



ATTENTION

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

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

Thank you for your patience.

2 Walter John Hollier (Estate)

Case No. 06CEPR00266

Atty Hackett, Kyle S. (for Petitioner Patricia C. Taylor)

(1) First and Final Account and Report of Status of Administration and Petition for its Settlement; (2) for Allowance of Statutory Executor's Compensation and (3) Statutory and Extraordinary Attorney's Compensation and (4) for Final Distribution of Estate

DOD: 5/8/01	PATRICIA C. TAYLOR , Executor, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Account period: 5/8/01 – 1/14/15		
Cont. from 040615	Accounting - \$82,647.15		Continued from 4/6/15. Minute order states the Court admonishes that it is considering disallowing part or all of the requested fees given the history of this matter. As of 5/5/15 the following issues remain:
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$42,147.10		
<input checked="" type="checkbox"/> Verified	Ending POH - \$82,647.15		<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Devante Ayers (beneficiary) b. Angelette Howell (trustee) c. Estate of Maggie Currie (beneficiary) 3. Petition does not contain a statement regarding Probate Code §216 and 9202(b) re: notice to the Director of Victims Compensation and Government Claims Board. 4. Need Declaration re: extraordinary fee request. 5. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.
<input checked="" type="checkbox"/> Inventory	Executor (statutory) - \$3,305.88		
<input checked="" type="checkbox"/> PTC	Attorney (statutory) - \$3,305.88		
<input checked="" type="checkbox"/> Not.Cred.	Attorney x/o - \$3,240.00		
<input type="checkbox"/> Notice of Hrg	X		
<input type="checkbox"/> Aff.Mail	X	Costs (filing fees, publication) - \$1,140.00	
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.		Closing - \$1,000.00	
<input type="checkbox"/> Conf. Screen	Distribution, pursuant to Decedent's Will, is to:		
<input checked="" type="checkbox"/> Letters	7/18/06	Devante Ayers - real property	
<input type="checkbox"/> Duties/Supp	Estate of Maggie Currie - \$24,155.33, furniture and furnishings and clothing.		
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202			
<input type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice	N/A		
			Reviewed by: KT
			Reviewed on: 5/6/15
			Updates:
			Recommendation:
			File 2 - Hollier

Second Amended First and Final Account and Report of Administrator and Petition for Its Settlement and Approval

DOD: 12/7/11	KIRK HAGOPIAN , former Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 1/12/15. Minute order states Gloria Hagopian is temporarily removed as the Successor Administrator without prejudice, and the Public Administrator is appointed as temporary successor Administrator. – Please see page 6B.</p> <ol style="list-style-type: none"> 1. Need Order 2. Petition states 9,500.00 was paid to attorney Jeff Hammerschmidt as a retainer for his services to file an action against Gaylene Bolanos and her confederates. Court may require more information as to the litigation and the status of the retainer paid to attorney Hammerschmidt. Note: If Mr. Hammerschmidt did not do any work as alleged, then the retainer should be returned. Mr. Hagopian should have received a billing statement from Mr. Hammerschmidt regarding the retainer. The Court will require a copy of the billing statement showing what portion of the retainer was used and what it was used for. <p>Please see additional page.</p>
Cont. from 061614, 072914, 120314, 051115	Kirk Hagopian resigned as Administrator and Gloria Hagopian was appointed Successor Administrator on 5/27/14. All funds except \$5,000.00 were ordered into a blocked account (receipt filed on 7/11/14)	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Account period: 8/12/12 – 5/5/14	
<input checked="" type="checkbox"/> PTC	Accounting - \$229,763.00	
<input checked="" type="checkbox"/> Not.Cred.	Beginning POH- \$213,413.08	
<input checked="" type="checkbox"/> Notice of Hrg	Ending POH - \$166,207.96	
<input type="checkbox"/> Aff.Mail	Petitioner states that certain cash assets at the time of decedent's death were wrongfully taken by Gaylene Bolanos and her confederates. Petitioner is represented by Fresno attorney Leigh Burnside in a pending action against Gaylene Bolanos and others to recover the wrongfully taken property. Inventory and appraisal, partial no. 1 shows a bank account totaling \$10,268.71 at the time of decedent's death. Petitioner believes that Gaylene Bolanos misappropriated all of the money in the account, because the account was empty when Petitioner presented Letters to the bank after the opening of the estate. Petitioner believes there were other accounts taken by Gaylene Bolanos, but Petitioner did not inventory them because he lacks records that would show the balances.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order	X	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	Please see additional page	
	Reviewed by: KT	
	Reviewed on: 5/6/15	
	Updates:	
	Recommendation:	
	File 6A - Smart	

Petitioner states prior to mid-January 2013 the estate had no cash for payment of decedent's funeral expenses, the expenses to maintain decedent's real property prior to sale, and the retainer requested by the attorney Petitioner hired to take action against Gaylene Bolanos and her confederates. Petitioner borrowed \$10,900.00 from a friend named Rich Curll, to pay those expenses.

Petitioner prays for an Order:

1. The first and final account and report of Petitioner as Administrator be settled, allowed and approved as filed;
2. All acts and proceedings of Petitioner during his tenure as Administrator of the Decedent's estate be confirmed and approved;
3. Such further order as the Court considers proper.

Note: Objections filed by Brandenburger & Davis, an heir search company and assignee a portion of the individual interest of several of the intestate heirs of the Decedent, were filed on 6/12/14 (in relation to the previously filed accounting. Many of the issues raised are relevant to this amended accounting). Objector states they represent the interests of intestate heirs on the decedent's paternal side. Decedent's father had four sibling, all of whom are deceased. The persons listed in the objections are issue of those siblings and they are 1st cousins or, in some cases 1 cousins once removed of the decedent. Brandenburger and Davis will file a Petition to Determine Heirship in this matter, if necessary. The persons listed in Petitioner's petition are from the decedent's maternal side. Objector believes that all of the siblings of the decedent's mother, Dolores Milano, died without issue and so the closest maternal heirs of the decedent are second cousins or more remote heirs.

Objector objects to the Petition on the following grounds:

- a. The accounting shows \$9,500 to attorney Hammerschmidt, but there is no details of why Mr. Hammerschmidt was retained or what services he rendered.
- b. In a separate filing in this matter on 10/9/13 to compel delivery of the estate under Probate Code §850, the Petitioner asserts that he inquired about the decedent's assets between January and April 2012 and by April became suspicious of the respondents named in the §850 petition. He alleges that no less than \$150,000 of the estates assets were wrongfully taken. Petition further states that \$10,268.71 which was shown on the opening inventory, partial no. 1 was not in the bank account when the Petitioner presented his Letters of Administration to the bank after the estate was opened. No explanation is offered as to how the respondents in the §850 petition were able to access an account in the name of the decedent or what action was taken, if any, he took to learn from the bank how the funds were released to anyone other than the Petitioner.
- c. The fact that Petitioner may have been duped by people he liked does not relieve him of his fiduciary duties to the estate and its beneficiaries. The Petitioner should provide greater detail of his activities as Administrator.
- d. No bond was required of the Petitioner because he filed waivers of bond by the seven individuals whom he represented where the issue of the decedent's grandparents and the only persons entitled to inherit the estate. Objector believes that the persons who waived the bond are the issue of the great-grandparents of the decedent and, therefore, not the 1st cousins as represented by the Petitioner. Petitioner has not shown that he made any attempt to determine if there were closer heirs before obtaining waivers of bond.

Please see additional page

Dept. 303, 9:00 a.m. Monday, May 11, 2015

Additional page 2 of 2

Wherefore Objector prays that:

1. The Petition be denied.
2. That the Petitioner's actions as Administrator not be confirmed or approved;
3. That the Petitioner be ordered to provide a more complete and correct accounting of his actions as Administrator;
4. That the Court reserve jurisdiction to determine if the Petitioner should be surcharged for his actions as Administrator.

6B Cheryl A. Smart (Estate)
Atty Wall, Jeffrey L (for Former Administrator Kirk Hagopian)
Atty Morris, Michael J (for Objectors Brandenburger & Davis)
Atty Kruthers, Heather (For the Public Administrator)

Case No. 12CEPR00468

Probate Status Hearing Re: Status Report from the Public Administrator

DOD: 12/7/11	<p>KIRK HAGOPIAN, is the former Administrator.</p> <p>Kirk Hagopian resigned as Administrator and Gloria Hagopian was appointed Successor Administrator on 5/27/14. All funds except \$5,000.00 were ordered into a blocked account (receipt filed on 7/11/14)</p> <p>On 1/12/15 the Court removed Gloria Hagopian as Successor Administrator and appointed the Public Administrator as temporary successor Administrator.</p> <p>Minute Order from 1/12/15 states the Public Administrator is to review the matter and make a recommendation regarding possible surcharges, and collect the information needed from Jeff Hammerschmidt. If they are unable to obtain the information needed from Mr. Hammerschmidt, the he is to be subpoenaed to appear.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need current status report of the Public Administrator.</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: KT	
			Reviewed on: 5/6/15	
		Updates:		
		Recommendation:		
		File 6B - Smart		

6B