

**1 Elyas Perez and Marissa Ramos (GUARD/P) Case No. 04CEPR00404**

ProPer Rangel, Socorro (maternal grandmother/Guardian)

ProPer Ramos, Aracely (mother/Petitioner)

**Petition for Termination of Guardianship**

Elyas, 15		ARACELY RAMOS, mother, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Marissa, 11			
Cont. from 042315		SOCORRO RANGEL, maternal grandmother, was appointed Guardian of the minors on 01/10/05. – <i>Guardian personally served on 03/15/15.</i>	<b>CONTINUED FROM 04/23/15</b>
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Father (Marissa): <b>ABRAHAM ARREDONDO</b> – Declaration of Due Diligence filed 03/03/15 states his whereabouts are unknown and he hasn't been seen since 2004	
<input type="checkbox"/>	Inventory		Paternal grandfather (Elyas): AGUSTIN PEREZ – personally served 04/30/15
<input type="checkbox"/>	PTC	Paternal grandmother (Elyas): CARMEN PEREZ	
<input type="checkbox"/>	Not.Cred.		Maternal grandfather: FRANCISCO RAMOS – personally served on 04/30/15
<input checked="" type="checkbox"/>	Notice of Hrg	<b>Petitioner states</b> that she is now living with the guardian and the children and will now be the person responsible for them.	
<input checked="" type="checkbox"/>	Aff.Mail		Court Investigator Jo Ann Morris filed a report on 04/13/15.
<input type="checkbox"/>	Aff.Pub.	Reviewed by: JF	
<input type="checkbox"/>	Sp.Ntc.		Reviewed on: 05/19/15
<input checked="" type="checkbox"/>	Pers.Serv.	Updates:	
<input type="checkbox"/>	Conf. Screen		Recommendation:
<input type="checkbox"/>	Letters	File 1 – Perez & Ramos	
<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		

Petitioner: Miriam E. Goodwin (pro per)

Motion to Terminate Mother's Visitation

		MIRIAM E. GOODWIN, guardian, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		MIRIAM E. GOODWIN, maternal grandmother, was appointed guardian on 7/11/05.	
Cont. from		Please see petition for details.	
<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 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		
		Reviewed by: KT	
		Reviewed on: 5/18/15	
		Updates:	
		Recommendation:	
		File 2 - Allen	

**Sixty-Second Account and Report of Trustee Created under the Will of James M. Wells, Deceased; Petition for Allowance of Fees for Trustee; and Petition for Approval of Accounting for the Year 2014**

		<b>RICHARD D. WELLS</b> , Successor Trustee, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, a status hearing will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, May 18, 2016</b> at 9:00 a.m. in Department 303, for the filing of the sixty-third account.</li> </ul> <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>
		Account period: 1/1/14 thru 12/31/14	
<b>Cont. from</b>		Accounting - <b>\$124,885.68</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$ 48,671.56</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 44,845.90</b>	
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Trustee fees - <b>\$2,280.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	<i>(38 hours x \$60/hour per declaration; for ordinary and routine management of trust property)</i>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner prays for an order:</b>	
<input type="checkbox"/>	<b>Letters</b>	1. Approving, allowing and settling the 62nd account; and	
<input type="checkbox"/>	<b>Duties/Supp</b>	2. Approving the sum of <b>\$2,280.00</b> as payment to Petitioner as a fair and reasonable fee for services rendered during this account period as Successor Trustee.	
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 5/18/15</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 3 - Wells</b>	

Attorney: Silvio Reggiardo, III (for Petitioner/Trustee D. Steven Blake)

**Fifth Account and Report of Trustee and Petition of its Settlement and for Authority to pay Attorneys' fees and Trustee fees and Reimburse Costs Advanced**

	<b>D. STEVEN BLAKE</b> , Trustee, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Please see related case on page 28.</p> <p><b>Note:</b> If the petition is granted, a status hearing will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, May 18, 2016</b> at 9:00 a.m. in Department 303, for the filing of the sixth account.</li> </ul> <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>
	Account period: 01/01/14 – 12/31/14		
	Accounting	- \$15,067,803.78	
	Beginning POH	- \$15,066,702.96	
	Ending POH	- \$15,046,243.38	
	<b>Cont. from</b>		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
	Trustee	- \$14,387.50 (per itemization and declaration, 115.10 hours @ \$125/hr. for sale of ranch and trust administration)	
	Trustee costs	- \$433.32 (mileage)	
	Attorney	- \$19,637.00 (per itemization and declaration, 44.20 attorney hours @ \$340 – 480 /hr. and 9.3 paralegal hours @ \$220/hr.)	
	Attorney costs	- \$1,096.00 (filing fees, certified copies and court call)	
	Attorney (Secondary Trust)	- \$2,316.00 (per itemization and declaration, 1.9 attorney hours @ \$430-440/hr. and 11.70 paralegal hours @ \$220/hr.)	
	Attorney costs	- \$551.00 (filing fees, court call)	
	Bond	- \$70,000 (is sufficient)	
	<b>Petitioner prays for an Order:</b>		
	1. The fifth account of Petitioner and Trustee be settled, allowed and approved as filed;		
	2. All acts and proceedings of Petitioner as Trustee, as set forth in the Petition be ratified, confirmed and approved;		
	3. Trustee be authorized to pay himself the sum of \$14,387.50 for services rendered and \$433.32 as reimbursement of costs;		
	4. Petitioner be authorized to pay his attorneys \$19,637.00 for legal services rendered as well as \$1,096.00 as reimbursement of cost;		
	5. Petitioner be authorized to pay his attorneys \$2,316.00 for legal services on behalf of the Secondary Trust as well as \$551.00 for costs; and		
	6. Bond be kept at \$70,000.00.		
	<b>Reviewed by:</b> KT		
	<b>Reviewed on:</b> 5/18/15		
	<b>Updates:</b>		
	<b>Recommendation:</b>		
	<b>File 4 - Silberstein</b>		

**Second and Final Account and Report of Former Guardian; for Allowance of Attorney Fees and Reimbursement of Costs**

		<b>DELIA GONZALEZ</b> , former guardian, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Probate Code §2627(b) states the guardian is not entitled to discharge until one year after the ward attains majority.</p>
		Account period: 10/31/13 – 11/25/14	
<b>Cont. from</b>		Accounting - <b>\$212,848.40</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$112,286.10</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$207,098.25</b>	
<input type="checkbox"/>	<b>Inventory</b>	All funds are in a blocked account.	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>	Guardian - <b>waives</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney - <b>\$5,115.00</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(32.2 hours @ \$225/hr. for preparation of all pleadings for appointment of successor guardian of the person and estate, and for the 2 <sup>nd</sup> account)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	Costs - <b>\$1,147.00</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	(filing fees, certified copies)	
<input type="checkbox"/>	<b>Letters</b>	Petitioner states all funds have been transferred to the successor guardians.	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>	Petitioner requests that once the accounting is approved she be discharged as guardian of the estate.	
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>2620(c)</b>	<b>Petitioner prays for an Order:</b>	
<input checked="" type="checkbox"/>	<b>Order</b>	1. The second and final account and report of Petitioner as guardian be settled, allowed, and approved;	
<input type="checkbox"/>	<b>Aff. Posting</b>	2. All acts and transactions of the guardian in the second account and report be approved;	
<input type="checkbox"/>	<b>Status Rpt</b>	3. Payment of attorney fees of \$5,115.00 and costs of \$1,174.00 be approved;	
<input type="checkbox"/>	<b>UCCJEA</b>	4. Discharging Petitioner as guardian of the estate.	
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/18/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 5 – De La Mora</b>

**6 William J. Miller (Estate)**

**Case No. 13CEPR00875**

**Attorney: Winter, Gary L., for Petitioner Heather D. Sandstrom, Administrator**

**First and Final Account and Report of Status of Administration and Petition for: (1) Settlement Thereof; (2) Approval of Sale of Personal Property; (3) Allocation of Community Property Debt to Surviving Spouse; (4) Allowance of Statutory Attorney's and Administrator's Compensation; (5) Allowance of Extraordinary Attorney's Compensation; (6) Funds Secured by Real Property; and (7) for Final Distribution**

<b>DOD: 9/3/2013</b>	<b>HEATHER D. SANDSTROM</b> , daughter and Administrator, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Heidi Miller's Objection to the Petition for Probate filed on 11/6/2013 was filed with a fee waiver. <b>HEIDI MILLER</b>, surviving spouse, will be distributed property from this estate. Therefore, a filing fee of <b>\$435.00</b> is due from Heidi Miller prior to processing of the order distributing assets to her.</li> <li>Petition does not address the Creditor's Claim filed on 11/18/2013 by <b>ASSET ACCEPTANCE, LLC</b>, in the amount of <b>\$2,036.47</b>. (Proof of Service shows service to Attorney Winter on 10/15/2013.) ~Please see additional page~</li> </ol>
	<b>Account period: 9/4/2013 – 3/20/2015</b>		
	Accounting	- \$311,788.59	
	Beginning POH	- \$306,950.59	
	Ending POH	- \$292,709.08	
<b>Cont. from</b>	<i>(consisting of real property in Tollhouse; personal property including vehicles; \$9.08 is cash)</i>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Administrator	- <b>[\$9,179.77]</b>	
<input type="checkbox"/> <b>Verified</b>	<i>(exceeds \$9,139.77 statutory)</i>		
<input type="checkbox"/> <b>Inventory</b>	Attorney	- <b>[\$9,179.77]</b>	
<input checked="" type="checkbox"/> <b>PTC</b>	<i>(exceeds \$9,139.77 statutory)</i>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Attorney XO	- <b>\$2,450.50</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<i>(for 11.90 hours @ attorney rates from \$265 to \$285 per hour; for meetings for settlement of interest with Heidi Miller; services related to sale of real property;)</i>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Administrator Costs	- <b>\$17,746.87</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>	<i>(per Declaration attached as Exhibit C; for funeral expenses of \$15,802.63; other expenses of \$1,944.24 for telephone service, publication, probate referee, filing fees, certified copies;)</i>		
<input checked="" type="checkbox"/> <b>Sp.Ntc.</b>	<b>~Please see Petition for details~</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>	120413		
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input checked="" type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>		X	
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input checked="" type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by: LEG</b>
			<b>Reviewed on: 5/20/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 6 - Miller</b>

**NEEDS/PROBLEMS/COMMENTS, continued:**

3. Paragraph 21 of the *Petition* states the schedules in support of the account have been prepared assuming approval of the sale of the music equipment, to which an objection has been made. The statutory fee base includes the **\$2,000.00** gain on sale of the music equipment; however, it appears to be premature to authorize the statutory fee amount based upon a sale which has not been realized with funds actually received into the estate.
4. Petitioner requests the Court find that the proposed sale of the music equipment to **CRAIG VINCENT GREEN** in the amount of **\$5,000.00** be approved. However, *Heidi Miller's Objection to the Petition for Probate* filed on 11/6/2013 states that she and Decedent were married on 8/18/2012, and she asserts that the musical equipment that Petitioner proposes to sell is community property, purchased during her marriage to Decedent. Need additional information regarding the efforts by Petitioner to resolve the dispute regarding the music equipment and/or some evidence to refute the community property claim to the music equipment.
5. The *Declaration of Shannon Witt* attached as *Exhibit G* to the Petitioner, stating that in the interest of an orderly and timely handling of her father's final affairs she advanced the sum of **\$5,479.02**, does not satisfy the requirements of a creditor's claim against the estate. Because Shannon Witt is not the personal representative of the estate, a request for reimbursement of expenses advanced by her appears inappropriate. Need authority for authorizing the reimbursement to Shannon Witt without her having met the requirements for a valid creditor's claim.
6. Petitioner requests relief pursuant to Probate Code § 11444(b)(5). Probate Code § 11444(b) provides that in the absence of an agreement, each debt subject to allocation shall first be characterized by the Court as separate or community, **in accordance with the laws of the state applicable to marital dissolution proceedings**. Determination of the Decedent's estate property as separate or community is an inappropriate request to be made in the instant Probate proceeding.
7. Petitioner's proposal for the *Estate of William J. Miller* to borrow funds from an individual, **SHELDON SANDSTROM**, whose relationship to the Petitioner is unspecified, appears to be beyond the scope and propriety of involvement of this Court relating to Decedents' estates, and this Court has historically denied any such requests. Need legal authority for the proposition of distributing real property of an estate subject to a court-authorized loan and promissory note secured by the real property to be distributed with the estate as the borrower.
8. Need proposed order pursuant to Local Rule 7.6.1, containing a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance, and the amounts to be distributed.

**Note Re Inventory and Appraisal for future reference of attorney:** *Final Inventory and Appraisal* filed 3/13/2014 is marked as a "corrected" inventory and appraisal. However, it appears this is a supplemental inventory and appraisal, as it lists an asset not previously appraised (firewood and wood splitter) and does not appear to correct a previously filed inventory and appraisal. Further, the inventory and appraisal filed 3/13/2014 lists at Item 3 an inserted dollar sign and a total, which could be misleading to the Court; this space is not intended by the Judicial Council form DE-160 to contain a dollar amount of all assets inventoried and appraised.

<b>Age:14</b>	<b>ANTHONY MICHAEL POWER</b> , brother, and <b>LISA CHAPMAN</b> , maternal aunt, are petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Although the narrative of the petition states accounting is from 01/15/2014 through 03/23/2015, the Summary of Account lists the accounting is from 02/14/2014 through 03/23/2015. The accounting should commence from the date letters issued. Letters issued on 01/15/2015.</li> <li>2. Bond is not sufficient. Need bond increased by \$24,188.21 for a total bond of \$68,581.70.</li> <li>3. Petitioner, Lisa Chapman, requests reimbursement in the amount of \$2,852.07 for various medical expenses from 10/10/2013 through 04/07/2014. According to the Petition for Guardianship the child receives over \$1,000 in social security. The Court may need clarification as to why the estate should be paying for the minor's care and maintenance when she is receiving social security benefits which would cover these medical expenses.</li> <li>4. Order does not comply with Local Rule 7.6.1, order must contain a statement as to the balance of the estate on hand, specifically noting the amount of cash included in the balance.</li> </ol>	
	Account period: 02/14/2014 – 03/23/2015		
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Accounting - <b>\$37,979.42</b>		
<input type="checkbox"/> <b>Verified</b>	Beginning POH - <b>\$4,216.88</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>	Ending POH - <b>\$37,045.72</b>		
<input type="checkbox"/> <b>PTC</b>	Guardians - <b>Waive</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Guardian's reimbursement - <b>\$2,852.07</b> (Medical expenses)		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>			
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	Attorney – <b>\$2,500.00</b> (per Local Rule)		
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>	Current Bond is - <b>\$44,393.49</b>		
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Wherefore, petitioner requests:</b>		
<input type="checkbox"/> <b>Letters</b>	1. Approving, allowing and settling the first account.		
<input type="checkbox"/> <b>Duties/Supp</b>	2. The Court authorize the petitioners to reimburse guardian Lisa Chapman \$2,852.07 as reimbursement of costs advanced on behalf of the minor and estate during the period of the account.		
<input type="checkbox"/> <b>Objections</b>	3. That the Court authorize petitioners to pay Steven F. Salazar; petitioner's attorney, \$2,500.00 for legal services.		
<input type="checkbox"/> <b>Video Receipt</b>	4. That the Court authorize petitioners to reimburse attorney Steven F. Salazar for costs advanced in the amount of \$622.00.		
<input type="checkbox"/> <b>CI Report</b>	5. All further accounts to this Court be dispensed with;		
<input type="checkbox"/> <b>9202</b>	6. That the Court issue any other and further orders that is considers proper.		
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 05/18/2015
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 7 - Rodriguez</b>	

**First and Final Account and Report of Administrator and Petition for its Settlement, for Allowance of Statutory Fees and Commissions and for Final Distribution**

<b>DOD: 7/1/13</b>	<b>RICHARD ESQUEDA</b> , Brother and Administrator with Full IAEA without bond, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Account period: 7/1/13-3/27/15	
	Accounting: \$237,408.40	
	Beginning POH: \$235,300.00	
	Ending POH: \$ 93,494.52 (cash)	
	Administrator (Statutory): \$7,624.17	
	Attorney (Statutory): \$7,624.17	
	Closing: \$500.00	
	Distribution pursuant to intestate succession is one-half to the decedent's surviving spouse Maria T. Esqueda and the remaining one-half in equal shares to the decedent's 8 siblings as follows:	
	Maria T. Esqueda: \$37,873.09	
	Danny L. Esqueda: \$4,734.13	
	David Esqueda: \$4,734.13	
	Lawrence J. Esqueda: \$4,734.13	
	Ernest Esqueda: \$4,734.14	
	Richard Esqueda: \$4,734.14	
	Jerry Esqueda: \$4,734.14	
	Virginia Esqueda: \$4,734.14	
	Sally Peralta: \$4,734.14	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>		
<input checked="" type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input checked="" type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 5/18/15
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 8 - Esqueda</b>





**First and Final Report of Administration, Petition for Final Distribution and for Allowance of Statutory Attorneys Fees on Waivers of Accounting and Notice**

<b>DOD: 6/13/14</b>		<p><b>DENNIS A. TURMON</b>, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&amp;A: \$905,903.85 POH: \$273,381.59 cash plus real property valued at \$600,000.00</p> <p>Executor (Statutory): Waived</p> <p>Attorney (Statutory): \$21,118.08</p> <p>Closing: \$3,000.00</p> <p>Distribution pursuant to Decedent's will:</p> <p>James N. Lang: \$100.00</p> <p>Dennis A. Turmon: A 50% undivided interest in accounts totaling \$124,581.76 cash plus a 50% undivided interest in certain real property in Selma.</p> <p>Sondra Lee Patzkowski: A 50% undivided interest in accounts totaling \$124,581.76 cash plus a 50% undivided interest in certain real property in Selma.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>			
<input checked="" type="checkbox"/>	<b>Verified</b>			
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<input type="checkbox"/>	<b>Video Receipt</b>			
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				<b>Reviewed by:</b> skc
				<b>Reviewed on:</b> 5/18/15
				<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED		
		<b>File 11 - Turmon</b>		

<b>DOD: 5-29-12</b>	See petition for details.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Note:</b> Page B is the First Account of Trustee Lori Shibata.
		1. Petitioner requests costs. The Court may require clarification or itemization.
		2. Need order.
Cont from 111314, 031815, 041615		
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		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 5-15-15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 12A – Lee</b>

<b>DOD: 5/29/12</b>	<b>See petition for details.</b>	<b>NEEDS/PROBLEMS/ COMMENTS:</b>  Continued from 4/16/15. Objections were filed 5/7/15.
<b>Cont from 041615</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
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<input type="checkbox"/> <b>Citation</b>		
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		<b>Reviewed by: skc</b>
		<b>Reviewed on: 5/15/15</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 12B- Lee</b>





**15A Gallardo Family Trust 2011**

**Case No. 15CEPR00080**

**Atty Larson, Timothy J.; Johnson, Summer; of Dowling Aaron (for Petitioner Angela J. Gallardo, Successor Co-Trustee)**

**Pro Per Gallardo, Kenneth R., Respondent/Objector, Co-Trustee**

**Atty Thompson, Timothy L., of McCormick Barstow (by Notice of Association filed 3/25/2015, also for Respondent/Objector Kenneth R. Gallardo, Co-Trustee)**

**Petition to Remove Co-Trustee; Accept Co-Trustee Resignation; and Appoint Neutral Third Party Trustee**

Judith DOD: 10/2/2012	<b>ANGELA J. GALLARDO</b> , daughter and Successor Trustee, is Petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR</b></p> <p><u>Page 15B</u> is Kenneth Gallardo's <i>Petition for Change of Venue, etc.</i></p> <p><u>Continued from 4/23/2015.</u> <i>Minute Order</i> states counsel requests continuance for further discussions and possible dismissal. If all parties verify to the Examiner via email that progress is being made towards settlement, then the 5/21/2015 hearing may come off calendar and no appearance will be necessary on that date, but the 7/30/2015 hearing date would remain.</p> <p><b>Note:</b> <i>Substitution of Attorney</i> filed 5/19/2015 indicates Attorney Edward Thirkell (of San Mateo) has substituted out of this matter, and Respondent Kenneth Gallardo is self-represented effective 5/15/2015. It is unclear whether the <i>Notice of Association</i> filed 3/25/2015 remains in effect indicating that Mr. Gallardo associates the law firm of McCormick, Barstow (Attorney Timothy Thompson) with Mr. Thirkell, to serve in this action.</p> <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 5/18/15</p> <p><b>Updates:</b> 5/19/15; 5/21/15</p> <p><b>Recommendation:</b></p> <p><b>File 15A - Gallardo</b></p>
Ray DOD: 9/10/2014			
Cont. from 031615, 040815, 042315	<p><b>Petitioner requests the Court order the removal of the Co-Trustee, KENNETH R. GALLARDO, son, and only thereafter accept Petitioner's resignation as Co-Trustee, and appoint a neutral third party trustee to administer the Trust, based upon the following:</b></p> <ul style="list-style-type: none"> <li>On 9/12/2011, Ray and Judith Gallardo executed the <b>GALLARDO FAMILY TRUST</b> (copy attached as Exhibit A), and they also executed pour-over Wills (copies of wills attached as Exhibits B and C);</li> <li>The pour-over Wills are substantively identical and provide that upon the death of Ray and Judith, the assets of his or her respective estate were to pour over into the Trust;</li> <li>The Trust designated Ray and Judith as initial Co-Trustees; after Judith's death on 10/2/2012, Ray became sole Trustee; Trust provides that in the event the office of Trustee becomes vacant, Ken and Angela are to serve as Successor Co-Trustees;</li> <li>The main assets of the Trust consist of real property in Bass Lake; Gallardo Investment Corp. which owns among other items, commercial real property in Oakhurst; insurance proceeds; Schwab Account; Ameritrade Account; credit union accounts; bank accounts; and miscellaneous items of tangible personal property;</li> <li>Venue is proper in Fresno Superior Court because Fresno County is the residence of the Petitioner, one of the Co-Trustees of the Trust;</li> </ul> <p><b>~Please see additional page~</b></p>		
Aff.Sub.Wit.			
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Petitioner requests the Court remove Co-Trustee **KENNETH R. GALLARDO** for the following reasons:

- **Ken is unfit to Administer the Trust:** Ken possesses qualities inapposite to the essential qualities of a trustee, and accordingly is unfit to administer the Trust; on 2/4/2014, Ken was convicted by a San Mateo County jury of two counts of offering false evidence and one count of forgery for offering to the Court forged copies of checks made to his wife in opposition to San Mateo County Department of Child Support Service's (DCSS) request that his wages be garnished for failure to pay child support; following DCSS request to subpoena his bank records, Ken promptly paid his child support arrearages; bank records confirmed the checks Ken offered had never been cashed and endorsements were forgeries by Ken of his wife's signature; *(copy of People's Sentencing Memorandum attached as Exhibit D; Probations Officer's Report dated 4/16/2014 attached as Exhibit E shows Ken continued to be delinquent on child support at the time of sentencing)*; as a consequence of Ken's perjury to the San Mateo Court and his financial issues stemming from his child support obligations, Ken is unfit to administer the Trust, lacks the appropriate fiduciary temperament and Petitioner requests his removal;
- **Hostility Amongst the Co-Trustees Impairs Administration:** Hostility has arisen between the Co-Trustees such that the administration of the Trust and management of its assets has come to a virtual standstill; Ken has taken and continues to take unilateral action with respect to many aspects of the trust administration without prior consultation with Petitioner or her attorneys; following Ray's death, Petitioner and Ken began discussions concerning collection and distribution of Trust assets; Petitioner forwarded an informal property to Ken in late September 2014 for collection and distribution; on 10/1/2014, counsel for Petitioner sent Ken a proposed "Asset Allocation Schedule" setting forth a proposed distribution of Trust assets, over which Petitioner and Ken engaged in intensive discussions for 3 months; each time Co-Trustees appeared to be in agreement, Ken would change his mind causing negotiations to begin anew (though Angela also changed her mind on certain issues but was more cooperative); Co-Trustees have been unable to work together; Attorney Johnson sent a letter dated 1/8/2015 to Ken requesting his assistance with joint collection of liquid trust assets (copy attached as Exhibit F), but Ken never returned the documents as requested.
- **Ken Continues to take Unilateral Action without Knowledge or Consent of Angela:** Ken has taken the following actions without informing Angela or seeking her consent: *[please refer to Pages 5 to 6, items (a) through (j) for description of unilateral actions involving Trust assets]*; Ken exhibits none of the qualities of a Co-Trustee as fiduciary charged with exhibiting scrupulous good faith and unwavering candor; Ken's demonstrated pattern of unilaterally taking action on behalf of the Trust exhibits his inability to fairly administer the Trust through to distribution, and taken in their totality they demonstrate there is good caught grant relief to Petitioner.
- **Petition to Accept Co-Trustee Resignation:** Petitioner brings this action to ensure the intent of her parents is realized free from deadlock, deceitful conduct and waste of trust assets, and has serious concerns that Ken will abscond with Trust assets, justifiable concerns in light of Ken's felony conviction and unilateral acts; Petitioner would like to resign as Co-Trustee if the Court orders Ken's removal as Co-Trustee, and if he is removed, Petitioner would like to resign as Co-Trustee and requests the Court accept her resignation after his removal.
- **Petition to Appoint Neutral Third Party Trustee:** Should the Court order Ken's removal and subsequently accept Petitioner's resignation, Petitioner requests the Court appoint **BRUCE D. BICKEL**, professional fiduciary, as neutral third-party successor trustee *[Consent to Act filed 2/26/2015]*;
- **BRUCE D. BICKEL'S Consent to Act filed 2/26/2015]**; Petitioner believes a neutral third party would be trusted by the beneficiaries and be able to obtain acceptable appraisals, and appropriately marshal and distribute assets.

~Please see additional page~

## Second Additional Page 15A, Gallardo Family Trust 2011 Case No. 15CEPR00080

### **Petitioner requests the Court issue an Order:**

1. Removing Ken as Co-Trustee of the Trust;
2. Accepting Petitioner's resignation as Co-Trustee of the Trust;
3. Appointing **BRUCE D. BICKEL** as sole successor trustee of the Trust; and
4. For costs incurred herein.

**Special Appearance; Petition for Change of Venue; and Objection to Petition to Remove Co-Trustee, Accept Co-Trustee Resignation, and Appoint Neutral Third Party Trustee; and Request for Stay of Proceedings filed by KENNETH R. GALLARDO, Co-Trustee, on 3/2/2015 states** *[only in relation to the Objection to Petition to Remove Co-Trustee, Accept Co-Trustee Resignation, and Appoint Neutral Third Party Trustee, which should have been a separately filed pleading distinct from the Petition for Change of Venue and Request for Stay of Proceedings]:*

- Kenneth R. Gallardo (Respondent), as Successor Co-Trustee, **specialy appears** *[emphasis in original]* before this Court in order to object to Angela Gallardo's *Petition to Remove Co-Trustee, Accept Co-Trustee Resignation, and Appoint Neutral Third Party Trustee* on the basis that Petitioner improperly filed her petition in Fresno County since venue is proper in San Mateo County where the Trust is actually being administered;
- Respondent was contacted by Petitioner's attorney, Timothy Larson, on 9/18/2014 informing him that he know of Respondent's felony convictions and that he could have Respondent removed as Co-Trustee, and attempted to persuade Respondent to reach a settlement agreement on the distribution of assets; Respondent stated he was willing to work on negotiating a settlement;
- Attached as Exhibit D is a set of copies of emails sent between Respondent and Petitioner's attorneys, which show Petitioner's attorneys communicated with Respondent in his role a co-trustee during the period before he retained counsel; after Respondent retained counsel, the cooperation of Petitioner's attorneys ceased and they filed their petition for removal;
- Respondent's attorney sent a letter to Petitioner's attorney on 1/21/2015 *(copy attached as Exhibit E)* describing the events since the passing of the settlors including the trust administration done by Kenneth, and stating his preference for mediation as possible resolution; without responding to the letter, Petitioner's attorneys filed their petition for removal;
- Mr. Larson claims to represent Petitioner in her role as co-trustee, though all of his efforts on Petitioner's behalf concern her share of the estate and thus he has represented her in her role as beneficiary;
- Petitioner and Mr. Larson have thus far not participated in any Trust administration, which to date has been accomplished by Respondent.

**Declaration of Kenneth Gallardo in Support of Special Appearance** attached as Exhibit C reiterates points in the objection, and states that at no time did Petitioner's attorney Timothy Larson tell him that the co-trustees had certain obligations in administering his parents' Trust; Mr. Larson never mentioned the need to open a trust bank account for the co-trustee to use in paying bills and depositing funds received; the only subject matter of all communications with Mr. Larson was the distribution of trust assets between his sister and him; Mr. Larson's tone in all of their conversations has been hostile; he has provided Mr. Larson with various records concerning trust assets; since his father's death on 9/10/2014, he has performed *[trust administration acts set forth on Page 3 and 4 of Declaration]*; he has been wholly responsible for the basic trust administration; Petitioner and her attorneys have been working on the case for nearly 6 months, but it was not until he retained counsel in January 2015 that a 120-day notice, a certificate of trust, and an affidavit of death of trustee were prepared.

**15B Gallardo Family Trust 2011**

**Case No. 15CEPR00080**

**Atty** Larson, Timothy J.; Johnson, Summer; of Dowling Aaron (for Petitioner Angela J. Gallardo, Successor Co-Trustee)  
**Pro Per** Gallardo, Kenneth R., Respondent/Objector, Co-Trustee  
**Atty** Thompson, Timothy L., of McCormick Barstow (by Notice of Association filed 3/25/2015, for Respondent/Objector Kenneth R. Gallardo, Co-Trustee)

**Special Appearance; Petition for Change of Venue; and Objection to Petition to Remove Co-Trustee, Accept Co-Trustee Resignation, and Appoint Neutral Third Party Trustee; and Request for Stay of Proceedings**

Judith DOD: 10/2/2012	KENNETH R. GALLARDO, Co-Trustee, is Respondent.	<p><b>Respondent states:</b></p> <ul style="list-style-type: none"> <li>• He <b>specialy appears</b> <i>[emphasis in original]</i> before this Court in order to object to Petitioner <b>ANGELA GALLARDO'S</b> <i>Petition to Remove Co-Trustee, etc.</i>, on the basis that Petitioner improperly filed her petition in Fresno County, since venue is proper in San Mateo County where the Trust is actually being administered;</li> <li>• Respondent petitions the Court for a change of venue and requests a stay of the proceedings;</li> <li>• <b>Venue is Improper in Fresno County:</b> Respondent objects to the petition on the grounds that venue is improper in Fresno because venue is proper in San Mateo County where Ray and Judith Gallardo's estate administration has taken place since September 2014;</li> <li>• In her petition in the section entitled "Venue" <i>[paragraph 9]</i>, Petitioner states that she is a resident of Clovis and that venue is proper in Fresno County because the County of Fresno is the residence of one of the Co-Trustees of the Trust, citing Probate Code § 17002(b)(2);</li> <li>• Under Probate Code § 17005, venue is proper in the county where the principal place of administration of the trust is located; Probate Code § 17002(a) states that the principal place of administration of the trust is the usual place where the day-to-day activity of the trust is carried on by the trustee or its representative who is primarily responsible for the administration of the trust;</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>OFF CALENDAR</b>  <u>Continued from 4/23/2015.</u>  <i>Minute Order</i> states counsel requests continuance for further discussions and possible dismissal. If all parties verify to the Examiner via email that progress is being made towards settlement, then the 5/21/2015 hearing may come off calendar and no appearance will be necessary on that date, but the <b>7/30/2015</b> hearing date would remain.</p> <p><b>Note:</b> <i>Substitution of Attorney</i> filed 5/19/2015 indicates Attorney Edward Thirkell (of San Mateo) has substituted out of this matter, and Respondent Kenneth Gallardo is self-represented effective 5/15/2015. It is unclear whether the <i>Notice of Association</i> filed 3/25/2015 remains in effect indicating that Mr. Gallardo associates the law firm of McCormick, Barstow (Attorney Timothy Thompson) with Mr. Thirkell, to serve in this action.</p>
Ray DOD: 9/10/2014			
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~Please see additional page~

**Reviewed by:** LEG  
**Reviewed on:** 5/18/15  
**Updates:** 5/19/15; 5/20/15  
**Recommendation:**  
**File 15B - Gallardo**

**Respondent states, continued:**

- Probate Code § 17002(b) states that if the principal place of administration of the trust cannot be determined under 17002(a), the principal place of administration of the trust is the residence or usual place of business of any of the co-trustees;
- Here, the principal place of administration of the Trust is San Mateo County because the day-to-day activities of the Trust have been carried out there by Kenneth Gallardo, the trustee who has solely been responsible for the administration of the Trust;
- Fresno County is wholly unrelated to the day-to-day administration of the Trust; neither Ray nor Judith Gallardo, the Settlers, lived in Fresno County at the time of their deaths, or ever, nor is there any real property of the Trust located in Fresno County;
- The only connection that the Trust has to Fresno County is that one beneficiary and co-trustee has residence there;
- However, Petitioner has not engaged in any trust administration and no trust administration has taken place in Fresno County;
- Instead, Petitioner's actions in relation to the Trust have all been as a beneficiary, forcing Respondent to administer the Trust by himself;
- Therefore, the correct venue for this action is San Mateo County (*attached as Exhibit F are copies of bank records and documents showing trust administration occurring in San Mateo County by Respondent*);
- **Trust Administration to Date:** Respondent, Kenneth Gallardo, has since his father's death on 9/10/2014, performed [*see pages 5 to 7 listing 19 administration acts completed; see also trust administration acts set forth on Page 3 and 4 of Declaration of Kenneth Gallardo*]; he has been wholly responsible for the basic trust administration to date;
- Petitioner and her attorneys have been working on the case for nearly 6 months, but it was not until Respondent retained counsel in January 2015, nearly 5 months after the death of Ray, that a 16061.7, 120-day notice, certificate of trust, and affidavit of death of trustee were prepared;
- Petitioner, Angela Gallardo, has consistently thwarted and delayed any efforts to administer the Trust; instead, Petitioner and her attorneys' entire focus has been on negotiating a favorable settlement agreement for Petitioner;
- Even after settlement negotiations broke down, Petitioner's focus is still not on the administration of the Trust, but is to make good on the threats made to Respondent regarding his removal as Co-Trustee;
- Respondent has been serving as Trustee for nearly 6 months and while Petitioner made clear that they knew of Respondent's legal troubles and their ability to seek removal as trustee, they have not acted on it until now;
- In the interim, they have depended on Respondent for the entirety of the Trust administration to date; for Petitioner to initiate settlement talks while hanging the threat of removal over Respondent's head, then petition for removal when Respondent retains counsel, after allowing Respondent to administer the Trust entirely by himself for months, indicates a disregard for the estate's assets, which cannot afford this costly litigation;
- **Stay of Proceedings:** Generally, the filing of a motion for change of venue operates as a *supersedeas* or stay of proceedings, and the Court cannot rule on other substantive issues while the motion for change of venue is pending; Respondent asks that the Court stay the proceedings in this case and refuse to rule on any substantive issues while this motion for change of venue is pending.

~Please see additional page~

**Respondent prays for an Order:**

1. Finding Fresno County an improper venue for these proceedings;
2. Transferring the proceedings to the Superior Court of San Mateo County;
3. Staying proceedings in the matter while this change of venue petition is pending.

<b>DOD: 12/13/13</b>	<p><b>TOSHI SAKAI</b>, surviving spouse, filed an Ex Parte Petition for Special Administration on 02/23/15.</p> <p>On 02/24/15, the Court set the Ex Parte Petition for a hearing on 03/12/15. 03/12/15 matter was continued to 03/19/15.</p> <p>At the hearing on 03/19/15, the Court granted the Petition for Special Administration and set this matter for a hearing regarding filing a Petition for Probate.</p> <p><b>Minute Order from 03/19/15</b> states: If the Petition is filed at least two court days prior, then no appearance is necessary on 04/23/15.</p> <p><b>Minute Order from 04/23/15</b> states: The Court issues an Order to Show Cause to Mara Erlach and Toshi Sakai as to why they should not be sanctioned for failure to appear and failure to report regarding the status of filing the petition. Both Ms. Erlach and Toshi Sakai are ordered to be personally present in court on 05/21/15.</p> <p><b>Clerk's Certificate of Mailing</b> states that a copy of the minute order was mailed to Mara Erlach and Toshi Sakai on 04/24/15.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>NOTE:</b> Petition for Probate filed 05/13/15 and set for hearing on 06/25/15</p>
<b>Cont. from 042315</b>		
<b>Aff.Sub.Wit.</b>		
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	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 05/19/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16 - Sakai</b></p>	

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

<b>DOD: 10/21/14</b>		<p><b>CATHRYN J. CUMMINGS</b>, daughter, is petitioner and requests appointment as Administrator with Will Annexed and with bond set at \$176,000.</p> <p>Full IAEA – o.k.</p> <p>Lost Will dated: 6/30/2005</p> <p>Residence: Fresno</p> <p>Publication: Fresno Business Journal</p> <p><b>Petitioner states</b> her mother expressed a desire to have her estate in order. To accomplish this she prepared a will. She wanted her estate to go equally to her three daughters. She gave a copy to each of her daughters. Decedent never mentioned a desire to change her will. Petitioner's sister, Petty J. Wayte, thought she has the original, but she could not locate it after decedent's death. Additional, Peggy J. Wayte was involved in an accident that impaired her ability to search for the original will.</p> <p><b>Estimated value of the estate:</b> Personal property - \$160,000.00</p> <p><b>Probate Referee: Steven Diebert.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Wednesday, June 24, 2015</b> at 9:00 a.m. in Department 303, for the filing of the bond.</li> <li>• <b>Wednesday, October 21, 2015</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, July 20, 2016</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul> <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>
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<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 5/18/15/15</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 17- Chester</b></p>	

Attorney: Bagdasarian, Gary G., for Petitioner Rachel Aurore Marzocchi

Petition to Determine Succession to Real Property

<b>DOD: 3/24/2008</b>	<b>RACHEL AURORE MARZOCCHI</b> , friend, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>	40 days since DOD.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input checked="" type="checkbox"/> <b>Inventory</b>	<b>Other proceedings:</b> Decedent was not a resident of California at the time of his death, and proceedings for administration of Decedent's estate have been commenced in Rhode Island. The subject property is real property in Fresno County owned by the Decedent at the time of his death.	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	I & A - <b>\$80,000.00</b>	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>	<b>Will dated 6/27/2007</b> devises the residue of the estate to the Petitioner. (Note: Decedent's Will was executed in Rhode Island, and thus has not been deposited with this Court.)	
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>	<b>Petitioner requests</b> Court determination that Decedent's <b>1/3 interest</b> in real property located at 7415 N. Carnegie Ave., Fresno, passes to the Petitioner pursuant to Decedent's will.	
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 5/19/15
		<b>Updates:</b>
		<b>Recommendation:</b> SUBMITTED
		<b>File 18 - Slucha</b>

Petitioner: Lashon Rena Newsome (pro per)

Petition for Appointment of Temporary Guardian of the Person

		<b>GENERAL HEARING 6/10/15</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>LASHON RENA NEWSOME</b> , maternal grandmother, is petitioner.	<ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence on:                             <ol style="list-style-type: none"> <li>a. Unknown father</li> <li>b. Shavon Newsome-Nichols</li> </ol> </li> <li>3. UCCJEA is incomplete. The form does not list the minor's residence information from 10/15/14 to 1/29/15.</li> </ol>
		Please see petition for details.	
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	X	
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	X	
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/18/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 19 - Newsome</b>

**20 Reuben Nelson (Estate) Case No. 15CEPR00376**

**Atty Walters, Jennifer L. (for Frank Underwood – Petitioner)**

**Petition for Letters of Administration; Authorization to Administer Under IAEA**

<b>DOD: 05/26/2005</b>	<b>FRANK UNDERWOOD</b> , is petitioner and requests appointment as Administrator without bond.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Petitioner is also the petition on Page #21. Decedent, Reuben Nelson, is the father of the Decedent, Susan Nelson, on page #21.</b></p> <p><b>The deficiencies with the pleadings include, but are not limited to, the following:</b></p> <ol style="list-style-type: none"> <li>1. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.</li> <li>2. Need Affidavit of Publication.</li> <li>3. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.</li> <li>4. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.</li> <li>5. The issue of bond has not been addressed on the petition at #3d(1) or #3d(2).</li> <li>6. Need Notice of Petition to Administer Estate.</li> </ol> <p><b><u>Please see additional page</u></b></p> <p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 05/19/2015</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 20 - Nelson</b></p>
	Full IAEA - ?	
<b>Cont. from</b>	Decedent died intestate	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	Residence: Fresno	
<input type="checkbox"/> <b>Inventory</b>	Publication: Need	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Estimated value of the Estate:</b>	
<input type="checkbox"/> <b>Notice of Hrg</b>	Personal property - \$175,000.00	
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>	Probate Referee: Steven Diebert	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		

8. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on the following:
- Charlie Nelson
  - Jenny Nelson
  - Michael Nelson

**Note:** If granted, the Court will set status hearings as follows:

- **Thursday, Oct. 22, 2015** for filing the Inventory and Appraisal
- **Thursday Aug. 25, 2016** for filing the first account or petition for final distribution.

If proper items are on file prior to the filing dates pursuant to local rules, the status dates may come off calendar.

Petition for Probate of Will and for Letters Testamentary: Authorization to Administer Under the Independent Administration of Estates Act

<b>DOD: 03/28/2015</b>		<p><b>FRANK UNDERWOOD</b>, is petitioner and requests appointment as Administrator with will annexed without bond.</p> <p>Full IAEA - ?</p> <p>Holographic Will dated: 06/16/2000</p> <p>Residence: Fresno Publication: Need</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$1,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$160,000.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$161,000.00</b></td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$1,000.00	Real property	-	\$160,000.00	<b>Total</b>	-	<b>\$161,000.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>The deficiencies with the pleadings include, but are not limited to, the following:</b></p> <ol style="list-style-type: none"> <li>1. Need Affidavit of Publication.</li> <li>2. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.</li> <li>3. #5a(7) or #5a(8) was not answered regarding issue of predeceased child.</li> <li>4. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.</li> <li>5. Need proof of holographic instrument.</li> </ol> <p style="text-align: center;"><b><u>Please see additional page</u></b></p>
Personal property	-		\$1,000.00									
Real property	-		\$160,000.00									
<b>Total</b>	-		<b>\$161,000.00</b>									
<b>Cont. from</b>												
<input type="checkbox"/>	<b>Proof of Holographic Inst.</b>		x									
<input checked="" type="checkbox"/>	<b>Verified</b>											
<input type="checkbox"/>	<b>Inventory</b>											
<input type="checkbox"/>	<b>PTC</b>											
<input type="checkbox"/>	<b>Not.Cred.</b>											
<input type="checkbox"/>	<b>Notice of Hrg</b>	x										
<input type="checkbox"/>	<b>Aff.Mail</b>	x										
<input type="checkbox"/>	<b>Aff.Pub.</b>	x										
<input type="checkbox"/>	<b>Sp.Ntc.</b>											
<input type="checkbox"/>	<b>Pers.Serv.</b>											
<input type="checkbox"/>	<b>Conf. Screen</b>											
<input checked="" type="checkbox"/>	<b>Letters</b>											
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>											
<input type="checkbox"/>	<b>Objections</b>											
<input type="checkbox"/>	<b>Video Receipt</b>											
<input type="checkbox"/>	<b>CI Report</b>											
<input type="checkbox"/>	<b>9202</b>											
<input checked="" type="checkbox"/>	<b>Order</b>											
<input type="checkbox"/>	<b>Aff. Posting</b>											
<input type="checkbox"/>	<b>Status Rpt</b>											
<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b>											
			<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 05/19/2015</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 21 - Nelson</b></p>									

6. The issue of bond has not been addressed on the petition at #3d(1) or #3d(2).
7. Need Notice of Petition to Administer Estate.
8. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on Charlie Nelson.

**Note:** If granted, the Court will set status hearings as follows:

- **Thursday, Oct. 22, 2015** for filing the Inventory and Appraisal
- **Thursday Aug. 25, 2016** for filing the first account or petition for final distribution.

If proper items are on file prior to the filing dates pursuant to local rules, the status dates may come off calendar.

Petition for Letters of Administration; Authorization to Administer Under the IAEA

<b>DOD: 3/21/15</b>		<b>GLENN HOWELL</b> , brother, is petitioner and requests appointment as Administrator without bond.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> If the petition is granted, status hearings will be set as follows:
		All heirs waive bond.	<ul style="list-style-type: none"> <li>• <b>Wednesday, October 21, 2015</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Wednesday, July 20, 2016</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul>
<b>Cont. from</b>		Full IAEA – o.k.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Decedent died intestate.	
<input checked="" type="checkbox"/>	<b>Verified</b>	Residence: Fresno	
<input type="checkbox"/>	<b>Inventory</b>	Publication: Fresno Business Journal	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	<b>Estimated value of the estate:</b>	
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>	Personal property - \$ 20,000.00	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Real property - \$112,500.00	
<input type="checkbox"/>	<b>Pers.Serv.</b>	<b>Total - \$132,500.00</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>	<b>Probate Referee: Steven Diebert</b>	
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/19/15</b>
			<b>Updates:</b>
			<b>Recommendation: SUBMITTED</b>
			<b>File 22 - Howell</b>

**Petition for Probate of Will and for Letters Testamentary: Authorization to Administer Under the Independent Administration of Estates Act**

DOD: 7/9/14		<b>DR. MARY MARGARET HADCOCK,</b> Daughter and named executor without bond, is Petitioner.  Full IAEA – ok  Will dated 12/21/93  Residence: Fresno Publication: Business Journal  Estimated value of estate: Personal property: \$400,000.00  Probate Referee: Rick Smith	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <del>1. The will does not appear to be self-proving. Need Proof of Subscribing Witness pursuant to Probate Code §8220.</del>  Declaration filed 5/20/15 states the will is self-proving by Montana statute (attached), where it was executed.  <b>Note: If granted, the Court will set status hearings as follows:</b> <ul style="list-style-type: none"> <li>• Wed, Oct. 21, 2015 for filing the Inventory and Appraisal</li> <li>• Wed Aug. 24, 2016 for filing the first account or petition for final distribution.</li> </ul> If proper items are on file prior to the filing dates pursuant to local rules, the status dates may come off calendar.	
<input type="checkbox"/>	Aff.Sub.Wit.			x
<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/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			
			Reviewed by: skc	
			Reviewed on: 5/18/15	
			Updates: 5/20/15	
			Recommendation: SUBMITTED	
			File 23 – Wurth	



Petition for Appointment of Probate Conservator of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:
			<ol style="list-style-type: none"> <li>1. Need Court Investigation, advisement of rights.</li> <li>2. Petitioner requests dementia powers at #1k, but did not attach the mandatory Attachment Requesting Special Orders Regarding Dementia (GC-313). Need clarification: Are dementia powers (medication and/or placement) requested? If so, need Attachment GC-313 to be filed and served with the petition on interested persons.</li> </ol>
	Aff.Sub.Wit.		
✓	Verified		<p><u>Note:</u> If dementia powers are requested, an attorney must be appointed to represent the proposed Conservatee pursuant to Probate Code §2356.5(g).</p> <ol style="list-style-type: none"> <li>3. Need Citation and proof of personal service of Citation with a copy of the petition (and dementia attachment) on the proposed Conservatee at least 15 days prior to the hearing pursuant to Probate Code §1824.</li> <li>4. Need Notice of Hearing and proof of service of Notice of Hearing with a copy of the petition (and dementia attachment) on all relatives at least 15 days prior to the hearing pursuant to Probate Code §1822.</li> <li>5. Need Video Receipt pursuant to Local Rule 7.15.8.A.</li> </ol>
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	X	
	CI Report	X	
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	X	
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 5/18/15
			Updates: 5/19/15
			Recommendation:
			File 25 – De Torres



Petition for Appointment of Temporary Conservator of the Estate

	<u>TEMPORARY EXPIRES 5/21/15</u>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<u>GENERAL HEARING 6/17/15</u>		
	<b>PUBLIC GUARDIAN</b> is petitioner and requests appointment as temporary conservator of the estate.		<ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition on:               <ol style="list-style-type: none"> <li>a. John Owen (conservatee)</li> </ol> </li> <li>3. Need proof of service of the Notice of Hearing along with a copy of the temporary petition on:               <ol style="list-style-type: none"> <li>a. Tracy Cheek (daughter)</li> <li>b. Robert Owen (son)</li> </ol> </li> </ol>
	Please see petition for details.		
<b>Cont. from</b>			<p><b>Court Investigator to provide:</b></p> <ol style="list-style-type: none"> <li>1. Court Investigator Report</li> <li>2. Advisement of Rights</li> </ol>
<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		X	
<input type="checkbox"/> Aff.Mail		X	
<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 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			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 5/19/15</b>
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 27 - Owen</b>

Attorney: Silvio Reggiardo, III (for Petitioner/Trustee D. Steven Blake)

Fifth Account and Report of Trustee and Petition for its Settlement

		<b>D. STEVEN BLAKE</b> , Trustee, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petition requests \$1,218.00 be reimbursed to from the Secondary Trust to the Gift Trust. It appears that there is a math error and the amount should be \$1,215.00 (\$1,310.00 less \$95.00).</p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, June 24, 2015</b> at 9:00 a.m. in Department 303, for the filing of the increased bond;</li> <li><b>Wednesday, May 18, 2016</b> at 9:00 a.m. in Department 303, for the filing of the sixth account.</li> </ul> <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>
		Account period: 1/1/14 – 12/31/14	
		Accounting - <b>\$339,114.35</b>	
		Beginning POH - <b>\$328,802.70</b>	
		Ending POH - <b>\$338,817.80</b>	
<b>Cont. from</b>		Trustee - All trustee compensation and expenses are being requested from the Gift Trust.	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Bond - <b>\$350,000.00.</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Petitioner states bond should be increased to \$425,000.00.	
<input type="checkbox"/>	<b>Inventory</b>	Petitioner states the terms of the Secondary Trust require that all expenses of administration incurred by the Secondary Trust, other than income taxes and the cost of the bond, be paid by the Gift Trust. The bond amount paid by the Gift Trust on behalf of the Secondary Trust was \$1,310.00 and that amount should be reimbursed by the Secondary Trust to the Gift Trust. The Secondary Trust, however, was charged a management fee of \$95.00 by Morgan Stanley Smith Barney. That expense is properly charged to the Gift Trust. Therefore the net reimbursement from the Secondary Trust to the Gift Trust should be \$1,218.00	
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Petitioner prays for an order:</b>	
		7. The fifth account of Petitioner and Trustee be settled, allowed and approved as filed;	
		8. All acts and proceedings of Petitioner as Trustee, as set forth in the Petition be ratified, confirmed and approved;	
		9. Trustee be authorized to distribute the sum of \$1,218.00 to the Gift Trust as net reimbursement for allowed expenses of the Secondary Trust.	
		10. Increasing the bond to \$425,000.	
		<b>Reviewed by:</b> KT	
		<b>Reviewed on:</b> 5/18/15	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 28 - Silberstein</b>	

Atty Knudson, David N. (for Paul A. Dictos – Administrator)

Petition to Vacate Order Confirming Sale and to Order Re-Sale and Damages (Probate Code §10350)

<b>DOD: 11-23-06</b>	<b>PAUL A. DICTOS</b> , Administrator with Limited IAEA and bond of \$100,000.00, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Note:</b> This matter is set for 8:30 am in Dept. 72.					
	<b>Petitioner states:</b> On 12/2/13, the Court confirmed the sale of real property located at 4086 W. San Jose in Fresno for \$165,000.00. The property was encumbered by several secured obligations, including a note secured by a first deed of trust to Bank of America, NT&SA, a note secured by deed of trust to Payl A. Dictos, petitioner and administrator of the estate for property taxes paid, and a note to Atkinson, Andelsen, Ioya, Ruud & Romo, a promissory note secured by deed of trust arising out of services rendered in this estate in litigation brought against Maria Brar, Marjorie Esparza and Gurpinder Brar. Maria Raquel Petrogonas, decedent's spouse, also has a probate homestead in the property.						
	The estate had filed a petition to determine administration expenses allocable to the encumbered property pursuant to Probate Code §§ 10361.5 and 10362 and the parties entered into a stipulation on 3/11/14 for an order allocating administration expenses to the encumbered property, determining expenses allocable to secured parties and for disbursement of sales proceeds by escrow holder. Order approving said stipulation was entered 3/12/14.						
	Following entry of the order, Petitioner's counsel was advised by the title officer that the buyer's financing would take an additional 30-40 days and that the buyer did not start to obtain his financing until the court order was entered regarding the liens to assure title would be clear at close of escrow.						
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<b><u>SEE ADDITIONAL PAGES</u></b>		<table border="1" style="width: 100%;"> <tr> <td><b>Reviewed by:</b> skc</td> </tr> <tr> <td><b>Reviewed on:</b> 5/19/15</td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 2A - Petrogonas</b></td> </tr> </table>	<b>Reviewed by:</b> skc	<b>Reviewed on:</b> 5/19/15	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 2A - Petrogonas</b>
<b>Reviewed by:</b> skc							
<b>Reviewed on:</b> 5/19/15							
<b>Updates:</b>							
<b>Recommendation:</b>							
<b>File 2A - Petrogonas</b>							

## Page 2

**Petitioner states:** On 5/6/15, the title officer advised that the buyer was waiting on an appraisal and re-inspection of the property. Subsequently, she advised that the buyer Nelam Negra needed to be removed from the purchase agreement and her husband, Jaspreet Singh substituted in her place. All information previously provided to the administrator was that Nelam Negra was a man, which was apparently incorrect. *(Examiner's Note: Order Confirming Sale entered 12/2/13 states at #9 that the sale is confirmed to Nelam Negra, an unmarried man.)*

Fidelity National Title requested a new court order naming the new buyer; however, on further discussion, it was agreed to proceed with the original buyer. An updated demand was requested from Bank of America.

On 7/9/14, counsel was advised that Malcolm Cisneros, Law Corporation was to be substituting in for Bank of America in place of prior counsel. The updated payoff request changed the numbers for the ex parte order allocating expenses, etc. On 9/9/14, the Court entered an Order Vacating its prior Order and Approving New Stipulation and Allocating Administration Expenses, etc. The demand from Bank of America was good through 9/15/14.

On 9/22/14, Fidelity advised that the buyer was seeking cancellation of the contract and requested the estate to sign cancellation instructions.

Because of the failure of the buyer to comply with the terms of the sale, the estate has sustained and may sustain additional damages in an amount not yet attainable, including additional attorney's fees necessary as a result of this failure, the need to obtain additional and supplemental stipulations, and bringing this petition to vacate the sale and cost or resale, including publication and reappraisal.

Petitioner has now located another purchaser for the property, though at a reduced price. As a result, the estate is further damaged. The total amount of damages incurred and to be incurred by the estate cannot be determined until a re-sale is completed. Petitioner believes such amounts can be computed and determined within 30 days after closing and seek leave to file a petition to fix such amounts, if any, within that time.

**Petitioner prays:**

1. That the Order of 12/2/13 confirming the sale of the estate property to Nelam Negra be vacated;
2. That a re-sale of the property be ordered; and
3. For such other and further orders as the court may deem proper.

**Note:** *The petition originally also requested that the estate be granted damages against Nelam Negra in an amount according to proof following the re-sale of the property; however, pursuant to Request for Dismissal entered 5/19/15, the claim for damages against Nelam Negra was dismissed at Petitioner's request.*





Atty Burnside, Leigh W. (for John P. McCann and Colleen E. Dempsey – Co-Executors – Petitioners)  
 Atty Keeler, William (for Kathleen M. Whitehurst, Kevin J. McCann, and Timothy J. McCann – Objectors)

Petition for Settlement of First Account Current (Probate Code §10900)

<b>DOD: 8/7/10</b>	<p><b>JOHN P. MCCANN and COLLEEN E. DEMPSEY</b>,                  Co-Executors with Full IAEA without bond, are                  Petitioners.</p> <p><b>Account period: 8/7/10 – 12/31/14</b></p> <p><b>Accounting: \$1,784,748.82</b></p> <p><b>Beginning POH: \$1,728,551.08</b>                  (Total I&amp;A value – see below)</p> <p><b>Ending POH: \$1,775,773.97</b>                  (consisting of \$368,334.12 cash plus mutual funds                  valued at \$157,439.85 and claim against Daniel                  McCann valued at \$1,200,000.00)</p> <p><b>I&amp;A Partial No. 1 (Corrected)</b> filed 2/18/15 indicates                  \$64,134.87 cash plus various securities and an annuity                  contract, for a total of \$446,813.85.</p> <p><b>I&amp;A Partial No. 2 (Final)</b> filed 2/28/14 indicates an                  additional \$31,737.23 in cash.</p> <p><b>Supplemental I&amp;A</b> filed 4/22/15 includes the                  \$1,200,000.00 claim against Daniel McCann under                  Probate Code §850 in this estate 13CEPR00437</p> <p><b>Petitioners state</b> they believe there are also retirement                  savings through the United Airlines Management and                  Administrative 401K Plan held by Fidelity Investments                  that may belong to the estate. Value \$69,838.64 as of                  12/31/14.</p> <p><b>Petitioners have taken actions under IAEA</b> including                  closing accounts and moving monies into an estate                  account, and collecting the benefits from the annuity                  contract and deposited the proceeds into an estate                  account. Petitioners were advised by the transfer                  agent that certain shares of United Continental                  Holdings (formerly UAL Corporation) were invalidated                  pursuant to a 2002 bankruptcy filing.</p> <p><b>Petitioners pray for an order:</b></p> <ol style="list-style-type: none"> <li>1. Settling, allowing and approving the first account                      as filed;</li> <li>2. Ratifying, approving and confirming all acts,                      transactions and proceedings of the Co-                      Executors;</li> <li>3. The costs of this proceeding be ordered paid by                      the estate; and</li> <li>4. Such further orders as the court may deem proper.</li> </ol>	<p><b>NEEDS/PROBLEMS/                  COMMENTS:</b></p> <p><b><u>This matter is set                  for 3:30 pm in                  Dept. 502.</u></b></p>
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Duties/Supp		
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		<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 5-20-15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b>                  File 1 - McCann</p>