of the purposes of these withdrawals, Kahler has avoided providing any response.
- The informal accounting also revealed that Kahler was drawing \$300.00 per month for services to the John Kasabian Trust, though no such trust exists. There were also trustee fees paid for "extra trust work", though no statements were presented to substantiate these extra charges.
- Pursuant to the terms of the Granddaughter Trust, the beneficiary should be receiving \$4,000.00 per month. Petitioner has been informed that the administration of the Kasabian Trust has been completed and the Granddaughter Trust has been funded. However, no accounting of the funding of the Granddaughter Trust has been forthcoming and the \$4,000.00 monthly payments to the beneficiary have not been made as required by the terms and provisions of the Granddaughter Trust.

Continued on Page 2

Reviewed by: JF
Reviewed on: 02/26/15
Updates: 02/27/15
Recommendation:
File 6A - Kasabian

6A Bernice Kasabian Irrevocable Granddaughter's Trust, Number Two (Trust)

Page 2

7. Despite being informed that the administration of the Kasabian Trust has been completed, no accounting was ever provided. Petitioner, who was also a beneficiary of the Kasabian Trust, received an informal accounting because she demanded it, but to her knowledge, no accounting was ever provided to the other beneficiaries of the Kasabian Trust.
8. The trust instrument does not appoint a successor trustee. Petitioner nominates Matt Bickel to serve as successor trustee, and in the event that he is unable to serve for any reason, Bruce Bickel may then serve as the alternate successor trustee. Petitioner requests that bond not be required of either successor trustee. **Consents to Serve by both Matt and Bruce Bickel attached to Petition.**
9. Petitioner requests that the Court order Dana Kahler to file an accounting within 45 days with the Court detailing his acts as trustee.

Petitioner prays for an Order:

1. Removing Dana Kahler as trustee;
2. Appointing Matt Bickel as successor trustee without bond, vesting him with all the powers of trustee under the trust terms;
3. Appointing Bruce Bickel as alternate successor trustee without bond, vesting him with all the powers of trustee under the trust terms, in the event that Matt Bickel is unable to serve as trustee;
4. Requiring Dana Kahler to deliver the trust assets to the successor trustee within 30 days after issuance of the Order;
5. Compelling Dana Kahler to account fully for all trust property; and
6. For costs of suit herein and any other orders the court may deem proper.

Response of Trustee to Petition for Removal or Trustee, Account and to Appoint Successor Trustee filed 01/27/15 states:

1. Respondent is the currently acting trustee of the Trust and Jennifer Kirklin is the beneficiary of the Trust.
2. Respondent is willing to resign as trustee as soon as the court approves and appoints a successor trustee.
3. The Trust was funded with the residue of the Bernice C. Kasabian Trust dated 03/24/99. An accounting was provided on 04/11/14. There were two binders of information provided.
4. On 04/11/14, the loans to JK Winery totaled \$410,784.11. These loans were made over a period of time when the stock market was dropping and banks were offering less than 1% interest on investments. The Trustee believed the loans to be a good safe investment for the Trust funds. All loans have been paid as agreed.
5. Trustee has not withdrawn any cash from the Trust. There were funds that were transferred from one account to another that were done in the form of cash so that no holds would be placed on the funds as they were transferred. The bank records will reflect that the monies were transferred into another account.
6. The John Kasabian Trust does exist and Trustee has been the Trustee of the John Kasabian Trust for many years. The only remaining assets in the John Kasabian Trust is some stock, with a value of less than \$15,000.00 that Trustee has been attempting to transfer into the Trust. There was some confusion with the social security numbers and tax ID numbers for the John Kasabian Trust that relate back to when Bernice Kasabian was alive and acting as trustee. Trustee has not been able to resolve this issue and get the stock transferred out of the John Kasabian Trust.

Continued on Page 3

Dept. 303, 9:00 a.m. Tuesday, March 3, 2015

6A Bernice Kasabian Irrevocable Granddaughter's Trust, Number Two (Trust)

Page 3

7. From his appointment as trustee, Respondent has always been paid trustee fees. The fees were agreed upon while Bernice Kasabian was alive and have been consistent after Bernice's incapacity and death. Petitioner has always known about the trustee's fees.
8. The Trust is to distribute the sum of \$4,000.00/month to Petitioner. Trustee has been distributing \$3,000.00/month to Petitioner and has been allowing Petitioner to reside in the Heaton residence. The Bernice Kasabian Trust, purchased a residence in Madera, CA many years ago. Tens of thousands of dollars have been spent over the years repairing the Madera property for Petitioner. Petitioner moved into the Heaton property several years ago and rented out the Madera Property. The Heaton property was to be sold or rented out for income after Bernice's death. The rental value of the Heaton property would be in excess of \$2,000/month. Trustee has been allowing Petitioner to reside in the Heaton property for \$1,000/month. Petitioner has not signed a rental agreement. The rent of \$1,000/month plus cash of \$3,000/month equals \$4,000/month. Petitioner has chosen to rent out the Madera property and live in the Heaton property. It is Respondent's position that Petitioner is required to pay rent for the Heaton property if she chooses to reside there.
9. Respondent provided an accounting to Petitioner in April 2014. While the accounting was not formal, in court format, it was complete and bank statements and receipts were provided to Petitioner. A formal accounting can be prepared. All of the beneficiaries of the Bernice Kasabian Trust, other than Petitioner, received a specific gift. Each beneficiary received their gift, signed a receipt and waiver. None of the other beneficiaries requested an accounting.
10. Trustee is willing to resign as Trustee upon the Court appointing a successor Trustee.
11. Trustee will provide a full accounting of the Trust and requests at least 45 days to prepare the accounting and file it with the Court.

Probate Status Hearing RE: Accounting of Dana Kahler and Waivers of Bond

DOD: 01/17/13	<p>JENNIFER KAPUR KIRKLIN, granddaughter and beneficiary filed a Petition for Removal of Trustee, Account and to Appoint Successor Trustee on 11/03/14.</p> <p>On 01/27/15, Respondent, Dana Kahler, filed a Response of Trustee of Petition for Removal of Trustee Account and to Appoint Successor Trustee.</p> <p>Minute Order from hearing on 02/03/15 set this matter for a Status Hearing re: Accounting of Trustee and Waivers of Bond.</p> <p>Status Declaration of Counsel for Trustee Regarding Accounting filed 02/26/15 states: The Court ordered the Trustee to file an accounting with the Court by 03/03/15. Attorney received the accounting documents from the trustee on 02/25/15 and has not been able to prepare the accounting in the court format. It appears that all of the information is there to prepare the accounting, but additional time will be needed. A 30 day continuance is respectfully requested.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: JF	
	Reviewed on: 02/26/15	
	Updates: 02/27/15	
	Recommendation:	
	File 6B - Kasabian	

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 2/24/2015.</p> <p>1. Caption of the <i>Petition</i> requests appointment of probate conservator of the estate only. Item 1(a) and 1(b) of the <i>Petition</i> request appointment of both conservator of the person and of the estate. Item 1(g) of the <i>Petition</i> requests the proposed Conservatee be adjudged to lack the capacity to give informed consent for medical treatment, which is a request associated with conservatorship of the person. Further, Item 5(c) of the <i>Petition</i> states the reasons the proposed Conservatee requires a conservator of the person are not applicable as the <i>Petition</i> is for conservatorship of the estate only. Need clarification and/or amended <i>Petition</i>.</p> <p>2. <i>Capacity Declaration</i> was filed on 2/4/2015, and <i>Declaration of Gary L. Winter</i> was filed 2/18/2015 to include the previously omitted Page 2 of the <i>Capacity Declaration</i>. However, because the <i>Petition</i> does not request conservatorship of the person, the purpose of these filings is unclear unless the <i>Petition</i> is amended to include a clear request for conservatorship of the person.</p> <p style="text-align: center;">~Please see additional page~</p>									
		<p>JILL MCCOOL, daughter, is Petitioner and requests appointment as Conservator of the Estate with Probate Code § 2590 powers (<i>specified below</i>) with bond set at \$36,800.00.</p> <p>Estimated Value of the Estate:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Personal property</td> <td style="width: 5%;">-</td> <td style="width: 35%; text-align: right;">\$ 9,200.00</td> </tr> <tr> <td>Annual income</td> <td>-</td> <td style="text-align: right;">\$27,680.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td style="text-align: right;">\$36,800.00</td> </tr> </table> <p>(<i>Note: \$212,000.00 interest in real property is excluded from total; estimated value is \$248,800.00 with real property included.</i>)</p> <p style="text-align: center;">~Please see Petition for details~</p> <p>Court Investigator's Report was filed on 2/24/2015.</p> <p style="text-align: center;">~Please see additional page~</p>		Personal property	-	\$ 9,200.00	Annual income	-	\$27,680.00	Total	-	\$36,800.00
Personal property	-	\$ 9,200.00										
Annual income	-	\$27,680.00										
Total	-	\$36,800.00										
Cont. from												
<input type="checkbox"/>	Aff.Sub.Wit.											
<input checked="" type="checkbox"/>	Verified											
<input type="checkbox"/>	Inventory											
<input type="checkbox"/>	PTC											
<input type="checkbox"/>	Not.Cred.											
<input type="checkbox"/>	Notice of Hrg	X										
<input type="checkbox"/>	Aff.Mail	X										
<input type="checkbox"/>	Aff.Pub.											
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.	X										
<input type="checkbox"/>	Conf. Screen	X										
<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											
<input type="checkbox"/>	Status Rpt											
<input type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation	X										
<input type="checkbox"/>	FTB Notice											
		<p>Reviewed by: LEG</p> <p>Reviewed on: 2/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Britton</p>										

Petitioner requests the following Probate Code § 2590 powers:

- The power to borrow money on behalf of the proposed Conservatee [*Probate Code § 2591(e)*], as he is currently residing in an assisted living facility and does not have the funds to continue paying for a long period of time; the proposed Conservator needs to be able to explore options to borrow on behalf of the proposed Conservatee in order to pay for his continued care;
- The power to give security for the repayment of a loan [*Probate Code § 2591(f)*], as there is currently a reverse mortgage against the residence of the proposed Conservatee; the proposed Conservator seeks to refinance the reverse mortgage in order to pay for the care of the proposed Conservatee.

NEEDS/PROBLEMS/COMMENTS, continued:

3. Need *Citation for Conservatorship* pursuant to Probate Code § 1823, and proof of personal service of the *Citation* on the proposed Conservatee, **ROBERT L. BRITTON**, with a copy of the *Petition for Appointment of Probate Conservator* pursuant to Probate Code § 1824.
4. Need *Notice of Hearing—Conservatorship [CG-020]* and proof of service by mail of the notice with a copy of the *Petition* showing notice was mailed at least 15 days before the hearing pursuant to Probate Code § 1822 for the following persons (*Note: The Proof of Service by First-Class Mail--Civil filed 2/4/2015 and 2/18/2015 are insufficient for this purpose*):
 - Robert Britton, Jr., son;
 - Robby Britton, grandson;
 - Taylor Britton, granddaughter;
 - Dane Spradlin, grandson;
 - Bena Wilbern, [*relationship unstated*];
 - Holly Spradlin, granddaughter;
 - Brittani McCool, granddaughter;
 - Cori McCool, granddaughter;
 - Matt Colangelo, grandson.
5. *Confidential Conservator Screening Form* filed 1/22/2015 provides in Item 1(a) through (c) the information pertaining to the proposed Conservatee, **ROBERT L. BRITTON**, rather than to the proposed Conservator as required. Additionally, Item 1(e) is incomplete at contact information. Need revised *Confidential Conservator Screening Form*.
6. *Petition* requests the following specific Probate Code § 2590 powers: The power to borrow money on behalf of the proposed Conservatee (*Probate Code § 2591(e)*), and the power to give security for the repayment of a loan (*Probate Code § 2591(f)*), based upon the proposed Conservatee's real property currently having a reverse mortgage. Bond should be posted in the sum of **\$273,680.00** (taking into account personal property, annual income, and real property of **\$248,800.00**) pursuant to the calculation provided in Probate Code § Probate Code § 2320 and CA Rule of Court 7.207, due to the fact that Petitioner seeks powers directly related the real property, which powers pursuant to Probate Code § 2590(b) are not otherwise granted to conservators of the estate without obtaining prior Court authorization for any real property transactions.

Atty Rosá, Randall W., of Lodi (for Petitioner Michael B. Bebb)

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

DOD: 4/29/2014	MICHAEL B. BEBB , son, is Petitioner and requests appointment as Administrator without bond (<i>All heirs waive bond.</i>)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Monday, August 3, 2015 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Tuesday, May 3, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>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.</p>
Cont. from	Full IAEA — OK	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence — Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication — Business Journal	
<input checked="" type="checkbox"/> Aff.Mail W/	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Pub.	Real property - \$150,000.00	
<input type="checkbox"/> Sp.Ntc.	Total - \$150,000.00	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 2/26/15
		Updates:
		Recommendation: SUBMITTED
		File 8 – Bebb

Atty Pape, Jeffrey B. (for Petitioner Harold Rick Moore, son)

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

DOD: 7/14/2014		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED TO 5/14/2015 Per attorney request</p>
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: LEG
		Reviewed on: 2/26/15
		Updates:
		Recommendation:
		File 10 – Moore

Atty Salazar, Steven F. (for Petitioner Michael M. Haraguchi)

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 6/14/2013	MICHAEL M. HARAGUCHI , son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD.	
Cont. from		
<input checked="" type="checkbox"/> Aff.Sub.Wit.	No other proceedings.	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory		
PTC	I & A - \$125,000.00	
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Will dated 1/6/1987 devises real property to Michael Haraguchi, and the residue of the estate to Decedent's five children in equal shares.	
<input checked="" type="checkbox"/> Aff.Mail	W/	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Petitioner requests Court determination that Decedent's 33.4% interest in real property located at 7625 S. Reed Ave., Reedley, passes to the Petitioner pursuant to Decedent's Will. (Note: Petitioner owns the other 66.6% interest in the real property.)	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 2/26/15
		Updates: 3/2/15 (skc)
		Recommendation: SUBMITTED
		File 11 - Haraguchi

Probate Status Hearing Re: Failure to File a Petition for Final Distribution

DOD: 11-25-04	<p>FRESNO COUNTY PUBLIC ADMINISTRATOR was appointed Successor Administrator on 11-28-06.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont from 041814, 052314, 111714, 011215, 012015</p>	<p>Background: PRESTON VAN CAMP, Grandson, in pro per, was appointed as Administrator with Full IAEA without bond on 4-12-05 and Letters issued 4-14-05. Pursuant to various Assignments of Interest, Preston Van Camp was also to be the sole beneficiary. I&A filed 8-11-05 indicated a total estate value of \$175,249.00 consisting of real and personal property.</p>	<p>Status Report filed 2-26-15 by Public Administrator states the unlawful detainer has been filed, but it took significantly longer to serve Pamela Van Camp than usual with the complaint. She was finally served on 2-18-15. Ms. Van Camp filed an answer on 2-23-15 that was received by the Public Administrator on 2-25-15. Once the unlawful detainer proceedings have concluded, the Public Administrator anticipates the house will require significant debris removal and cleaning before it can be sold. The Public Administrator requests that the status hearing on the final account be set no sooner than 4 months.</p>
Aff.Sub.Wit.	<p>A status report filed 4-17-09 indicated that the decedent apparently owed taxes since 1997; therefore, the Administrator needed a 6-month continuance to sell assets, pay creditors, and file the petition for final distribution. The Administrator did not appear at the continued hearing date; however, and an OSC was issued.</p>	<p>Reviewed by: skc</p>
Verified	<p>On 11-28-06, Preston Van Camp was removed as Administrator and the Public Administrator was appointed as Successor Administrator.</p>	<p>Reviewed on: 2-25-15</p>
Inventory	<p>The former Administrator was ordered to file his final account and distribute to the Public Administrator. The former Administrator's account and later his amended account detailed various transactions, including granting an option to purchase the real property. The Public Administrator filed objections, and both the original account and the amended account were ultimately denied. According to the amended petition, all assets inventoried (real and personal property) remained on hand.</p>	<p>Updates: 2-27-15</p>
PTC	<p>On 11-5-07, the Court ordered the assets turned over to the Public Administrator and reserved the right to surcharge.</p>	<p>Recommendation:</p>
Not.Cred.	<p>There was no further activity in this case until 2-14-14 when the Court set this status hearing for failure to file a petition for final distribution.</p>	<p>File 12 – Van Camp</p>
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		

DOD: 10-7-12	PAUL T. CHAMBERS was appointed Practice Administrator on 10-16-13 pursuant to Probate Code §9764.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Probate Code 9764(h) states that upon settlement of the final accounting, the practice administrator shall be discharged and surety on bond exonerated. A final account has not yet been filed, and receipts have not been filed for payments authorized in the First Account settled 2-3-15. The Court may require authority for waiver of bond. 2. Requests for Special Notice have been filed by Attorney J. Patrick Sullivan, as stated in the status report, <i>and also by Walter Wentz</i>. Notice of this status hearing or report has not been served. <p>Note: The Court may set status hearing for the filing of the final account as appropriate.</p>
	Bond of \$47,000.00 was filed 3-17-14 pursuant to Probate Code §9764(d).	
	The First Account of IOLTA Trust Funds by Court-Appointed Practice Administrator was settled on 2-3-15, and the Court set this status hearing re: renewal of bond.	
Aff.Sub.Wit.	<p>Declaration of David A. Roberts Regarding Bond Waiver for Practice Administrator filed 2-18-15 states:</p> <p>At the time of the filing of the Petition for Assumption of Law Practice of David J. St. Louis, there were trust funds in the IOLTA aka Attorney/Client Trust account of David J. St. Louis. Mr. St. Louis died 10-7-12 and no one could write checks to distribute the funds remaining in the account. Accordingly, the practice administrator was appointed not only to write checks from the IOLTA account to the recipients, but to assist in closing the law practice of David J. St. Louis. Upon his appointment, the Court required Mr. Chambers to post a bond of \$47,000.00 – an amount to coincide with the funds in the IOLTA.</p> <p>On 2-3-15, an Order Settling the First Account of IOLTA Trust Funds by Court-Appointed Practice Administrator was signed by the Honorable D.J. Kazanjian. The order provided for payment of the remaining funds in the IOLTA account to the persons entitled thereto. On 2-10-15, checks were written and disbursed in accordance with the Order. There is now a zero balance in the IOLTA account and all persons entitled to money from the account have been paid.</p> <p style="text-align: center;"><u>SEE PAGE 2</u></p>	
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: 2-26-15</p> <p>Updates: 2-27-15</p> <p>Recommendation:</p> <p>File 13 – St. Louis</p>

Page 2

No probate estate was opened for Mr. St. Louis because all of his assets passed to his wife, Joan St. Louis. She is the sole beneficiary of his estate.

It has been approximately two years and four months since Mr. St. Louis' death, and there are no creditors to be paid.

When Mr. St. Louis passed away, his active legal cases were distributed to attorney Tim Magill who was to contact the client, inform them of Mr. St. Louis' death, and determine whether the client wished Mr. Magill to handle the matter or have the matter referred to another attorney. In almost all situations, the clients opted to stay with Mr. McGill. Mr. McGill has informed Joan St. Louis that there are funds owed to David J. St. Louis, Inc., for work done by Mr. St. Louis prior to his death.

The only tasks left to wrap up the law practice of Mr. St. Louis are negotiating with Mr. McGill the amounts to be paid with regard to these cases, and ultimately collecting the agreed upon amounts.

All proceeds will belong to David St. Louis' widow, Joan St. Louis. Mrs. St. Louis has waived the requirement of bond in this matter, waiver being filed concurrently herewith.

Attorney Patrick Sullivan has requested Special Notice in this matter, and proper notice will be given to him.

DOD: 11-19-11	DALE EWING was appointed Administrator with Full IAEA with bond of \$53,500.00 on 11-13-13.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order 1-9-15: Counsel represents that the home sold on 12/29/14 and requests an additional 30 days. If the petition is filed at least two court days prior to the hearing date, then no appearance is necessary on 3/3/15.
Cont 010915	At the hearing on 11-13-13, the Court set this status hearing for the filing of the first account or petition for final distribution.	As of 2-25-15, an account has not been filed.
Aff.Sub.Wit.		
Verified		1. Need first account or petition for final distribution pursuant to Probate Code §12200 or verified written status report pursuant to Local Rule 7.5.
Inventory		
PTC	Bond was filed and Letters issued on 1-16-14.	
Not.Cred.		
Notice of Hrg	Final I&A filed 8-19-14 reflects real and personal property with a total value of \$37,680.42.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 2-25-15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Kempf

Atty Armo, Lance E. (for Executor Kevin R. Benzler)

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 9-9-12	<p>KEVIN R. BENZLER was appointed Executor with Full IAEA without bond on 9-16-14 and Letters issued 9-17-14.</p> <p>At the hearing on 9-16-14, the Court set this status hearing re filing of the Inventory and Appraisal.</p> <p>Amended Letters issued 11-13-14.</p> <p>I&A Partial No. 1 was filed 12-29-14.</p> <p>A Final I&A has not yet been filed.</p> <p>Status report filed 1-20-15 states that at the time of filing the Partial No. 1 I&A, it was believed additional assets would be located. However, they have now learned there are no further assets to be found. Thus, no further I&A will be filed with this court. The attorney believed the partial I&A would take this status hearing off calendar, but according to the examiner notes, it did not. That is the reason for the late filing of this status report.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p>Final Inventory and Appraisal filed 1/29/2015.</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: LEG</p> <p>Reviewed on: 2/26/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Benzler</p>

Second Amended Account and Report of Conservator of Estate, Petition for Approval

		CHARLOTTE A. YOUNG , Conservator without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 4-15-15</u></p> <p>At Petitioner's request</p> <ol style="list-style-type: none"> Need Notice of Hearing. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §§ 1460, 1461.5 on: - Acie Lee Hopkins (Conservatee) - Office of Veterans Administration There are numerous bank and ATM charges. The Court may require clarification. Need order.
		Account period: 5-12-13 through 6-30-14	
		Accounting: \$ 23,376.81	
		Beginning POH: \$ 2.14	
		Ending POH: \$ 748.32	
Cont from 010615		Conservator: \$750.00 (\$50/month)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	2620(c)		
<input type="checkbox"/>	Order	x	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<p>Reviewed by: skc</p> <p>Reviewed on: 2-25-15</p> <p>Updates: 3-2-15</p> <p>Recommendation:</p> <p>File 16 - Hopkins</p>			

DOD: 2-2-01	BARBARA MORRIS , Surviving Spouse, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The petition is blank at #5.b. Was the decedent survived by issue of a predeceased child? The petition is blank at #6. Was the decedent survived by parents or siblings? Petitioner checked Box 1a indicating that she is requesting determination of property passing to her; however, the petition is blank at #7a and does not contain Attachment 7a (legal description). The petition is blank at #8. Does a written agreement exist? Petitioner states at #12 that a petition for probate is being filed with this petition. Need clarification. The Court may consolidate this case with the probate, if any. The marriage certificate attached is not an official marriage license issued by the County of Fresno. Were Petitioner and the decedent legally married? The attached grant deed indicates joint tenancy, which means that the property may pass pursuant to real property laws and Court order may not be required for the property to pass to Petitioner. However, the copy provided is incomplete and does not show the legal description, so Examiner is unable to confirm if this is the same property as requested to pass. The petition was filed with a fee waiver. If property is determined to pass to Petitioner, the filing fee for this petition \$435 is due. Need order, complete with legal description. Local Rule 7.1.1.F.
	Decedent died intestate	
	Petitioner states she is the only surviving relative of the decedent.	
Cont from 010615	She and the decedent were married 8-21-99 in Fresno County. Mr. Morris' helath began to decline in late 2000 from ALS, which lead to his death on 2-2-01. Mr. Morris purchased the home at 20868 Troutdale Ln in Riverdale, CA, in approx. July 1999 while they prepared for wedding.	
<input type="checkbox"/> Aff.Sub.Wit.	See attached Grant Deed. During their short time, Mr. and Mrs. Morris spent much time dealing with Carl's illness and neglected to address constructing a living will. Mrs. Morris lost sight of the financial situation due to being grief stricken, and was not prepared emotionally or financially for Carl's passing. Since his passing, Mrs. Morris has continued to keep up the payments and the upkeep of the property and she is asking the Court to grant her the property as Carl's surviving spouse.	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	x	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
9202		
<input checked="" type="checkbox"/> Order	x	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Petitioner requests Court determination that the property passes to her.	
<p>Reviewed by: skc</p> <p>Reviewed on: 2-25-15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Morris</p>		

6. Need Attachment 11, which should contain the legal description of the real property, a description of the personal property, and state the decedent's interest in each.

Note: There is a page stapled to the petition, after the will, that lists assets, but it is unclear if this is an attachment to the will, or if this is meant to be Attachment 11. Regardless, it does not state the decedent's interest in the assets. Petitioner states at #15 that she is a "tenant in common," which indicates that the decedent did not own the property in its entirety. What was the decedent's interest in the real property and the other assets?

7. Petition is incomplete at #13 – it only states the legal description of the real property. Need specific property interest of the real and personal property claimed by Petitioner.
8. Need Attachment 14, which should contain the names, ages, and addresses of all persons named in #1, #9, and #10, which would include the petitioner and the decedent's relatives (spouse, if any, children, and dates of death if deceased).
9. Petition is incomplete at #15. The named alternate executor, Mary Price, should be listed here, and is entitled to notice.
10. Petitioner states at #16 that she is the trustee of a trust that is a devisee under the decedent's will. That does not appear to be the case. The Court may require clarification.
11. Need Notice of Hearing.
12. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §13153 on:
 - Diana Moore (Daughter, per the decedent's will)
 - Mary Price (Named Alternate Executor)
 - Any other relatives pursuant to issues noted above.

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

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		CLARITA MARTINEZ , non-relative, is Petitioner.	<p><u>CONTINUED FROM 01/13/15</u> As of 02/26/15 the following note remains:</p> <p>1. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Maternal grandparents</p>
		Father: NIZANDRO PINEDA SOLORIO – deceased	
Cont. from 011315		Mother: MAGGIE SOLORIO aka MARGARITA NUNEZ – Consent & Waiver of Notice filed 12/15/14; Personally served on 02/08/15	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal grandparents: NOT LISTED – Court dispensed with notice on 01/13/15	
<input checked="" type="checkbox"/>	Verified	Maternal grandparents: NOT LISTED	
<input type="checkbox"/>	Inventory	Siblings: RAYMOND PINEDA, DESTINY PEREZ – Consents & Waiver of Notice filed 12/15/14	
<input type="checkbox"/>	PTC	Petitioner states that Bryan's mother was deported and his father is deceased.	
<input type="checkbox"/>	Not.Cred.	Petitioner states that she is the only person in the United States that is willing to provide him a better life and help with his special needs.	
<input checked="" type="checkbox"/>	Notice of Hrg	Court Investigator Jennifer Daniel filed a report on 12/18/14.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" 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		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 02/26/15
			Updates:
			Recommendation:
			File 20 - Pineda

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

Kash, 8	<u>TEMPORARY EXPIRES 03/03/15</u>	NEEDS/PROBLEMS/COMMENTS:
Kalyssa, 7	JENNIFER ELDRIDGE , maternal aunt, is Petitioner.	<u>CONTINUED FROM 01/13/15</u>
	Father: RICHARD JACKSON , currently incarcerated – <i>served by mail on 11/15/14</i>	1. Need proof of 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</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
Cont. from 011315	Mother: STACY ELDRIDGE – <i>Personally served on 11/14/14</i>	a. Richard Jackson (father) – personal service required
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandparents: DECEASED	b. Stephen Eldridge (maternal grandfather) – service by mail sufficient
<input checked="" type="checkbox"/> Verified	Maternal grandfather: STEPHEN ELDRIDGE Maternal grandmother: DECEASED	
<input type="checkbox"/> Inventory	Petitioner states that the mother suffered a heart attack and is hospitalized and the father is currently incarcerated. The father has a history of domestic violence and drug abuse.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Court Investigator Julie Negrete filed a report on 12/22/14.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv. w/		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 02/26/15
		Updates:
		Recommendation:
		File 21 - Jackson

**22A James Lockhart, Isaiah Lockhart, Skyla Lockhart, Coreatha Lockhart
(GUARD/P) Case No. 14CEPR01172**

Atty Smith, Everlener (pro per – paternal great aunt/Petitioner)

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

James, 7	<u>NO TEMPORARY IN PLACE</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to Skyla only.</p> <p>1. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> a. James Lockhart, Jr. (father) – personal service required b. April Serna (mother) – personal service required c. James Lockhart, Sr. (paternal grandfather) – service by mail sufficient d. Paternal grandmother – service by mail sufficient e. Amos (maternal grandfather) – service by mail sufficient f. Teresa Serna (maternal grandmother) – service by mail sufficient <p>Note: Proof of service filed 01/06/15 states that the parents were served by mail on 01/05/15; however, service by mail is insufficient for the parents, personal service is required for the parents</p>
Isaiah, 4	EVERLENER SMITH , aunt, is Petitioner.		
Skyla, 2	Father: JAMES LOCKHART, JR. – <i>currently incarcerated; served by mail on 01/05/15</i>		
Coreatha, 9 mos.	Mother: APRIL SERNA - <i>served by mail on 01/05/15</i>		
Cont. from	Paternal grandfather: JAMES LOCKHART, SR.		
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandmother: UNKNOWN		
<input checked="" type="checkbox"/> Verified	Maternal grandfather: AMOS		
<input type="checkbox"/> Inventory	Maternal grandmother: TERESSA SERNA		
<input type="checkbox"/> PTC	Petitioner states that the mother is unable to provide a stable environment for the children. CPS removed the children from the mother.		
<input type="checkbox"/> Not.Cred.	Court Investigator Dina Calvillo filed a report on 02/24/15.		
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	x		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 02/26/15
			Updates:
			Recommendation:
			File 22A - Lockhart

22B James Lockhart, Isaiah Lockhart, Skyla Lockhart, Coreatha Lockhart (GUARD/P)

Case No. 14CEPR01172

Atty Jones, Rita (pro per – paternal great-aunt/Petitioner)

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

James, 7	TEMPORARY EXPIRES 03/03/15		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to Coreatha only.</p> <p>2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> g. James Lockhart, Jr. (father) – personal service required h. April Serna (mother) – personal service required i. James Lockhart, Sr. (paternal grandfather) – service by mail sufficient j. Paternal grandmother – service by mail sufficient k. Amos (maternal grandfather) – service by mail sufficient l. Teresa Serna (maternal grandmother) – service by mail sufficient <p>Note: Proof of service filed 01/06/15 states that the parents were served by mail on 01/05/15; however, service by mail is insufficient for the parents, personal service is required for the parents</p>
Isaiah, 4	<p>RITA JONES, paternal great-aunt, is Petitioner.</p>		
Skyla, 2	<p>Father: JAMES LOCKHART, JR. – <i>currently incarcerated; served by mail on 01/05/15</i></p>		
Coreatha, 10 mos.	<p>Mother: APRIL SERNA - <i>served by mail on 01/05/15</i></p>		
Cont. from	<p>Paternal grandfather: JAMES LOCKHART, SR.</p> <p>Paternal grandmother: UNKNOWN</p> <p>Maternal grandfather: AMOS</p> <p>Maternal grandmother: TERESSA SERNA</p> <p>Petitioner states that the mother is unable to provide a stable environment for the children. CPS removed the children from the mother.</p> <p>Court Investigator Jennifer Young filed a report on 02/23/15.</p>		
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.		X	
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
✓ Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p>			
<p>Reviewed on: 02/26/15</p>			
<p>Updates:</p>			
<p>Recommendation:</p>			
<p>File 22B - Lockhart</p>			

22C James Lockhart, Isaiah Lockhart, Skyla Lockhart, Coreatha Lockhart (GUARD/P)

Case No. 14CEPR01172

Atty McGee, Mary (pro per – paternal great-aunt/Petitioner)

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

James, 7	<u>NO TEMPORARY IN PLACE</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition pertains to James and Isaiah only.</p> <p>3. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>m. James Lockhart, Jr. (father) – personal service required</p> <p>n. April Serna (mother) – personal service required</p> <p>o. James Lockhart, Sr. (paternal grandfather) – service by mail sufficient</p> <p>p. Paternal grandmother – service by mail sufficient</p> <p>q. Amos (maternal grandfather) – service by mail sufficient</p> <p>r. Teresa Serna (maternal grandmother) – service by mail sufficient</p> <p>Note: Proof of service filed 01/06/15 states that the parents were served by mail on 01/05/15; however, service by mail is insufficient for the parents, personal service is required for the parents</p>
Isaiah, 4	<p>MARY MCGEE, paternal great-aunt, is Petitioner.</p>		
Skyla, 2	<p>Father: JAMES LOCKHART, JR. – <i>currently incarcerated; served by mail on 01/05/15</i></p>		
Coreatha, 10 mos.	<p>Mother: APRIL SERNA - <i>served by mail on 01/05/15</i></p>		
Cont. from	<p>Paternal grandfather: JAMES LOCKHART, SR.</p> <p>Paternal grandmother: UNKNOWN</p>		
Aff.Sub.Wit.	<p>Maternal grandfather: AMOS</p> <p>Maternal grandmother: TERESSA SERNA</p>		
<input checked="" type="checkbox"/> Verified	<p>Petitioner states that the mother is unable to provide a stable environment for the children. CPS removed the children from the mother.</p>		
Inventory	<p>Court Investigator Samantha Henson filed a report on 02/23/15.</p>		
PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	w/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: JF</p>
			<p>Reviewed on: 02/26/15</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 22C - Lockhart</p>

Atty Rahnama, Davood (Pro Per – Petitioner – Son)

Atty Bagdasarian, Gary G. (Court Appointed for Proposed Conservatee)

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

		<u>TEMPORARY WAS GRANTED EX PARTE ON 02/17/2015</u>	NEEDS/PROBLEMS/ COMMENTS: Note: Page 24 is the Petition for Appointment of Conservatorship of Fatemeh Shakeri, spouse of this proposed conservatee. COURT ADVISED RIGHTS 02/18/2015 1. Need Video receipt for each conservator pursuant to Locale Rule 7.15.8(A).
		<u>TEMPORARY ORDERS WERE REVOKED ON 02/24/2015</u>	
		<u>GENERAL HEARING 04/01/2015</u>	
		<u>Please see Petition for details.</u>	
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: LV
			Reviewed on: 02/27/2015
			Updates:
			Recommendation:
			File 23 - Rahnama

Atty Rahnama, Davood (Pro Per – Petitioner – Son)

Atty Janisse, Ryan M. (Court Appointed for Proposed Conservatee)

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

		<u>TEMPORARY WAS GRANTED EX PARTE ON 02/17/2015</u>	NEEDS/PROBLEMS/ COMMENTS: Note: Page 23 is the Petition for Appointment of Conservatorship of Abdolah Rahnama, spouse of this proposed conservatee. COURT ADVISED RIGHTS 02/18/2015 1. Need Video receipt for each conservator pursuant to Locale Rule 7.15.8(A).
		<u>TEMPORARY ORDERS WERE REVOKED ON 02/24/2015</u>	
		<u>GENERAL HEARING 04/01/2015</u>	
		<u>Please see Petition for details.</u>	
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: LV
			Reviewed on: 02/27/2015
			Updates:
			Recommendation:
			File 24 - Shakeri

		<u>GENERAL HEARING: 04/27/15</u>	NEEDS/PROBLEMS/COMMENTS:
		ESTEFANY VICTORIA HERNANDEZ NAVARRO , minor, is Petitioner and requests that MARIA CECILIA NAVARRO , maternal aunt, be appointed as Guardian of the Person.	1. Need <i>Notice of Hearing</i> . 2. Declarations of Due Diligence filed 02/19/15 states that the parents have not been seen or heard from since April 2014 and their current whereabouts are unknown. If diligence is not found, need proof of personal service at least 5 court days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice for: a. Santos Hernandez (father) b. Francisca Navarro Alvarado (mother)
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	Father: SANTOS HERNANDEZ – <i>Declaration of Due Diligence filed 02/19/15</i>	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Mother: FRANCISCA NAVARRO ALVARADO – <i>Declaration of Due Diligence filed 02/19/15</i>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	Paternal grandparents: NOT LISTED Maternal grandparents: NOT LISTED	
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail	Sibling: JOSUE HERNANDEZ NAVARRO Petitioner states guardianship is necessary because the minor has been neglected by both parents. Petitioner is able and willing to provide a safe and stable living environment. Reunification with both parents would be detrimental to the minor and the child needs a guardian appointed to qualify for Special Immigrant Juvenile Status.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.	Paternal grandparents: NOT LISTED Maternal grandparents: NOT LISTED	
<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		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<input type="checkbox"/>			
			Reviewed by: JF
			Reviewed on: 02/27/15
			Updates:
			Recommendation:
			File 25 - Navarro

(1) First Account Current and Report of Conservator and Petition for its Settlement, (2) for Approval of Sale of Depreciating Property, (3) for Approval of Donation, and (4) for Allowance of Conservator's and Attorney's Compensation

DOD: 12/8/2014		<p>IRENE V. SANTOS, daughter and Conservator of the Person and Estate appointed on <u>11/8/2012</u> with bond set at \$123,895.00, is Petitioner.</p> <p align="center">~Please see Petition for details~</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> Approving and settling the First Account; Approving all acts and transactions of the Conservator relating to the conservatorship; Approving and confirming the sale of the Conservatee's recreational vehicle [appraised at \$12,500.00 and sold for \$1,000.00] as a sale of a depreciating asset; Approving and confirming the donation to the local Salvation Army of Conservatee's furniture and furnishings [valued at \$960.00] as a donation of depreciating assets; Authorizing and directing Conservator to pay herself \$13,425.00 as compensation for her services rendered; and Authorizing directing Conservator to pay the Attorney fees of \$10,300.00 as compensation for services rendered. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p align="center">OFF CALENDAR</p> <p align="center">Order Regarding First Account, etc., signed on 2/24/2015.</p> <p>Note: Court will set status hearing as follows:</p> <ul style="list-style-type: none"> Monday, August 24, 2015 at 9:00 a.m. in Dept. 303 for filing of the final account. <p>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.</p>
Cont. from 090814, 100814, 102914, 012015, 022415			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	Proof of Bond		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	2620		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: LEG			
Reviewed on: 2/26/15			
Updates:			
Recommendation:			
File 26 - Murillo			

1A John P McCann & Elizabeth A McCann (Trust)

Case No. 11CEPR00871

Atty Keeler, William J. (for Petitioner Kathleen Whitehurst)

Atty Dmytryk, Peter L. (for Trustees John P. McCann and Collen Dempsey)

Atty Thompson, Charles (for Daniel McCann)

Amended Petition for Order Instructing the Co-Trustees to Vote the Trust's Limited Partnership Interest for Dissolution, for and Accounting, to Instruct Co-Trustees to Account as Agents Under Power of Attorney, for Declaration Relief as to General Partner; for Order Removing 'Defacto' General Partner and Appointing Successor General Partner with Instructions for Dissolution

	KATHLEEN WHITEHURST filed the <i>Amended Petition for Order Instructing the Co-Trustees to Vote the Trust's Limited Partnership Interest for Dissolution, for and Accounting, to Instruct Co-Trustees to Account as Agents Under Power of Attorney, for Declaration Relief as to General Partner; for Order Removing 'Defacto' General Partner and Appointing Successor General Partner with Instructions for Dissolution</i> on 11-13-14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter will be heard in Dept. 502 at 3:30 pm.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	CO-TRUSTEES JOHN P.MCCANN and COLLEEN DEMPSEY filed the <i>Co-Trustees' Notice of Demurrer and Demurrer to Kathleen M. Whitehurst's First Amended Petition for Order Instructing Co-Trustees to Vote Trust's Limited Partnership Interest, for Accounting, to Instruct Co-Trustees to Account as Trustees and Agents Under Power of Attorney, for Declaration Relief as to General Partner; for Order Removing 'Defacto' General Partner and Appointing Successor General Partner With Instructions for Dissolution</i> on 1-5-15.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Response to Demurrer was filed 2-18-15 by Petitioner Katheleen Whitehurst.	
9202		
Order	On 1-13-15, the hearing on the <i>Amended Petition</i> was continued to the date of the <i>Demurrer</i> , which was set for 3-3-15 at 8:30 in Dept. 72.	
Aff. Posting		
Status Rpt	On 1-14-15, Notice of Assignment of Judge for All Purposes (Judge Donald S. Black) was served.	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-26-15
		Updates:
		Recommendation:
		File 1A - McCann

1B John P McCann & Elizabeth A McCann (Trust)

Case No. 11CEPR00871

Atty Keeler, William J. (for Petitioner Kathleen Whitehurst)

Atty Dmytryk, Peter L. (for Trustees John P. McCann and Colleen Dempsey)

Atty Thompson, Charles (for Daniel McCann)

Demurrer

	KATHLEEN WHITEHURST filed the <i>Amended Petition for Order Instructing the Co-Trustees to Vote the Trust's Limited Partnership Interest for Dissolution, for and Accounting, to Instruct Co-Trustees to Account as Agents Under Power of Attorney, for Declaration Relief as to General Partner; for Order Removing 'Defacto' General Partner and Appointing Successor General Partner with Instructions for Dissolution on 11-13-14.</i>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter will be heard in Dept. 502 at 3:30 pm.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	CO-TRUSTEES JOHN P.MCCANN and COLLEEN DEMPSEY filed the <i>Co-Trustees' Notice of Demurrer and Demurrer to Kathleen M. Whitehurst's First Amended Petition for Order Instructing Co-Trustees to Vote Trust's Limited Partnership Interest, for Accounting, to Instruct Co-Trustees to Account as Trustees and Agents Under Power of Attorney, for Declaration Relief as to General Partner; for Order Removing 'Defacto' General Partner and Appointing Successor General Partner With Instructions for Dissolution on 1-5-15.</i>	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Response to Demurrer was filed 2-18-15 by Petitioner Katheleen Whitehurst.	
9202		
Order	On 1-13-15, the hearing on the <i>Amended Petition</i> was continued to the date of the <i>Demurrer</i> , which was set for 3-3-15 at 8:30 in Dept. 72.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	On 1-14-15, Notice of Assignment of Judge for All Purposes (Judge Donald S. Black) was served.	
FTB Notice		
		Reviewed by: skc
		Reviewed on: 2-26-15
		Updates:
		Recommendation:
		File 1B - McCann

1B

Espinola Family Trust of 1990

Case No. 14CEPR00430

Atty Kaufman, Jeffrey; Brawley, Mason, of Berliner Cohen of Merced (for Petitioners Eugene Espinola, Marvin Espinola, and Margaret Corvello, Beneficiaries)
Atty Esraelian, Robyn, of Richardson, Jones & Esraelian (for Respondents James Espinola and Irene Espinola St. Martin, Trustees)
Atty Rube, Melvin K., sole practitioner (also for Respondents James Espinola and Irene Espinola St. Martin, Trustees)

Notice of Motion and Motion to Enforce Settlement Agreement

Oliver DOD: 9/1/2006	<p>EUGENE ESPINOLA, MARVIN ESPINOLA and MARGARET CORVELLO, children and Beneficiaries of 3 irrevocable Sub-Trusts created under the ESPINOLA FAMILY TRUST of 1990 (namely SURVIVOR'S TRUST, RESIDUAL TRUST and MARITAL TRUST), move for an order to enforce the settlement agreement reached in open court on 9/22/2014.</p> <p>Movants state:</p> <ul style="list-style-type: none"> Motion is made on the grounds that the parties agreed to the terms of a settlement in open court during a settlement conference before Judge Oliver on 9/22/2014, and said agreement contemplated the execution of a more formal and comprehensive written agreement; Responding parties have failed and refused to execute a written agreement that is consistent with the agreement reached in open court, and Petitioners seek to enforce the settlement pursuant to Code of Civil Procedure § 664.6, and to have judgment entered accordingly; Motion is based on this <i>Notice of Motion</i>, the declaration of Jeffrey S. Kaufman, the <i>Memorandum of Points and Authorities</i>, the <i>Request for Judicial Notice</i>, the records and file, and on such evidence as may be presented at the hearing of the Motion. ~Please see additional page~ 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This matter will be heard at 8:30 a.m. in Dept. 503.</p> <p>Notes:</p> <ul style="list-style-type: none"> <i>Minute Order</i> dated 2/26/2015 from the hearing on the <i>Motion</i> set this matter on 3/3/2015 at 8:30 a.m. in Dept. 503, based upon the parties' agreement due to scheduling issues. <i>Minute Order</i> dated 9/22/2014 from the Settlement Conference Hearing states: "Settlement agreement read in open Court. All parties agree. Counsel will submit settlement agreement for signature." Court records do not show that a settlement agreement has been filed with the Court. <i>First Report and Account of Co-Trustees and Petition for Its Settlement</i> filed on 2/6/1015 is set for hearing on 3/23/2015 at 8:30 a.m. in Dept. 72. <i>Order Granting Ex Parte Application to Continue Trial</i> filed 2/3/2015 reschedules the Court Trial of this matter to 4/7/2015 at 8:30 a.m. in Department 72. 	
Virginia DOD: 4/29/2012			
Cont. from			
Aff.Sub.Wit.			
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Notice of Hrg			X
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order	✗		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: LEG</p> <p>Reviewed on: 2/26/15</p> <p>Updates: 2/26/15</p> <p>Recommendation:</p> <p>File - Espinola</p>			

Memorandum of Points and Authorities in Support of Motion to Enforce Settlement Agreement was filed 1/12/2015.

Request for Judicial Notice in Support of Motion to Enforce Settlement Agreement was filed on 1/12/2015.

Declaration of Jeffrey S. Kaufman in Support of Motion to Enforce Settlement Agreement was filed on 1/12/2015.

Declaration of Melvin K. Rube in Opposition to Motion to Enforce Settlement Agreement was filed on 1/13/2015.

Memorandum of Points and Authorities in Opposition to Motion to Enforce Settlement Agreement was filed by Respondents on 2/13/2015.

Reply to Respondents' Opposition to Motion to Enforce Settlement Agreement was filed by Movants on 2/20/2015.

NEEDS/PROBLEMS/COMMENTS, continued:

1. **Certificate of Service filed by Movants on 1/15/2015** does not indicate pursuant to Probate Code §§ 1042 and 1220(a)(1) that the time and place of the hearing on 2/26/2015 was mailed to the persons required to be given notice. *Certificate of Service* indicates the *Motion* and supporting documents were served on 1/13/2015, which informs the Court that the hearing date of 2/26/2015 could not have been included with the service of notice since the 2/26/2015 hearing date was not provided to Movants until the date the motion was filed on 1/15/2015.
2. **Need proposed order** to be submitted by Movants pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief. Proposed order submitted 2/20/2015 via mail.