

1 Judith Louise Wright (Estate)

Case No.

06CEPR00933

Atty McDonald, Jackie (Pro Per – Sister-in-Law – Former Executor)

Atty Kruthers, Heather (for Public Administrator)

Order to Show Cause as to Jackie McDonald for Failure to File the First Account

DOD: 8-19-06	<p>JACKIE MCDONALD, Sister-in-Law, was appointed as Executor with Full IAEA without bond on 10-10-06. Letters issued 10-23-06. Ms. McDonald was originally represented by Attorney Roger W. Krouskup of Selma, CA.</p> <p>Inventory and Appraisal filed 1-17-07 indicated a total estate value of \$333,566.08 consisting of residential real property in Kingsburg, personal property and cash.</p> <p>Three Creditor's Claims were filed totaling \$13,646.39.</p> <p>Pursuant to a Substitution of Attorney filed 4-20-10, Ms. McDonald is now self-represented.</p> <p>Nothing further was filed in this case until the Court set status hearing for failure to file a first account or petition for final distribution.</p> <p>On 1-22-15, the Court removed Ms. McDonald as Executor and appointed the PUBLIC ADMINISTRATOR. Minute Order states Ms. McDonald is still ordered to file and serve her first account, turn over any and all documents regarding the estate, and to be personally present in Court on 3-5-15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Minute Order 3-5-15 states the order to show cause is vacated.</p> <p>First Account and Report of Executrix After Removal filed 3-26-15 by Jackie McDonald is set for hearing 5-11-15.</p>
Cont from 120414, 012215, 030515		
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: 4-6-15
		Updates:
		Recommendation:
		File 1 - Wright

2 Jesus Gonzalez Rodriguez (GUARD/P)

Case No. 08CEPR00173

Atty Gonzalez, Jesus N. (Pro Per – Father – Petitioner)

Atty Aguilar, Nellie (for Maria Ibarra – Maternal Grandmother – Guardian)

Petition for Visitation

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from 061113, 073013, 091013, 100813, 121313, 030314, 042114, 062314, 081814, 111714, 011215, 011515, 0022615				
<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 checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input 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: 4-6-15		
		Updates:		
		Recommendation:		
		File 2 – Rodriguez		

(1) Fourth Account Current, (2) Report of Conservator and Petition for it's Settlement, and for (3) Allowance of Attorneys' Fees and Costs

Age: 68	JOSEPH KALASHIAN , Brother and Conservator of the Person and Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. It appears that there was a change in form of assets during the accounting period. At the beginning of the account period the estate had cash assets of \$70,301.99, but at the end of the account period, the cash assets were only \$7,245.84, despite having receipts greater than disbursements. It appears that one account that was cash at the beginning of the account period was converted to an annuity (non-cash asset). Pursuant to Probate Code § 1063(b) - If there were purchases or other changes in the form of assets occurring during the period of the account, there shall be a schedule showing these transactions. Need revised accounting reflecting this change of form of assets.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Thursday, October 13, 2016 at 9:00 a.m. in Department 303, for the filing of the fifth account. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	Account period: 08/01/13 – 12/31/14	
Cont. from	Accounting: \$638,941.44	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH: \$569,494.82	
<input checked="" type="checkbox"/> Verified	Ending POH: \$572,567.62	
<input type="checkbox"/> Inventory	\$7,245.84 is cash	
<input type="checkbox"/> PTC	Conservator - waived	
<input type="checkbox"/> Not.Cred.	Attorney - \$4,558.00	
<input checked="" type="checkbox"/> Notice of Hrg	(3.6 attorney hours @ \$360/hr. and .1 attorney hours @ \$370/hr. and 18.6 paralegal hours @ \$135/hr. and 5.10 paralegal hours @ \$140/hr.)	
<input checked="" type="checkbox"/> Aff.Mail w/	Attorney costs (filing fees) - \$435.00	
<input type="checkbox"/> Aff.Pub.	Current bond amount of \$135,603.98 is sufficient.	
<input type="checkbox"/> Sp.Ntc.	Petitioner prays for an Order:	
<input type="checkbox"/> Pers.Serv.	1. Approving, allowing and settling the Fourth Account;	
<input type="checkbox"/> Conf. Screen	2. Authorizing the attorney fees and commissions.	
<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(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: 04/06/15
		Updates:
		Recommendation:
		File 3 - Kalashian

Atty Perez, Holley H., of Perez, Williams, Medina & Rodriguez (for Petitioner Susan K. Medina)

Amended (1) First and Final Report of Executor, (2) Waiver of Accounting and (3) Petition for Distribution

DOD: 2/25/2011	SUSAN K. MEDINA , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from 121614, 022515	I & A — \$173,000.00 POH — \$173,000.00 (no cash)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Executor — waives	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Attorney — \$1,585.00 (less than \$6,190.00 statutory fee, pursuant to agreement between Petitioner and Petitioner's attorney)	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/	Costs — \$1,441.00 (filing fee, probate referee, publication, certified copies, recording fees)	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Distribution pursuant to Decedent's Will is to:	
Conf. Screen	<ul style="list-style-type: none"> • ALBERT J. MEDINA – 25% interest in real property in Sanger, miscellaneous items of personal property, clothing and jewelry; • RICHARD E. MEDINA – 25% interest in real property in Sanger, miscellaneous items of personal property, clothing and jewelry; • DAVID M. MEDINA – 25% interest in real property in Sanger, miscellaneous items of personal property, clothing and jewelry; • SUSAN K. MEDINA – 25% interest in real property in Sanger, miscellaneous items of personal property, clothing and jewelry. 	
Letters 081412		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 4/7/15
		Updates:
		Recommendation: SUBMITTED
		File 4 - Medina

5 Virginia Esparza (Estate)

Case No. 13CEPR00398

Atty Wishon, A. Emory (for Executor Diane Esparza)

Atty Roberts, Gregory J. (for Objector Ray A. Esparza)

Regarding Proposed Order Approving First and Final Account and Report of the Status of Administration and Petition for Settlement Thereof; For Allowance of Statutory Attorneys' Compensation and for Final Distribution

DOD: 3/2/13	DIANE ESPARZA , Daughter and Executor with Limited IAEA without bond, filed her Amended First and Final Account on 8/21/14. The petition requested statutory fees of \$6,252.84 to Petitioner and her attorney, reimbursement of \$13,686.21 to Petitioner for expenses (less \$10,400.00 for rent) , and distribution of the estate to Diane Esparza and Ray Esparza as trustees of the Ray P. and Virgie Esparza Trust.	NEEDS/PROBLEMS/COMMENTS: <u>SEE ADDITIONAL PAGES</u>
Aff.Sub.Wit.		
Verified	X	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>RAY ESPARZA, Son, filed his Objection on 9/23/14.</p> <p>Dispute Resolution Agreement attached to Declaration of A. Emory Wishon, III, in Support of Dispute Resolution Agreement filed 2/5/15 included a list of specific assets and liabilities, withdrawal of the objection, and attorney fees to Objector's attorney of \$6,370.00 plus costs of \$1,032.00.</p> <p>Minute Order 2/10/15 states: The matter is approved subject to filing of a receipt for the \$10,400.00 owed for rent, and with the objector's attorney's fees at \$6,252.84 plus costs of \$1,032.00. Mr. Wishon to submit a revised order. Petition granted, order to be signed ex parte.</p> <p>On 2/23/15, Mr. Wishon submitted a revised proposed order, along with a declaration, that provides revised schedules, fee calculations, and distribution.</p> <p>Because the proposed order did not correspond to the petition that was granted on 2/10/15 or the Court's minute order, the Court re-set the matter for hearing, with Petitioner responsible for serving notice on all parties entitled thereto.</p> <p>See Page 2 for a comparison of the petition and the revised schedules attached to the declaration.</p>	
		Reviewed by: skc
		Reviewed on: 4-6-15
		Updates:
		Recommendation:
		File 5 – Esparza

Page 2

Amended Petition filed 8-21-14:**Accounting: \$175,094.62****Beginning POH: \$164,061.64****Ending POH: \$175,105.87** (\$54,505.87 cash plus real property, personal property, and *rent due* from Executor Diane Esparza of \$10,400.00)**Executor (Statutory): \$6,252.84** (includes the \$10,400 *rent due* as a "receipt" for calculation)**Attorney (Statutory): \$6,252.84****Reimbursement to Petitioner: \$13,868.21, less \$10,400.00 owed in rent, balance due of \$3,468.21.****Distribution pursuant to Decedent's will:** Diane Esparza and Ray A. Esparza, as trustees of the Ray P. and Virgie Esparza Trust dated 11-1-96: \$159,059.08 (not broken down).**Declaration of A. Emory Wishon, III, filed 2-23-15, and Proposed Order provide as follows:****Accounting: \$189,006.92****Beginning POH: \$177,973.94****Ending POH: \$188,995.67** (\$78,795.67 cash plus the residence valued at \$110,000.00 and personal property valued at \$200.00) (Schedule A indicates \$10,400.00 in rent was paid 2-10-15.)**Executor (Statutory): \$6,670.21** (increased based on above revised schedules, which includes cash not previously inventoried, and the \$10,400.00 *rent now paid* as a receipt)**Attorney Wishon (Statutory): \$6,670.21 plus costs of \$1,439.45.**Note: Costs were not previously requested and do not appear to be itemized in the petition or declaration pursuant to Local Rule 7.17.**Attorney Roberts: \$6,370.00 plus costs of \$1,032.00**Note: Minute Order 2-10-15 authorizes \$6,252.84, which corresponded to the previous statutory compensation) plus costs of \$1,032.00. Declaration filed 2-23-15 states that because the amount originally requested, \$6,370.00, is actually less than the new statutory figure, that is the figure that should be authorized.**Reimbursement to Petitioner: \$11,631.38****Distribution: Real property only.** Note: cash and personal property are not mentioned. Order includes two parcels, where only one was inventoried.**SEE ADDITIONAL PAGES**

NEEDS/PROBLEMS/COMMENTS:

1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to the Court's order of 3-2-15 and Probate Code §1220 on Ray Esparza, Attorney Gregory J. Roberts, and Mandy Esparza.
2. On 2-10-15, the Court granted the petition, subject to receipt of the \$10,400.00 owed, and authorized attorney fees and costs to the Objector's attorney in the same amount as the statutory fees that were authorized to Petitioner and her attorney.

However, the proposed order was submitted with revised schedules that now include a previously disputed account, which result in an increase of the statutory fee calculation for Petitioner and her attorney.

- a. The declaration and revised schedules are not verified by the fiduciary Executor.
- b. It does not appear that this increase was contemplated by either the agreement or the Court when granting the petition. Need clarification.

Note: The proposed attorney fees to Objector's attorney were also increased further than what was authorized, but only to the amount noted in the agreement.

3. The proposed order now includes costs of \$1,439.45 to Petitioner's attorney, which were not previously requested, and have not been itemized for review pursuant to Local Rule 7.17. Need itemization.
4. The proposed order also appears to include a parcel of real property that was not included in the I&A. I&A Partial No. 1 filed 1-3-14 includes the residence, APN 436-113-14, without any legal description. The proposed order includes distribution of the residence, APN 436-113-14, as "Parcel One" plus "Parcel Two" APN 436-113-23. Need clarification: Was Parcel Two included in the Probate Referee's appraisal value OF \$110,000.00?
5. The proposed order does not include the dollar amount for distribution in addition to the real property pursuant to Local Rule 7.6.1.A.

Petition for Final Distribution and for Allowance of Statutory Attorneys Fees on Waivers of Accounting and Notice

DOD: 09/26/2013	DEBRA ANN CULWELL and PHYLLIS LYNN MADRIGAL , daughters, appointed Co-Executors with full IAEA without bond on 01/23/2014, are petitioners.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Accounting is waived	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A - \$154,453.47	
<input checked="" type="checkbox"/> Inventory	POH - \$234,932.15 (Cash)	
<input type="checkbox"/> PTC	Co-Executors - Waive	
<input checked="" type="checkbox"/> Not.Cred.	Attorney (Statutory) - \$7,289.07	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/o	Closing - \$2,500.00 (taxes)	
<input type="checkbox"/> Aff.Pub.	Distribution, pursuant to decedent's will, is to:	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Debra Ann Culwell - \$112,571.54	
<input checked="" type="checkbox"/> Letters 01/24/2014	Phyllis Lynn Madrigal - \$112,571.54	
<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: LV
		Reviewed on: 04/07/2015
		Updates:
		Recommendation: Submitted
		File 6 - Culwell

Petition for Substituted Judgment [§§ 2580(a)(1) and 2580 (b)(11)]

		<p>ROCHELLE ROSENBALM, Conservator, is Petitioner.</p> <p>Petitioner states: Conservatee Lorraine Keehn drafted and signed the Lorraine Keehn Trust in April 1993 and modified the trust on 4-5-02. In April 2014, strife overcame the family regarding Lorraine, who at that time was 90 years old and was living in her home with her daughter, Linda Courtney. Through events that are no longer relevant, Lorraine began living with her son, Richard Natividad.</p> <p>On 5-2-14, Lorraine signed a new trust declaration resigning as trustee and appointing Richard as successor trustee. Additionally, the distribution of trust assets was dramatically changed, providing Richard with 90% and Linda with 10%. Previously, they were to receive equal shares. Lorraine has other children, but they were removed as beneficiaries under the previous 2002 modification.</p> <p>Ultimately, Linda filed the petition for conservatorship. Richard objected. Jennifer Walters was ordered to become Lorraine's court-appointed attorney.</p> <p>One of the major contentions was that Lorraine was under duress when she signed the documents on 5-2-14. After an initial meeting with Lorraine, Jennifer began inquiring whether she meant to change her trust documents. Lorraine had no recollection of doing so. A declaration filed 6-1-14 by Attorney Justin Campagne, Esq., indicates Lorraine did retain his services and was aware of the changes and was not under duress.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3-5-15</p> <p>The following issues remain:</p> <ol style="list-style-type: none"> 1. The settlement agreement referenced is not attached to the petition. 2. Petitioner does not provide copies of the trust, the 2002 modification, or the 2014 modifications. The Court may require this documentation pursuant to Probate Code §§ 2583(f), 2586. 3. This petition does not provide specifics as to what changes are being made to the trust. The Court may require the proposed documentation for review, as it appears the proposed changes do more than simply nullify the 2014 modifications. 4. Need order.
Cont 030515			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail w		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order x		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p align="center">SEE PAGE 2</p>	
		<p>Reviewed by: skc</p>	
		<p>Reviewed on: 4-6-15</p>	
		<p>Updates:</p>	
		<p>Recommendation:</p>	
		<p>File 7A - Keehn</p>	

Page 2

Petitioner states when Lorraine was told this information, she protested to the new provisions naming Richard as agent and trustee, and indicated she wanted Linda and Richard to receive equal shares of her estate. After several hearings, depositions, and discovery regarding Lorraine's care, potential conservator, and trust documents, all parties agreed to a Settlement Agreement. Pursuant to the agreement, Rochelle Rosenbalm, Lorraine's granddaughter-in-law, would become conservator of her person and estate, and Lorraine's trust documents would be modified to allow Richard 60% of the estate and Linda 40% of the estate. This modification was to be secured per this petition.

Lorraine was fully advised by her counsel regarding the settlement. She understood the issues and wished for the children to get along. She indicated she agreed with the 60/40 split to her children and believed this was the best way to resolve the situation. Petitioner states Lorraine was never found to be incompetent or suffer from any mental incapacity; rather, it was found that she needed assistance and was in favor of Ms. Rosenbalm as her conservator.

Based on the facts set forth above and pursuant to Probate Code §2580(a)(1) and (b)(11), Petitioner requests to modify the revocable trust documents to express the estate distribution pursuant to the settlement agreement. No additional changes are requested.

Petitioner states this request benefits Lorraine as she does not wish for the current trust distribution to remain in effect and wishes for it to be changed. Additionally, this allows Lorraine to exercise her right in modifying the revocable trust as she has not been found to be mentally incapacitated or unable to understand the request that is being made.

Petitioner requests that this Court order that Conservator Rochelle Rosenbalm be authorized to make a trust modification to the Lorraine Keehn Trust allowing for Richard Natividad to receive 60% of the estate distribution and Linda Courtney to receive 40% of the estate distribution, and any further orders the Court deems necessary.

Age: 91	ROCHELLE ROSENBALM , family friend, was appointed as Conservator of the Person with medical consent powers and Conservator of the Estate with bond set at \$1,003,640.00 on 12/08/14.	NEEDS/PROBLEMS/COMMENTS:
		CONTINUED FROM 01/26/15
Cont. from 012615	Minute Order from hearing on 12/08/14 set this matter for a status hearing regarding filing of the bond on 01/26/15.	Minute Order from 01/26/15 states: Counsel requests an additional 30 days to file a Petition to Reduce the Bond.
Aff.Sub.Wit.		See Page 7C for Petition for Reduction of Conservatorship Bond.
Verified		
Inventory		
PTC		
Not.Cred.	Letters of the Person only were issued on 01/14/15.	1. Need bond in the amount of \$1,003,640.00 and/or current written status report.
Notice of Hrg	A Status Report was filed by Attorney Jared Marshall of Dowling Aaron Incorporated on 1-23-15. Attorney Marshall states he spoke with Ms. Rosenbalm, who is unrepresented, about the status of the bond on 1-8-15. She stated she was working diligently to obtain bond, but was having difficulty due to the amount. On 1-23-15, Ms. Rosenbalm informed him that she was still unable to obtain a bond, but was working with Jennifer Walters, court-appointed counsel for the Conservatee, to remedy the situation.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 04/06/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 7B - Keehn

Petition for Reduction of Conservatorship Bond

Age: 91	JENNIFER WALTERS, attorney for conservatee, is petitioner.		NEEDS/PROBLEMS/COMMENTS: 1. The breakdown of the conservatorship estate does not include annual income. The initial petition(s) to appoint a conservator stated that the conservatee had annual income of \$34,400.00. If the conservatee still has annual income of \$34,400.00 then bond should be set at \$774,480.48. 2. Need Order.
	ROCHELLE ROSENBALM , family friend, was appointed as Conservator of the Person with medical consent powers and Conservator of the Estate with bond set at \$1,003,640.00 on 12/08/14.		
Cont. from	Petitioner states that the value of the conservatee's assets is \$666,029.00 and requests that bond be reduced to \$735,953.00.		
<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	Petitioner states that the conservatee's estate will not suffer any harm by reduction in bond.		
<input checked="" type="checkbox"/> Aff.Mail	w/		
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	Petitioner prays for an Order reducing the bond amount to \$735,953.00.		
<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 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: JF
			Reviewed on: 04/06/15
			Updates:
			Recommendation:
			File 7C - Keehn

Petition for Final Distribution and For Allowance of Statutory Attorneys Fees on Waivers of Accounting and Notice

DOD: 07/26/2013	DOUGLAS S. LOPER , son was appointed on 09/22/2014 as Administrator with Will Annexed with full IAEA without bond, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Accounting is waived	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	I&A – \$146,522.48	
<input checked="" type="checkbox"/> Inventory	POH - \$145,471.48	
<input type="checkbox"/> PTC	Administrator – Waives	
<input checked="" type="checkbox"/> Not.Cred.	Attorney – \$5,397.67	
<input checked="" type="checkbox"/> Notice of Hrg	(Statutory)	
<input checked="" type="checkbox"/> Aff.Mail w/	Distribution, pursuant to Assignments of Interest filed 03/23/2015, is to:	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.	Douglas S. Loper - \$471.48 and 100% interest in real property	
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters 09/23/2014		
<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: LV
		Reviewed on: 04/07/2015
		Updates:
		Recommendation: Submitted
		File 8 - Loper

Petition to Remove Trustee and Appoint Successor Trustee, to Compel Trustee to Account, and Compel Redress for Breach of the Trust

		BRETT BURCH , beneficiary, is petitioner.	NEEDS/PROBLEMS/COMMENTS:					
		Petitioner states:						
Cont. from		On 8/9/1988, Margaret C. Swift , as Settlor, executed the Margaret C. Swift Family Trust of 1988 . Settlor executed a restatement of the trust on 12/16/2005.						
<input type="checkbox"/>	Aff.Sub.Wit.							
<input checked="" type="checkbox"/>	Verified							
<input type="checkbox"/>	Inventory	Margaret C. Swift and her daughter, Geraldine S. Swift were the initial trustees of the trust.						
<input type="checkbox"/>	PTC							
<input type="checkbox"/>	Not.Cred.							
<input checked="" type="checkbox"/>	Notice of Hrg	Margaret C. Swift died on 5/17/2007 and Geraldine S. Swift became the sole trustee of the trust.						
<input checked="" type="checkbox"/>	Aff.Mail	W/						
<input type="checkbox"/>	Aff.Pub.	Upon the death of Margaret C. Swift , the trust provides that the trustee shall gift the sum of \$10,000.00 to Settlor's daughter Carole M. Schmitt (whose name has changed to Carole Fetherston) and distribute the remaining balance of the trust estate 70% to Settlor's daughter, Geraldine S. Swift , 15% to Settlor's grandson Brett Burch , and 15% to Settlor's granddaughter Michelle Burch . The shares for Geraldine S. Swift and Brett Burch are to be immediately distributable free of trust.						
<input type="checkbox"/>	Sp.Ntc.							
<input type="checkbox"/>	Pers.Serv.	Michelle Burch is a disabled adult and her share is to be held in trust for her benefit pursuant to the terms of the trust.						
<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	The primary trust asset consists of an apartment building located in Fresno. Petitioner alleges that the building was free of any liens and encumbrances upon the death of the Settlor.						
<input type="checkbox"/>	Aff. Posting							
<input type="checkbox"/>	Status Rpt							
<input type="checkbox"/>	UCCJEA							
<input type="checkbox"/>	Citation							
<input type="checkbox"/>	FTB Notice							
Please see additional page			<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 4/7/15</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 9 - Swift</td> </tr> </table>	Reviewed by: KT	Reviewed on: 4/7/15	Updates:	Recommendation:	File 9 - Swift
Reviewed by: KT								
Reviewed on: 4/7/15								
Updates:								
Recommendation:								
File 9 - Swift								

More than 7 years have passed since the death of Settlor. During that time **Geraldine S. Swift**, as trustee, collected rents on six units of the building and never made any distributions to and **Michelle Burch**. Petitioner believes **Geraldine S. Swift** received the rents and distributed them to herself. During this time **Geraldine S. Swift** never accounted to the other beneficiaries. ON or about August 2014, Petitioner discovered that **Geraldine S. Swift** had borrowed \$90,000 using the building as security and later borrowed another \$75,000, also using the building as security, and that **Geraldine S. Swift** appropriated the funds to her own use.

On or about October 2, 2014, **Geraldine S. Swift** sold the building for the sum of \$320,000.

On or about September 5, 2014, Petitioner's attorney sent a letter to **Geraldine S. Swift** and her accountant **Katherine B. Alves** demanding that the funds which **Geraldine S. Swift** misappropriated from the trust be returned immediately and that the trustee render a complete accounting of the trust activities from the time of the Decedent's death until the present time, as well as provide bank statements for all trust accounts from the time of Decedent's death until the present time. **Geraldine S. Swift** subsequently hired attorney Jeffrey Simonian. Mr. Simonian repeatedly advised Petitioner's attorney that an accounting was being prepared and would be provided to the beneficiaries, but no accounting has been forthcoming. Nor have the requested bank statements been furnished.

Geraldine S. Swift has breached her fiduciary duty as trustee by failing to report information to beneficiaries and failure to account pursuant to Probate Code §16060 et seq.

Petitioner believes that **Geraldine S. Swift** has misappropriated trust assets by borrowing amounts from the trust which Petitioner believes are in the approximate total of \$160,000 by securing loans with trust property and distributing the proceeds of the loans to herself, but making no distributions to other beneficiaries (other than the \$10,000 gift to **Carole Fetherston**, which was completed). **Geraldine S. Swift** has also unduly delayed settling up the trust and distributing the assets of the trust given the fact that the Decedent died more than 7 years ago. In doing so, **Geraldine S. Swift** has violated Probate Code §16000 by failing to administer the trust according to the trust instrument. The trust provides that four beneficiaries are entitled to immediate distribution of trust assets upon the death of Decedent.

Petitioner requests that the Court remove **Geraldine S. Swift** as trustee pursuant to its authority under Probate Code §15642 due to the fact that she has failed to account, failed to keep the beneficiaries of the trust reasonably informed of the trust and its administration and has breached the trust by failing to follow its terms and by misappropriating trust assets to her own use and in contravention of the trust document and in breach of her fiduciary duties as trustee. Petitioner further requests the Court appoint **Brett Burch** as successor trustee in accordance with Section 3, of Article Twelve of the Trust.

Wherefore, Petitioner prays for an Order:

1. **Geraldine S. Swift** be ordered to prepare and file with this court an accounting of the trust from the date of death of the decedent until the date of such account.
2. **Geraldine S. Swift** be ordered to furnish petitioner with copies of all bank statements for trust bank and investment accounts from 5/17/2007 until the present time and records of all money or other assets which **Geraldine S. Swift** has received from the Trust since 5/17/2007 including, but not limited to, distributions, trustee's fees, or reimbursement for trust expenses.
3. **Geraldine S. Swift** be removed as Trustee of the trust and **Brett Burch** be appointed as successor to serve without bond.
4. That **Brett Burch** be permitted to reimburse himself from the trust for the attorney's fees incurred by Petitioner to bring this action.

Petition to Instruct Trustee Regarding Distribution of the Trust Estate, and for Determination of Title to and Possession of Property

DOD: 08/27/13	<p>KEITH NILMEIER, successor co-trustee, is Petitioner.</p> <p>Petitioner states:</p> <ol style="list-style-type: none"> 1. Glenn and Eleanor Nilmeier created the Glenn Kenneth Nilmeier Joint Family Trust on 01/23/81. The Joint Trust was designed to split into two separate trusts upon the death of the first Trustor. Glenn Nilmeier died on 07/26/04 and upon his death, the Joint Trust was divided into the Eleanor Alice Nilmeier Survivor's Trust, also known as Trust A (the "Survivor's Trust"), and the Glenn Kenneth Nilmeier Family Trust, also known as Trust B (the "Family Trust"). 2. Pursuant to the powers conferred to her under the Survivor's Trust, Eleanor executed three documents titled "Surviving Trustor's Directive to the Trustee Regarding Trust A, The Surviving Trustor's Trust", the last directive being dated 08/27/12 and is the directive referred to in this Petition (the "Directive"). 3. Under the Directive, Eleanor, as the Surviving Trustor, directed the Trustee as to how to distribute the trust estate of the Survivor's Trust. In particular, Eleanor directed the Trustee to make certain distributions of cash, common stock, equipment and real property and the balance of the trust estate, after the specific distributions, is to be distributed in equal shares to Petitioner Keith Nilmeier and Pamela Lehman. (Keith and Pamela are the children of Glenn and Eleanor). 4. Eleanor died on 08/27/13. The currently acting successor co-trustees of the Survivor's Trust are Petitioner, Pamela Lehman and Lawrence Stumpf. <p style="text-align: center;">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter to be heard at 8:30am in Dept. 72. Judge Kazanjian is disqualified in this matter.</p> <p>1. Need Order.</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 checked="" 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		
<p>Reviewed by: JF</p> <p>Reviewed on: 04/08/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Nilmeier</p>		

5. On or about 11/01/08, Eleanor, Trustee of the Survivor's Trust, as lessor and Pamela Lehman, as lessee, entered into an Equipment Lease Agreement (the "Lehman Lease"). Under the terms of the Lehman Lease, Lehman agreed to lease certain equipment belonging to the Survivor's Trust in exchange for an annual payment of \$11,104.00 per year payable on or before the 31st of October of each year. Pamela Lehman did not make her annual payment on or before 10/31/14 and remains in default.
6. The Lehman Lease terms give the lessor the option to terminate the lease in the case of any default and Petitioner requests an instruction from this Court to the co-trustees to terminate the Lehman Lease for default in payment, and to immediately retake possession of the equipment subject to the Lehman Lease.
7. Under paragraph 5 of the Directive, Eleanor instructed the co-trustees to distribute certain equipment listed on Schedule A of the Directive to the Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust Agreement. Petitioner requests that the Court instruct the co-trustees to immediately distribute all of the equipment identified on Schedule A of the Directive to the Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust.
8. Some of the equipment on Schedule A is currently subject to the Lehman Lease. If the Court does not direct the co-trustees to terminate the Lehman Lease, Petitioner requests that the Court instruct the co-trustees to assign any and all lease rights of the Survivor's Trust, as lessor under the Lehman Lease in the equipment that is designated to be distributed to the Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust to the Keith Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust. Further, Petitioner requests that the Court instruct the co-trustees that the annual rent payable by Lehman to the Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust for such equipment should be the sum of \$3,500.00 per year, which represents the rent allocable to the equipment under the Lehman Lease.
9. Petitioner's review of the records and his consultation with the accountant for the Survivor's Trust, Susan Kazanjian, CPA, Petitioner believes that from 08/12/08 through 07/24/12, Eleanor made a series of loans to Pamela and that the current outstanding balance of those loans, not considering interest, is \$290,500.00. Petitioner requests that the Court instruct the co-trustees that the receivable in the amount of \$290,500.00 shall be allocated and distributed to Pamela Lehman as part of her share of the trust estate.
10. Petitioner further states that there have been a number of preliminary distributions made for the benefit of Pamela Lehman from the Survivor's Trust in the amount of \$19,051.98 and Petitioner requests that the Court instruct the co-trustees that a preliminary distribution in the sum of \$19,051.98 has been made to Pamela Lehman and such preliminary distribution shall be charged against her share of the trust estate.
11. Petitioner states that the Survivor's Trust is in a position to be closed and assets distributed equally to Petitioner and Pamela Lehman and requests that the Court instruct the co-trustees to immediately distribute the trust estate of the Survivor's Trust, subject to the adjustments as set forth in this petition, to the beneficiaries without further delay.
12. Petitioner believes that Pamela Lehman may assert an ownership interest in equipment described on the equipment list schedule to the Lehman Lease. To the extent that title to some or all of the equipment identified in the equipment list may have been transferred to Lehman, such transfer was done for convenience purposes only in connection with the lease (i.e. insurance) and was not intended to, and did not, transfer valid and legal title of the equipment to Lehman as a gift, sale or otherwise. Petitioner alleges that Eleanor Nilmeier, as Trustee of the Survivor's Trust at all times continued to be the true owner of the equipment. Accordingly, the Court should determine that title to and possession of the equipment described on the equipment list schedule to the Lehman Lease is vested solely in co-trustees and order Lehman to immediately transfer the equipment to the co-trustees.

Continued on Page 3

13. Petitioner states that a 1985 Chevrolet Service Truck, including tools and equipment contained within, was mistakenly identified in the Lehman Lease as being owned by the Survivor's Trust, but was actually an asset of and owned by Glenn K. Nilmeier Trucking, Inc., and Eleanor had no right or ability to lease the truck to Lehman under the Lehman Lease or otherwise purportedly transfer ownership to Lehman. Accordingly, Petitioner requests this Court determine that title to that 1985 Chevrolet Service Trust is vested solely in Glenn K. Nilmeier Trucking, Inc. and to order Lehman to immediately transfer the truck to Glenn K. Nilmeier Trucking, Inc.

Petitioner prays for an Order:

1. That the co-trustees are instructed to terminate the Lehman Lease for default in payment and to immediately retake possession of the equipment subject to the Lehman Lease;
2. That co-trustees are instructed to immediately distribute all of the equipment identified on Exhibit A of the Directive including, without limitation, any and all of the rights in the property under the Lehman Lease, to the Keith Alexander and Janice Raylene Nilmeier Revocable Living Trust Agreement;
3. Finding that Pamela Lehman received a preliminary distribution in the amount of \$19,051.98;
4. Finding that a receivable in the amount of \$290,500.00 owed by Pamela Lehman to the Survivor's Trust is an asset of the trust estate;
5. That co-trustees are instructed to immediately distribute the residue of the trust estate in equal shares to Keith Nilmeier and Pamela Lehman. In distributing the residue, the co-trustees shall make the following adjustments:
 - a. Pamela Lehman shall be credited with receiving a preliminary distribution in the amount of \$19,051.98; and
 - b. The receivable in the amount of \$290,500.00 owed by Pamela Lehman to the Survivor's Trust shall be allocated and distributed to Pamela Lehman as part of her share of the trust estate.
6. That title to and possession of the equipment described on the equipment list schedule to the Lehman Lease is vested solely in co-trustees, and Pamela Lehman shall immediately transfer the equipment described on the equipment lease schedule to the Lehman Lease to co-trustees;
7. That title to and possession of that certain 1985 Chevrolet Service Truck, including tools and equipment contained within) is vested solely in Glenn K. Nilmeier Trucking, Inc., and Pamela Lehman shall immediately transfer the property to Glenn K. Nilmeier Trucking, Inc.; and
8. For such other and further relief as the court deems just and proper.

Objection to Petition to Instruct Trustee Regarding Distribution of the Trust Estate, and for Determination of Title to and Possession of Property filed 04/03/15 by Pamela Lehman states:

1. Petitioner, Keith Nilmeier ("Keith") omits many material facts in his Petition.
2. Petitioner contends that Pamela ("Pam") is in default of the Lehman Lease, but does not mention that he also entered into a lease agreement with Eleanor (the "Nilmeier Lease"). Pam believes that Keith did not make his annual payment in the sum of \$7,480.00 as required under the Nilmeier Lease and is therefore, also in default.
3. When the payment on the Lehman Lease was due, Pam believed that the parties were negotiating settlement of the Survivor's Trust and as a result did not believe her payment was due. By lack of Keith's payment, Pam believes that Keith believed the same to be true. Accordingly, either neither is in default or both Pam and Keith are in default.
4. Pam proposes that both leases be terminated and the lessees of each lease retain the equipment in the respective possessions, with certain exceptions, and that the value of the equipment retained is allocated to each devisee appropriately.
5. Keith contends that certain equipment subject to the Lehman Lease belongs to his living trust, however Pam asserts that the items Petitioner is disputing are specifically incorporated in the equipment lease schedule attached to the Lehman Lease as equipment to be under Pam's possession and control.

Continued on Page 4

6. In 2008, Eleanor sold her dry yard equipment to Keith by entering into the Keith and Eleanor Nilmeier Agreement executed on 06/16/08. Under the agreement, Keith was to pay \$70,000.00 to be paid starting 12/01/09 at the rate of \$10,000.00 per year for the next 7 years with 4% interest. Pam alleges that Keith made none of those payments and as such owes \$70,000.00 from December 1, 2009 plus accrued interest at the rate of 4%.
7. At the time of executing the Lehman Lease, Eleanor provided Pam with certificates of title to various trucks with instructions to transfer legal title of those vehicles to Pam. At the time the Nilmeier Lease was executed, Pam believes that decedent also provided Keith with certificates of title and likewise instructed him to transfer legal title of some equipment to himself.
8. Four years after Eleanor divided the equipment, entered into the leases, and transferred title to vehicles, she executed the 2012 Directive. In addition to specific cash bequests to other beneficiaries in the 2012 Directive, she left the dry yard equipment and business operations to the Keith Alexander and Janice Raylene Nilmeier Trust. It is important to note that Eleanor had already sold the dry yard operation and equipment to Keith in 2008.
9. Pam alleges that no one reviewed Schedule A attached to the 2012 Directive and it was merely taken from the 2006 Directive and attached to the 2012 Directive without taking into account the Leases, transfers of title and sale of the Dry Yard equipment to Keith. All of those actions taken by Eleanor directly impacted the equipment listed on Schedule A. Further support that Eleanor did not review Schedule A before executing the 2012 Directive is that Eleanor had been diagnosed with macular degeneration and was declared legally blind before the 2012 Directive was executed. Due to her failing health, she was admitted to a nursing home only 6 months after executing the 2012 Directive and eventually passed away on 08/05/13. All of these facts taken together establish that Petitioner's contentions are illogical and contrary to documentation that was drafted contemporaneous with the actual events.
10. Although Keith claims that the 1985 Chevrolet Service Truck and tools and equipment contained within were erroneously vested in the Survivor's Trust and should have been vested solely in Glenn K. Nilmeier Trucking, Inc. and that Eleanor had no right to lease it to Pam, the fact that Eleanor placed the truck in Pam's column on the equipment schedule, incorporated it into the Lehman Lease, and signed off on the certificate of title allowing Pam to become the legal owner establishes otherwise. Keith was aware of the division of equipment on the equipment schedule and had over 5 years to dispute the decedent's ownership, but only claims ownership in Glenn K. Nilmeier Trucking, Inc. after Eleanor's death and the realization that Pam holds legal title to the vehicle.
11. Pam requests that the Court terminate the Lehman Lease and determine that the equipment identified on the Lehman Lease is allocated and distributed to Pam as her portion of the rest and residue of the Survivor's Trust estate at fair market value of the equipment and likewise terminate the Nilmeier Lease and distribute the property subject to that lease to Keith as his portion at the fair market value of the equipment. Alternatively, Pam requests that the Court instruct the co-trustees to retake all of the equipment and then distribute the same ½ to Pam and ½ to Keith as part of the rest and residue of the Trust Estate.
12. Keith also addresses that Eleanor gave money to Pam during her lifetime and describes the money as outstanding loans. Pam admits that she did borrow the sum of \$60,000.00 from Eleanor and repaid that sum as Keith has acknowledged in his Petition. With regard to the balance of the money given to Pam, Pam recalls that Keith was constantly asking Eleanor how much money she had given Pam. After constant badgering by Keith, Eleanor had CPA Susan Kazanjian prepare an itemized list of the money. After the list was made, Pam saw documents prepared for her signature documenting the money as loans. Eleanor told Pam that she was not going to have Pam sign the documents because she did not expect the money to be repaid. Eleanor indicated that the additional money (\$290,500.00) was a gift to equalize the large amounts of money spent by Keith over the years out of the Survivor's Trust to improve the property that Eleanor knew would be distributed to Keith after her death. In fact, at one point, Eleanor explained to Pam that if a gift was marked as a "loan" in her records, it was for internal accounting purposes only. Since CPA Susan Kazanjian, the accountant for the Survivor's Trust, was actively involved in the discussions, Pam believes that she is aware of the agreement between Eleanor and Pam. Pam requests that the Court determine that the gifts made to Pam by Eleanor were not loans, but gifts as intended, and therefore no adjustments in the Trust distribution be made for such gifts.

Continued on Page 5

13. Based on her review of the records, Pam believes that Eleanor made a loan to Keith of \$100,000.00 that Keith does not mention in his Petition. Pam believes that Keith has paid \$25,000.00 toward repayment of this loan but \$75,000.00 remains due. Pam requests that the Court treat the receivable in the amount of \$75,000.00 payable by Keith to the Survivor's Trust as an asset of the Trust estate and that the Court instruct the co-trustees to distribute that receivable to Keith as part of his share.
14. Keith also indicates that preliminary distributions totaling \$19,051.98 were made for Pam's benefit. In reality, while Keith was preparing the land and planting trees on property he received from the Survivor's Trust which abuts Pam's property, Keith offered, since he was already planting trees in the area, to plant trees on a small portion of Pam's property. He told Pam he was spending a large amount of Trust funds to plant the trees on his property and so as a courtesy he would extend the planting to Pam's property. There was no mention by Keith that the \$19,051.98 would be considered a preliminary distribution to Pam. In order for the Court to have a clear picture of issues regarding Pam's preliminary distributions, it must consider the preliminary distributions made for the benefit of Keith.
15. Pam states that further adjustments must be made to the residue of the estate to allocate the income and expenses associated with the real properties received by Pam and Keith as specific bequests. Once that is determined, the balance of the residue will then be ready for final distribution.
16. During the past 3 months, the parties have attempted to meet and confer to discuss the issues raised in the Petition and these Objections as well as a resolution and distribution of the rest and residue of the Survivor's Trust. Due to conflicting attorney and client schedules, the parties were unable to meet. Pam's attorney, informed Keith's attorney that she would not be able to meet until March 2015, however, Petitioner filed his Petition before a meeting could be arranged. Pam requests that the Court continue the hearing on this matter and instruct the parties to participate in settlement negotiations prior to the Court's order.

Objector prays for an Order:

1. Declaring that Pam is the legal owner of various equipment subject to the Lehman Lease;
2. Instructing the co-trustees to terminate the Lehman Lease and Nilmeier Lease and allocate and distribute to Pam and Keith, respectively, the remainder of equipment subject to each Lease at fair market value of the equipment.
3. Determining that the gifts made to Pam by Eleanor were not loans but compensation for Trust funds expended by Keith that unjustly enriched Trust property that was ultimately distributed to Keith. Further, the Court should instruct the co-trustees to make no adjustments in the Trust distribution for such gifts.
4. Instructing the co-trustees to treat the receivable in the amount of \$75,000.00 payable by Keith to the Survivor's Trust as an asset of the trust estate and instruct the co-trustees to allocate and distribute that receivable to Keith as part of his share of the trust estate.
5. Instructing the co-trustees to treat the receivable in the amount of \$70,000.00, plus accrued interest at the rate of 4% payable by Keith to the Survivor's Trust as an asset of the trust estate and instruct the co-trustees to allocate and distribute that receivable to Keith as part of his share of the trust estate.
6. Determining that Pam shall be credited with receiving a preliminary distribution in the amount of \$19,051.98.
7. Determining that Keith shall be credited with receiving a preliminary distribution in the amount of \$6,766.61. In addition thereto, instructing the co-trustees to review the records of the Survivor's Trust to determine any other preliminary distributions attributable to Keith.
8. Instructing the co-trustees to review the records of the Survivor's Trust to determine the appropriate allocation of income and expenses associated with the real properties received by Pam and Keith as beneficiaries of specific bequests.
9. Continuing the hearing on this matter to allow the parties to meet and confer in an attempt to resolve the remaining issues.

DOD: 9/17/14	GLORIA GARZA-ULLOA , Daughter, is Petitioner and requests appointment as Administrator with Full IAEA without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thurs, Sept. 10, 2015 for the filing of the Inventory and Appraisal • Thurs, June 9, 2016 for the filing of the first account or petition for final distribution <p>If the proper items are on file prior to the hearing dates pursuant to local rules, the status hearings may come off calendar.</p>
	All heirs waive bond.	
Aff.Sub.Wit.	Full IAEA – ok	
✓ Verified	Decedent died intestate	
Inventory	Residence: Fresno	
PTC	Publication: Business Journal	
Not.Cred.	Estimated value of estate:	
✓ Notice of Hrg	Personal property: \$500.00	
✓ Aff.Mail	Real property: \$160,000.00, encumbered for \$140,000.00	
✓ Aff.Pub.	Probate Referee: Rick Smith	
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: 4/7/15
		Updates:
		Recommendation: SUBMITTED
		File 11 – Garza

Atty Roberts, Gregory J. (for Petitioners Judith A. Nielsen and Philip G. Nielsen)

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

DOD: 6/22/2014	JUDITH ANN NIELSEN and PHILIP GEORGE NIELSEN , children, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Item 9(a)(2)(b) of the <i>Petition</i> states decedent's spouse is deceased. Attachment 14 to the <i>Petition</i> does not include the name and date of death of deceased spouse pursuant to Local Rule 7.1.1(D).</p>
Cont. from	40 days since DOD.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings.	
<input checked="" type="checkbox"/> Inventory		
PTC		
Not.Cred.	I & A - \$145,000.00	
<input checked="" type="checkbox"/> Notice of Hrg		
Aff.Mail	N/A	
Aff.Pub.	Decedent died intestate.	
Sp.Ntc.		
Pers.Serv.	Petitioners request Court determination that Decedent's 100% interest in real property located on East Yale Ave., Fresno, passes to the Petitioners at ½ interest to each pursuant to intestate succession.	
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 on: 4/7/15
		Updates:
		Recommendation:
		File 12 - Nielsen

DOD: 4-4-13	<p>BETTY A. PATE, Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9-19-14, 11-19-14, 1-8-15</p> <p>Minute Order 1-8-15: Parties represent they are awaiting a refund from the Tax Board. If the accounting is filed at least two court days prior to the status hearing date, then no appearance is necessary on 4-9-15.</p> <p>As of 4-6-15, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution or written status report pursuant to Local Rule 7.5.</p>
Cont. from 091914, 111914, 010815	<p>At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	
Aff.Sub.Wit.		
Verified	<p>Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.</p>	
Inventory		
PTC	<p>The first account or petition for final distribution is now due. Probate Code §12200.</p>	
Not.Cred.		
Notice of Hrg	<p>Status Report filed 9-16-14 states the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close.</p>	
Aff.Mail		
Aff.Pub.	<p>Status Report filed 11-14-14 states there have been continuing efforts by the estate representative to conclude this issue with the tax board. The attorney is informed and believes that once this issue of tax liability is resolved, the estate should be in a position to be closed.</p>	<p>Reviewed by: skc</p>
Sp.Ntc.		
Pers.Serv.		<p>Reviewed on: 4-6-15</p>
Conf. Screen		
Letters		<p>Updates:</p>
Duties/Supp		
Objections		<p>Recommendation:</p>
Video Receipt		
CI Report		<p>File 13 - Guidi</p>
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Probate Status Hearing RE: Filing of the Inventory and Appraisal

		NEEDS/PROBLEMS/COMMENTS:
		<u>OFF CALENDAR</u>
		Inventory and Appraisal filed 12/16/14
		Note: Attorney Amador filed a Status Conference Statement on 4/8/15 that states the I&A was filed 12/16/14. The estate consists of a residence and several acres of farm land. A niece has been occupying the property for several years and has refused to permit the personal representative to enter the property, examine it, or maintain it. An Unlawful Detainer has been filed and served. Due to the change in the Court's online information system, Ms. Amador has been unable to verify whether any answer has been filed to the complaint at this time,; however, it is expected that she will fight the eviction. A continuance of six months is requested to allow the eviction process to run its course and to allow time to sell the property.
		Examiner's Note: This status hearing was for the filing of the Inventory and Appraisal only pursuant to Probate Code §8800, which has been filed timely, and therefore this hearing has been taken <u>off calendar</u> . A status hearing for the first account or petition for final distribution is set for 2/11/16.
		Reviewed by: skc
		Reviewed on: 4/7/15
		Updates: 4/8/15
		Recommendation:
		File 14 - White
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		

Atty Hogue, David M.; Karby, Michael G.; of H & K Inc. Attorneys at Law, Dinuba (for Petitioner Theda Preheim, Beneficiary)
 Atty Gunner, Kevin D., Law Offices of Gunner & Haught (for Mary K. Johnson, Successor Trustee)
 Atty Shahbazian, Steven L., sole practitioner (for Mary K. Johnson, Successor Trustee)

Probate Status Hearing Re: Settlement Discussions

Virgil DOD: 10/29/2000	<p>THEDA PREHEIM, daughter and Trust Beneficiary, filed a <i>Petition for Instructions for Appraisal of Personal Property by Probate Referee or Personal Property Appraiser; to Determine Reasonableness of Trustee's Fees; to Determine Equitable Set-Offs; to Remove and Surcharge Trustee for Breach of Fiduciary Duty and for Failure to Treat Beneficiaries Impartially; and to Determine Entitlement on 7/16/2014.</i></p> <p>MARY K. JOHNSON, daughter and Successor Trustee of the VIRGIL PREHEIM AND EMMA H. PREHEIM REVOCABLE LIVING TRUST AGREEMENT dated 10/22/1999, filed a <i>Response to Petition, etc.</i> on 8/28/2015.</p> <p>Minute Order dated 1/28/2015 [Judge Sanderson] states counsel requests additional time for discussions. Matter set on 4/9/2015 for status re settlement discussions.</p> <p>Petitioner THEDA PREHEIM's Third and Final Status Conference Statement filed by Co-Counsel MICHAEL G. KARBY on 3/30/2015 states:</p> <ul style="list-style-type: none"> This case has enjoyed a global settlement as to all issues, claims, causes of action, and requests for Instructions from the Court raised in the <i>Petition</i> [emphasis in original]; The global settlement further embraces and encompasses all issues, counter-claims, causes of action, and requests for affirmative relief sought by the Successor Trustee in her <i>Response</i>; Also joining in the global settlement of the entire action is [unrepresented third residual beneficiary,] LYLE PREHEIM, brother to both the Petitioner and Successor Trustee. <u>There has been a SETTLEMENT OF ENTIRE CASE in this trust administration litigation, and a global Settlement and Release writing has been drafted by Trustee's attorney, Steven L. Shahbazian, and that global Settlement and Release writing has been executed by Petitioner and her counsel, Michael G. Karby, [emphasis in original];</u> The original global <i>Settlement and Release</i> writing was returned to Mr. Shahbazian's office on 3/30/2015; A Dismissal With Prejudice judicial council form should be filed with the Court in less than 45 days [emphasis in original]; Petitioner requests the Court calendar a Dismissal Hearing and order that upon the filing of a dismissal by Petitioner, the date would fall from the Court's calendar and no party or attorney be required to appear before the Court in this case – which is only a couple steps from being entirely dismissed with complete legal finality. 	<p>NEEDS/PROBLEMS COMMENTS:</p>	
Emma DOD: 8/5/2012			
Cont. from			
Aff.Sub.Wit.			
Verified			X
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: 4/7/15</p> <p>Updates:</p> <p>Recommendation</p> <p>File 15 - Preheim</p>	

Ashley Rangel

Atty Jimenez, Augustin (Pro Per – Petitioner – Guardian)

Atty Jimenez, Minerva (Pro Per – Petitioner – Guardian)

Petition for Termination of Guardianship

Age: 13		<p><u>Please see Petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petition is as to Ashley Rangel only.</p> <p>Note: Petitioners filed the Petition for Termination in Pro Per. Attorney Julia A. Brungess was the Attorney of Record for the establishment of the guardianship. It does not appear that a substitution of attorney has been filed.</p>	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: LV</p> <p>Reviewed on: 04/07/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 –Rangel</p>				

Pro Per Reyes, Maria De Jesus (Pro Per Petitioner, mother)

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

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		MARIA DE JESUS REYES, mother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.	Court Investigator Advised Rights on 11/18/2014.
Cont. from 010815, 022615		Need Amended Capacity Declaration. —Capacity Declaration filed 2/24/2015 does not support the Petitioner's request for medical consent powers.	Continued from 2/26/2015. Minute Order states examiner notes handed in open Court; matter continued for defects to be cured.
	Aff.Sub.Wit.		The following issues from the last hearing remain:
✓	Verified		1. Medical Capacity Declaration filed on 2/24/2015 does not support the Petitioner's request for medical consent powers.
	Inventory		Need amended Capacity Declaration due to the following defects in the Capacity Declaration filed on 2/24/2015:
	PTC		<ul style="list-style-type: none"> Item 3 indicates that the Capacity Declaration was completed by a certified physician assistant; a licensed physician must complete the Capacity Declaration pursuant to Probate Code § 1890(c); Pages 2 and 3 of the Capacity Declaration are incomplete. Item 7(b) is not initialed by a licensed physician as required.
	Not.Cred.		2. Pursuant to Probate Code §§ 2352(c) and 1822(e), need proof of service by mail of 30 days' notice together <u>with a copy of the Petition</u> for CENTRAL VALLEY REGIONAL CENTER (CVRC) , or a signed waiver of such notice by CVRC to be filed with the Court. (Note: This issue has been included in examiner notes since the hearing for the initial petition on 12/9/2014.)
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
		~Please see Petition for details~	Reviewed by: LEG
		Court Investigator's Report was filed on 12/18/2014.	Reviewed on: 4/7/15
			Updates:
			Recommendation:
			File 17 – Reyes

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

		<u>TEMPORARY EXPIRES 4/9/15</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing with proof of service along with a copy of the Petition, or Consent and Waiver of Notice or Declaration of Due Diligence on:</p> <p>a. Paternal grandparents <i>- If the court does not dispense with notice.</i></p>
		<p>KELLIE A. YOUNG, maternal grandmother, is petitioner.</p> <p>Please see petition for details.</p> <p>Court Investigator Report filed on 2/11/15.</p>	
Cont. from 021915			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<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: KT
			Reviewed on: 4/8/15
			Updates:
			Recommendation:
			File 18 - Henderson

		See petition for details.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 2-19-15. As of 4-8-15, nothing further has been filed.</p> <ol style="list-style-type: none"> Pursuant to Proof of Service filed 2-11-15, the mother was served with Notice of Hearing, but without a copy of the petition. The Court may require further service. Notice of Hearing filed 2-11-15 includes service on someone named Jack Lilles, but it is unclear from the file who this person is. Is this the maternal grandfather? <p><u>Note:</u> The minute order of 1-6-15 indicates that someone named Lawrence Buckner was present, but it is unclear from the file who this person is.</p>	
Cont from 021915				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	DSS Report			
	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 4-6-15</p> <p>Updates: 4-8-15</p> <p>Recommendation:</p> <p>File 19 - Austin</p>				

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

Age: 9 months		<u>TEMPORARY EXPIRES 04/09/2015</u> <u>Please petition for details</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Maria Tapia (Paternal Grandmother) • Joe Castillo (Maternal Grandfather) 	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			n/a
	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: 04/07/2015				
Updates:				
Recommendation:				
File 20 - Sanchez				

Pro Per Barsamian, Bryan Charles (Pro Per Petitioner, maternal grandfather)

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

		TEMPORARY GRANTED EX PARTE EXPIRES 2/25/2015; extended to 4/9/2015	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> Sue Michel, paternal grandmother. 	
		BRYAN BARSAMIAN , maternal grandfather, is Petitioner.		
Cont. from		Father: MATHEW MICHEL ; personally served 2/17/2015.		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory	Mother: KIMBERLY BARSAMIAN ; personally served 2/18/2015.		
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg	Paternal grandfather: <i>Deceased</i> Paternal grandmother: Sue Michel		
<input type="checkbox"/>	Aff.Mail	X Maternal grandmother: <i>Deceased</i>		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.	~Please see Petition for details~		
<input checked="" type="checkbox"/>	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen	Court Investigator's Report was filed on 4/2/2015.		
<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			
				Reviewed by: LEG
				Reviewed on: 4/7/15
			Updates:	
			Recommendation:	
			File 21 - Michel	

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Luis Aranda, father of Luis Jr., was personally served on 4/6/15, which is only three court days prior to the hearing. (Probate Code §2250(e) requires five court days' notice.	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	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: 4/7/15	
			Updates:	
			Recommendation:	
			File 22 – Aranda & Hueso	

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner indicates his address is on <u>North</u> Ashlan; however, Ashlan runs east/west. Need clarification: Is Petitioner's address actually on <u>West</u> Ashlan? (<u>West</u> Ashlan would correspond to the zip code 93722.)</p> <ol style="list-style-type: none"> If diligence is not found, the Court may require notice to the father pursuant to Probate Code §2250(e) or further diligence. Petitioner does not provide the names of the paternal or maternal grandparents, but did file Notice of Hearing forms indicating personal service for this hearing on Brandon Williams and Delores Hullon. Are these the maternal grandparents? 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	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: 4/7/15	
			Updates:	
			Recommendation:	
			File 23 - Hudson	

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

Age: 9 months	TEMPORARY EXPIRES 04/09/15		NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 03/30/15 Minute Order from 03/30/15 states: Parties represent that there are no siblings over the age of 12, and that the paternal grandparents are deceased. Leslie Sanchez, mother, contacted the Clerk to advise that she was in D96 this morning. The matter is continued to allow her to appear. The Court orders visitation for Elizabeth Esqueda on Tuesdays and Thursdays from 10:30am to 12:30pm, to be mutually agreed as to pick-up and delivery. The Court directs the Clerk to mail a copy of the minute order to Ms. Sanchez.
	JACQUELYN PEREZ , paternal cousin, is Petitioner.		
	Father: JOHNNY HERNANDEZ – Consent & Waiver of Notice filed 12/09/14		
Cont. from 020915, 033015	Mother: LESLIE SANCHEZ – Consent & Waiver of Notice filed 12/09/14		
Aff.Sub.Wit.		Paternal grandfather: BENNY HERNANDEZ - deceased	
✓ Verified		Paternal grandmother: JUANITA HERNANDEZ - deceased	
Inventory		Maternal grandfather: MR. SANCHEZ – Consent & Waiver of Notice filed on 12/09/14	
PTC		Maternal grandmother: ELIZABETH ESQUEDA – Consent & Waiver of Notice filed 12/09/14	
Not.Cred.		Petitioner states [see Petition for details].	
Notice of Hrg	x	Court Investigator filed a report on 01/26/15.	
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	n/a		
✓ 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: 04/06/15
			Updates:
			Recommendation:
			File 24 - Hernandez

DOD: 11-25-13	BARBARA J. NAJIMIAN, Surviving Spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 4-2-15:</u> Counsel has the original will and the Inventory and Appraisal; she is directed to bring them back to court on 4/9/15. Note: As of 4/6/15, nothing further has been filed. 1. The original will has not been deposited pursuant to Probate Code §8200. Need original will. 2. Need original Inventory and Appraisal. The document attached to the petition is a copy. Note: Attorney is reminded to tumble double-sided forms pursuant to Cal. Rule of Court 2.134(b), and to always provide a signature line on the order following the last attachment pursuant to Local Rule 7.6.1.B.
	40 days since DOD	
	No other proceedings	
Cont from 040215		
Aff.Sub.Wit.		
✓ Verified	I&A: \$33,500.00 (various real property interests)	
✓ Inventory		
PTC	Will dated 4-24-97 devises the entire estate to Petitioner.	
Not.Cred.		
✓ Notice of Hrg	Petitioner requests Court determination that the decedent's various interests in real property passes to her pursuant to the Decedent's will.	
✓ Aff.Mail	w	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 4-6-15
		Updates:
		Recommendation:
		File 25 - Najimian

Probate Status Hearing Re: Filing Inventory & Appraisal

DOD: 9-22-14	<p>JENNIFER WILLIAMSON, sister, was appointed Executor with Full IAEA without bond pursuant to Order for Probate filed 11/7/14. Letters issued on 11/10/14.</p> <p>The Court set this status hearing for the filing of the Inventory and Appraisal pursuant to Notice of Setting Status Hearing filed 1/22/15.</p> <p>Status Report filed 4/3/15 states the assets of the estate include three partnerships, a sole proprietorship, and real property in three different counties. Petitioner has been assisting her attorneys in gathering the documentation needed for the probate referee to value the assets. The Inventory and Appraisal was mailed to the Probate Referee on 3/26/15. A continuance of three months is requested to allow the Probate Referee to complete his valuation and return the form to the attorney.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800.</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: 4/7/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26 - Williamson</p>