



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 57	SYLVIA GONZALEZ, sole remaining Conservator, is Petitioner. (Co-Conservator Guadalupe Pena has passed away.)	NEEDS/PROBLEMS/COMMENTS:
		Continued from 2-19-13, 3-19-13
	Account period: 5-1-10 through 4-30-12	Minute Order 3-19-13: Counsel is directed to attempt to balance the account or indicate why she was unable to do so. In addition, counsel to submit a declaration addressing the remaining issues in the examiner notes. Continued to 4-23-13.
Cont from: 021913, 031913	Accounting: \$237,906.88 / \$236,511.14 Beginning POH: \$188,621.57 Ending POH: \$202,555.53 (\$52,644.21 cash - \$17,317.73 unblocked - plus real and personal property)	As of 4-16-13, nothing further has been filed. The following issues remain:
<input type="checkbox"/> Aff.Sub.Wit.		1. Accounting does not balance. Charges are \$237,906.88 and Credits are \$236,511.14, a difference of \$1,395.74. Need clarification and/or amendment.
<input checked="" type="checkbox"/> Verified		2. The dates of the disbursements are cut off on the Disbursement Schedule so it is unclear when the disbursements were made. The Court may require new schedules for Court records.
<input type="checkbox"/> Inventory		<i>(Examiner notes that for the schedules, the Judicial Council forms 400(A-G) are "optional;" however, if the forms were used, this format discrepancy would not have occurred.)</i>
<input type="checkbox"/> PTC	Conservator: \$1,800.00 (\$15/hr for 120 hours including transportation, household management, shopping, overseeing renovations on the residence, etc.)	<u>SEE ADDITIONAL PAGES</u>
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> X	
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/> W	
<input type="checkbox"/> Aff.Pub.	Attorney: \$2,000.00 (per local rule)	
<input type="checkbox"/> Sp.Ntc.	Current Bond: \$42,000.00	
<input type="checkbox"/> Pers.Serv.	Although Petitioner calculates that bond should be increased to \$49,143.81 pursuant to the POH and income at the end of this account period, Petitioner requests that the Court not increase the current bond of \$42,000.00. Petitioner states that shortly after this account period, additional expenses were incurred emptying the residence and readying it to become a rental. Additionally, personal property items depreciate in value, and the cemetery lot is included, which doesn't really have a liquid value to justify the requirement of bonding. Petitioner requests that any increase in bond be addressed at the next accounting.	
<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(c)		
<input type="checkbox"/> Order	<input checked="" type="checkbox"/> X	
<input type="checkbox"/> Aff. Posting		Reviewed by: skc
<input type="checkbox"/> Status Rpt		Reviewed on: 4-16-13
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation	Petitioner prays for an order:	Recommendation:
<input type="checkbox"/> FTB Notice	<ol style="list-style-type: none"> 1. Authorizing issuance of new Letters of Conservatorship naming Petitioner as the sole conservator; 2. Approving, allowing and settling the account; and 3. Authorizing the Conservator's and attorney's fees and commissions 	File 1 - Larssen

NEEDS/PROBLEMS/COMMENTS (Continued):

3. Disbursements schedule indicates numerous disbursements for gifts to family members during this account period totaling over \$2,000.00 for holidays and events. Pursuant to Cal. Rules of Court 7.1059, a conservator of the estate should Refrain from making loans or gifts of estate property, except as authorized by the court after full disclosure. The Court may require clarification and authorization going forward.
4. The accounting indicates that the Conservatee paid \$1,387.10 for her mother's funeral costs, and also reimbursed another family member \$600.00, for a total of \$1,987.10. The Court may require clarification as to whether the conservatorship paid the entirety of the costs, or whether this was just the Conservatee's portion.
5. Disbursements schedule indicates that the Conservatee receives an allowance from which she pays most of her personal expenses, which appears to range from \$800-\$2,100/month. Since moving in with her daughter in November 2011, she pays her housing costs in addition to contributing toward food and utilities from this allowance. The Court may require clarification of her share of the household expenses for this period, and accounting in future account periods of such expenses.
6. Petitioner indicates that after this account period, the Conservatee's residence in Fresno was being readied to become a rental. The Court may require an update on the status of the residence at this time, since there appears to be five months during this account period after the Conservatee moved out that there was no rental income.
7. Need order.

Continued Hearing by Court Re: First Account and Status Report of Personal Representative

DOD: 05/04/08	DEBRA K. BEATH , Administrator, filed her First Account and Status Report of Personal Representative on 09/30/11.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: It appears that the First Account and Status Report of Personal Representative is still pending. It is unclear whether the settlement between the parties resolved any and all issues relating to the First Account. The Court may require clarification as to the status of the First Account.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 04/16/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Boos</p>
	An Objection was filed by Rabobank on 12/06/11 and the matter has been continued numerous times.	
Cont. from	Notice of Withdrawal of Objections to Request to Reduce Bond, First Account and Status Report, and Supplement to First Account and Status Report of Personal Representative filed 03/26/13 by Rabobank.	
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<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.		
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Personal Representative's Status Report filed 04/11/13 states: On 10/23/12, Petitioner filed a status report stating that on 11/14/12, there was a scheduled trustee's foreclosure sale of the real property owned by B & B Riverbend Farms, LLC. Petitioner noted that it would be unlikely that the sale price at the foreclosure sale would be sufficient to pay the secured debt against the property and it was unlikely that B & B Riverbend Farms, LLC would have assets of only nominal value and liabilities far in excess of its assets. The foreclosure sale was postponed because a sale of the real property was arranged. B & B Riverbend Farms, LLC sold its real property for the purchase price of \$2,150,000.00. B & B Riverbend Farms, LLC realized nothing from this sale as the proceeds were applied towards the existing liens. Petitioner and Rabobank, N.A. settled their differences and a written settlement agreement was entered. As a result of the settlement, Rabobank filed its Notice of Withdrawal of Objections on 10/26/13. The estate and its two wholly owned companies remain insolvent. Petitioner expects to file her final accounting and petition to close the estate within the next 90 days.	

(1) First and Final Account and Report of Executor and (2) Petition for its Settlement, for (3) Allowance of Statutory Attorneys Fees, for (4) Proration of Debts Among Creditors and for (5) Final Distribution Under Will (Prob. C. 11002, 10810, 11420, 11640)

DOD: 2-9-08		<p>KELINA ANN WALKER, Surviving Spouse and Executor with Full IAEA without bond, is Petitioner.</p> <p>Account period: 2-9-08 through 1-20-13</p> <p>Accounting: \$264,156.70 Beginning POH: \$260,315.05 Ending POH: \$262,156.70 (real property plus \$12,689.50 cash)</p> <p>Executor (Statutory): Waived</p> <p>Attorney (Statutory): \$566.27</p> <p>The value of the decedent's residence has not been included in the statutory fee calculation because it has a negative equity of \$82,829.00.</p> <p>The estate remaining for distribution consists of cash of \$12,122.93. The total amount of creditors' claims is \$108,935.87. Petitioner states the real property was valued at \$250,000.00 on the decedent's date of death. A recent reappraisal shows the value at \$180,000.00. However, the outstanding balance due on the mortgage on said home is \$262,829.41. Therefore, there is no equity in said property whatsoever.</p> <p>Petitioner maintains that the property is not amenable to sale, in that forcing Petitioner to sell the home will not result in any benefit to the estate or the creditors. Instead, Petitioner proposes the Court distribute the real property pursuant to Decedent's will, which devises the entire estate to Petitioner as surviving spouse.</p> <p>Petitioner proposed payment to the creditors as follows:</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Pursuant to Probate Code §13502, Petitioner filed an Election by Surviving Spouse to Administer Surviving Spouse's Community Property in Deceased Spouse's Estate on 10-16-08.</p> <p>1. Petitioner proposes partial payments to the creditors, but proposes to distribute the real property to herself because there is currently no equity. Petitioner states it would not benefit the estate or the creditors to order the house sold. <u>Need authority.</u></p> <p>The Court cannot authorize distribution until creditors are satisfied unless each creditor agrees to the proposed distribution.</p> <p>See §§ 11420, 11640.</p> <p>Attorney filed Memorandum of Points and Authorities in Support of Petition on 4-5-13, with the following documents attached:</p> <ul style="list-style-type: none"> - Instruction Letter to Creditors - Declaration of Don Scordino (California licensed Real Estate Broker) <p>See documents for details.</p>
Cont. from 031213			
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
✓ PTC			
✓ Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters	7-1-08		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
✓ FTB Notice			
Reviewed by: skc			
Reviewed on: 4-16-13			
Updates:			
Recommendation:			
File 3 - Walker			

Page 2

Petitioner proposes payment to the creditors as follows:

- Capital One Claim #1: \$434.22, plus the first 3.5818% of any other property not now known or discovered, up to the claim amount of \$3,901.85
- Capital One Claim #2: \$438.98, plus the first 3.6211% of any other property not now known or discovered, up to the claim amount of \$3,944.74
- Capital One Claim #3: \$51.69, plus the first .4264% of any other property not now known or discovered, up to the claim amount of \$464.54
- American Express c/o Estate Recoveries Inc: \$4,915.11, plus the first 40.5439% of any other property not now known or discovered, up to the claim amount of \$44,166.85
- Phillips and Cohen Associates: \$1,389.30, plus the first 11.4601% of any other property not now known or discovered, up to the claim amount of \$12,484.17
- Discover Financial Services LLC: \$544.70 plus the first 4.4931 % of any other property not now known or discovered, up to the claim amount of \$4,894.58
- West Asset Management for HSBC Bank: \$480.90, plus the first 3.9676% of any other property not now known or discovered, up to the claim amount of \$4,322.09
- West Asset Management: \$1,338.89, plus the first 11.0443% of any other property not now known or discovered, up to the claim amount of \$12,031.23
- Citibank c/o Phillips and Cohen Associates: \$2,529.05, plus the first 20.8617% of any other property not now known or discovered, up to the claim amount of \$22,725.82.
- Thereafter, any such property not now known or discovered is distributable to Petitioner.

Atty Moore, Leslie, sole practitioner (for Agustin Orozco, father of Andy Delgado)
 Atty Rusca, Rosemarie, of Rusca & Rusca (for Martha Delgado, Guardian)

Petition for Termination of Guardianship

Andy Age: 5 yrs	AGUSTIN OROZCO , father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	MARTHA DELGADO , maternal grandmother was appointed Guardian on 4/28/11. <i>Personally served 2/21/2013.</i>	Note: Martha Delgado, maternal grandmother, is the current Guardian of Andy Delgado and his five half-siblings, Isyss Fuerte (age 11), Tess Fuerte (age 9), Cainen Fuerte (age 8), Isla Fuerte (age 4), and Evan Fuerte (age 3).
Cont. from	Mother: CRYSTAL PIMENTEL . <i>Personally served 2/21/2013.</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: Deceased	
<input checked="" type="checkbox"/> Verified	Paternal grandmother: <i>Not listed</i>	
<input type="checkbox"/> Inventory	Maternal grandfather: Roberto Pimentel. <i>Personally served 3/12/2013.</i>	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	Petitioner requests the Guardianship be terminated for the reasons stated in the attached <i>Declaration of Agustin Orozco in Support of Termination of Former Guardian Martha Delgado</i> , as follows:	
<input type="checkbox"/> Aff.Mail	<ul style="list-style-type: none"> • He is the father of Andy Delgado and he did not know he was the biological father until ~January 2011 when a paternity test was done; • As soon as he learned he was the father, he tried to begin to have a relationship with Andy on a regular basis; • He has been around the family since Andy was born; however, he was told by his mother that Mr. [Luis] Fuerte was Andy's father; • In the end of February 2011 when he received notice of the Guardianship action by Andy's grandmother due to Crystal's [the mother] alcohol and drug abuse and neglect of the children, he appeared in Court at the first hearing on 3/8/2011; on 3/8 and on 4/28/2011, the Court told him to further develop a relationship with Andy and try to work with Martha Delgado, the grandmother [Guardian], to establish regular visits; • He has done everything he could do to work out visitation with Ms. Delgado, but she has not been cooperative for nearly two years; he has not missed any weekends since the Court order in June 2012, and only missed about two in the past two years of trying to see his son where he could not go due to illness or work (<i>please refer to photos of Andy and his family attached at Exhibits 1 – 12</i>); 	
<input checked="" 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		
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<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~	
		Court Investigator Samantha Henson to provide CI Report.
		Reviewed by: LEG
		Reviewed on: 4/17/13
		Updates:
		Recommendation:
		File 4 – Delgado & Fuerte

Declaration of Agustin Orozco, continued:

- When he applied to the Court on 6/4/2012 to terminate the guardianship and gain full custody of his son, the Court told him to continue to build his relationship with his son and to try to work things out with Ms. Delgado; the Court eventually granted him visitation every other weekend from Friday at 5:00 pm through Sunday at 5:00 pm; the Court even told Ms. Delgado that she was to cooperate with me and allow more visitation than just weekends, and she was supposed to encourage the visits for the child's best interest;
- He has done everything the Court asked him to do and built a very strong bond with his son; he has been active in his school, met with his teacher regularly and with the principal, and purchased him Leapfrog programs suggested by his teacher; he has taken his son with his family, girlfriend and their daughter, and sometimes his older son to *[the beach and on many outings and activities;]* he attended Andy's school graduation in June 2012, and has taken him to church in what he calls his "nice" shirt *(please see photos attached at Exhibits 1 – 12)*;
- He has taken Andy to work with him on a Saturday and Andy helped him a little; and when he got paid for the work he explained to Andy that this is what happens when we work; Andy was so excited to help him and to buy what he needed;
- When he met with Andy's teacher on 10/30/2012, he was told Andy is doing very well in school and that it shows that he has been helping Andy to learn;
- He has always told his son that he loves him and to reassure him that he will love him no matter what;
- He is very concerned for Andy's safety and stability and emotional well-being when he is at Ms. Delgado's house;
- He has a home with his girlfriend of about 4 years, he daughter who knows me as dad, his adult son; Andy is very happy and well cared for when he is at home with their family;
- On or about September 2012, with the help of his attorney, he asked Ms. Delgado in writing for Wednesday evening visits from 5:00 pm to 7:30 pm so he could see his son during the week; they have dinner, or help him with school work, spend time with family, or whatever he needs; Ms. Delgado gave him a very hard time and yelled at him for getting a lawyer, but eventually he was able to see his son on Wednesdays for a few months; recently, Ms. Delgado has given him such a hard time and she causes Andy to cry, so he stopped going on Wednesdays as he can't see him hurt so much.

Facts in Support of Termination

- **Alienation and harm to the child:** He has tried to work with Ms. Delgado in a respectful and peaceful manner; she has continued to cause alienation between him and his son; she physically gets in the child's face and asks the child if he is sure he wants to go to try to convince him not to go; she has often denied him time with his son; it has accelerated to where his son is crying when he goes to pick him up and this is hurting his son emotionally;
- **Harm and neglect; Stay Away Order violated:** Crystal [mother] is staying [at Ms. Delgado's] overnight, and Officer Puga of Huron Police Department is willing to testify to seeing her; on 9/15/13 when they celebrated Andy's birthday at the park, Crystal showed up under the influence of drugs or alcohol, and kept after our son to give her a kiss and saying things like, "come here you little mother f...." to him; she is harming their son by being around him, and Ms. Delgado is not protecting Andy from this kind of behavior by allowing Crystal to stay at the house;

~Please see additional page~

Declaration of Agustin Orozco, continued:

Facts in Support of Termination, continued:

- **Negligence of the children by Ms. Delgado:** He has driven by Ms. Delgado's house and seen her smoking in the front yard, with the children playing in middle of winter with no shoes on and shorts; Andy has been sick with colds repeatedly; the living conditions in the home are not good for his son; he sleeps in the same bed or bedroom as his grandmother, and there are 4 -5 adults and 6 children living in the 3-bedroom, ½ bath house; she exposes him to his uncle who has a long criminal record and is an active drug addict and alcoholic; she used to rent out her garage for other people to live in until the city shut it down.

Conclusion: It is detrimental to his son to leave him with the Guardian, Ms. Delgado, and is in his son's best interest to remove Ms. Delgado, live with him, his father, and their family at his home; he lives in a 4 bedroom 1 ½ half bath home where he will have his own room; Andy has become close with his half-brother and half-sister; he has been very active in Andy's schooling and will continue to do so; he will continue to include Andy's grandmother and other half siblings in his life, as he has tried to do; he has attached letters of support for his character as a father from people at work, school, and church.

Note re Current Visitation: Minute Order dated 6/4/2012 from the hearing on the *Petition for Termination of Guardianship* filed by Agustin Orozco (pro per) on 4/4/2012 states:

- Angelica Lemon is sworn and interprets for Martha Delgado;
- The Court denies the petition;
- The Court grants visitation between Andy and his father as follows: Visitation shall take place on the 1st, 3rd and 5th weekends of every month beginning 6/28/2012;
- Visitation shall be from Friday at 5:00 p.m. until Sunday at 5:00 pm.

Guardian's Objection to Termination of Guardianship of Andy Delgado filed by Martha Delgado on 4/11/2013 states:

- She was granted guardianship of her daughter's 6 children on 4/28/2011;
- Andy was born on 9/10/2007; my daughter was dating Agustin Orozco at the time she became pregnant and he chose to ignore it;
- We all lived in Huron within blocks of one another and he made no attempt to confirm that he was Andy's father;
- When Andy was born, her daughter and her daughter's other children all lived with her;
- My daughter and the father of her other 5 children, Luis Fuerte, have drug problems; Mr. Fuerte is currently in prison while my daughter is living on the streets;
- When Andy was born, her daughter reconciled with Mr. Fuerte; she disagreed with this and so her daughter would leave the house and she was the sole care provider for Andy;
- During this period of time, she would see Agustin and encourage him to get to know his son; he was using drugs, and never asked for a visit nor did he offer to help out;
- She was the person from the day Andy came home from the hospital that assumed the role on a day to day basis of fulfilling Andy's psychological and physical needs;
- As a result, Andy is very bonded to her and he is also very bonded to his siblings;

~Please see additional page~

Guardian's Objection filed 4/11/2013, continued:

- Prior to her filing for guardianship, the Department of Child Support served Agustin Orozco for paternity and child support;
- When Agustin got the paternity results, he came over and told her "I am the father."
- Andy was 4 years old at that time, and Agustin asked me to take him off the child support; she spoke to the case worker who said they couldn't separate the children;
- She does believe Agustin wants to have a relationship with his son; she encourages the visits, but the father has no patience nor understanding that she is the only "parent" Andy has ever known [*emphasis in original*];
- For example, in February 2013, Agustin came to pick up Andy; Andy was hiding behind the water dispenser crying and refused to go; she couldn't get Andy to go with his father so she went outside and asked him to wait until Andy calmed down and come back a little later; she also encouraged Agustin to come in to house, talk to Andy, and maybe his dad could get him to go on the visit; Agustin responded that he wouldn't talk to Andy, "I'll just call the cops." The police came and that scared Andy; a father with a close bond would have gone inside and tried to calm his son down;
- Andy frequently says he doesn't want to go with his father, but he also doesn't want the police to come back and scare him;
- She has made an appointment with a therapist in Hanford for Andy, as he has started wetting the bed and has gone from being depressed to angry;
- There is no communicating with Agustin Orozco over Andy or his feelings; Mr. Orozco blames everyone else for his strained relationship with his son;
- However, she never says anything bad about Andy's father and Mr. Orozco needs to understand that Andy didn't know who Agustin Orozco was until he was 4 years old and the February 2013 example is why Andy's having a hard time bonding;
- If Mr. Orozco could learn that Andy is a person, that his feelings have to be considered, and that it takes not only time but empathy (considering Andy's feeling first and addressing them) to create a parent/child bond, we could expand his visitation;
- At this point, she requests the Court order a probate investigation to include father's criminal history;
- She objects to terminating the guardianship as it would be detrimental to Andy.

Petition for Settlement of First and Final Account and Report of Trustee; Petition to Terminate Trust and for Order of Distribution of Trust Assets; Approval of Trustee's Fees; and for Approval of Payment of Professional Services [Prob. C. 16063, 17200, CRC 7.902]

DOD: 11-7-11	MICHAEL NEAL , Son and Successor Trustee of the PAT NEAL LIVING TRUST AS AMENDED AND RESTATED ON 7-30-07 , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 11-7-11 through 12-31-12	
	Accounting: \$2,064,170.61	
	Beginning POH: \$1,940,341.56	
	Ending POH: \$1,723,977.75	
	(Ending POH consists of \$121,137.90 cash, loan to Christopher Neal, loan to Michael Neal, three vehicles, household furnishings, furniture, personal belongings, seven (7) properties, promissory note)	
	Trustee: \$11,000.00 (requested, see below)	
	Attorney (Bolen Fransen): \$3,244.50 (paid)	
	Attorney (Dowling Aaron Incorporated): \$13,026.81 (paid)	
	Reserve: \$21,000.00 (for payment of any unpaid income taxes, accountant fees, attorney's fees and costs, trustee's fees, and any other expenses incurred prior to final distribution)	
	Petitioner prays for an order:	
	1. Settling and allowing the First and Final Account as filed;	
	2. Ratifying, confirming and approving all of the acts and transactions of Petitioner Michael Neal as Trustee;	
	3. Petitioner be authorized and directed to pay himself the amount of \$11,000.00 for his services as Trustee through 12-31-12;	
	4. Ratifying payment of the accounting, legal, financial and other professional service fees paid by Petitioner for those services as described in the first account;	
	5. Petitioner be authorized to terminate and distribute the Trust estate remaining in the hands of the Trustee as set forth herein;	
	6. Petitioner be authorized and directed to withhold a reserve in the amount of \$21,000.00 for payment of any income taxes, accountant fees, attorney's fees and costs, trustee's fees, and any other expenses of the Trust incurred prior to final distribution; and the balance of the reserve account be distributed to the beneficiaries, each as to an undivided one-third (1/3) interest;	
	7. For the Court's approval of the proposed trust distribution as set forth in the Petition; and	
	8. Such further orders be made as the Court deems proper.	
	SEE ADDITIONAL PAGES	
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		Reviewed by: skc
		Reviewed on: 4-16-13
		Updates:
		Recommendation:
		File 5 - Neal

Page 2

Beneficiary Donald Neal was hired to remove a tree at one of the properties at \$200.00. Petitioner also paid his personal business, Floor Tech, \$5,620.00 as reimbursement for out of pocket costs paid by the business to employees and for materials used for working on the trust rental properties and moving Pat Neal's personal property from her home so that it could be rented to generate income to the trust. Itemization attached. Petitioner also paid \$1,600.00 for appraisal of the properties and \$1,000.00 for bookkeeping services on the rentals.

Petitioner states he has performed all duties as trustee including ensuring that all rental properties are adequately insured, utilities paid, rents collected, and general management (responding to tenant issues), sometimes to the detriment of time to devote to Petitioner's own business (self-employed with two full time employees in the decorative concrete business). Petitioner states, for example, that the post office used for trust business is 35 miles from Petitioner's home, and picking up trust mail requires a considerable amount of travel time.

Petitioner states the two remaining beneficiaries, Petitioner's brothers, are without jobs and repeatedly called and wrote to ask for cash distributions to maintain their lifestyles. This required constant attention from Petitioner as they rely almost exclusively on Petitioner and the Trust to provide for their day-to-day needs. Beneficiary Christopher Neal further complicated the trust administration because funds were requested and paid to post bail and pay a criminal defense attorney.

Petitioner estimates approx. 45-60 hours/month dealing with the above-referenced trust matters. Petitioner has not received compensation for his services. Petitioner hereby requests approval in the total amount of \$11,000.00 for services through 12-31-12, calculated at approx. 10% of the rent collected in the total amount of \$110,770.71, but equaling less than 1% of the total property on hand at the close of this account. Petitioner estimates that this is less than one-third of the income he lost from his business during this period due to the time spent on trust administration.

Petitioner states any recipient of the account accompanying this petition has a right to petition the court pursuant to § 17200 to obtain court review of the account and the acts of Petitioner. Claims against Petitioner for breach of trust may not be made after the expiration of three years from the date the beneficiary receives an account or report disclosing facts giving rise to the claim.

In accordance with the terms of the trust, Petitioner proposes distribution as set forth on Exhibit B, which includes a cash loan in an amount no less than \$58,766.03 to make the distribution equal as follows:

SEE ADDITIONAL PAGE

Page 3

Proposed distribution:**To Michael Neal:**

- 323 N. Minewawa, Clovis, valued at \$375,000.00
- 378 Gibson, Clovis, valued at \$200,000.00
- 1965 Chevelle Supersport valued at \$15,000.00
- Tangible personal property valued at \$5,333.34
- Loan to Michael Neal: \$2,000.00
- Distributions through 12-31-12: \$8,000.00
- Checking account (trust asset after date of death): \$0
- Less \$7,000.00 (share of reserve)
- Less 1/3 Trustee's fees \$3,666.67
- **Total: \$594,666.67, less cash of \$58,766.03 for equalization, for a Total of \$535,900.64**

To Donald Neal:

- 65 Cole, Clovis, valued at \$100,000.00
- 207 Pollasky, Clovis, valued at \$330,000.00
- 2010 Chevy Malibu valued at \$18,000.00
- Tangible personal property valued at \$5,333.33
- Distributions through 12-31-12: \$39,214.15
- Checking account (trust asset after date of death): \$54,019.83
- Less \$7,000.00 (share of reserve)
- Less 1/3 Trustee's fees \$3,666.67
- **Total: \$535,900.65**

To Christopher Neal:

- 620 W. Barstow, Clovis, valued at \$200,000.00, subject to mortgage \$123,578.91
- 502 Beverly Drive, Clovis, valued at \$105,000.00
- 1458 Ashcroft Ave., Clovis, valued at \$145,000.00, subject to mortgage \$125,514.33
- Promissory Note in the amount of \$75,000.00 signed by Perry and Castaneda dated 8-6-07, valued at \$68,839.85
- 1941 Ford Business Coupe valued at \$15,000.00
- Tangible personal property valued at \$5,333.33
- Loan to Christopher Neal \$13,000.00
- Distributions through 12-31-12: \$117,603.28
- Checking account (trust asset after date of death): \$67,118.07
- Less \$7,000.00 (share of reserve)
- Less 1/3 Trustee's fees \$3,666.67
- **Total: \$477,134.62, plus cash of \$58,766.03, for a Total of \$535,900.65**

6 Ronald Rohde (Estate)

Case No. 12CEPR00555

Atty Bagdasarian, Gary G. (for Sue Ellen Rohde and Steven Rohde – Co-Executors/Petitioners)

(1) Waiver of Accounting and Report of Co-Executors and Petition for Its Settlement; (2) for Allowance of Co-Executors' Commission; (3) for Attorney's Fees for Ordinary and Extraordinary Services and (4) for Final Distribution [Prob. C. 10810, 10954 & 11640]

DOD: 05/23/12		SUE ELLEN ROHDE and STEVEN ROHDE, Co-Executors, are	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. It appears that the stated cash on hand of \$125,384.65 to be distributed to after the proceeds from the sale of the home to the decedent's children is incorrect. The Examiner calculates the remaining cash on hand to be distributed to be \$102,284.65. This affects the final distribution figures. Need clarification.</p> <p>Note to Judge: The Examiner has retained the Order in this matter due to the above note.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 04/18/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Rohde</p>
		Petitioners.	
		Accounting is waived.	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.	I & A - \$389,934.81	
<input checked="" type="checkbox"/>	Verified	POH - \$208,025.95 (\$192,560.95 is cash)	
<input checked="" type="checkbox"/>	Inventory	Executor - \$10,396.54 (Statutory)(\$5,198.27 to Sue Ellen Rohde and \$5,198.24 to Steven Alen Rohde)	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney - \$10,396.54 (statutory)	
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney x/o - \$3,525.00 (14.1 hours @ \$250.00/hr. itemized by date for work related to the sale of personal and real property)	
<input checked="" type="checkbox"/>	Aff.Mail	Costs - \$1,320.47 (filing fees, publication, certified copies, recording fees, probate referee)	
	Aff.Pub.	Closing- \$1,500.00	
	Sp.Ntc.	Distribution, pursuant to Decedent's Will, is to:	
	Pers.Serv.	Steven Alen Rohde - \$43,561.37	
	Conf. Screen	Amber Lynell Bumatay - \$43,561.36	
	Letters	Ashley Nicole Tout - \$43,561.36	
	Duties/Supp	Ryan Francis Torigan - \$30,061.37 cash plus 2009 Toyota	
	Objections	James Kimberlan - \$6,944.23	
	Video Receipt	Millicent Hernandez aka Millicent Rose Eckerson - \$6,944.23	
	CI Report	Klye Hernandez - \$6,944.23	
<input checked="" type="checkbox"/>	9202	Steven Alen Rohde as Trustee for the benefit of Robert Hernandez, Sarah Hernandez, Daisy Hernandez aka Daisy Reyna, and Violet Hernandez aka Violet Reyna - \$6,944.23	
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Atty O'Malley, David T., sole practitioner, Kerman (for Petitioner Jim Kobzeff, Executor)

Petition for Authority to Administer Estate Under Independent Administration of Estates Act [Prob. C. 10450]

DOD: 5/27/2012		<p>JIM KOBZEFF, son and Executor appointed on 2/11/2013 with Limited IAEA authority without bond, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> Decedent left a Will dated 3/11/1986, which is the last Will of the Decedent and which is executed in all particulars as required by law; Petitioner is named in the Will to act as executor and has consented to act as such; Petitioner is over the age of majority; On 2/11/2013, the Will of Decedent was admitted to probate, and <i>Letters</i> testamentary were issued to Petitioner; The Petitioner was appointed the powers of a general personal representative; The Decedent's Will does not preclude administration of this estate under the Independent Administration of Estates Act. <p>Petitioner prays that after due notice of hearing for full or limited authority to administer the Decedent's estate without Court supervision under the Independent Administration of Estates Act, for an endorsement of the letters testamentary to the effect that they are issued pursuant to the Independent Administration of Estates Act.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner was previously granted Limited authority to administer the estate under the Independent Administration of Estates Act (IAEA.) Petitioner seeks to increase the authority from Limited to Full authority, and while the <i>Petition</i> does not indicate the specific basis for the instant request, it appears based upon review of the case file that the reason Full IAEA authority was not granted initially was due not to any prohibition in Decedent's Will nor to Petitioner's inability to qualify for that authority, but merely due to the absence of such request in the newspaper publication at the initial request for appointment.</p> <p>1. Petitioner submitted a proposed <i>Order Granting Authority to Administer Estate Under Independent Administration of Estates Act</i>. This proposed order is satisfactory for demonstrating the increase from Limited authority to Full authority; however, Petitioner must also submit an Amended proposed order for the Court's signature and Amended proposed letters on the mandatory-use Judicial Council forms [DE-140 and DE-150], which will effectuate Petitioner's increase to Full IAEA authority after issuance of the Amended letters to him.</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 checked="" type="checkbox"/>	Sp.Ntc. W/		
<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		
Reviewed by: LEG			
Reviewed on: 4/17/13			
Updates:			
Recommendation:			
File 8 – Popoff			

Atty LeVan, Nancy J., sole practitioner (for Petitioners Ronald Webb and Jeanine Luttrell)
 Pro Per Webb, Daniel P., (Pro Per Objector, son)

Petition for Appointment of Conservator of the Person and Estate

Age: 83 years	TEMPORARY GRANTED EX PARTE EXPIRES 3/26/2013; extended to 4/23/2013	NEEDS/PROBLEMS/COMMENTS:
		Court Investigator Advised Rights on 3/14/2013.
	RONALD WEBB , son, and SYLVIA JEANINE LUTTRELL , daughter, are Petitioners nominated by the proposed Conservatee, and request appointment as Co-Conservators of the Person, with medical consent powers, and of the Estate with bond set at \$150,784.15.	1. <i>Petition</i> requests medical consent powers. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioner's request.
Cont. from	Estimated Value of the Estate:	Note: Proof of posting <i>Conservator's Bond of \$150,785.00</i> was filed on 4/12/2013.
<input type="checkbox"/> Aff.Sub.Wit.	Real property - \$4,000,000.00	Note: If petition is granted, Court will set status hearings as follows:
<input checked="" type="checkbox"/> Verified	Personal property - \$ 125,000.00	<ul style="list-style-type: none"> • Friday, August 23, 2013 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Friday, June 13, 2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.
<input type="checkbox"/> Inventory	Annual income - \$ 11,820.00	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.
<input type="checkbox"/> PTC	Total - \$4,136,820.00	Reviewed by: LEG
<input type="checkbox"/> Not.Cred.	Need Capacity Declaration.	Reviewed on: 4/17/13
<input checked="" type="checkbox"/> Notice of Hrg	Voting rights <u>not</u> affected.	Updates:
<input checked="" type="checkbox"/> Aff.Mail W /	Petitioners state:	Recommendation:
<input type="checkbox"/> Aff.Pub.	<ul style="list-style-type: none"> • The proposed Conservatee suffers from Executive Cognition Function Disorder, hears voices, often feels paranoid and believes her home is bugged, engages in odd behaviors due to her fears, and she is a hoarder; • Proposed Conservatee's finances are in complete disarray as she has not taken care of her affairs since 2006, and her ranch property is in danger of foreclosure because of delinquent taxes (<i>copies of default tax statements and Final Notice Before Levy attached</i>); • Proposed Conservatee has been through the loss of a child, her husband leaving her, and her oldest son, DANIEL PARKER WEBB, trying to harm her, causing the proposed Conservatee to have a restraining order placed against him and having him evicted off the ranch; 	File 10 - Webb
<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/S		
<input checked="" 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 checked="" type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

~Please see additional page~

Petitioners state, continued:

- Two persons are taking advantage of the proposed Conservatee: **RUSS WHITMEYER**, who is trying to get her to sign over her ranch property to him; and **PATTI NEAL**, who is living rent-free on the ranch and boarding horses there rent-free;
- Proposed Conservatee's son, Daniel, has stated he wishes his mother would die so he could get his inheritance; it is believed he is working with Russ Whitmeyer to gain control of the real property;
- Proposed Conservatee is unable to provide a safe environment for herself, and a conservatorship is necessary to provide adequate food, shelter and clothing.
- **Petitioners request** the proposed Conservatee's residence be changed to the home of Petitioner Ronald Webb, as the hospital is willing to discharge her to the Petitioners' custody as her nominated conservators. *(Nomination of Ronald Webb and Sylvia J. Luttrell as Co-Conservators of the Person and Estate of Sylvia Nadine Webb, signed by proposed Conservatee, filed on 3/12/2013.)*

Court Investigator Jennifer Daniel's Report was filed on 4/16/2013 and recommends the petition be GRANTED, and that Ronald Webb and [Sylvia] Jeanine Luttrell be appointed as Co-Conservators.

Objection to Petition for Appointment of Probate Conservator of the Person and Estate of Sylvia Nadine Webb filed on 3/20/2013 by DANIEL PARKER WEBB, son, states:

- He objects to the appointment of his siblings Sylvia J. Luttrell and Ronald Webb as Conservators without being included as the eldest surviving sibling and an equal; he feels that his mother would wish them all to be equals in that capacity;
- It is his belief that his siblings are possibly attempting to sequester his mother in order to limit his contact by moving her to Fresno County, where it is a hardship for him to travel;
- He further believes that they are attempting to limit his involvement in this Conservatorship by excluding his mother from the hearing through referencing a Capacity Declaration, which was not attached to the copy of the Petition he was served with the Notice of Hearing;
- He has concerns that his siblings do not truly have the best intentions for welfare of his mother, since her desires are to return to her home in Ventura County, and their plans are to warehouse her in an elderly facility in Fresno close to their residence;
- He believes that his mother needs to be present for questioning by the Court as to her desires regarding who should be included in her Conservatorship;
- He believes she would want him to be involved in the important function of the protection of her interests;
- He further objects to the Petition based upon the presentation of unfounded allegations it contains such as that he wishes his mother to die so that he could receive an inheritance; this is not factual;
- Also, the statement made that he is working with **RUSS WHITMEYER** to gain control of his mother's property is unfounded and not true;
- He prays that the Court will not grant appointment of a Conservator until these issue and allegations are resolved to the Court's satisfaction.

~Please see additional page~

Addendum to Objection to Petition for Appointment of Probate Conservator of the Person and Estate of Sylvia Nadine Webb filed on 3/22/2013 by DANIEL PARKER WEBB, son, states:

- It is his belief that the actions of his siblings, **RONALD WEBB** and **SYLVIA JEANINE LUTTRELL**, to establish conservatorship without him as an equal partner is supported by their legal attempt to exclude me through disallowing his mother's attendance at her own conservatorship hearing, in order to exclude cogent testimony where she will testify that she would like him to be an equal part of any conservatorship;
- It is his belief that there is a concerted attempt by his siblings to exclude him from participation in his mother's conservatorship because he advocates focusing solely upon ensuring her well-being and best interests, maintaining her emotional stability and connectedness with loved ones who support her and protect her;
- His siblings are attempting to wrest control of any relationship he might have with his mother; they are falsely accusing him of violent past actions based on hearsay testimony; his mother wishes and expects to be allowed to be questioned in person at this hearing; there is no medical or emotional condition precluding her from attending the hearing as alleged in the Petition under item 8(c); there is no GC-335 on file to explain why she is not capable of attending, and per the Confidential Court Investigator's Report, she expects to be present;
- He has been accused in the Petition without proof that he is somehow in "collusion with Russ Whitmeyer" to appropriate his mother's property; this is false and needs factual substantiation of the allegations made; there appears to be no such substantiation;
- It is his opinion that there may be collusion with **WHITMEYER** and **NEAL** to monitor his current attempts to protect mother's interests at the ranch as well as his objective to prevent his mother from being further defrauded by **WHITMEYER** and **NEAL**, and possibly his own siblings;
- For the past 3 weeks, he has been working to bring the property into compliance according to County Health and Safety regulations; he has not sought remunerations for any costs or labor to clean and restore the property while it is undergoing this transition of removing the squatters;
- His mother has indicated she wishes him to be included in her healthcare and conservatorship decisions, since they have resolved all past differences and misunderstandings;
- His mother has specifically indicated she wishes me to help her going forward, without expectation of special compensation for said services;
- He truly has his mother's best interests in mind, since he is physically located close to where she expects and desires to be; no one is more qualified to provide adequate targeted assistance than himself and his family, and therefore he should be a logical choice as a Co-Conservator.

Petition for Remedy for Objection for Appointment of Probate Conservator filed on 3/26/2013 by DANIEL PARKER WEBB, son, states: He respectfully petitions the Court to consider allowing him to be included as an equal Probate Conservator of his mother's person and estate, in accordance with her wishes and expectations; he prays the Court will not grant appointment of a permanent Conservator until all issues are resolved to the Court's satisfaction.

13 Stella Ferri (Estate)

Case No. 13CEPR00159

Atty Ferri, Sabino J.L. (Pro Per – Son / Named Co-Executor – Petitioner)

Atty Ferri, Pasqua Carmela (Pro Per – Daughter / Named Co-Executor – Petitioner)

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

DOD: 5-23-12	SABINO J.L. FERRI, son, and PASQUA CARMELA FERRI, daughter , both Named Co-Executors without bond, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 4-2-13</u></p> <p><u>Minute Order 4-2-13: No appearances. Petitioners must be present to make sure they understand their duties as Executors.</u></p> <p>Note: If petition is granted, Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Friday, 9-6-13 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Friday, 9-5-14 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>
	Full IAEA – ok	
Cont. from 040213	Will dated 9-25-03	
<input type="checkbox"/> Aff.Sub.Wit.	S/P	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: Fresno Business Journal	
<input type="checkbox"/> Not.Cred.	Estimated value of estate:	
<input checked="" type="checkbox"/> Notice of Hrg	Personal property: \$ 50,000.00	
<input checked="" type="checkbox"/> Aff.Mail	Annual income: \$ 24,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Real property: \$ 325,000.00	
<input type="checkbox"/> Sp.Ntc.	Total: \$ 399,000.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Rick Smith	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input 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 on: 4-16-13
		Updates:
		Recommendation:
		File 13 - Ferri

