

	FRESNO COUNTY PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 2-21-12.	NEEDS/PROBLEMS/COMMENTS: 1. Need Second Account.
	The Public Guardian's First Account was settled on 3-20-13 and the Court set this status hearing for the filing of the Second account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-13-15
		Updates:
		Recommendation:
		File 1 - Sager

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

DOD: 8/26/10	JOYCE CERONSKY , surviving spouse, was appointed administrator with full IAEA and without bond on 11/8/11.	NEEDS/PROBLEMS/COMMENTS:	
	Letters issued 11/9/11.		
Cont. from 031414	Inventory and Appraisal, part 1, filed 2/26/14 showing a value of \$4,262.28.		
Aff.Sub.Wit.	Status Report filed on 3/20/15 states decedent was the victim of mesothelioma which caused his death.		
Verified	Petitioner retained the law firm of Weitz & Luxenberg in New York State to represent her in the processing of the mesothelioma wrongful death class action lawsuit being handled by that firm outside California.		
Inventory	The New York firm insisted Petitioner obtain California Letters of Administration so as to process the settlement of the wrongful death action.		
PTC	As of March 5, 2015 Petitioner has received settlement funds in the total amount of \$4,262.28 from the mesothelioma wrongful death action. Said funds were deposited into an account dedicated for the Estate.		
Not.Cred.	No additional funds have been received since the filing of the inventory and appraisal.		
Notice of Hrg	Petitioner requests that the filing fee for a Petition for Order for Preliminary Distribution be waived. The filing fee of \$435.00 is in excess of 10% of the entire assets of the estate and makes it otherwise prohibitive from acting to release the funds.		
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: KT
			Reviewed on: 3/18/15
		Updates:	
		Recommendation:	
		File 2 – Ceronsky	

DOD: 2-16-09	GREGORY L. TAYLOR was appointed Administrator with Will Annexed with Limited IAEA without bond on 1-23-14. Letters issued 2-3-14. This status hearing for the filing of the first account or petition for final distribution was set at the hearing on 1-23-14.	NEEDS/PROBLEMS/COMMENTS:
Aff.Sub.Wit.	The Administrator's First and Final Account was filed 6-5-14. Objections were filed by Diane Elizabeth Taylor on 6-26-14.	
Verified		
Inventory		
PTC		
Not.Cred.	Order Approving First and Final Report of Administrator filed 7-11-14 ordered that the estate be brought to a close except for the matters of the Objector's to be filed petition for attorneys' fees and costs required to have the 2006 codicil admitted to probate, surcharge of the Objector, and responsive pleadings thereto. The Minute Order of 7-11-14 also set the matter for Settlement Conference/Court Trial.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Status Report filed 3-10-15 states: The Order of 7-11-14 approved the account, reserving \$15,000.00 of the corpus and \$10,000.00 of Ms. Taylor's share to be held in the blocked account. The order provided for statutory and extraordinary fees to the Administrator's attorney and distribution except for the reserved amounts. The Court directed Administrator's attorney to file a petition to surcharge the Objector's share. The Order for Withdrawal of Funds for pro rata distribution and attorneys' fees was filed 7-23-14.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	Administrator filed a Petition for Surcharge of Objector Diane Taylor's Testate Share of the Estate on 8-8-14 and the matter was confirmed for trial. Objector Diane Taylor filed a Petition to Approve Attorney's Fees and Costs on 8-15-14. Objection and replies were timely filed.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation	The matter was set for Court Trial on 9-9-14 and later continued. On 11-4-14, after reviewing Judge Oliver's Order of Final Distribution signed 7-11-14, the Court found that the ONLY issue remaining was for Objector to file a memorandum of her costs. Attorney McCloskey, on behalf of the estate, filed his request to surcharge such fees, along with a declaration. The Court could find nowhere in the order where further evidence was to be admitted beyond what was noted above. Respondent agreed that there was no need for further evidence, and counsel for Objector did not provide any legal basis for an evidentiary hearing. As such, the Court ordered that no further evidence need be taken on this limited issue; the matter is returned to the Probate Court for a ruling on the attorney fee and cost issue.	
FTB Notice	Petitioner requests that the Administrator be excused from attending the status hearing as he is a police officer and is currently assigned to the graveyard shift.	
		Reviewed by: skc
		Reviewed on: 3-16-15
		Updates:
		Recommendation:
		File 3 - Taylor