

Atty Dias, Michael A. (for Lynette Lucille Duston and Warren Leslie Davis – Son – Petitioner)
 Atty Farley, Michael L. (of Visalia, for Mary M. Davis – Surviving Spouse – Executor)

Second Amended Petition for: (1) Removal of Mary M. Davis as Executor of the Estate; (2) Compelling Account and Report of Administration of Estate; (3) Appointment of Lynette Lucille Duston and Warren Leslie Davis as Successor Co-Executors of Estate.
 [Probate Code §§8420, 8421, 8500, 8501, 8502, 8800, 8804, 10950, 12200, 12204, and 12205]

DOD: 7-9-10	LYNETTE LUCILLE DUSTON and WARREN LESLIE DAVIS , Daughter and Son of the Decedent, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	On 10-18-10, Decedent's Will dated 12-7-04 was admitted to probate and MARY M. DAVIS , Surviving Spouse, was appointed Executor with Full IAEA without bond on 10-18-10. Letters issued on 10-19-10.	Minute Order 1-22-13: The Court overrules both the general demurrer and the demurrer for uncertainty. The Court is informed that arbitration is scheduled for 2/25/13. Mr. Farley informs the Court that he will be filing a partial inventory and appraisal. The Court orders the executor not to dispose of any assets in her control without a noticed hearing and approval by the Court. Set on 3/8/13 @ 9:00 a.m. Dept. 303 for: Status Hearing
Cont. from 012213, 030813	Petitioners state more than 18 months have elapsed since Letters were issued and Mary has neither filed an account nor report of status of administration. Petitioners object to the continuation of Mary as the personal representative and seek to remove her as executor for the following reasons:	1. Need update re: 2-25-13 arbitration (referenced in Minute Order).
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<input type="checkbox"/> Status Rpt		
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<input type="checkbox"/> FTB Notice		
	<ul style="list-style-type: none"> • §8502(c). Mary has wrongfully neglected the estate, or has long neglected to perform any act as personal representative. On 3-17-11, a substitution of attorney was filed in the proceeding. From that date until the original petition for removal was filed on 6-26-12, there had been no court action taken in this matter. Since then, the only action taken was to file another substitution of attorney and oppose the petition for removal. • §8804(b). Mary has failed to file an inventory and appraisal within the prescribed time. • §12200. Mary has failed to render a report of the status of the administration. • §8502(a). Mary has wasted, embezzled, mismanaged, and committed a fraud on the estate. Mary has, <i>inter alia</i>, admitted during a deposition that she had liquidated assets of the Decedent's estate which were specific bequests to one of the Petitioners to pay for her attorneys' fees and costs in her two civil actions against Petitioners. • §8502(b). Mary is incapable of properly executing the duties of her office, or is otherwise not qualified for appointment as personal representative. Mary is 86 years old and has made claims for elder abuse in a lawsuit she filed against one of the Petitioners and has made representations that she is susceptible to undue influence. 	<p>Note: Final I&A has now been filed; therefore, the separate status hearing for filing of the final I&A has been taken off calendar.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-7-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2A - Davis</p>
	SEE ADDITIONAL PAGES	

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Petitioners cite authority in addition to the statutory references above regarding the Court's power to remove a personal representative for other cause, for example, adverse interest or hostile acts, and state removal of Mary as executor is necessary to protect the Decedent's estate and its heirs.

Petitioners state it is also proper for this Court to order Mary to account which shall include both a financial statement and report of administration of the estate, and specifically show the condition of the estate. Furthermore, it is proper for the Court to reduce compensation of Mary and her attorneys by an appropriate amount.

Petitioners state they are entitled to appointment as personal representatives of the estate because they were nominated as successor co-executors in the event Mary shall for any reason fail to qualify or cease to act as executor.

It is hereby requested that this Court appoint Petitioners as successor co-executors to serve without bond and with full IAEA.

Petitioners pray as follows:

1. That citation issue to Mary M. Davis to show cause why she should not be removed as personal representative;
2. The Court forthwith suspend the powers of Mary M. Davis as personal representative and revoke the Letters issued 10-18-10;
3. For an order to appoint Petitioners as personal representatives with Full IAEA without bond;
4. For an order that Mary M. Davis file an account of the administration in accordance with Probate Code §10900 and specify a reasonable time within which the account must be filed, which Petitioners suggest should be no later than 60 days from the date of her removal;
5. For an order that Mary M. Davis surrender all property in her possession belonging to the estate of the Decedent to the duly appointed and qualified successor co-executors;
6. For attorney's fees and costs of suit incurred herein; and
7. For such other orders and further relief as the Court deems just and proper.

Update: Mary M. Davis' Fourth Report of Status of Administration of Estate filed 5-6-13 states:

The Final I&A was filed concurrently with this status report. Executor has retained Robert L. Sullivan of McCormick Barstow to associate in as co-counsel with Farley Law Firm to assist with the filing and account and any final matters to close the estate.

Since the last status hearing, two new issues requiring the Court's assistance have emerged:

1. **Deposition:** In the recently settled partnership litigation against Executor, Executor was subjected to a grueling deposition by Petitioners' counsel, Dias Law Firm. As such, the anticipation of another deposition has been the source of anxiety and stress to the Executor.

Although Executor and counsel do not contest Petitioners' right to depose Executor, in an effort to shield Executor from improper and unnecessary stress and inquiries, counsel has sought to narrow the parameters of the deposition, without success. Correspondence attached.

Contrary to Petitioners' assertions that Executor is seeking to avoid her deposition, Executor seeks to narrow the scope of her deposition to disallow Peittioners' fishing expedition and inquiries that are irrelevant and premature. The Executor's deposition after the filing of an account and report, barring inquiries into incompetency and those matters better directed to the accountant, would serve to effectuate a more orderly, productive, and cost effective deposition. Executor respectfully requests the Court's determination accordingly.

2. **Antiques:** I&A Partial #2 filed 2-13-13 includes Decedent's one-half community property interest in an antique table and chair and other furniture, furnishings and personal effects for a total of \$15,000 (\$7,500 to Decedent's interest). Petitioner contend that the I&A does not adequately describe and account for these items. After correspondence, and although Executor believes the I&A adequately includes these items, Executor is in the process of retaining the services of an appraiser to inventory and appraise the antiques, which is expected the last week of June 2013. Therefore, until the Supplemental I&A can be submitted to the Probate Referee and appraisal is complete, a final account cannot be filed.

Executor therefore respectfully states that good cause exists to:

- 1) Extend the time to file an account to a date after receipt of the Supplemental I&A;
- 2) Disallow inquiries at Executor's deposition regarding, seeking to determine, and otherwise addressing, mentioning, or referring to the Executor's competency, pending further order of the Court;
- 3) Disallow inquiries regarding the legal services rendered to the Executor pending further order of the Court; and
- 4) The Executor's deposition is to be scheduled to a date after the filing of the account and report in this matter.

Note: Examiner notes that the Status Report requests relief that may be more appropriate for Court review in the context of a discovery motion, which requires filing fee and separate hearing. The Court may require a motion to be filed.

Note: The Court may set further status hearing for the filing of the Supplemental or Corrected I&A and the filing of the final account.

Age: 3	JORGE L. LOPEZ , Father of Jorge Eduardo Zaragoza, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS: <u>CONTINUED TO 6-6-13</u> per Mediation Agreement filed 4-25-13 and Notice of Changed Calendar Setting mailed 4-29-13. <u>This petition pertains to minor Jorge Eduardo Zaragoza only.</u> 1. Need order (mandatory Judicial Council Form GC-260, unless the Court requests Order After Hearing with additional details). <hr/> Reviewed by: skc Reviewed on: 5-7-13 Updates: Recommendation: File 3A – Gomez, Madrigal & Zaragoza
	MARIA DE JESUS ZARAGOZA GOMEZ , Maternal Aunt, was appointed Guardian of this minor and his three siblings on 4-16-12.	
Cont. from 040813		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Mother: Juana Zaragoza Gomez - Deceased	
Inventory		
PTC		
Not.Cred.	Paternal Grandfather: Silvestre Lopez Carbajal Paternal Grandmother: Teodoza Vasquez Gerardo	
Notice of Hrg <input checked="" type="checkbox"/>	Maternal Grandfather: Ricardo Zaragoza	
<input checked="" type="checkbox"/> Aff.Mail <input checked="" type="checkbox"/>	Maternal Grandmother: Maria Gomez	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Siblings: Ashley Lopez, Anthony Lopez, Cesar Zaragoza Gomez, Dassy Madrigal, Ashley Zaragoza	
Letters		
Duties/Supp		
Objections	Petitioner states he is married with two children from said marriage. He seeks guardianship of Jorge Eduardo Zaragoza so that he can raise him in a family environment that will allow their relationship to continue. He will continue to provide support, education, medical services, and care for the minor.	
Video Receipt		
<input checked="" type="checkbox"/> CI Report		
9202		
Order <input checked="" type="checkbox"/>		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Declaration filed 3-19-13 by Guardian Maria Zaragoza states the children whose mother is deceased, including Jorge Eduardo Zaragoza, have lived in her home for about five years, including with their mother when she was alive. The maternal grandmother also lives in the home. Jorge's father has not been in his life until recently. Prior to the mother passing away, Petitioner refused to recognize Jorge Eduardo Zaragoza as his child. On several occasions, Ms. Zaragoza tried to show him pictures of his son, but he refused to look. The minor does not want to live with his father and new family as he is not familiar with them and is not used to them. Jorge and his siblings recently lost their mother and now show signs of being terrified with the idea of losing each other. The older children have expressed fear that they will lose their brother Jorge since they became aware of this proceeding. The guardian states the minor does not need a new family setting as he already has one and is very happy with this stable family.	

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Guardian states (Continued): The guardian is concerned that Petitioner wants to remove Jorge from the only family and home that he has ever known, and also change his name, and that if his father takes him away from his family now, it will make things worse, not better. The guardian states she tried to explain this to Petitioner, but he insisted that the minor needs to be with him. He does not appear to be concerned about what the minor wants or how he would feel if he were taken away from his family and siblings after the loss of his mother.

Guardian states that in her opinion, the Court should reduce the visitation, because the minor does not appear to be adjusting well. On or about 1-17-13, the parties had a four-way conference and at the meeting, the guardian realized that Petitioner is not focusing on the best interest of the child because he does not realize that the child does not want to leave his family.

Guardian states she would agree to revisit the visitation schedule as long as the minor shows signs of being accustomed to change and his new family. However, she is concerned about Petitioner permanently taking the child as he believes the child is young and will eventually get used to his new "real" family and forget how much he is used to his siblings he is now with. Petitioner does not care about the siblings, which is disturbing, because they care about their brother.

Guardian states she is concerned for the child every time he leaves, as he cries and hesitates to visit the father's home. The guardian asks the Court for the child to stay in her home and not be separated from his siblings.

Court Investigator Samantha Henson filed report on 3-29-13.

Update: Mediation Agreement filed 4-25-13 indicates that visitation will be allowed freely during the week and on weekends to create opportunities for the family to get to know each other, establish trust, and transition smoothly from the current guardian to the father. The father will maintain relationships established with the child's maternal siblings to ease possible stress caused by the transition. Further mediation check-in will be on 5-22-13. The parties agree to request continuance to allow 30 days to exercise this agreement.

Note: *Per the agreement, a Notice of Changed Calendar Setting was mailed to the parties reflecting a new continued hearing date of 6-6-13.*

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)
 Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

Status Conference

Frank DOD: 8/15/2006	<p>BARBARA L. PEARSON, Trustor's daughter, Trust Beneficiary and Successor Trustee of the LABREE FAMILY TRUST dated 4/13/1981, filed on 10/5/2012 a Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust, which was set for hearing on 11/29/2012.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
Roberta DOD: 3/25/2012		
Cont. from 011813, 032213	<p>TRACY SPREIER, Trustor's daughter and Trust Beneficiary, filed on 11/16/2012 Objections to the Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust, alleging self-dealing and breach of fiduciary duties by the Trustee.</p>	<p>Page 6 is the related matter of the <i>Frank H. Labree Irrevocable Trust</i> (12CEPR00893.)</p>
Aff.Sub.Wit.		<p>Continued from 3/22/2013. <i>Minute Order</i> states Mr. Werner is appearing via CourtCall. Ms. Burnside informs the Court that they may be taking the deposition of the caregiver in Arizona. Counsel is directed to submit a joint status report.</p>
✓ Verified		
Inventory		
PTC		
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Notice of Hrg		
✓ Aff.Mail ^W / _I		
Aff.Pub.		
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Pers.Serv.		
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Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	<p>Joint Status Report filed 5/3/2013 states:</p> <ul style="list-style-type: none"> Ms. Spreier's <i>Objection</i> to Ms. Pearson's <i>Petition</i> contains objections to: (a) the inclusion in the accounting of a diamond ring that Ms. Spreier received from the deceased Co-Settlor, Roberta LaBree, prior to Ms. LaBree's death; (b) the alleged value of said diamond ring and Ms. Pearson's reliance on an appraisal; (c) Ms. Pearson's payment, from Trust funds, for an appraisal of certain real property that had been gifted by the deceased Co-Settlor, Roberta LaBree, to her three daughters in 2010; (d) Ms. Pearson's payment for an appraisal of Trust real property that she ultimately decided not to use in valuing the real property; (e) Ms. Pearson's liquidation of certain Trust investments; (f) Ms. Pearson's use of Trust funds to pay for expenses related to Roberta LaBree's funeral; (g) the compensation received by Ms. Pearson for services provided by her as Successor Trustee; and (h) the compensation paid by Ms. Pearson to her attorneys, Dowling Aaron, Inc., for services provided by the firm to Ms. Pearson as Successor Trustee; 	<p>Reviewed by: LEG</p>
	<p>Reviewed on: 5/8/13</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 4A - LaBree</p>	

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Joint Status Report filed 5/3/2013, continued:

- On 11/14/2012, Ms. Pearson filed a Declaration in which she detailed the services provided by her during the account period and for which she has requested compensation of **\$25,055.50**;
- On 11/26/2012, Ms. Pearson filed a Reply addressing many of the issues raised in the Objection;
- On 12/14/2012, Ms. Pearson's attorneys filed a Declaration detailing the services provided by them on behalf of Ms. Pearson;
- On 1/15/2013, Ms. Pearson filed a further Declaration detailing the services provided by her and for which she has already received compensation in the amount of **\$14,302.50**;
- As a result of the additional information provided by Petitioner's attorneys, and as a result of some discussions regarding the matters, some of the issues have been able to be resolved on an informal basis at this time;
- In furtherance of her written objections to the remaining issues pertaining to the accounting, Ms. Spreier served written discovery on Ms. Pearson, to which Ms. Pearson provided responses and produced documents;
- Counsel for Ms. Spreier, David Werner, is in the process of reviewing the responses and documentation provided by Ms. Pearson;
- Ms. Pearson is now in the process of obtaining a subpoena for one of the Decedent's caregivers in Arizona; Ms. Pearson believes the caregiver may have information related to the disputed diamond ring and intends to take the caregiver's deposition;
- In the meantime, the attorneys for the parties expect to continue to meet and confer with regard to the remaining issues, as appropriate and as the matter progresses, in order to determine whether there is a basis upon which the matters that remain at issue can be resolved between themselves.

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)
 Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust; and Approval of Trustee Fees [Cal. Prob. C. 1064(a), 17200, 17200(b)(5), CRC., Rule 7.902]

Frank DOD: 8/15/2006	<p>BARBARA L. PEARSON, Trustors' daughter, Trust Beneficiary and Successor Trustee of the LABREE FAMILY TRUST, is Petitioner.</p> <p>Account period: 3/25/2011 – 2/29/2012</p> <p>Accounting - \$1,735,662.68 Beginning POH - \$1,627,499.40 Ending POH - \$1,563,236.09 <i>(\$1,899,065.77 is cash; cash balance exceeds ending property on hand balance due to negative \$518,182.00 amount held in constructive trust by Trustee for the benefit of the Frank H. LaBree Exemption Trust.)</i></p> <p>Trustee - \$25,066.50 <i>(per Declaration filed 11/14/2012 containing itemization for 294.90 hours @ \$85.00/hour. NOTE: Trustee has previously been paid compensation of \$14,302.50 (not itemized) from the Trust for this account period without court order per Trust terms entitling Trustee to reasonable compensation for services rendered as Trustee;)</i></p> <p>Attorney - \$53,312.30 (paid) <i>(to Dowling Aaron & Keeler/Dowling Aaron, as listed in Disbursements schedule; not itemized other than for legal fees)</i></p> <p>Accountant - \$1,405.00 (paid) <i>(to Erickson & Assoc., CPAs, as itemized in Disbursements schedule; Petitioner is employed by Erickson & Assoc.)</i></p> <p>Petitioner states:</p> <ul style="list-style-type: none"> ROBERTA LABREE and FRANK H. LABREE, Jr., created the LABREE FAMILY TRUST on 4/13/1981, as amended on 5/2/1984, and as amended in full on 12/20/1991, and were the original co-trustees until Frank's death on 8/15/2006, when Roberta became the sole Trustee, and the Trust served as the Survivor's Trust for Roberta; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 3/22/2012. Minute Order states Mr. Werner is appearing via CourtCall. Matter continued to 5/10/2013.</p> <p>1. Need proposed order.</p>
Roberta DOD: 3/25/2012		
Cont. from 112912, 011813, 032213		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
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Video Receipt		
CI Report		
9202		
Order X		
Aff. Posting		
Status Rpt		
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Citation		
FTB Notice		
Reviewed by: LEG		
Reviewed on: 5/8/13		
Updates:		
Recommendation:		
File 4B - LaBree		

Petitioner states, continued:

- Upon Roberta's death on 3/25/2012, Petitioner Barbara L. Pearson became and is currently the Successor Trustee; (copy of Second Amendment to Declaration of Trust attached as Exhibit A);
- Pursuant to probate Code § 17200, the Trustee is requesting Court review of the first account and of the acts of the Trustee, and submits her first account and report of administration of the Trust for settlement and allowance;
- During the period of administration of this account, Petitioner discovered excess income distributions totaling **\$60,756.82** were made in 2008, 2009 and 2010 to Roberta LaBree by the **FRANK H. LEBREE EXEMPTION TRUST**, of which Roberta was the sole beneficiary during her lifetime; this amount was paid to the LaBree Family Trust; at Roberta's death, income owed to her from the Exemption Trust for 2011 was **\$3,427.00**, which when applied to the 2011 amount owed for excess distributions leaves a balance owing of **\$57,329.82**; (please refer to Schedule J of the account); the full amount owed by the Family Trust of **\$57,329.82** has been paid to the Exemption Trust and will be reflected in the next account;
- During the period of administration of this account, Petitioner discovered the Family Trust had underfunded the Exemption Trust by **\$500,000.00**, which accrued interest of **\$18,182.00**, and the full amount of **\$518,182.00** has been paid to the Exemption Trust and will be reflected in the next account.

Petitioner prays for an Order:

1. Settling and allowing the First Account and Report of the Trustee, and ratifying, confirming and approving all acts and transactions of the Petitioner as Trustee;
2. Ratifying and approving the Trustee's fees of **\$14,302.50** already paid from the Trust;
3. Authorizing payment of **\$25,066.50** to the Trustee for services rendered through 2/29/2012; and
4. Ratifying and approving the Attorney's fees of **\$53,312.30** already paid from the Trust.

Objections to Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust; and Approval of Trustees Fees; Request for Attorneys' Fees Pursuant to Probate Code § 17211(b) filed 11/16/2012 by TRACY SPREIER, Trustors' daughter and Trust Beneficiary, states she objects to the account filed by Barbara Person on the following grounds:

- **Accounting includes an incredibly inflated and false appraisal for a faux diamond ring that was not a part of the family trust during a time of the account period:**
 - In December 2010, Trustor Roberta gifted a ring to Objector; when Roberta died on 3/25/2011, the gift of the ring had already been made at least three months before; accordingly, the ring was not a part of the Family Trust's assets on 3/25/2011, Roberta's date of death; 3/25/2011 is also the beginning date for the First Account;
 - The First Account states the value of the ring as of 3/25/2011 was **\$26,000.00**, shown on [Schedule G, Distributions in an entry dated 3/25/2011] for a distribution to Tracy Spreier of a diamond ring; this statement is false (contrary to Trustee's verification of the accounting), as the ring had already been given to the Objector as a gift by her mother;
 - As the entry pertaining to the ring is incorrect, the corresponding entry regarding the Trust's ownership of a diamond ring and other jewelry worth a total of **\$35,216.00** is also false;

~Please see additional page~

Tracy Spreier's Objections to Petition for Settlement of First Account filed 11/16/2012, continued:

Accounting includes an incredibly inflated and false appraisal for a faux diamond ring, continued:

- Successor Trustee also materially misrepresents the value of the ring that was gifted to Objector by her mother in December 2010; accounting makes reference to an appraisal obtained for a ring and include an entry of **\$100.00** paid to have ring appraised, and Objector asserts that the ring appraised, if any ring was actually appraised, is not the same ring given to her by her mother in December 2010 which Successor Trustee alleges was distributed to Objector on 3/25/2011; the reason for this is that Objector has been in possession of the ring ever since her mother gave it to her in December 2010, thus to the extent that any appraisal was prepared at Successor Trustee's request, the appraisal was either a totally fictitious appraisal or was based upon a ring other than the one give to Objector by her mother;
- Objector took the ring her mother had given to her in December 2010 to a Certified Gemologist Appraiser to obtain a professional appraisal of the ring's value, and the appraiser's conclusion is that the stones in the ring are cubic zirconium set in a sterling silver cast and die-struck ring with a value of **\$60.00** (please refer to copy of appraisal attached as Exhibit A);
- Objector believes that **TARA AHEARNE**, who was paid \$100.00 by Successor Trustee to state that the value of the ring given to Objector by her mother was worth **\$26,000.00**, is a friend of Successor Trustee's daughter; it can only be inferred that her appraisal was based solely on whatever was told to her by the Successor Trustee, as the appraisal could not have been based on an actual inspection of the ring in order to determine its attributes or value, as Objector was never asked to produce the ring for any inspection or appraisal, and never did so; no communication was ever made by the Successor Trustee to the Objector at any time about the ring;
- Because the ring appraisal obtained by the Successor Trustee was false and deceitful, she should be ordered to reimburse the Family Trust the **\$100.00** cost of the appraisal.
- **The Trustee paid for an appraisal of real property not owned by the Trust:**
 - *Schedule E, Disbursements* shoes an entry for an appraisal by **DIANA A. GARDA** of **\$1,077.00** for an appraisal of the South El Monte property; the real property owned by the Trust listed on *Schedule A Property on Hand* [at beginning of account period] shows only real property owned by Family Trust is Trustor's home in Bullhead Arizona and two timeshare interests; as there is no explanation given for an appraisal to be obtained by the Family Trust for the South El Monte property, the Successor Trustee should be ordered to reimburse the Family Trust **\$1,077.00** for that expenditure; South El Monte property is commercial property that was owned by the Family Trust and was gifted by their mother to Objector and her two sisters in 2010 to a partnership they owned.
- **The Court should not approve the reimbursement made to the Successor Trustee for the cost of an appraisal that was never used.**
- **The Court should not approve the Successor Trustee's action of selling the Family Trust's tax-free bond and certificate of deposit investments, then depositing the cash into extremely low interest-bearing bank accounts instead of distributing the assets to the beneficiaries.**
- **The Court should require the Successor Trustee's report to explain why its cash assets of over \$1.5 million are not being distributed.**

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Tracy Spreier's Objections to Petition for Settlement of First Account filed 11/16/2012, continued:

- The Court should instruct the Successor Trustee to adhere to her fiduciary duty to deal impartially with the beneficiaries.
- Funeral costs are not an allowable expense under the terms of the Family Trust and should not be approved by the Court in light of the fact that the Trustor had a prepaid cremation and memorial plan.
- Family photograph reprints are not a trust expense that can be approved by the Court.
- The travel costs and other expenses purportedly related to the sale of the Trustor's residence and which were incurred by Successor Trustee's relatives are not allowable Trust expenses.
- The Successor Trustee's fee request should not be granted as it is not supported by an time records for the work done by her, and the accounting does not reflect the amount that the report states has already been paid to her by the Trust.
- The Court cannot ratify the amounts paid by the Successor Trustee to her attorneys for legal fees as they are not supported by any time records that show any justification for the amounts paid.
- The Court should award Objector her attorney's fees with regard to the objection to the accounting.
- One of the named beneficiaries in the Trust, SEAN WOODS, was not given notice of the petition. *[Note: Waiver of Notice on Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust signed by Sean Woods was filed on 11/21/2012.]*

Objector requests:

1. That Barbara Pearson an Successor Trustee be ordered to amend and correct the accounting for the Family Trust to delete the faux diamond ring as an asset of the Family Trust, and to make all other entries to the accounting that are necessary as a result of that correction, without any cost to the Family Trust;
2. That Barbara Pearson be order to pay the amount of **\$100.00** to the Family Trust as reimbursement for the false appraisal that was obtained for the faux diamond ring that was not even a Family Trust asset at the time that she became Successor Trustee;
3. That Barbara Pearson be ordered to pay the Family Trust the amount of **\$1,077.00** for the appraisal by Diana A. Garda of the South El Monte property that was not property of the Family Trust at the time that appraisal was obtained;
4. That Barbara Pearson be ordered to correct the accounting to reflect the value of the Trustor's residence at the time of the death, as determined by the appraisal prepared by Larry Stewart, and make all other entries in the accounting necessary to correct the accounting with regard to the sale of the residence, without any cost to the Family Trust, and that Barbara Pearson be ordered to pay the Family Trust **\$375.00**;
5. That Barbara Pearson be ordered to distribute all assets of the Family Trust among the three remaining beneficiaries of the Family Trust, except for any funds reasonably anticipated to be needed for future expenses and liabilities, and for the prudent investment of those funds in interest-bearing bonds;

~Please see additional page~

Fourth Additional Page 4B, LaBree Family Trust 12/20/91 Case No. 12CEPR00628

Tracy Spreier's Objections to Petition for Settlement of First Account filed 11/16/2012, continued:

6. That Barbara Pearson be ordered to deal impartially with each of the Family Trust's beneficiaries and ordered that any future distributions to the three remaining beneficiaries of the Family Trust are to be in equal amounts to each of the three beneficiaries unless otherwise ordered by the Court, and that the Successor Trustee not reimburse any beneficiary or herself any costs or expenses unless and until first order by the Court;
7. That the Successor Trustee pay the Family Trust the amount of **\$1,537.06** that she improperly paid from the Family Trust for "funeral expenses;"
8. That the Successor Trustee pay the Family Trust the amount of **\$42.86** to reimburse it for the amount she improperly paid from the Family Trust for "family photograph reprints;"
9. That the Successor Trustee pay the Family Trust the amount of **\$6,899.08** to reimburse it for the amount of improper expenses paid by the Family Trust for travel and meal expenses of the beneficiaries to whom the Trustor's personal property was being distributed;
10. That the Successor Trustee's request for the ratification of the fees paid to her for her services as the Successor Trustee and the request for payment of additional fees be denied because of the lack of any entry in the accounting showing when the amount paid to the Successor Trustee for her services was actually paid, and because of lack of any evidence showing that the amount paid and the amount requested be paid is reasonable;
11. That the Successor Trustees' request for ratification of her act of paying Dowling Aaron & Keeler and Dowling Aaron the amount of **\$53,312.30** be denied because of lack of evidence showing that the payment of that amount was reasonable; and
12. That the Court award Objector the amount of her attorney's fees and costs, according to proof, pursuant to Probate Code § 17203 and against the Successor Trustee, Barbara Pearson, and that the award be paid to Objector as a charge against Successor Trustee's compensation or other interest she has in the Family Trust.

Reply to Objections to Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust filed 11/26/2012 by Barbara Pearson, Successor Trustee, states:

- **The ring, which does have an appraised value of \$26,000.00, was taken by Objector as a preliminary distribution of the Trust estate, and is properly included in the accounting to explain equalizing distributions required to other Trust beneficiaries.**
- **The appraisal of the South El Monte property was a proper Trust expense.**
- **The appraisal fee of \$375.00 was a proper Trust expense.**
- **The sale of the tax-free bond was appropriate and within the Trustee's discretion.**
- **The Trustee's lack of Trust distributions during the accounting period was appropriate and within her discretion.**
- **If the Court orders the Trustee to adhere to her fiduciary duty to deal impartially with Trust beneficiaries, as requested by Objector, Objector will lose \$42,748.00.**
- **Funeral costs are allowable expenses, and travel and meals are commonly covered estate administration expenses.**
- **Copies of family photographs were proper trust expenses.**

~Please see additional page~

Successor Trustee's Reply to Objections filed 11/26/2012, *continued*:

- Travel costs related to the sale of the residence were proper Trust expenses.
- Documentation regarding Trustees fees has not been provided to Objector and to the Court.
[Declaration filed 11/14/2012.]
- A separate attorney fee declaration will be submitted prior to the hearing.
- The Court should deny Objector's request for attorney fees for the objection. There is no adjudication that the Trustee's defense of the accounting is frivolous; therefore, Objector's attorney is not entitled to fees.
- M. Sean Woods filed a Waiver of Notice for the Hearing [on 11/21/2012.]

Petitioner Barbara Pearson requests the Court deny Objector Tracy Sprier's objection and grant the petition.

Declaration of Steven Matlack in Support of Request for Ratification of Attorney's Fees filed 12/14/2012 sets forth attorney and paralegal qualifications, scope of the representation detailing the complex issues, and a copy of the firm's time entries containing the vast majority of entries, with certain privilege-protected entries redacted (itemized on *Exhibit B*); the services performed from 3/25/2011 through 2/29/2012 involved expenditure of 148.40 hours of attorney time and 85.40 hours of paralegal time, for a total fee of **\$53,173.00**.

Second Declaration of Barbara L. Pearson in Support of Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust; and Approval of Trustee Fees filed 1/15/2013 states she paid herself **\$14,302.50** from the Trust assets for trustee services rendered by her during the account period without prior court order pursuant to the terms of the Trust; the services related specifically to accounting and tax preparation work (itemized on *Exhibit A*.)

First Amended Petition to Determine Succession to Real Property

DOD: 1-5-92	NICHELLE LAWS, Granddaughter, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS: <u>Continued from 2-5-13, 3-8-13, 4-12-13</u> <u>As of 5-7-13, nothing further has been filed.</u> <u>The following issue remains:</u></p> <p>1. Petitioner does not have authority to petition on behalf of her parent Willie Earl in this summary proceeding without appointment as personal representative.</p> <p>Petitioner may wish to consider a special administration of Willie Earl's estate (which would be a separate case) for the sole purpose of signing an amended petition in this case as personal representative to pass the property to Willie Earl.</p> <p>Then, Petitioner, as the proper successor in interest to Willie Earl's estate, could petition to pass the property to her, either via petition to determine succession or by affidavit procedure, if appropriate.</p> <p><u>Note: This information is procedural only.</u> <u>The attorney may wish to consider options with reference to applicable code/authority.</u></p>	
	40 days since DOD		
Cont. from 020513, 030813, 041213	No other proceedings		
Aff.Sub.Wit.	I&A: \$40,000.00		
Verified			
Inventory	Decedent died intestate		
PTC			
Not.Cred.	Petitioner is issue of the decedent's post-deceased only child Willie Earl and requests court determination that decedent's 100% separate property interest in real property located at 2370 S. Eunice in Fresno passes to Willie Earl.		
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 5-7-13
		Updates:	
		Recommendation:	
		File 5 – Earl	

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)

Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

Status Conference

Frank DOD: 8/15/2006	BARBARA L. PEARSON , Trustor's daughter, Trust Beneficiary and Successor Trustee of the FRANK H. LABREE IRREVOCABLE TRUST , filed on 10/5/2012 a Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust , which was set for hearing on 11/29/2012.		NEEDS/PROBLEMS/COMMENTS:
Roberta DOD: 3/25/2012			
Cont. from 011813, 032213			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
✓ Status Rep			
Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
	<p>TRACY SPREIER, Trustor's daughter and Trust Beneficiary, filed on 11/16/2012 an Objection to the Petition for Settlement of First Account and Report of Trustee, alleging self-dealing and breach of fiduciary duties by the Trustee.</p> <p>Joint Status Report filed 5/3/2013 states:</p> <ul style="list-style-type: none"> Ms. Spreier's Objections to the Petition for Settlement of the First Account of Trustee consist of: (a) Ms. Pearson's reduction of the interest rate of 2 loans she made from the Trust, one loan to herself and one loan to her daughter, SHANNON BADELLA; (b) Ms. Pearson's travel expenses in the amount of \$1,379.84; and (c) lack of an explanation as to why Ms. Pearson did not collect any trustee compensation for 2010 or 2011; Ms. Pearson filed a Reply on 11/26/2012, addressing the issues raised in the objection; Since the filing of Ms. Pearson's Reply, the attorneys for the parties have engaged in discussions regarding the items at issue; Additionally, Ms. Spreier served written discovery on Ms. Pearson, and Ms. Pearson responded to the discovery and produced documents; Ms. Pearson is willing to submit the matter of the Petition and the Objection thereto to the Court for adjudication without a contested hearing; In the meantime, Objector's attorneys are evaluating the responses to the written discovery that was propounded; Objector requests that the Court make a determination after a contested hearing, if the matter is not able to be resolved between the parties through their attorneys. 		<p>Page 6B is the <i>Petition for Settlement of First Account and Report of Trustee of the LaBree Family Trust</i>.</p> <p>Continued from 3/22/2013. Minute Order states Mr. Werner is appearing via CourtCall. Ms. Burnside informs the Court that they may be taking the deposition of the caregiver in Arizona. Counsel is directed to submit a joint status report. Matter continued to 5/10/2013.</p>
			Reviewed by: LEG
			Reviewed on: 5/8/13
			Updates:
			Recommendation:
			File 6A - LaBree

Atty Dowling, Michael; Burnside, Leigh; Matlak, Steven; of Dowling Aaron (for Petitioner Barbara L. Pearson, Successor Trustee)
 Atty Werner, David D., Field, Stefanie; of Gresham Savage Nolan & Tilden, Riverside (for Objector Tracy Spreier, Beneficiary)

Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust Dated March 26, 1992 [Cal. Prob. C. 1064(a), 17200, 17200(b)(5), CRC., Rule 7.902]

Frank DOD: 8/15/2006	<p>BARBARA L. PEARSON, Trustor's daughter, Trust Beneficiary and Successor Trustee of the FRANK H. LABREE IRREVOCABLE TRUST, is Petitioner.</p> <p>Account period: 10/10/2008 – 12/31/2011</p> <p>Accounting - \$456,694.10 Beginning POH - \$421,894.79 Ending POH - \$423,435.60 (\$334,115.35 is cash)</p> <p>Trustee (Initial) - \$3,510.00 (services prior to 10/10/2008 for initial Trustee, paid to Law Offices of Earl O. Bender)</p> <p>Trustee (Current) - \$600.00 (paid)</p> <p>Trustee Costs - \$1,379.84 (paid) (reimbursement of 2010 travel expense)</p> <p>Attorney - Not requested</p> <p>Accountant - \$615.00 (paid) (to Erickson & Assoc., CPAs, as itemized in Disbursements schedule; Petitioner is employed by Erickson & Assoc.)</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> FRANK H. LABREE, Jr., created the FRANK H. LABREE IRREVOCABLE TRUST on 3/26/1992, which was funded initially by a life insurance policy on Frank (copy of Trust Agreement attached as Exhibit A); The initial Trustee was EARL O. BENDER, who resigned on 10/9/2008, and Petitioner succeeded as trustee; Petitioner is a resident of Auberry, California; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3/22/2012. Minute Order states Mr. Werner is appearing via CourtCall. Matter continued to 5/10/2013.</p> <p>2. Need proposed order.</p>
Roberta DOD: 3/25/2012		
Cont. from 112912, 011813, 032213		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail ^W / _I		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
✓ Objections		
Video Receipt		
CI Report		
9202		
Order X		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 5/8/13	
	Updates:	
	Recommendation:	
	File 6B – Labree	

Petitioner states, continued:

- Pursuant to probate Code § 17200, the Trustee is requesting Court review of the first account and of the acts of the Trustee, and submits her first account and report of administration of the Trust for settlement and allowance;
- On 1/30/2009, Trustee loaned herself and her husband, **PAUL E. PEARSON**, the sum of **\$95,000.00** per a written promissory note dated 1/30/2009 at 6% per annum interest with monthly payments of **\$860.00**, and such note is secured by a manufactured home located in Auberry, California; the note was modified on 12/1/2010 to reduce the annual interest to 4%, with all other terms remaining the same; at all times and during the account period, the note remained current and all payments are reflected in the account; the note was subsequently paid in full as will be reflected in the next account; the loan was done with the consent of Roberta LaBree who was the surviving spouse of the Trustor and was the primary beneficiary of the Irrevocable Trust at that time;
- On 9/10/2009, Trustee made an unsecured loan to **SHANNON BADELLA** and **ANTHONY BADELLA**, Trustee's daughter and her husband, in the sum of **\$14,300.00**; the loan was evidenced by a written promissory note at 6% per annum interest with monthly payments of **\$400.00**, commencing 11/1/2009; the note was modified on 12/1/2010 to reduce the interest rate to 4% per annum with all other terms remaining the same; on 3/24/2011, Petitioner assumed the obligation and payment of the note, which at that time had a balance of **\$9,317.97**; at all times and during the account period, the note remained current and all payments are reflected in the account; the loan was done with the consent of Roberta LaBree, who was the surviving spouse of the Trustor and was the primary beneficiary of the Irrevocable Trust at that time;
- The current and "Present Beneficiaries" of the Trust are Barbara L. Pearson (of Auberry), Roxanne McWilliams (of West Hills), and Tracy I. Sprier (of Temecula); each Present Beneficiary has an unrestricted right to "withdraw from principal the entire balance of her trust at any time" pursuant to Subsection 5.02(b)(c) of the Trust, thus Probate Code §§ 15802 and 15803 apply and the Present Beneficiaries' rights to withdraw limit the Trustee's duty to notify any future beneficiaries.

Petitioner prays for an Order:

5. Settling and allowing the First Account and Report of the Trustee;
6. Ratifying, confirming and approving all acts and transactions of the Petitioner as Trustee relating to matters set forth in the First Account; and
7. Ratifying and approving the Trustee's fees already paid as set forth in the First Account.

Objection to Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust dated 3/26/1992; Request for Attorneys' Fees filed 11/16/2012 by TRACY SPREIER, Trustor's daughter and Trust Beneficiary, states she objects to the account filed by Barbara Person on the following grounds:

- The Court should not approve the Successor Trustee's acts of unilaterally reducing the interest rate of the loans that she made from the Trust's funds to herself and her daughter, without any evidence of the reasonableness and justification of such self-dealing.
- The Court should not approve the Successor Trustee's unusual travel expenses without evidence of the reasonableness of such charges to the Trust.
- The Account and Report fails to explain the reason for the unusual omission of any payment to the Successor Trustee for her fees for 2010 and 2011, and it is unknown whether those fees are waived or if the Successor Trustee was compensated in some other way.

~Please see additional page~

Reply to Objections to Petition for Settlement of First Account and Report of Trustee of the Frank H. LaBree Irrevocable Trust dated 3/26/1992 filed 11/26/2012 by Barbara Pearson, Trustee, states:

- The Objection is somewhat economically bewildering because the objection questions actions by the Trustee which benefitted the Trustee or her daughter a total of **\$5,170.12**, and if successful in her objection, Objector stands to gain at most **\$1,723.37** based on her 1/3 share.
- Petitioner's counsel was never contacted to see if Objector's questions could be adequately addressed, or the issues perhaps settled on an informal basis; Petitioner wonders why Objector's counsel did not simply call to discuss Objector's concerns with this accounting.
- In her service as Trustee for the three+ years presented in the accounting, Petitioner's benefit of **\$5,170.12** would be well within a reasonable Trustee fee for her service given her active involvement with investment decisions and her assistance with preparation of the Trust's tax returns each year.
- The reduction of the interest rate from 6% to 4% was consented to by a life-time beneficiary of the Trust, and was economically reasonable.
- The Successor Trustee's travel expenses for **\$1,379.84** were reasonably related to the administration of the Trust.
- The Trustee is not requesting Trustee fees for 2010 or 2011.
- The Court should deny Objector's request for attorney fees for the Objection.

Atty Turner, Patrick A. (for Nancy Varela – Executor)

Atty Tillman, Lisa (Deputy Attorney General – for DHS Estate Recovery Section)

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

DOD: 3-16-08	NANCY VARELA was appointed Executor with Full IAEA without bond and Letters issued on 6-3-08.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 12-14-12, 2-8-13</p> <p>Note: Executor Nancy Varela is the wife of the Decedent's son Reuben T. Varela.</p> <p>Note: California Dept. of Health Care Services filed a Creditor's Claim on 9-15-08 for \$105,727.59, along with Request for Special Notice. Executor filed an Allowance on 8-20-09.</p>
Cont. from 121412, 020813	Notice of Pendency of Action filed 10-19-12 by California Attorney General states that on 10-5-12, an action entitled "Toby Douglas, Director of the Department of Health Care Services, vs. Nancy Varela, as Personal Representative of the Estate of Elvira Robles Betts aka Elvira Betts, Decedent; and Does 1 through 20, inclusive," Case No. 12CECG0334. The nature of the action is a Complaint to Enforce and Collect Money Due on Medi-Cal Creditor's Claim for \$105,727.59 pursuant to W&I Code § 14009.5.	
<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		
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<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 type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input checked="" type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Therefore, on 10-19-12, the Court set this status hearing for failure to file a first account or petition for final distribution.

I&A filed 12-4-12 indicates a total estate value of \$130,075.00 as of the date of death, including residential real property located at 1724 North West in Fresno and various personal property items.

Status Report filed 4-26-13 states the real property has been sold; however, there are insufficient assets remaining to pay the claim. During the pendency of these proceedings, the Attorney General's office, on behalf of Claimant, filed a civil suit against the Executor, and she has had to hire another attorney, Gary Motsenbocker, to assist in defending that action.

In order to close the estate, an accounting is being prepared, and the civil action must be concluded so that the dollar amount of extraordinary fees can be determined. Executor estimates approx. two months are needed and requests continuance.

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

DOD: 12/21/2005	<p>KAMLJIT K. ASHAT, surviving spouse, was appointed as Administrator with full IAEA authority and without bond on 2/10/2009.</p> <p>At the time of the filing of the Petition for Probate the estate was estimated to be \$2,761,000.00.</p> <p>The decedent died intestate survived by his spouse and three children, one of which is a minor.</p> <p>Inventory and appraisal was due July 2009.</p> <p>First account or a petition for final distribution was due April of 2010.</p> <p>Notice of Status Hearing was mailed to attorney William Cowin on 12/19/2012.</p> <p>Preliminary Status Report filed on 2/21/13 states but for several lawsuits that arose after the death of the decedent, this probate could have been finalized at an earlier date. With the exception of a parcel of real property located on Blackstone Avenue, all real and personal property assets on the estate are community property. The piece of property on Blackstone was purchased with community funds by the decedent when Mrs. Ashat was temporarily out of the country and title was taken in the name of the decedent temporarily. The above referenced litigation involved a case where Mrs. Ashat and the Estate brought an unlawful detainer action against tenants regarding a portion of the Blackstone property. That case was settled. The second case is a Federal case, case no. 1:121-CV-00224-AWI-SMS styled <i>Delgado v. Abdo Saleh, USA Gas & Grocery and Kamaljit K. Ashat</i>. This issue is a man in a wheel chair who habitually files complaints against businesses whose bathrooms do not meet code standards. The estate attorney is of the opinion that the estate cannot be closed until this Federal case is concluded. The Federal case has finally been resolved and closed in late 2012 and the attorney's office was only recently informed that the Federal case has been concluded. They will now be moving forward with completing a final accounting, transfer of title to Mrs. Ashat and closing this estate.</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>Continued from 3/22/13. Minute order states Counsel informs the Court that his client moved to Sacramento so the documents are slow in getting to him.</p> <p>1. Need Inventory and Appraisal, first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matter set for Status Hearing (unless inventory and appraisal <u>and</u> accounting or petition for final distribution has been filed) verified Status Reports must be filed no later than ten (10) days before the hearing and shall be served on all interested parties.</p>
Cont. from 022213, 032213		
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: KT</p> <p>Reviewed on: 5/8/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Ashat</p>	

	NATALIE C. SULLIVAN was reappointed as Successor Trustee without bond pursuant to agreement of the family and Minute Order 10-19-11.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Background: Per the trust, the trustees are required to pay to or apply for the benefit of Eddie Ortega, son of Trustors, for the duration of his life, after which time the trust is to be distributed to other sibling beneficiaries.</p> <p>On 3-18-10, on petition by the current Successor Trustee Natalie C. Ortega Sullivan, the Court removed Co-Trustees Rachel Dominguez and Connie Ortega Ariaz and appointed the Public Guardian as Successor Trustee. In addition, Rachel Dominguez was found to have misappropriated funds and was surcharged \$330,612.28.</p> <p>On 10-19-11, on petition by the current Successor Trustee Natalie C. Ortega Sullivan and agreement between family members, the Court removed the Public Guardian as Successor Trustee and appointed Natalie C. Ortega Sullivan as Successor Trustee.</p> <p>Minute Order 10-19-11: Counsel advises the Court that the family has signed an agreement to have Natalie handle the trust. He further advises that there are eight homes all together and three of them are on Dakota. The Court grants the petition.</p> <p><u>The Court advises counsel that it will be expecting some closure as to Rachel at the First Accounting.</u></p> <p><u>The Order dated 10-19-11 also requires the Successor Trustee to file annual accountings detailing her acts as successor trustee.</u></p> <p>Note: Natalie C. Ortega Sullivan resides in Haverhill, Massachusetts.</p> <ol style="list-style-type: none"> Need account. Need update regarding Rachel Dominguez <p>Note: Status Reports should be verified by the fiduciary pursuant to Probate Code §§ 1021, 1023.</p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-7-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A - Ortega</p>
	The Public Guardian, former Successor Trustee, presented his First and Final Account, which was settled on 3-7-12.	
Cont. from 020613, 041213		
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	<p>Minute Order 3-7-12 states Mr. Fanucchi advises the Court that all the properties have been rented or are in a position to be rented. The Court set this status hearing Re Accounting.</p> <p>Status Report filed 1-31-13 by Attorney Fanucchi states the trustee has delivered the bank statements and her accounting of receipts and disbursements since she became successor trustee to her attorneys. The paralegal is currently preparing the accounting petition and schedules which should be ready for filing by the end of February 2013.</p> <p>Minute Order 2-6-13: Counsel informs the Court that the status statement has been filed however, he has received numerous documents. Matter continued to 4/12/13. The Court directs counsel to submit a declaration regarding the status of Rachel. Continued to 4/12/13.</p> <p>Minute Order 4-12-13: No appearances. The Court sets the matter for an Order to Show Cause on 5/10/13 regarding failure to appear and imposition of sanctions in the amount of \$500.00. The Court orders Edward L. Fanucchi to be personally present on 5/10/13. In addition, Edward L. Fanucchi is ordered to file a status report one week before the next hearing. Continued to 5/10/13 at 9:00am in Dept. 303. Set on 5/10/13 at 9:00am in Dept. 303 for Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00. (See OSC – Page 9B)</p> <p>Status Report filed 4-18-13 (unverified) states schedules have been completed, but they do not balance. The successor trustee is currently going through records to ascertain the difference between credits and charges. It is anticipated that the accounting will be filed in the next four weeks.</p>	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00

	NATALIE C. SULLIVAN was reappointed as Successor Trustee without bond pursuant to agreement of the family and Minute Order 10-19-11.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: See Page 9A for background.</p> <p>Note: The status report does not address the non-appearance on 4-12-13 and does not address the information requested by the Court on 2-6-13 regarding Rachel Dominguez (re surcharge). The Court may require further information.</p> <p>Examiner’s Note: Please ensure proper top margins for future filings. Margins should allow enough space for hole punches for filing without losing the top lines of each page of the filed document.</p>
	Status hearings were held on 2-6-13 and 4-12-13 for the filing of the final account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Minute Order 4-12-13: No appearances. The Court sets the matter for an Order to Show Cause on 5/10/13 regarding failure to appear and imposition of sanctions in the amount of \$500.00. The Court orders Edward L. Fanucchi to be personally present on 5/10/13. In addition, Edward L. Fanucchi is ordered to file a status report one week before the next hearing. Continued to 5/10/13 at 9:00am in Dept. 303. Set on 5/10/13 at 9:00am in Dept. 303 for Order to Show Cause Re: Failure to Appear; Imposition of Sanctions in the Amount of \$500.00.</p> <p>Status Report filed 4-18-13 (unverified) states schedules have been completed, but they do not balance. The successor trustee is currently going through records to ascertain the difference between credits and charges. It is anticipated that the accounting will be filed in the next four weeks.</p>	
	<p>Reviewed by: skc</p> <p>Reviewed on: 5-7-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9B – Ortega</p>	

Status Hearing Re: Settlement Agreement

	<p>JAMES LOUIS ROBERTS, Executor, filed a petition for determination of the beneficiaries under the will and for final distribution .</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p>
<p>Cont. from 032913</p>	<p>Executor requested the court find that West Park Baptist Church was the beneficiary of the remaining estate consisting of \$119,359.98.</p>	<p><u>Minute Order 3-29-13:</u></p>
<p>Aff.Sub.Wit.</p>		<p>Mr. Bagdasarian informs the Court that they are waiting on the final document to be executed.</p>
<p>Verified</p>		
<p>Inventory</p>		
<p>PTC</p>		
<p>Not.Cred.</p>		<p><u>As of 5-7-13, nothing further has been filed.</u></p>
<p>Notice of Hrg</p>	<p>ANNA B. HINLEY and FRANCES ALBERS, Trustees of the Chester and Lorene Living Trust dated 4/12/07 filed objections requesting distribution of 50% interest in the net Estate be made to the Chester and Lorene Living Trust dated 4/12/2007, and that the Estate be ordered to reimburse Gary Bagdasarian the sum of \$18,095.71 as compensation for services on behalf of the Objectors.</p>	
<p>Aff.Mail</p>		
<p>Aff.Pub.</p>		<p>1. Need Settlement Agreement and Order for Distribution according to Settlement Agreement.</p>
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>	<p>Minute Order 1-2-13: Greg Roberts appearing via conference call. Ms. Lind objects to the payment of fees to Mr. Bagdasarian's client. The Court sets a Settlement Conference on 3/4/13. The Court directs counsel to submit their Settlement Conference Statements on week before the hearing. Matter set for Court Trial on 3/15/13 with a one day estimate.</p>	
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		<p>Note: Status reports have been filed. See additional pages.</p>
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		<p>Reviewed by: skc</p>
<p>UCCJEA</p>		<p>Reviewed on: 5-7-13</p>
<p>Citation</p>		<p>Updates:</p>
<p>FTB Notice</p>		<p>Recommendation:</p>
<p></p>	<p>Minute Order 3-4-13: Also present in the courtroom are Donna Wyatt and Gail Brown. Frances Albers is appearing via conference call. Parties reach a settlement agreement as fully stated on the record by Mr. Roberts. Parties agree that the trust will waive any and all claims as to the Probate estate. In addition, parties agree to waive further accountings of the trust and estate and all objections are withdrawn. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement agreement. Mr. Roberts is directed to prepare the settlement agreement. The settlement agreement and order regarding the withdrawals from the blocked account(s) to be submitted on an ex parte basis. Set on 3/29/13 at 9am i nDept 303 for Status Re: Settlement Agreement</p>	<p>File 10 - Beeler</p>
<p></p>	<p>Order signed 3-15-13 provides at #8: "The beneficiary of the amount of \$119,359.98 will be covered in the Settlement Agreement.</p>	

Page 2**Status Report filed by Gary Bagdasarian, attorney for beneficiaries Anna B. Hinley and Frances Albers, states**

Attorney Gregory J. Roberts was asked to prepare and has provided a draft Settlement Agreement. Attorney Bagdasarian has provided proposed changes. A final Settlement Agreement has not been received as of 5-8-13. Upon receipt, the attorney will review and provide any final requests for modifications and approval.

Status Report filed by Ruth P. Lind, attorney for Executor James Louis Roberts, states the proposed agreement did not accurately reflect the agreement of the parties. Stefanie Krause prepared a form of suggested revisions and emailed them to Mr. Roberts and Mr. Bagdasarian on 3-25-13. On 3-30-13, Mr. Roberts responded that Mr. Bagdasarian's changes were not included in her revision, but that if it was sent in Word, he would incorporate all changes into one new document. The document was sent as requested to Mr. Roberts on 4-1-13.

Mr. Roberts and his clients did not attend the status hearing on 3-29-13 and the Court continued the matter to 5-10-13. Stefanie Krause followed up with an email to Mr. Roberts on 5-4-13; however, to date, there has been no communication from Mr. Roberts.

Status Hearing Re: Filing of the Accounting

Age: 13 years	STEPHANIE LASSLEY, Mother, was appointed Guardian of the Estate on 6/8/10 with all funds to be placed in a blocked account. Letters issued on 6/8/2010.	NEEDS/PROBLEMS/COMMENTS:
	<i>Inventory and appraisal</i> filed on 1/4/11 shows the estate value at \$676,276.36.	1. Need First Account and report of guardian.
Cont. from	Minute Order from Status Hearing regarding mother's employment on 03/15/13 set this matter for status regarding filing of the First Account.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/07/13
		Updates:
		Recommendation:
		File 11 – Lassley

Age: 14	<p>STEPHANIE LASSLEY, Mother, was appointed Guardian of the Estate on 6/8/10 with all funds to be placed in a blocked account. Letters issued on 6/8/2010.</p>	NEEDS/PROBLEMS/COMMENTS:
		<p>1. Need First Account and report of guardian.</p>
Cont. from	<p><i>Inventory and appraisal</i> filed on 1/4/11 shows the estate value at \$676,276.36.</p>	
<input type="checkbox"/> Aff.Sub.Wit.	<p>Minute Order from Status Hearing regarding mother's employment on 03/15/13 set this matter for status regarding filing of the First Account.</p>	
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input 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 Order		
<input type="checkbox"/> Aff. Posting		<p>Reviewed by: JF</p>
<input type="checkbox"/> Status Rpt		<p>Reviewed on: 05/07/13</p>
<input type="checkbox"/> UCCJEA		<p>Updates:</p>
<input type="checkbox"/> Citation	<p>Recommendation:</p>	
<input type="checkbox"/> FTB Notice	<p>File 12 – Lassley</p>	

DOD: 2-24-12	<p>KENNETH ROBERTS, Father, was appointed Administrator with Full IAEA with bond of \$20,000.00 on 10-18-12.</p> <p>At hearing on 10-18-12, the Court set this status hearing for filing of the Inventory and Appraisal.</p> <p>Bond was filed on 2-22-13. Letters issued 3-14-13.</p> <p>Status Hearing Statement (unverified) filed by Mr. Donaldson states Letters were obtained 3-14-13 and he will prepare the I&A before 3-30-13 and forward it to the Probate Referee.</p> <p>Mr. Donaldson states it is the intent of the administrator to transfer the property 50/50 to Jessica Roberts and to the Jennifer Roberts SNT., and he believes the above tasks can be completed by 7-30-13 and the First and Final Accounting can be filed before 8-15-13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3-15-13</u></p> <p><u>As of 5-7-13, nothing further has been filed. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal. 2. Joanne Sanoian, attorney for Christina Roberts, Trustee of the Jennifer Roberts Special Needs Trust, filed a Request for Special Notice on 2-19-13. If this matter is continued, need proof of service of Notice of Hearing pursuant to the Request for Special Notice. <p>(Jessica Roberts is the decedent's daughter.)</p>
Cont. from 031513		
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: 5-7-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 - Roberts</p>

DOD: 11/18/12	<p>BEVERLY T. ADAMS was appointed as Executor with full IAEA authority and without bond on 6/25/2012.</p> <p>Letters issued on 6/28/12.</p> <p>Minute Order dated 6/25/12 set a status hearing for the filing of the inventory and appraisal on 10/26/12. Matter was continued to 11/09/12.</p> <p>Status Report filed 11/8/12 states Beverly Adams needed to be appointed in order to file a lawsuit on behalf of the Decedent and an inventory and appraisal is not needed. In the event of a settlement or judgment in the litigation, the Personal Representative will file and inventory and appraisal at that time.</p> <p>Minute Order from hearing on 11/09/12 set this matter for a status hearing and states: Counsel informs the Court that aside from lodging a lawsuit, there is nothing to inventory & appraise.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need 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: 05/07/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Adams</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 07/17/12		<p>KATHRYN LOPEZ, daughter, was appointed Administrator with limited IAEA authority and bond set at \$150,000.00 on 10/03/12. Letters were issued on 10/26/12.</p> <p>Minute Order from hearing on 10/03/12 set this matter for status regarding filing of the Inventory & Appraisal.</p> <p>Inventory & Appraisal, partial #1 filed 03/05/13 - \$138,225.00</p> <p>Inventory & Appraisal, partial #2 filed 05/06/13 - \$9,500.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Inventory & Appraisal.</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				
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Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
				Reviewed by: JF
				Reviewed on: 05/07/13
				Updates:
		Recommendation:		
		File 15 – Lopez		

Status Hearing Re: Filing of the Receipt for the Blocked Account

DOD: 06/22/2012	<p>KAREN K. WILLIAMS, was appointed appointment as administrator with limited authority without bond.</p> <p>Minute Order of 04/10/2013: Counsel informs the Court that all parties were noticed for the previous hearing, but not for today's. The Court grants the petition on the condition that counsel submits a blocking order and an amended order indicating the amount that is to be deposited in the blocked account. In addition, counsel is the address item #2 in the examiner notes.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		<ol style="list-style-type: none"> 1. Need blocking order. – Blocking order received however it is not on the Mandatory Judicial Counsel Form. 2. Need amended order indicating the amount that is to be deposited in the blocked account. 3. Need proof of service of the Amended Petition to Administer Estate on the following: <ul style="list-style-type: none"> • Delphia Williams • Wanda Fletcher • Raymond Williams <p>Note: Once the Court has received the above a status hearing will be needed for the receipt of the blocked account. Therefore an additional status hearing will be set for 06/07/2013.</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		Reviewed by: LV
Status Rpt		Reviewed on: 05/08/2013
UCCJEA		Updates: 05/09/2013
Citation		Recommendation:
FTB Notice		File 16 – Williams

DOD: 09/06/12		<p>JEANNIE NIX, sister, was appointed Executor with full IAEA without the requirement of bond on 12/10/12.</p> <p>Letters Testamentary were issued on 12/10/12.</p> <p>Minute Order from hearing on 12/10/12 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.			
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: 05/07/13	
		Updates:	
		Recommendation:	
		File 17 – Bezona	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 09/19/12	<p>BRETT ALAN TODD, was appointed Executor with full IAEA without bond on 12/13/12.</p> <p>Letters Testamentary were issued on 12/13/12.</p> <p>Inventory & Appraisal, partial No. 1 filed 02/01/13 - \$133,750.00</p> <p>Inventory & Appraisal, partial No. 2 filed 01/14/13 - \$70,000.00</p> <p>Inventory & Appraisal, partial No. 3 filed 02/25/13 - \$324,100.00</p> <p>Inventory & Appraisal, partial No. 4 filed 04/12/13 - \$15,843.61</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final Inventory & Appraisal.</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: 05/07/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 – Sheely</p>

DOD: 11/27/12		<p>ASPEN BELL, daughter, was appointed Executor with Full IAEA and bond set in the amount of \$215,980.00 on 04/09/13.</p> <p>Minute Order from 04/09/13 set this matter for status regarding filing of the bond.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need bond in the amount of \$215,980.00.</p>	
Cont. from				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
				Reviewed by: JF
				Reviewed on: 05/07/13
		Updates:		
		Recommendation:		
		File 19 – Gintz		

Probate Status Hearing Re: Filing of the First Account or Petition for Final Distribution

DOD: 09/26/08	<p>CHRIS JOHNSON, son, was appointed Executor and Letters were issued on 10/21/10.</p> <p>Minute Order from hearing on 10/21/10 set this matter for status for filing the First Account or Petition for Final Distribution on 12/15/11.</p> <p>An Inventory & Appraisal was filed 01/26/11.</p> <p>Clerk's Certificate of Mailing filed 05/29/12 states that Chris Johnson was mailed a copy of the 05/24/12 minute order and Order to Show Cause on 05/29/12.</p> <p>Clerk's Certificate of Mailing filed 07/27/12 states that Chris Johnson was mailed a copy of the 07/12/12 minute order and Order to Show Cause on 07/27/12.</p> <p>Minute Order from hearings on Order to Show Cause and Status re Filing of the Account on 08/09/12 state: Mr. Johnson informs the court that he is in the process of preparing the accounting and continued the status hearing to 10/05/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/12/13 Minute order from 04/12/13 states: No appearances. The Court sets the matter for an Order to Show Cause on 05/10/13 regarding why Chris Johnson should not be removed as executor and imposition of sanctions in the amount of \$500.00. The Court orders Christ Johnson to be personally present on 05/10/13.</p> <p>As of 05/07/13, the petitioner has not filed any new documents.</p> <p>1. Need First Account or Petition for Final Distribution.</p>
Cont. from 121511, 020912, 052412, 071212, 080912, 100512, 111612, 011113, 022213, 041213		
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: 05/07/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20A – Johnson</p>	

**Order to Show Cause Re: Why Chris Johnson Should not be Removed as Executor;
 Imposition of Sanctions in the Amount of \$500.00**

DOD: 09/26/08	<p>CHRIS JOHNSON, son, was appointed Executor and Letters were issued on 10/21/10.</p> <p>Minute Order from hearing on 10/21/10 set a status for filing the First Account or Petition for Final Distribution on 12/15/11. This status hearing has been continued 10 times.</p> <p>At a hearing on 04/12/13, the Court set this matter for an Order to Show Cause regarding why Chris Johnson should not be removed as Executor and the imposition of sanctions in the amount of \$500.00.</p> <p>Clerk's Certificate of Mailing filed 04/15/13 states that a copy of the Minute Order dated 04/12/13 and Order to Show Cause were mailed to Chris Johnson on 04/15/13.</p>	NEEDS/PROBLEMS/COMMENTS:		
Cont. from				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
			Reviewed by: JF	
			Reviewed on: 05/07/13	
			Updates:	
		Recommendation:		
		File 20B – Johnson		

DOD: 05/19/12	SUZIE ANTUNA , daughter, was appointed Administrator with Full IAEA and without bond on 08/22/12.	NEEDS/PROBLEMS/COMMENTS: 1. Need status update.
Cont. from	Letters of Administration were issued on 08/22/12.	
Aff.Sub.Wit.	Minute Order from status hearing regarding filing of the Inventory & Appraisal dated 01/25/13 set this matter for a Status Hearing and states: Ms. Antuna informs the Court that the Inventory & Appraisal was filed this morning, however, a \$2,000.00 check was not included. Matter set for a Status Hearing on 05/10/13. The Court directs Ms. Antuna to meet with Court Examiner Sarah Campbell forthwith.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Inventory & Appraisal filed 01/25/13 - \$57,287.66	
Letters		
Duties/Supp	Supplemental Inventory & Appraisal filed 04/25/13 - \$2,000.00	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/07/13
		Updates:
		Recommendation:
		File 21 – Rocha