

Atty Matthai, Edith (for Craig A. Houghton – Objector)
Atty Manock, Charles K. (for George Salwasser/Executor of the Estate of Lillian Salwasser)
Atty Chielpegian, Michael S (for Marvin Salwasser/Administratoor with Will Annexed of Walter Salwasser Respondent)
Atty Wright, Janet L. (for George Salwasser/Executor)
Atty Farley, Michael L. (of Visalia, for Gary E. Salwasser - Beneficiary)
Amended and Restated First Account and Report (Status)

	<p>George Salwasser is Executor.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont from 062512, 092412, 112612, 012513, 030113</p>	<p>An Amended and Restated First Account was filed on 1-13-10 and has been continued with reference to additional ongoing matters in this and other related cases.</p>	<p><u>Continued from 6-25-12, 9-24-12, 11-26-12, 1-25-13, 3-1-13.</u></p>
<p>Aff.Sub.Wit.</p>		<p>Note: It is Examiner's understanding that at this point a further amended petition for final distribution is expected from Executor to close the estate once the other related matters are settled. This continued hearing is for status on such expected petition for final distribution.</p>
<p>Verified</p>	<p>For background, Executor's Status Report filed 10/24/11 states: The purpose of this hearing was to determine whether any further accounting would be necessary as the PrC §850 petitions of the Lillian Salwasser Estate and Walter Salwasser Estate were settled by Settlement Agreement and Release entered into on 6/21/11. Based on the Settlement terms it appears no further accounting should be required for any account reported in the pending Account for accounts held in Decedent or her surviving spouse's names at the time of Decedent's death.</p>	<p><u>Status Report and Request for Continuance filed 9-19-12 by Attorney Janet Wright states all matters impeding the filing of the petition appear to have been completed and a draft has been prepared; however, due to an unexpected illness and death in the family of the attorney for the Executor, the draft has not been finalized. Attorney requests 60 days to finalize the petition and continuance to 11-26-12.</u></p>
<p>Inventory</p>		<p>Note: As of 4-19-13, nothing further has been filed. See updates on Page 2.</p>
<p>PTC</p>		<p>1. Need amended petition for final distribution.</p>
<p>Not.Cred.</p>		
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>	<p>X</p>	
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>	<p>The Probate Estate Account (opened after Decedent's date of death) and collections, if any, on Promissory Notes reported in the Account, would need to be supplemented through date of distribution (Two notes are currently the subject of lawsuits); until there is determination as to the collectability on the Notes, tax matters cannot be finally determined.</p> <p>A mediation is scheduled for 11/16/11 between George and Gary Salwasser; therefore, a continuance of 4 to 6 months is appropriate under the circumstances.</p> <p>Since then, the matter has been continued to per stipulation.</p> <p>Stipulation to Continuance filed 1-17-13 extends the status hearing date for the filing of an amended petition by the Executor to 3-1-13. Order on Stipulation was signed 1-18-13.</p>	<p>Reviewed by: NRN / skc</p> <p>Reviewed on: 4-19-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Salwasser</p>

Page 2

Status Report filed 2-28-13 by Attorney Janet Wright states:

As a result of settlement in mediation, settlement at the MSC in regards to the 850 Petition, and the judgment in the civil action, the following appear to be the only issues remaining to be resolved: Approval of legal fees; and Allocation of fees incurred relating to estate tax matters. As a practical matter, based on the terms and totality of the settlements, no final accounting for the probate estate assets should be required.

A corrected Inventory and Appraisal to show the 850 Settlement amount of \$300,000.00 as the probate assets, in lieu of a tracing of specific accounts, will be filed.

Counsel is preparing a petition for final distribution on Waiver of Account, which will include a request for approval and allocation of attorney's fees.

Minute Order 3-1-13: Mr. Boyd-Farrell is appearing via conference call for Attorney Michael Farley. Ms. Wright informs the Court that she will be filing a petition. Ms. Wright requests a continuance.

As of 4-19-13, nothing further has been filed.

DOD: 2-7-07	<p>LORENA GARCIA, Daughter, is Administrator with limited IAEA without bond. Letters issued 7-21-08.</p> <p>On 7-14-09, the Court approved a settlement agreement between Administrator (daughter) and Omega Ochoa Garcia (surviving spouse) and allowed continuation of estate administration pending certain issues:</p> <p>1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and</p> <p>2) Receipt of proceeds due from an eminent domain matter</p> <p>On 10-4-11 (the 7th status hearing regarding retrial of the damages issue), Attorney Emerzian advised the Court that a motion for a new trial was denied and an appeal has been filed, and that deposits need to be made. The Court set this hearing for further status.</p> <p>Status Report filed 12-1-11 by Attorney LeVan states that Attorney Ty Kharazi filed a Notice of Appeal on behalf of his clients, the Roberts'. The Fifth District Court of Appeal has set a mediation for the parties on 12-12-11. Attorney LeVan requests to set a status hearing in March 2012 to follow the progress of the appeal.</p> <p>Minute Order 12-6-12: No appearances. Matter continued to 3-13-12.</p> <p>Minute Order 3-13-12: Counsel informs the Court that the case has been appealed.</p> <p>Status Report filed 3-13-13 states there are no entries in the civil docket regarding appeal since 1-8-13. Until that matter is decided, we do not know what the final I&A will be. Attorney LeVan requests a six-month continuance for resolution of the appeal.</p> <p>Status Report filed 4-23-13 states the estate is currently in a holding pattern pending the outcome of the civil matter which holds the bulk of the estate property. There have been no funds received from the 7-26-11 award due to the appeal. The estate is not in a condition to be closed at this time. The personal property listed on the inventory is in the possession of Omega Garcia pursuant to the agreement that she was going to get one-half of the estate. Civil docket attached showing no activity since 1-8-13. Attorney LeVan requests six months for resolution of the appeal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 12-6-11, 3-13-12, 9-13-12, 3-14-13</u></p> <p>Minute Order 9-13-12: Ms. LeVan advises the Court that an appellate brief was filed on 8/21/12. She further advises that they are waiting on the assets to come from the award however, they will have to wait on the appeal. Matter continued to 3/14/13. Counsel is directed to submit a written status report. Continued to 3/14/13</p> <p>Minute Order 3-14-13: The Court orders all attorneys involved in case 04CECG03607 appear for status conference on 4-26-13. Order to Show Cause for attorneys regarding the status of litigation and status of mediation. A copy of the minute order and Order to Appear was mailed to Attorneys H. Ty Kharazi and David Emerzian on 3-15-13.</p> <p><u>Page 2B of this Calendar is Status Conf re Litigation</u></p> <p>Note: Examiner Notes from the 10-4-11 status hearing with a brief chronology of this case are in the file for reference.</p> <p>1. Need account.</p> <p>Note: Attorney LeVan requests six months due to litigation. See Page 2B.</p>	
Cont. from 120611, 031312, 091312, 031413			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Sp.Ntc.			
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt	X		
UCCJA			
Citation			
FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 4-22-13</p> <p>Updates: 4-24-13</p> <p>Recommendation:</p> <p>File 2A - Garcia</p>	

DOD: 2-7-07	<p>LORENA GARCIA, Daughter is Administrator with limited IAEA without bond. Letters issued 7-21-08.</p> <p>On 7-14-09, the Court approved a settlement agreement between Administrator (daughter) and Omega Ochoa Garcia (surviving spouse) and allowed continuation of estate administration pending certain issues:</p> <p>1) Retrial of the damages portion of Civil Case # 04CECG03607 Garcia v. Roberts; and</p> <p>2) Receipt of proceeds due from an eminent domain matter</p> <p>On 10-4-11 (the 7th status hearing regarding retrial of the damages issue), Attorney Emerzian advised the Court that a motion for a new trial was denied and an appeal has been filed, and that deposits need to be made. The Court set this hearing for further status.</p> <p>Status Report filed 12-1-11 by Attorney LeVan states that Attorney Ty Kharazi filed a Notice of Appeal on behalf of his clients, the Roberts'. The Fifth District Court of Appeal has set a mediation for the parties on 12-12-11. Attorney LeVan requests to set a status hearing in March 2012 to follow the progress of the appeal.</p> <p>Minute Order 12-6-12: No appearances. Matter continued to 3-13-12.</p> <p>Minute Order 3-13-12: Counsel informs the Court that the case has been appealed. Matter continued to 9-13-12, then 3-14-13.</p> <p>Status Report filed 3-13-13 states there are no entries in the civil docket regarding appeal since 1-8-13. Until that matter is decided, we do not know what the final I&A will be. Attorney LeVan requests a six-month continuance for resolution of the appeal.</p> <p>Minute Order 3-14-13: The Court orders all attorneys involved in case 04CECG03607 appear for status conference on 4-26-13. Order to Show Cause for attorneys regarding the status of litigation and status of mediation.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This Probate Court has held at least 12 status conferences since January 2010 regarding status of this litigation. Need current status.</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: 4-22-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2B - Garcia</p>

		PUBLIC GUARDIAN , Trustee, is petitioner.	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 3/25/13. Minute order states the Court approves the petition subject to the execution of the agreement. Matter continued to 4/26/13. If the agreement is not signed by 4/26/13, all counsel and their clients are to be personally present on 4/26/13. – Release of All Claims and Order signed on 4/23/13.</p>
		Petition alleges the Public Guardian was appointed successor Trustee upon the removal of the former Trustee, Philip Pacella. In that capacity the Public Guardian has participated in litigation with the homeowners' association for the condo owned by the trust.	
Cont. from 032513		After Phyllis E. Pacilla died, her son Philip Pacella lived at the condo. The Association filed a "Complaint for Foreclosure of Lien and for Money Damages: for violations of its covenants and restrictions. Although the Association was aware of the Public Guardian's appointment, it continued to attempt service of its complaint on Mr. Pacella. When Mr. Pacella failed to answer the complaint, a default was entered in favor of the Association. Thereafter, months of negotiations resulted in a set-aside of the default and an agreement to resolve the underlying action.	
<input type="checkbox"/>	Aff.Sub.Wit.	Probate Code §16242 confirms that a trustee has the power to "settle a claim by or against the trust by compromise . . ." Although Petitioner asserts that no court approval is required given this code section, she nevertheless requests the Court's approval of the compromise. This litigation involves two entities, and affects individual beneficiaries, all of whom will be protected by a court order.	
<input checked="" type="checkbox"/>	Verified	A summary of the agreement is as follows: 1) the Public Guardian will pay to the association \$25,000, which covers all costs and fees (including attorney). The original default judgment was in excess of \$40,000. Petitioner did extensive research to determine which fines were valid and which dues were owed by the Trust due to Philip's failure to pay them. 2) The Public Guardian was to pay for December 2011 association dues, and pay an advance of dues owed for January-June 2012.	
<input type="checkbox"/>	Inventory	Wherefore, the Public Guardian prays as follows:	
<input type="checkbox"/>	PTC	1. The Court approve the settlement as proposed.	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
	W/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
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<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

(1) Petition for Final Distribution on Waiver of Accounting and (2) for Allowance of Statutory (Prob. C. 10400-10406, 10954, 11600-11642)

DOD: 07/23/10		MICHAEL TARASEVIC , Executor, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Petitioner filed an Amendment to Petition for Final Distribution on Waiver of Accounting on 04/23/13 at 2:47pm that amends material facts of the original Petition and appears to be an Amended Petition. This document has not been reviewed in its entirety by the examiner. A cursory review of the document indicates that material facts have changed from the original petition such as selling the real property asset of the estate. It appears, however, that this amended petition does not contain all of the necessary information, including property on hand to be distributed. The matter will need to be continued and notice of the continued hearing given to the relevant parties.</p> <p>CONTINUED MULTIPLE TIMES Minute Order from 03/11/13 states: The Petition is granted. Counsel's request for address the issue of attorney's fees on 04/26/13 is granted. Counsel to file a request for attorney's fees.</p> <p>Order Confirming Sale of Real Property was signed 03/11/13.</p> <p>As of 04/19/13, nothing further has been filed, it is unclear from the record whether the following issue has been addressed:</p> <ol style="list-style-type: none"> The Petition states that all debts of the decedent have been paid, however, a Creditor's Claim in the amount of \$52,340.63 was filed by California Business Bureau for Community Medical Center on 11/02/10. The Petition states that no action has been taken on this claim at this time, therefore this debt has not been resolved. An Allowance or Rejection of Creditor's Claim was filed on 06/04/12 allowing the claim in the amount of \$24,689.09. Nothing further has been filed regarding this outstanding debt. <u>Distribution of estate assets cannot be made until all debts of the estate have been resolved.</u>
		I & A - \$135,867.00	
		POH - \$135,867.00	
<p>Cont. from 112811, 022712, 040912, 080712, 100512, 110912, 021113, 031113</p>		Executor - waives	
Aff.Sub.Wit.		Distribution, pursuant to decedent's Will, is to:	
<input checked="" type="checkbox"/>	Verified	Michael Tarasevic -	
<input checked="" type="checkbox"/>	Inventory	\$58.50 cash, plus ½ interest in real property and ½ interest in a 1977 truck	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Anthony Tarasevic -	
<input checked="" type="checkbox"/>	Aff.Mail	\$58.50 cash, plus ½ interest in real property and ½ interest in a 1977 truck	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	11/30/10	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
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	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
		Reviewed by: JF	
		Reviewed on: 04/19/13	
		Updates: 04/24/13	
		Recommendation:	
		File 4A - Tarasevic	

Petition to Compel Trustee to Account to the Beneficiaries and Directing Distribution and Termination of the Trust [Prob. C. 17200(b)(6)(7)(13)]

		<p>JENNIE MILLER REDFERN and JOHN A. CLACK, children of the settlor, are Petitioners.</p> <p>Petitioners state this matter concerns the accounting and termination of the CLACK FAMILY GRANTOR TRUST.</p> <p>Petitioners allege: GENEVA CLACK, as Settlor, executed the CLACK FAMILY GRANTOR TRUST on 7/27/2010.</p> <p>Petitioners allege based on their firsthand knowledge and having read the Trust after their mother's death that the Trust property was to be distributed to the Trustor's named beneficiaries within the Trust.</p> <p>Trustor, GENEVA CLACK died on 12/24/2010. Petitioners believe that upon the Trustor's death the Trust became irrevocable.</p> <p>Petitioners contend that real property located at 2879 Fine Avenue, Fresno is an asset of the Trust.</p> <p>In addition to the property at Fine Avenue, a vehicle, life insurance policies, mutual funds and annuities were assets of the Trust. None of these items were listed in the Schedule A; however, the items have not been subject to any probate proceedings and therefore may be subject to the Trust.</p> <p>Pursuant to the terms of the Trust on page 26 under the heading "Accounting Reports" the Trustee is responsible for the maintenance of adequate records and is responsible for the preparation of an annual accounting report to be provided to the beneficiaries of the Trust. This has not been occurring. When requested by beneficiaries, Trustee refuses to provide adequate documentation. According to the Trustee he has been renting the property, but Petitioners have not been provided any financial explanation of the events surrounding it.</p> <p style="text-align: center;">Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3/1/13. As of 4/22/13 the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition does not include a copy of the CLACK FAMILY GRANTOR TRUST. The Court cannot make any of the findings requested without a copy of the trust instrument. – Declaration of Jennifer Walters filed on 3/15/13 states attached to her declaration is a copy of the CLACK FAMILY GRANTOR TRUST. However attached to the declaration is the GENEVA CLACK LIVING TRUST dated January 16, 2006 Restatement dated November 5, 2007 and not the CLACK FAMILY GRANTOR TRUST dated 7/27/2010. 2. Petition does not identify the current Trustee of the Trust. 3. Notice of Hearing was mailed on 1/2/13, 28 days-notice and not the required 30 days. Probate Code §17203 <p>Please see additional page</p> <p>Reviewed by: KT</p> <p>Reviewed on: 2/25/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5A – Clack</p>
Cont. from 012913, 030113			
	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		
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	Video Receipt		
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	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioners allege that pursuant to the terms of the Trust, upon the death of the Settlor, the Trust is to be distributed 50% to **PHILIP WILLIAMS**, and 25% each to **JENNIE MILLER** and **JOHN CLACK**. Decedent's death was almost two years ago. There has been no distribution of the remaining assets. When Petitioners request the final distribution, Trustee indicates he wishes to exhaust the entire trust in costs and fees before he will do that.

Petitioners pray for an Order:

1. **GENEVA CLACK** established the **CLACK FAMILY GRANTOR TRUST**, an irrevocable trust on or about July 27, 2010;
2. The Trust was established for lawful purposes;
3. The Trustees named by the Trustor: **PHILIP WILLIAMS**, first; then **JENNIE MILLER** and then **JOHN A. CLACK**, and they were to serve in succession in the event that the prior named party was unable or unwilling to serve;
4. The beneficiaries of the Trust are and were ascertainable according to adequate and competent evidence as **PHILIP WILLIAMS, JENNIE MILLER** and **JOHN A. CLACK**;
5. It was the intent of the Settlor that her residence be distributed 50% to **PHILIP WILLIAMS**, and 25% each to **JENNIE MILLER** and **JOHN A. CLACK**;
6. An accounting is to be provided to the beneficiaries for period of 12/24/2010 to the current date;
7. Distribution of the remaining Trust estate is to occur and the Trust is terminated.

NEEDS/PROBLEMS/COMMENTS (cont):

4. Probate Code §17200(b)(7)(B)and(C) states a beneficiary may compel the Trustee to provide information about the trust and/or an accounting, if the trustee has failed to provide the necessary information within 60 days after the beneficiary's reasonable written request, and the beneficiary has not received the requested information and/or account from the trustee within the six months preceding the request. Petition does not state when the Petitioners sent at written request to the Trustee to provide them with information regarding the trust.
5. Need order.

Status Conference

		<p>JENNIE MILLER REDFERN and JOHN A. CLACK, children of the settlor, petitioned the court to compel the trustee to account to the Beneficiaries and to distribute and terminate the Trust. Please see page 9A.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need current written status report pursuant to Local Rule 7.5B which states in all matter set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
<p>Cont. from 030113</p>			
Aff.Sub.Wit.		<p>Minute order dated 1/29/13 set this status conference.</p> <p>Minute order dated 3/1/2013 states Ms. Moshrefi is appearing specially for Attorney Jennifer Walters. Ms. Moshrefi informs the court that Ms. Walters is requesting a continuance as the parties are attempting to reach an agreement.</p>	<p>Reviewed by: KT</p> <p>Reviewed on: 4/22/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5B - Clack</p>
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Atty Capata, Julian Eli (for Anna Noriega Chavez – Executor)

Probate Status Hearing Re: Filing Final Distribution

DOD: 8/2/1978	<p>ANNA NORIEGA CHAVEZ was appointed Executor without bond and without IAEA powers on 9/12/1978.</p> <p>Inventory and appraisal filed on 11/5/2009 shows the value of the estate as \$40,000.00.</p> <p>Maria J. Noriega de Torres, daughter, filed a Petition for Order directing Personal Representative to Act on 04/06/12 requesting to purchase the real property of the estate for \$55,000.00 cash.</p> <p>Minute Order from hearing on 08/07/12 states: The court accepts Petitioners all cash offer of \$66,000.00 with no inspection and 30 day escrow. The century 21 realtor will receive a 3% commission of the difference from the posting price to the over-bid price in the amount of \$330.00. Petitioner provided Mr. Capata a cashier's check for down payment in the amount of \$7,000.00. Mr. Capata will prepare a new Order. This status hearing for filing of the Petition for Final Distribution and Order was set for 12/03/12.</p> <p>Order Confirming Sale of Real Property was filed 09/18/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 03/25/13 Minute Order from 03/25/13 states: Mr. Capata is appearing via CourtCall. Mr. Capata requests a continuance. Matter continued to 04/26/13. Mr. Capata is authorized to send mailings directly to Barbara Juarez and Maria Noriega de Torres in addition to counsel.</p> <p>As of 04/19/13, nothing further has been filed in this matter and the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need Petition for Final Distribution.
Cont. from 120312, 022513, 032513		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
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Duties/Supp		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: JF	
	Reviewed on: 04/19/13	
	Updates:	
	Recommendation:	
	File 6 - Massoumi	

Jerry, 64	PATRICIA SCHOOLCRAFT, sister, was appointed successor conservator of the Person on 08/25/11.	NEEDS/PROBLEMS/COMMENTS:
James, 58		
	On 10/17/12, the Conservator filed a Petition to Fix Residence Outside the State of California.	1. Need status update regarding establishing a conservatorship in the state of Florida.
Cont. from	Minute Order dated 11/26/12 granted the Petition to Fix Residence Outside the State of California and set this matter for status.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Letters		
Duties/Supp		
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Video Receipt		
CI Report		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 04/19/13
		Updates:
		Recommendation:
		File 7 - Ray

Atty Knudson, David N., sole practitioner (for Cynthia Blackstock, Executor)
 Atty Lampe, Michael J., sole practitioner of Visalia (for J.W. Stone and Mildred Stone; and The Money Man Corp.)
 Pro Per Manuel, Sr., Mickey (Surviving Spouse, Claimant)

Probate Status Hearing Re: Failure to file a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

DOD: 10/8/1997	CYNTHIA BLACKSTOCK , daughter, was appointed Executor on 8/26/1998 without bond, following objections by and litigation with MICKEY MANUEL, SR. , surviving spouse, who had filed a Will Contest on 6/3/1998, objecting to the validity of Decedent's estate planning documents.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 3/1/2013. Minute Order states Mr. Knudson advises the Court that he reviewed the creditor's claim and he is recommending that it be rejected. He further advises that it is his intent to get a loan against the property. Mr. Knudson requests a continuance to complete the accounting. The Court directs Mr. Knudson to follow up on the tax issue. Matter is continued to 4/26/2013. The restraining order is extended to 4/26/2013 [emphasis added.]
Cont. from 061812, 082412, 100512, 120712, 011813, 030113		
Aff.Sub.Wit.	Background:	
Verified	Court Trial on the Preliminary Injunction Restraining Foreclosure Sale Under Deed of Trust filed 11/9/2006 by Cynthia Blackstock was held on 11/14/2006 , upon which date the preliminary injunction was granted by Judge James Quaschnick.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order dated 11/14/2006 from the hearing on the preliminary injunction ordered all defendants [MICKEY MANUEL; MONEY MAN CORP.; FORECLOSURE LINK, INC.; J.W. STONE and MILDRED STONE, Trustees; GOLDSTEIN, GELLMAN, et al; and FIRST AMERICAN TITLE INSURANCE CO.] are restrained from selling or causing to be sold the subject property either under the power of sale, deed of trust or by foreclosure.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/S		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: LEG
Status Rpt		Reviewed on: 4/23/13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 9 - Manuel

~Please see additional page~

Background, continued:

- *Petition to Confirm Title to Real Property in the Estate* filed by Cynthia Blackstock, Executor, on 10/30/2012 was heard on 12/5/2012; the Petition was granted, and the *Order Confirming Title to Real Property in the Estate* signed 12/11/2012 finds in pertinent part:
 - The residence located on North Pleasant is an asset of the Estate of Wilma Ruth Manuel, and Mickey Manuel, Sr., has no interest therein;
 - The temporary restraining order entered by this Court on 10/29/2012 is extended to 2/4/2013 or until an adverse ruling is obtained in Case #12CECL05667 [unlawful detainer];
 - Mickey Manuel, Sr., the Fresno County Sheriff, and their agents, [etc.], are restrained and enjoined from executing that *Writ of Possession* entered 10/5/2012 in Case #12CECL05667.

- **Minute Order dated 2/22/2007** from the hearing on the *Complaint to Enjoin Foreclosure, for Conveyance of the Property claimed to Belong to Decedent, for Declaratory Relief; and for Damages* filed by Cynthia Blackstock set a Settlement Conference on 6/5/2007. *Notice of Settlement of Entire Case* filed 5/31/2007 by Michael J. Lampe indicates the 6/5/2007 Settlement Conference, and a 6/19/2007 trial date.

- **Declaration filed by Mickey Manuel, Sr., surviving spouse, on 9/24/2009** includes his written statement pertaining to property assets held by Wilma Manuel prior to her death in 1997, which he states were left in trust to him (her husband) at the time of her death to be handled and disposed of as he deemed suitable as Trustee of her estate.

- **Notice of Probate Status Hearing filed 5/7/2012** set a status hearing on 6/18/2012 for failure to file a first account or petition for final distribution. *Clerk's Certificate of Mailing* shows Cynthia Blackstock and Attorney David Knudson were mailed notice of this status hearing on 5/7/2012.

- **Status Report of Executor filed by Attorney Knudson for Cynthia Blackstock on 6/11/2012 states:**
 - Wilma Ruth Manuel's Will left her Fresno residence to two daughters, **CYNTHIA BLACKSTOCK** and **ANGELA MANUEL**, and a residence in Kent, Washington, to three grandchildren, **ALYSHA WATTS**, **TSION MULUGETA**, and **LEONARD WILLIAMS**;
 - Wilma was not married at the time of her death on 10/8/1997; she had previously been married to **A. D. MANUEL**, commonly known as, "**MICKEY MANUEL**" or "**MICKEY MANUEL, SR.**;"
 - Wilma was survived by a son, **MICKEY MANUEL**, also known as "**MICKEY MANUEL**" or "**MICKEY MANUEL, JR.**;" "**MICKEY JUNIOR MANUEL**" and/or **MICKEY J. R. MANUEL**;" Mickey Manuel, Jr., sometimes also poses as Mickey Manuel, Sr.;
 - Cynthia (Executor) believes the petition filed in this proceeding was actually filed by Mickey Manuel, Jr., even though it is signed "Mickey Manuel, Sr.;" **MICKEY MANUEL, SR.** aka **A. D. MANUEL** is not a beneficiary under Wilma's Will; Mickey Manuel, Jr. is disinherited with a gift of **\$1.00** under Wilma's Will; *Status Report details a long history of proceedings in this matter on pages 2 and 3*;
 - In 2006, it was discovered that **MICKEY MANUEL, JR.**, had forged Wilma's signature against the North Pleasant property, the only asset of the estate, and obtained a loan secured by Deed of Trust against the North Pleasant residence; a petition was filed to obtain a restraining order to prevent the foreclosure, and on 11/14/2006, Judge Quashnick entered a preliminary injunction prohibiting the trustee to the Deed of Trust from foreclosing on the property; subsequently, the matter was settled and a *Notice of Settlement* was filed on 6/21/2007;

~Please see additional page~

Background, continued:

Status Report of Executor filed 6/11/2012, continued:

- **Present status of the estate:** Nothing further occurred in the estate proceedings until **MICKEY MANUEL, SR.**, filed an *Application for Waiver of Court Fees* in February 2009 and in September 2009, both of which were denied; on **3/27/2012**, he filed a further *Application for Waiver of Court Fees*, which was granted, and thereupon he filed his *Petition to Secure Appointment as "Successor Trustee"* for the **WILMA MANUEL FAMILY TRUST**; Cynthia Blackstock has not been given notice of the hearing on that petition;
- The North Pleasant residence is the only asset of the estate; it passes to Cynthia Blackstock under the Will since Angela Manuel is deceased; Wilma also owned a residence in Kent, Washington, of which **Mickey Manuel, Jr.**, obtained possession and fraudulently sold, taking the proceeds;
- There are no funds available to pay expenses of administration; Wilma's former attorney **EDWARD A. KENT, JR.**, had possession of some of her funds, but Mr. Kent resigned from the State Bar in 2003 with disciplinary charges pending; the plan for administration is to try to obtain a loan on the North Pleasant residence so administrative expenses can be paid.
- **Minute Order dated 6/18/2012 states** the Court advises Mr. Manuel, Sr. that he can file a creditor's claim if he wishes. The court does not guarantee that it is in a timely manner.
- **Mickey Manuel, Sr. filed on 8/23/2012 a Declaration of Mickey Manuel Sr., in Opposition to Petition for Final Distribution** [Note: a *Petition for Final Distribution* has not been filed in this matter]; Declaration alleges in brief sum that Mr. Manuel, Sr. was never divorced from the Decedent, that the Will was a forgery, and that the property was in the Decedent's Trust.
- **Minute Order dated 8/24/2012 states** Mr. Manuel was informed his creditor's claim is deficient. Matter was continued to 10/5/2012. *Creditor's Claim* filed 8/23/2012 by Mickey Manuel, Sr., indicates a claim of **\$29,000.00**, but provides no further information in support of the claim; the entirety of page two is incomplete, and there is no indication that the claim has been served on the Executor.

Note: *Creditor's Claim* filed 12/5/2012 by **MICKEY MANUEL, SR., aka A.D. MANUEL**, is dated 11/15/2012 and states **\$8,513.86** is owed to him based on the following:

- Attached to the claim are receipts for payments made on property with parcel #406-172-01-S; [Note: documents attached consist of copy of 2011-2012 Fresno County Secured Property Tax Bill; copy of Abstract of Delinquent Secured Taxes or Certificate of Redemption; copy of County of Fresno Tax Collection Division letter regarding payment of delinquent taxes under an installment plan of redemption for APN 406-172-01, indicating \$90.00 installment plan fees and first payment of 20% or more of the unpaid redemption amount and any current taxes must be paid by June 30, signed by Mickey Manuel and dated 5/4/2012];
- Cynthia Blackstock owes this money; she was residing and still resides in the residence and chose not to pay property taxes for years;
- The Trust was about to lose the house but he stepped up and saved it;
- Once it is settled that the home is back in the Trust, and now that the home is already back in his name in the Trust, he will take care of the taxes from now on;

~Please see additional page~

Background, continued:

Creditor's Claim filed 12/5/2012 by MICKEY MANUEL, SR., aka A.D. MANUEL, continued:

- This creditor's claim is in no way a settlement of what Cynthia owes the Trust; he is still pursuing the assets from Wilma's life insurance policy, which he was the beneficiary of, and all assets that have not been accounted for;
- Wilma and he were never divorced; enclosed you will find a copy of the marriage license *[Note: copy of marriage license is not attached to claim.]*
- Explanation of money owed totaling **\$8,513.86**:
 - **\$4,839.86** -- 20% of taxes owed had to be paid
 - **\$3,184.00** – current year taxes for 2011
 - **\$400.00** – one month that he paid
 - **\$90.00** – start-up fee.

Note Re Creditor's Claim filed by Mickey Manuel, Sr. on 12/5/2012: Proof of service portion on page 2 of the claim is incomplete at Item 3 regarding service to the Executor of the estate.

Atty Motsenbocker, Gary L. (for Dale Bolden – Daughter/Administrator)

Atty Johnson, Mark D. (for The Ebenezer Community Church of God in Christ)

Status Hearing Re: Settlement Agreement

DOD: 10-5-99	<p>DALE BOLDEN, Administrator with Full IAEA, filed a Petition Requesting Partition of Real Property and Reimbursement of Costs Advanced and Past Due Rents and for Attorney's Fees on 05/23/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Cont. from	<p>Minute Order from Status Conference on 10/26/12 states: Parties reach a settlement agreement as fully set forth by Mr. Johnson. Upon inquiry by the Court, parties individually agree to the terms and conditions of the settlement agreement. Mr. Motsenbocker is directed to prepare the agreement. Matter set for Status Hearing on 04/26/13. If all necessary documents are filed by 04/26/13, no appearance will be necessary.</p>	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	<p>Status Report Re Estate Administration filed 04/22/13 states: In October 2012, the Ebenezer Church of God in Christ (the "Church") entered into an agreement with the Administrator of the decedent's estate to settle their dispute regarding ownership interests in the church premises. The Church agreed to pay the Administrator the sum of \$30,000.00 in monthly installments on the first of each month beginning December 2012 until the settlement was paid in full. The Church as thus far paid \$25,000.00 and the final payment is expected on 05/01/13. The Administrator stands ready, upon final payment, to convey the interest of the estate in the church premises to the Church upon the Church's instruction as to the property party name as the grantee on a grant deed. The Church's attorney has yet to provide a copy of the order that he prepared memorializing the settlement. Administrator's attorney prepared and forwarded a settlement agreement to the Church's attorney for approval and required signatures; that document has not been signed by the Church or returned to the Administrator. As soon as the documents are submitted as promised and the final payment is made, the Administrator stands ready to perform as agreed and she is prepared to submit a final account and request distribution of this estate.</p>	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 04/19/13
		Updates: 04/22/13
		Recommendation:
		File 10 – Moultrie

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

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>No Inventory & Appraisal has been filed.</p> <p>Notice of Status Hearing filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.</p> <p>Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11 states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 03/29/13 Minute Order from 03/29/13 states: No appearances. The Court sets the matter for an Order to Show Cause on 04/26/13 regarding Larry Donaldson's failure to appear and imposition of sanctions in the amount of \$500.00. Larry Donaldson is ordered to be personally present on 04/26/13</p> <p>As of 04/19/13, nothing further has been filed and the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need Inventory & Appraisal. 2. Need Accounting and/or Petition for Final Distribution.
Cont. from 012513, 032913		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Reviewed by: JF		
Reviewed on: 04/19/13		
Updates:		
Recommendation:		
File 11A - Wallace		

Atty Marshall, Jared C. and Burnside, Leigh (for Colleen Pendergrass and Cathleen McClintic – daughters)

Atty Kruthers, Heather H. (for Public Guardian – Conservator)

Atty Sanoian, Joanne (for Marlene Hubbell – daughter)

Atty Wright, Janet (for Joseph McClintic – Conservatee)

Atty Brungess, Julia (for Marguerite McClintic – spouse)

Status Hearing Re: Revised Settlement Agreement

Age: 84	<p>A Status Conference Re: Settlement Agreement was held between the parties on 03/08/13.</p> <p>Minute Order from 03/08/13 states: Order Appointing Court Approved Reporter as Official Reporter Pro Tempore is accepted and signed by the Court. Parties engage in further settlement discussions with the Court off the record. A revised settlement agreement is reached as fully stated on the record. Parties also agree that the permanent petition for conservatorship will be withdrawn without prejudice. The Court directs Ms. Burnside to reduce the revised agreement into writing. Ms. Hubbell is ordered to continue providing Mr. Marshall bank statements monthly including online statements.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>As of 04/19/13, nothing further has been filed in this matter.</p> <p>1. Need written settlement agreement and/or Status Update.</p>
DOB: 07/13/28		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: JF</p> <p>Reviewed on: 04/19/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – McClintic</p>	

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 01/23/11	<p>LESLEY WAGNER and MEAGAN WAGNER, were appointed Co-Administrators with Full IAEA and without bond on 07/26/11. Letters of Administration were issued on 07/27/11.</p> <p>Inventory & Appraisal, Partial No. 1 filed 02/15/13 - \$210,000.00</p> <p>Notice of Status Hearing filed 03/01/13 set this matter for status regarding filing of the Accounting and/or Petition for Distribution. Clerk's Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to attorney Janet Wright on 03/01/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account and/or Petition for Final Distribution or Status Update.</p>	
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 04/19/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Wagner</p>			

Atty Jambeck, Jay T., of Leigh Law Group, San Francisco (for Patricia A. Crable, Trustee)

Status Hearing Re: Proof of Blocked Account

Age: 15 years	<p>PATRICIA A. CRABLE, mother, was appointed Trustee of the EDWARD JAMES CRABLE SPECIAL NEEDS TRUST established by this Court following hearing on 9/19/2012, by the <i>Order Approving Amended Verified Ex Parte Petition to Exclude Funds from Estate and Directing Proceeds to a Special Needs Trust and a Blocked Account</i> signed on 9/25/2012.</p> <p>Order to Deposit Money into Blocked Account signed 9/25/2012 finds that \$9,250.00 will be deposited into a blocked account for the minor.</p> <p>Minute Order dated 9/19/2012 from the hearing on the petition states the Court approves the petition and sets the bond at \$11,000.00. Counsel is directed to submit an order.</p> <p>Minute Order dated 10/19/2012 states Mr. Jambeck is appearing via conference call. Counsel advises the Court that his clients have the bond papers and he has yet to receive them. He further advises that the check(s) have not been received from the District so there is no money in the blocked account. Matter continued to 12/7/2012. The Court directs Counsel to file the bond and receipt by 12/7/2012.</p> <p>Qualifying Bond of Trustee was filed 12/3/2012 showing bond was posted by Patricia Crable in the amount of \$11,000.00. (Copy of the <i>Edward James Crable Special Needs Trust</i> executed by Trustee Patricia A. Crable was also filed 12/3/2012.)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p><i>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account</i> was filed 4/12/2013 showing deposit of \$9,250.00.</p>
Cont. from 101912, 120712, 020813, 030113, 032213, 041213		
Aff.Sub.Wit.		
Verified		
Inventory		
Proof of Bond		
<input checked="" type="checkbox"/> Blocked Recpt.		
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: 4/23/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 - Crable</p>	

Probate Status Hearing Re: Filing of Inventory and Appraisal

Age: 74	TEMP (ESTATE ONLY) EXPIRES 4-26-13	NEEDS/PROBLEMS/COMMENTS:
	VANCE SEVERIN and TERRI SEVERIN , Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.	<u>Continued from 3-22-13</u>
Cont. from 032213	At a hearing on 11-5-12, the Court set this status hearing for the filing of the I&A.	Status Report (unverified) filed 4-23-13 by Attorney Motsenbocker states there were issues with repairs and other matters that have delayed sale, but the parties are hopeful that the house will be sold in the next 30-60 days. The inventory is in process and will be filed shortly, the only asset being the Conservatee's joint tenancy interest in the house. The only new occurrence is that the Conservatee recently had "another" stroke for which he was hospitalized for a short time. He was returned home and is now an "outpatient only." The Co-Conservators request that the Court extend the temp letters to the next hearing date and such other and further orders that the Court considers just and proper.
Aff.Sub.Wit.	On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.	1. Need receipt for blocked account (sale proceeds)
Verified	At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.	2. Need I&A.
Inventory	Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.	Reviewed by: skc
PTC	Status Report filed 3-21-13 by Attorney Motsenbocker (unverified) states that at this time due to unforeseen circumstances and complications the house has not sold. There have been issues with repairs and other matters which have delayed sale. The parties are hopeful that in the next 30 days the house will sell. There are no funds to deposit to blocked account since the house has not sold. I&A has not been filed as the Co-Conservators were under the impression that this matter would be terminated by now. Since that has not happened, the only asset to be inventoried is the Conservatee's joint tenancy interest in the house. The Co-Conservators request a short extension to file I&A.	Reviewed on: 4-19-13
Not.Cred.		Updates: 4-24-13
Notice of Hrg		Recommendation:
Aff.Mail		File 15A - Salzman
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		

Status Hearing Re: Filing of First and Final Account of Temporary Conservator

Age: 74	TEMP EXPIRES 4-26-13	NEEDS/PROBLEMS/COMMENTS:
	VANCE SEVERIN and TERRI SEVERIN, Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9- 25-12.	<u>Continued from 3-29-13</u>
Cont. from 032913		<u>Minute Order 3-22-13:</u> Mr. Motsenbocker requests a continuance to file the inventory. Matter continued to 4/26/13. At the request of both counsel, the hearing scheduled for 3/29/13 is vacated and rescheduled for 4/26/13.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.	At a hearing on 11-5-12, the Court set status hearing for the filing of the I&A for 3-22-13.	<u>Status Report (unverified) filed 4-23-13 by</u> <u>Attorney Motsenbocker</u> states there were issues with repairs and other matters that have delayed sale, but the parties are hopeful that the house will be sold in the next 30-60 days. The inventory is in process and will be filed shortly, the only asset being the Conservatee's joint tenancy interest in the house. The only new occurrence is that the Conservatee recently had "another" stroke for which he was hospitalized for a short time. He was returned home and is now an "outpatient only." The Co-Conservators request that the Court extend the temp letters to the next hearing date and such other and further orders that the Court considers just and proper.
Notice of Hrg	On 12-10-12, The Temporary Co- Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.	3. Need receipt for blocked account (sale proceeds)
Aff.Mail		4. Need I&A.
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.	
Letters		
Duties/Supp		
Objections		
Video Receipt	Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.	
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 4-24-13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 15B - Salzman

Probate Status Hearing Re: Filing of Inventory and Appraisal

<p>DOD: 05/22/12</p>	<p>JIM D. REIS, brother, was appointed as Administrator with full IAEA without Bond on 08/14/12. Letters were issued on 08/15/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 011813, 032213</p>	<p>Notice of Status Hearing filed 09/11/12 set this matter for status on 01/18/13 for filing of the Inventory & Appraisal and on 10/25/13 for filing of First Account or Petition for Final Distribution. Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to the Administrator and his Counsel on 09/11/12.</p>	<p>OFF CALENDAR I & A Filed 04/17/13</p>
<p>Aff.Sub.Wit.</p>	<p>Status Report by Administrator filed 01/16/13 states: the estate assets includes a gun collection, coin collection, and huge collection of die cast cars. In order to save the estate a very large expense, the Administrator is in the process of cataloging the car collection before having it professionally appraised. The gun collection has been secured and appraised and he is also in the process of cataloging the coin collection. Further, the Administrator states that his efforts to complete the inventory have been delayed due to an unexpected illness in his family. The Administrator requests a 60 day extension to complete the Inventory & Appraisal.</p> <p>Status Report by Administrator filed 03/13/13 states: the Inventory & Appraisal has been completed and mailed to the Probate Referee. It will be filed upon receipt back from the Probate Referee.</p>	
<p>Verified</p>		
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>		
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>	<p>Reviewed by: JF</p>	
	<p>Reviewed on: 04/19/13</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 16 - Reis</p>	

DOD: 02/14/12	RICHARD DEWAYNE PHILLIPS , father, was appointed Administrator with Full IAEA and without bond on 12/04/12.	NEEDS/PROBLEMS/COMMENTS:
		1. Need Inventory & Appraisal.
Cont. from	Minute Order from hearing on 12/04/12 set this matter for status regarding filing of the Inventory & Appraisal.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 04/22/13
		Updates:
		Recommendation:
		File 17 – Phillips

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 08/30/12	<p>KATRINA BEST KENDALL, daughter, was appointed Administrator with full IAEA and bond set at \$260,000.00 on 11/26/12. Letters were issued on 12/06/12 upon the filing of the bond.</p> <p>Minute Order from hearing on 11/26/12 set this matter for status regarding filing of the Inventory & Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory & Appraisal.</p>	
Cont. from			
Aff.Sub.Wit.			
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Inventory			
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FTB Notice			
Reviewed by: JF			
Reviewed on: 04/22/13			
Updates:			
Recommendation:			
File 18 – Best			

Age: 67	<p>CHRISTINA TOLMAN, daughter, was appointed Conservator of the Person and Estate with bond set at \$38,920.00 on 10/30/12.</p> <p>Inventory & Appraisal filed 03/21/13 - \$328,440.00.</p> <p>Ex Parte Application to Increase Bond filed 03/21/13, requested to increase the conservator's bond by \$319,064.80 for a total bond of \$357,984.80.</p> <p>Ex Parte Order Increasing Bond filed 03/22/13 set this matter for status regarding filing of the increased bond.</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p>1. Need bond in the amount of \$319,064.80.</p>	
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		Reviewed by: JF	
		Reviewed on: 04/22/13	
		Updates:	
		Recommendation:	
		File 19 – Tolman	

Colin (age 2 yrs)	Dr. Lawrence W. Schlak, Maternal Grandfather, was appointed Guardian on 1-3-13.	NEEDS/PROBLEMS/COMMENTS:
Kali (6 months)		
	At hearing on 1-3-13, the Court set this status hearing for Dr. Schlak to establish guardianship in Missouri. The Court also made orders for visitation. See Minute Order for details.	<u>Continued from 3-7-13, 3-28-13</u>
Cont. from 030713, 032813	On 3-20-13, Carol Schmock, Paternal Grandmother, filed a Declaration. Ms. Schmock states there has been no communication from the guardian Lawrence Schlak and he says they are not allowed to talk to Genevieve [mother]. If this is so, how are they supposed to stay in touch with the children and visit them if he will not communicate with us? Ms. Schmock states they needed two forms of ID to get Kali insured on Colin's [father's] insurance, but Mr. Schlak did not respond to the email. Fortunately the mother was able to get them what they needed, otherwise Kali would not have insurance. There has to be communication. Ms. Schmock has no intention of walking away from her grandchildren.	As of 4-19-13, nothing further has been filed by the Guardian.
Aff.Sub.Wit.		
Verified	At hearing on 3-7-13, the matter was continued to 3-28-13 and the Court ordered that copies of all documents filed in Missouri be submitted no later than 3-21-13.	The following issue remains:
Inventory		
PTC	At hearing on 3-28-13, Dr. Schlak provided Missouri case numbers on the record, and the Court again ordered that copies be filed in this case within one week. Re Visitation:	1. Need proof of establishing guardianship in Missouri pursuant to Minute Orders 1-3-13, 3-7-13, and 3-28-13, and Probate Code §2352(d).
Not.Cred.		
Notice of Hrg	Minute Order 3-28-13 states: Dr. Schlak objects to the visitation. The Court orders that supervised visitation with the father begin on 4/4/13. Said visitation is to extend for a period of fourteen days which shall include the date that visitation is to commence. Visits shall be supervised by Carol Schmock. Mr. Fearnside's clients agree that housing for the period of visitation will not be an issue. Carol Schmock is ordered to communicate with Dr. Schlak to coordinate the delivery and return of the children to the guardian. The Court orders that the children not be removed from the county in which visitation will be taking place. Parties are ordered not to speak ill of one another around the children. Set on 4/26/13 at 9:00am in Dept. 303 for Status Hearing Re: Establishing Guardianship in Missouri.	Reviewed by: skc
Aff.Mail		
Aff.Pub.	Reviewed on: 4-19-13	
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Objections	File 20 - Schmock	
Video Receipt		
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Citation		
FTB Notice		

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 04/19/07	<p>EVELYN S. DUARTE, sister, was appointed Executor with full IAEA without bond on 07/10/07. Letters Testamentary were issued on 07/10/07.</p> <p>Inventory & Appraisal filed 08/03/07 - \$155,000.00.</p> <p>Notice of Status Hearing filed 03/01/13 set this matter for status. Clerk's Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to Evelyn S. Duarte on 03/01/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Accounting and/or Petition for Final Distribution.</p>	
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<p>Reviewed by: JF</p> <p>Reviewed on: 04/22/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 – Flores</p>			

Status Hearing Re: Settlement Agreement

<p>Louie Friguglietti DOD: 5-11-06</p>	<p>BRUCE BICKEL is Successor Trustee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
	<p>ELAINE CORY, Beneficiary, filed a petition requesting various relief, including accounting and removal of the successor trustee.</p>	<p>1. Need settlement agreement.</p>		
	<p><u>Minute Order 4-17-13 (Settlement Conf):</u> Parties engage in settlement discussions with the Court. Parties reach a resolution as fully set forth by the Court. The Court indicates for the minute order that this is a compromise and release of all claims and a global settlement of all claims known and unknown. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement. Counsel is directed to prepare the necessary document(s). Matter set for Status Hearing on 4/26/13. If all documents are signed by 4/26/13, no appearances will be necessary.</p>	<p><u>Note: "Notice of Settlement of Entire Case" filed 4-23-13 Thomas Curry, counsel for Elaine Cory, indicates unconditional settlement and payment to be delivered by 4-24-13. However, no agreement has been filed.</u></p>		
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