



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.

		BOSTON PRIVATE BANK AND TRUST COMPANY is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition does not include a copy of the Trust instrument for the court to confirm that Edwin R. O'Neill was given the authority to appoint an additional co-trustee as alleged in the petition. Order Approving Resignation of Corporate Trustee and Appointment of Successor Corporate and Individual Co-Trustees signed on 3/10/1997 includes paragraph 12(j) of the Trust which states that an appointment by the current trustee of a successor trustee must be by a "written instrument signed by the trustee . . ." The petition does not include the written instrument by which the current trustee appointed John R. O'Neill as successor co-trustee. <p style="text-align: center;">Please see additional page</p>
		Petitioner states on 4/10/1961 John Edward O'Neill died. In due course his will was admitted to probate and testamentary trusts were created for the benefit of his children. Only the trust for John Edward O'Neill, Jr. (the "Trust") remains in force.	
Cont. from		The current beneficiaries of the Trust are CHRISTIAN CAGLE and NICHOLAS CAGLE , the twin great-grandsons of John Edward O'Neill. The Trust will terminate upon their reaching the age of 25 (i.e. February 6, 2016), or their earlier graduation from a four-year college, and at that time they will receive the remaining Trust principal outright.	
	Aff.Sub.Wit.	By order of this Court on 3/10/1997, the resignation of Wells Fargo Bank as co-trustee was accepted and the appointment of Boston Private Bank and Trust Company and Edwin R. O'Neill as successor co-trustees of the Trust was confirmed.	
✓	Verified	On 6/14/10, pursuant to the power granted him by the Trust, Edwin R. O'Neill appointed John E. O'Neill III as an additional co-trustee of the Trust, and since then he, Boston Private Bank & Trust Company, and Edwin R. O'Neill III have acted together as co-trustees of the Trust.	
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	CI Report		
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✓	Order		
	Aff. Posting		
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	Citation		
	FTB Notice		
Please see additional page			
Reviewed by: KT			
Reviewed on: 5/7/14			
Updates:			
Recommendation:			
File 1 - O'Neill			

Boston Private Bank & Trust Company has now resigned as Co-Trustee of the Trust. By virtue of this resignation, Edwin R. O'Neill and John E. O'Neill III as to the Co-Trustees of the Trust, and it is in the best interest of the Trust and its beneficiaries that the Court accept the resignation of Boston Private Bank & Trust Company and confirm the trusteeship to Edwin R. O'Neill and John E. O'Neill III.

Wherefore, Petitioner requests that this Court:

1. Accept the resignation of Boston Private Bank & Trust Company as Co-Trustee of the Trust established under the Will of John Edward O'Neill for the benefit of John Edward O'Neill, Jr.;
2. Confirm the appointment of Edwin R. O'Neill and John E. O'Neill, III as Co-Trustees of the Trust established under the Will of John Edward O'Neill.

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Order Approving Resignation of Corporate Trustee and Appointment of Successor Corporate and Individual Co-Trustees signed on 3/10/1997 includes paragraph 12(k) of the Trust which states that "In the event of the resignation of the corporate trustee at any time, the individual trustees or trustee then acting hereunder must, by a written instrument signed by such trustees, or trustee, appoint a successor corporate trustee hereunder any bank or trust company, wherever situated deemed by the individual trustees or trustee to be of financial standing and reputation qualified to had hereunder; and in the event of the failure or refusal of such individual to do so, the said corporate trustee may secure the appointment of such successor corporate trustee by a Court of competent jurisdiction, at the expense of the trust property." This appears to imply that in addition to any individual trustee there must also, at all times, be a corporate trustee.

DOD: 5/1/05	KIMIKO R. SMALL , Executor, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition states the attorney has already been paid her attorney fees. California Rules of Court Rule 7.700(a) states the personal representative must neither pay nor receive, and the attorney for the personal representative must not receive, statutory commissions or fees or fees for extraordinary services in advance of an order of the court authorizing their payment.</p>
	Accounting is waived.		
	I & A	- \$240,000.00	
	POH	- \$ 60,201.74	
Cont. from	Executor	- waives.	
<input type="checkbox"/> Aff.Sub.Wit.	Attorney	- \$2,100.00 (already paid, less than statutory)	
<input checked="" type="checkbox"/> Verified	Distribution, pursuant to Decedent's Will is to:		
<input checked="" type="checkbox"/> Inventory	Kimiko R. Small	- \$60,201.74	
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			Reviewed by: KT
			Reviewed on: 5/7/14
			Updates:
			Recommendation:
			File 2 - Myers

5A Alex and Lillian G. Lamm Living Trust (Trust)

Case No. 12CEPR00687

Atty Baldwin, Kenneth A. (of McCormick Barstow, for Allene Joyce Lamm O'Neal – Co-Trustee – Petitioner)

Atty Poochigian, Mark (for Duane Lamm – Co-Trustee)

Petition to Compel Co-Trustee Duane Alan Lamm to File Report and Account After Written Request; to Remove Duane Alan Lamm as a Co-Trustee; to Redress Breaches of the Trust by Duane Alan Lamm; to Divide and Distribute the Trust Estate; and to Terminate the Trust [Prob. C. 15642 & 17200 et seq.]

<p>Alex Lamm DOD: 11-17-90</p>	<p>ALLENE JOYCE LAMM O'NEAL, Co-Trustee, is Petitioner and states:</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Lillian Lamm DOD: 11-19-06</p>	<ul style="list-style-type: none"> Trustors Alex and Lillian created the Alex and Lillian Lamm Living Trust (the "Trust") on 3-11-88. 	<p>Page 5B is the 7th Status Re Settlement. As of 5-7-14, nothing further has been filed.</p>
	<ul style="list-style-type: none"> The Trust was amended and restated on 9-21-90. 	<p>Minute Order 9-20-12:</p>
<p>Cont. from 092012, 112912, 022513, 031813, 071913, 092013, 120613, 020714, 040814</p>	<ul style="list-style-type: none"> Alex died on 11-17-90, causing the trust to be divided among the Alex Lamm By-Pass Trust, the Alex Lamm Marital Trust, and the Lillian G. Lamm Survivor's Trust, which remained revocable. 	<p>Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.</p>
<p><input type="checkbox"/> Aff.Sub.Wit.</p>	<ul style="list-style-type: none"> The Survivor's Trust was amended twice: on 6-7-04 and 2-17-05. 	<p>Minute Order 11-29-12: Parties request the matter be set for trial. Matter set for Court Trial on 3/29/13 with a one-day estimate. The Court sets a Settlement Conference on 2/25/13. Counsel is directed to submit their settlement conference statements along with a courtesy copy for the Court on the Thursday before the hearing. The Court authorizes Mr. O'Rourke to file his objections. The Court advises counsel that it will accept the objections subject to any filing fees. Set on 2-25-13 at 10:30am for Settlement Conference. Additional hearing date: 3-29-13 at 10am for Court Trial.</p>
<p><input checked="" type="checkbox"/> Verified</p>	<ul style="list-style-type: none"> Lillian died on 11-19-06. 	<p>1. The proposed order includes a blank for a surcharge amount to be filled in for attorney's fees. The Court may require clarification and further documentation regarding the amount requested.</p>
<p><input type="checkbox"/> Inventory</p>	<ul style="list-style-type: none"> For purposes of this petition, "Trust" refers to all three trusts collectively. 	<p>Reviewed by: skc</p>
<p><input type="checkbox"/> PTC</p>	<p>Petitioner states the Trust provides that she and her brother DUANE ALAN LAMM were to become co-trustees on the death of the Trustors; however, since Lillian's death, Duane has asserted exclusive control over most of the assets of the Trust.</p>	<p>Reviewed on: 5-7-14</p>
<p><input type="checkbox"/> Not.Cred.</p>	<p>The Trust as amended provides that the Marital Trust and the By-Pass Trust are to terminate and be distributed to Duane and Allene in equal shares immediately following Lillian's death.</p>	<p>Updates:</p>
<p><input checked="" type="checkbox"/> Notice of Hrg</p>	<p>The Survivor's Trust as amended provides that the Survivor's Trust is to terminate at Lillian's death and is to be distributed as follows:</p>	<p>Recommendation:</p>
<p><input checked="" type="checkbox"/> Aff.Mail W</p>	<ul style="list-style-type: none"> To BLAKE LAMM (Trustors' grandson) a fractional portion (56.64%) of the Survivor Trust's ownership interest (45.56%) in certain real property in Reedley consisting of approx. 76 acres; and 	<p>File 5A - Lamm</p>
<p><input type="checkbox"/> Aff.Pub.</p>	<ul style="list-style-type: none"> To DUANE and ALLENE, the residue of the Survivor's Trust estate, in equal shares, which includes that the share apportioned to ALLENE is to include a certain residence ("Allene's Residence") and that the share apportioned to DUANE is to include the Trustors' residence, without affecting the equality of the shares. 	
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<p>SEE ADDITIONAL PAGES</p>		

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Petitioner states:

- The Trust Estate includes real estate, corporate stock, gemstones and cash, including an undivided 75% ownership interest as tenant in common in certain commercial real property consisting of an office building (the "commercial building") in Reedley, which is leased to Chase Bank. (The other 25% is owned by Duane's former spouse, Linda W. Lamm.)
- Petitioner states that since Lillian's death, Duane has been and continues to collect all rent from the Commercial Building personally and deposits same into his bank account without Allene's consent and in breach of the terms of the Trust.
- The Trust Estate also includes gemstones and precious metals, including specified items, and a Wells Fargo checking account, which is under Duane's exclusive control in breach of the terms of the Trust.
- The Trust Estate also includes 55% of the issued and outstanding common stock of Al Lamm Ranch, Inc., a California corporation. Allene and Duane each own 22.5%. Petitioner states Duane possesses and controls all of the assets of the Corporation and uses those assets for the exclusive benefit of his personal farming operations to the detriment of the Corporation and its majority owner, the Trust.
- The 76 acres of farmland (the "Home Ranch") located in Reedley is owned by the Trust and leased to Rio Vista Limited Partnership under a lease dated 10-1-05 that expires 9-30-20. Petitioner states all rent from the Home Ranch has been and continues to be collected by Duane and deposited in his personal accounts over which he has exclusive control. Duane has not provided Allene with any accounting nor made any distributions of such rental income to Allene in breach of the Trust.

Examiner's Note: It is unclear if this is the same 76 acres as is specified in the devise to Blake Lamm, since the devise indicates that the Trust owns only a partial interest of 45.56%, but this section of the petition indicates that the Trust owns this real property. The Court may require clarification.

- Petitioner states that at Lillian's death, Duane unilaterally assumed the primary duties of administering the Trust Estate, and appointed himself as the Trust decision maker and used his knowledge of the family holdings to single-handedly control the management of the Trust Estate while excluding Allene as a trustee in violation of Probate Code § 15620, which requires unanimous consent of co-trustees for action. Specifically, Petitioner states Duane has insisted on exercising exclusive control over the Commercial Building, Home Ranch and Corporation because those assets provide him with his primary source of income. Duane also holds physical possession of the specified gemstones and precious metals.
- Petitioner states she formally demanded an accounting and proposed division and distribution of the Trust Estate in a letter to Duane's attorney Mark Poochigian on 5-17-12, which letter has been ignored. Duane appears reticent in providing a full and complete disclosure of this acts and proceedings involving the Trust and has been less than forthcoming in his response to Allene's requests for information. Because of Duane's refusal to provide information and his exclusive control over the assets, including all bank accounts, for over five years, Duane should be directed to file full accounting.
- Petitioner states Duane has committed numerous breaches of trust by collecting all rents in connection with the Commercial Building and Home Ranch and depositing them into his personal accounts. By doing so, he has converted assets – a clear breach of trust.
- Duane has personally benefitted from his exclusive control and use of the equipment owned by the Corporation, the controlling shares of which are owned by the Trust. Neither the Corporation nor the Trust has received any benefit from Duane's personal use of such equipment.
- Petitioner further alleges that Duane has taken unauthorized withdrawals of cash from the Trust – another clear breach of the Trust and Probate Code § 15620 – without her consent, and no equalizing distributions have been made to Petitioner.

SEE ADDITIONAL PAGES

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- Finally, Duane has refused for well over five years to cooperate with Petitioner in division and distribution of the Trust Estate to the beneficiaries notwithstanding the terms of the Trust which require termination and immediate division and distribution following Lillian's death.
- Probate Code § 15642 empowers this Court to remove a trustee who has committed a breach or whose hostility or lack of cooperation with the other co-trustees impairs the administration of the Trust. Redress should also include removal of Duane as a co-trustee for his conversion of assets, unauthorized withdrawals, and refusal to cooperate. Such redress will allow Petitioner as the sole trustee to complete the necessary division and distribution as required by the express terms of the Trust.
- Redress should also include attorneys' fees and legal costs, as Petitioner has been forced to take extreme measures to compel Duane to carry out his fiduciary duties. Section 1(f) of the Trust allows the trustee to employ attorneys on behalf of the trust to assist in carrying out her duties. Petitioner, in carrying out her duties, has been required to retain counsel and incur legal costs to compel Duane to carry out his duties. Such fees and costs should be surcharged against Duane's beneficial interest in an amount according to proof.
- The Trust was to terminate on Lillian's death, which was over five years ago. Duane has refused to cooperate with Allene in dividing and distributing the Trust Estate to beneficiaries in accordance with the express terms of the Trust. Under Probate Code §§ 17200(b)(13) and (14), this Court has the authority and should order termination and distribution.

Petitioner requests the Court Order:

- **That Duane be directed to prepare and file within 30 days an account of the Trust from Lillian's death (11-19-06) through present, accompanied by a schedule of property, current market value, and all liabilities of the Trust;**
- **That Duane be compelled to restore to the Trust all Trust assets that he has converted for his personal use and benefit;**
- **That Duane be compelled to either return to the Trust all unauthorized cash advances that he has taken from the Trust Estate as described, plus interest at the max. legal rate, or in the alternative, be compelled to cause the Trust to make an equalizing distribution to Allene, plus interest;**
- **That Duane be removed as a co-trustee of the Trust;**
- **Directing that the Trust be terminated and the Trust Estate be divided and distributed to the Trust beneficiaries in accordance with the express terms of the Trust;**
- **For attorneys' fees and legal costs incurred by Petitioner in connection with this Petition to be surcharged against Duane's share of the Trust Estate; and**
- **For such other and further orders and relief as the Court may deem appropriate.**

Further Notes re status:

On 9-20-12, at the request of Mr. O'Rourke, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present be completed by 11-19-12.

On 11-20-12, Mr. Poochigian filed a Declaration stating that his office sent a letter to Kenneth Baldwin's office on 11-19-12 enclosing an accounting from 11-19-06 through 10-31-12 (attached).

Minute Order 9-20-12: Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.

Note: The objections filed 9-20-12 state that in approx. Oct. 2007, Duane and Allene came to an agreement regarding division and distribution of trust property, only to have Allene later contend that she did not agree to the distribution. Late in 2009, without involvement of counsel, Duane and Allene came to agreement in principle re division and distribution, which was memorialized by Duane's counsel in a proposed agreement that Allene refused to sign. Allene incorrectly alleges that Duane has excluded her from administration. To the contrary, Duane was forced to assume primary responsibility due to her refusal to respond to calls for participation. Moreover, she has shown herself to be untrustworthy by her conversion of trust assets for personal use. Duane has attempted to fulfill his duties as co-trustee with the utmost good faith. Duane objects to the petition to the extent it is in conflict with these facts. Duane has not committed any breaches of trust, has not converted trust assets for his personal use and/or benefit, should not be removed as a co-trustee, and no attorney fees should be awarded to Allene. In approx. Further, Allene's conversion of trust assets of more than \$23,000 to her own personal use and that of her son should be charged and offset against her beneficial share. Objector prays the petition be denied, for attorney fees and costs, costs of suit incurred herein, and such other and further relief as the Court deems proper.

Note: No accounting has been properly filed for Court review; however, Objections to Accounting of Co-Trustee, Duane Alan Lamm were filed 11-30-12.

Examiner notes that an accounting (attached to Declaration) was sent to Petitioner's attorney; however, the accounting was not filed as a Petition for Court review.

Therefore, Examiner has not reviewed the schedules or the objections.

If the Co-Trustee's Accounting is to be reviewed by the Court, need Petition with appropriate filing fee.

Minute Order 2-25-13: Counsel informs the Court that a settlement agreement is in progress. Matter continued. Status hearing set (Page 5B).

DOD: 2/23/09	<p>DYANNA MATTHEWS was appointed executor with Limited IAEA authority and without bond on 1/14/13.</p> <p>Letters issued on 1/22/13.</p> <p>Inventory and appraisal, partial no. 1 filed on 6/21/13 showing a value of \$126,673.00</p> <p>Inventory and appraisal, final filed on 9/16/13 showing a value of \$6,033.00</p> <p>Minute order dated 1/14/13 set this status hearing for the filing of the first account or petition for final distribution.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>	
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Reviewed by: KT			
Reviewed on: 5/7/14			
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Recommendation:			
File 6A – Brazeal			

DOD: 2/23/09		<p>DYANNA MATTHEWS, executor, is Petitioner.</p> <p>Petitioner states that in 1991 her parents purchased the real property which is the subject of this petition. In 2003 her parents placed Petitioner on the title to the property by means of the Grant Deed. In 2007 her father Quit Claimed his interest in the property to the Decedent (his wife). As a result the Petitioner is a 1/3 owner in the real property and the estate is a 2/3 owner of the real property as tenants in common.</p> <p>Petitioner states invested money in improvements in the residence. Petitioner states after her mother's death estate funds were depleted by payment of the mortgage and homeowner's dues. The mortgage fell into arrears. In an effort to avoid foreclosure Petitioner states she advanced her personal funds as full reinstatement of the note secured by the Deed of Trust.</p> <p>Since the death of her mother, Petitioner states it has been her intent to divest herself of record title interest in favor of the estate if it can be done without prejudicing Petitioner's claims to reimbursement.</p> <p>Petitioner prays for an Order that she be directed to take all steps to confirm to herself as Personal Representative, record title to the real property while preserving her right to reimbursement for improvements to the real property and for her advancement of funds for the preservation of the real property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
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		<p>Reviewed by: KT</p> <p>Reviewed on: 5/7/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6B - Brazeal</p>	

8 **Vernon V & Barbara J. Kachadurian Living Trust** **Case No. 14CEPR00292**
Atty **Rube, Melvin K. (for Vance Kachadurian – Trustee – Petitioner)**
First Account and Report of Trustee and Petition for its Settlement

Vernon: 11-27-12		VANCE KACHADURIAN , Trustee, is Petitioner. Acct period: 12-30-12 through 2-21-14 Accounting: \$223,228.36 Beginning POH: \$218,648.23 Ending POH: \$0 Trustee waives compensation; however, \$4,437.66 was paid to the trustee for partial reimbursement of \$8,630.94 in expenses incurred. Attorney: Not addressed Petitioner states he took the following actions as trustee: <ul style="list-style-type: none"> • Collected death benefits from Met Life xx131 of \$6,624.92 • Removed all tangible personal property from settlors' residence, which is being stored (see petition for storage address) • Closed Citibank Acct #xx502 and collected balance of \$4,437.66 as partial reimbursement for trust expenses • Sold residence for \$207,900.00 • Paid trust expenses of \$8,630.94 from Petitioner's personal assets because the balance of the Citi account #xx502 was the only liquid asset of the trust and was insufficient to cover the expenses • Made distributions totaling \$200,507.79 to the three beneficiaries as follows: <ul style="list-style-type: none"> - Cynthia Erbil \$66,835.93 - Vanessa Kachadurian \$66,835.93 - Vance Kachadurian \$66,835.93 <p>Petitioner states Citibank Acct #xx088 is not accounted for because it was held in joint tenancy in the names of Vernon Kachadurian and Vance Kachadurian and was not an asset of the trust at Vernon's death.</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	NEEDS/PROBLEMS/COMMENTS: Note: Petitioner alleges that beneficiary Vanessa Kachadurian took possession of various assets. It is unclear whether the acts alleged were prior to or after the deaths of the settlors, or if they took place during this account period. Petitioner does not request relief in connection with the allegations; the petition only seeks approval of Petitioner's actions as trustee for the period indicated. Therefore, the following items are noted for the Court's consideration regarding this request. <ol style="list-style-type: none"> 1. Notice of Hearing filed 4-17-14 indicates that a copy of the accounting petition was <u>not</u> included in the mailing to the beneficiaries. Probate Code §17203 does not require that a copy of a petition under that section (internal affairs of a trust) be included; however, the Court may require clarification with respect to Probate Code §16060 et seq (duty to inform, account, etc.). <u>Have the beneficiaries been provided a copy of this petition?</u> 2. Trust Exhibit A indicates that the trust originally contained two properties: One on N. Sixth Street that was sold as described in this petition, and another on E. Nees Avenue that is not mentioned in this petition. The Court may require clarification as to the disposition of the Nees Avenue property. 3. The trust indicates that the life insurance policies indicated in Exhibit B are assets of the trust; however, Exhibit B is not attached. Petitioner indicates receipt and distribution of one policy (Met). The Court may require clarification as to whether there were any others mentioned in the trust's Exhibit B. 4. The Court may require clarification as to the expenses incurred by Petitioner that were partially reimbursed.
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Petitioner alleges that Vanessa Kachadurian, without knowledge, permission, consent, or authorization of Vernon or Vance, unlawfully used Vernon's ATM card to withdraw approx. \$2,500.00 from Citibank Acct #xx088, and also removed approx. \$4,000.00 cash and tangible personal property from the residence including jewelry, misc. furnishings, Vernon's wallet, credit cards, Citibank debit card, and coins. Petitioner also alleges that Vanessa Kachadurian, by way of undue influence, fraud or theft, took possession of the 2005 Toyota Sienna thereby removing said van from the trust estate.

Petitioner prays for an order settling, allowing and approving the account and ratifying, confirming, and approving all acts and transactions of Petitioner as set forth in the petition, and for such other relief as the Court deems appropriate.

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

DOD: 2/20/14	PAUL E. QUINN , named executor without bond, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, October 8, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, July 15, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	Full IAEA – o.k.		
	Will dated: 9/15/11		
Cont. from	Residence: Fresno Publication: Fresno Business Journal		
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input type="checkbox"/> Notice of Hrg			
<input checked="" type="checkbox"/> Aff.Mail	W/O		
<input checked="" 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 checked="" type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 5/7/14</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 9 - Schoemaker</p>

DOD: 11/6/13		JANE BERKLEY, surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS:	
		No other proceedings	<ol style="list-style-type: none"> #5a(2) of the petition was not answered re: issue of predeceased child. Petition does not include a copy of the will (attachment 4c) as required. Therefore the court cannot make a determination that property passes to the surviving spouse. 	
		Will dated ???		
Cont. from		<p>Petitioner requests court confirmation that Decedent's interest in real property located at 1276 N. Vagedes in Fresno, a 1968 Ford Truck, 1970 Ford Van, 1993 Lincoln and personal property pass to her pursuant to decedent's Will.</p>	<p>Note: The attorney included an inventory and appraisal of the property. Probate Code §13651 does not require an inventory and appraisal be filed with a Spousal Property Petition.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 5/8/14	
			Updates:	
			Recommendation:	
			File 10 - Sullivan	

Age: 18 years	PUBLIC GUARDIAN was appointed Successor Guardian on 7/31/14.	NEEDS/PROBLEMS/COMMENTS: Continued from 4/15/14.
	Minute order from 7/31/14 set this status hearing for the filing of the final account.	1. Need final account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from 041514	Background: JULIE FULCHER , Mother, was appointed Guardian of the Estate of Matthew Fulcher on 6-9-11 without bond, with \$240,000.00 in blocked account.	
Aff.Sub.Wit.		
Verified	I&A Partial No. 1 filed 7-20-12 reflected \$121,103.77, which was in a blocked account (receipt filed 2-16-12).	
Inventory		
PTC	First Account filed 7-20-12 and settled on 9-18-12 indicated that the ward is still anticipated to receive distribution from his father's probate estate; however, because he resides in the primary asset, it is anticipated that a petition for instructions will be filed in that action regarding payment of creditors without sale of the home.	
Not.Cred.		
Notice of Hrg	On 7/31/13` the court heard a Petition to Be Relieved as Counsel filed by Marcus Magness (former attorney for Julie Fulcher). The Court granted Mr. Magness's request to be relieved as counsel and on its own motion removed Julie Fulcher as guardian of the estate and appointed the Public Guardian.	
Aff.Mail		
Aff.Pub.		Reviewed by: KT
Sp.Ntc.		
Pers.Serv.		Reviewed on: 5/7/14
Conf. Screen		
Letters		Updates:
Duties/Supp		
Objections		Recommendation:
Video Receipt		
CI Report		File 11 – Fulcher
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

13 Vincent Gabriel Cardenas (GUARD/P)
Atty Cardenas, Cristobal (pro per Guardian/paternal uncle)
Atty Cardenas, Micaela (pro per Guardian/paternal aunt)
Atty Jones, Julie C. (for Petitioner/mother Heidi Smith)
Petition for Termination of Guardianship

Case No. 11CEPR00544

Age: 2 years	HEIDI SMITH , mother, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	CRISTOBAL CARDENAS and MICAELA CARDENAS , paternal uncle and aunt were appointed guardians on 12/5/11.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Father: ADRIAN CARDENAS – consents and waives notice.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Paternal grandfather: Cristobal Cardenas, Sr. – consents and waives notice.	
<input type="checkbox"/> Not.Cred.	Paternal grandmother: Esperanza Cardenas – consents and waives notice.	
<input type="checkbox"/> Notice of Hrg	N/A	
<input type="checkbox"/> Aff.Mail	Maternal grandfather: Unknown	
<input type="checkbox"/> Aff.Pub.	Maternal grandmother: Anissa Turner – consents and waives notice.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen	Petitioner states at the time her son was born she was in the process of stabilizing her life and was not in a position to care for him. Petitioner now feels she is in position to give her son the loving, happy, stable home he deserves. Petitioner states she has been consistently employed for over a year with the same company. She has a residence of her own and has financially provided for her son.	
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA	Court Investigator Dina Calvillo's Report filed on 5/5/14.	
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 5/8/14
		Updates:
		Recommendation:
		File 13 – Cardenas

Age: 14	LACRISHA PHEA , mother is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>14B is the Petition for Termination filed by the mother.</p> <ol style="list-style-type: none"> Petition appears to be a copy. Need original. Need Notice of Hearing. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Visitation on: <ul style="list-style-type: none"> Karen Parker (Guardian) Craig Alijah Kelley Jr. (Ward)
	KAREN PARKER , non-relative, was appointed guardian on 01/26/2001.	
Cont. from	Father: DECEASED	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal Grandparents: Deceased	
<input checked="" type="checkbox"/> Verified	Maternal Grandparents: Deceased	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states: the guardian, Karen Parker, has not updated her information to the courts since 2001. Petitioner had to use the internet to locate her.	
<input type="checkbox"/> Notice of Hrg	Petitioner states she was 19 and had three other children, the guardian offered to help her. In 2002 the petitioner was a victim of an incident and victim witness relocated her to be closer to her mother. The mother called the guardian to get the child back and the guardian hung up on her after telling her to go to court. Petitioner states her heart is broken and misses her child.	
<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		
<input type="checkbox"/> Order	<input checked="" type="checkbox"/>	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 05/08/2014
		Updates:
		Recommendation:
		File 14A - Kelley

Petition for Termination of Guardianship

Age: 14		LACRISHA PHEA , mother is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination on: <ul style="list-style-type: none"> • Karen Parker (Guardian) • Craig Alijah Kelley Jr. (Ward)
		KAREN PARKER , non-relative, was appointed guardian on 01/26/2001.	
Cont. from		Father: DECEASED	
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal Grandparents: Deceased	
<input checked="" type="checkbox"/>	Verified	Maternal Grandparents: Deceased	
<input type="checkbox"/>	Inventory	Petitioner states: Karen Parker, the guardian took advantage of her when she was 19 years old and has made her miss 11 years of her son's life. Petitioner states guardian has changed her last name and has not updated her address since 2001.	
<input type="checkbox"/>	PTC	Court Investigator Julie Negrete's report filed 04/25/2014.	
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 05/08/2014
			Updates:
			Recommendation:
			File 14B - Kelley

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

Age: 1 year		<p align="center">TEMPORARY DENIED 5/13/14</p> <p>BRANDY MEDEIROS, paternal grandmother, is petitioner.</p> <p>Father: GABRIEL MEDEIROS – personally served on 04/09/2014.</p> <p>Mother: AMBER LOPEZ – personally served on 04/04/2014.</p> <p>Paternal grandfather: Louie Ponce</p> <p>Maternal grandfather: Not Listed</p> <p>Maternal grandmother: Elaine Franco, served by mail on 04/09/2014</p> <p>Petitioner states her grandson is neglected. He comes back with bruises and a bad rash. He has a skin condition that is not being taken care of. Petitioner alleges the mother is on crystal meth. Petitioner states she wants her grandson in a safe home environment.</p> <p>Court Investigator JoAnn Morris' report filed 05/05/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Notice of Hearing is incomplete at #4. It does not list the date, time or location of the hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Louie Ponce (Paternal Grandfather)
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		