

**Report of Sale and Petition for Order Confirming Sale of Real Property
(Prob. C. 2540, 10308)**

		PUBLIC GUARDIAN is	NEEDS/PROBLEMS/COMMENTS:
		Conservator/petitioner.	
		Sale price - \$37,000.00	
		Overbid - 39,350.00	
Cont. from		Reappraisal - \$37,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.	Property - 4543 E. Illinois Fresno, CA	
<input checked="" type="checkbox"/>	Verified	Publication - Fresno Bee	
<input type="checkbox"/>	Inventory	Buyers - Ralph Hovannisian and Janet Hovannisian, husband and wife, as community property.	
<input type="checkbox"/>	PTC	Broker - \$1,850.00 (5% - payable to Rip Hovde- Guarantee Real Estate)	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input checked="" 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 checked="" 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: 5/25/12
			Updates:
			Recommendation:
			File 1 - Hart

(1) Petition for Third Account and Report of Conservator, (2) Petition for Attorney's Fees, and (3) Petition to Dispense with Further Accounting (Prob. C. 2620, 2628(a), 2642)

Age: 33	MARIA MAIRENA , Mother and Conservator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Attorney Laurence Blau will appear via CourtCall with regard to his request for fees that is included with this Petition.</p> <p>1. Petitioner states the conservatorship estate now qualifies as a small estate as defined in Probate Code §2628(a); however, Examiner notes that at the close of this account period (9-17-11), the real property had not yet foreclosed.</p> <p>The Court may require further accounting reflecting the current status of the conservatorship estate as meeting the requirements of §2628 before dispensing with accountings.</p> <p><i>If accountings are not dispensed per Probate Code §2628(a), the Court will set a status hearing for the next account Friday, 1-10-14 (a 2-year account period).</i></p> <p><i>If further accounting is required before dispensing accountings, the Court will set a sooner status hearing for such further account.</i></p> <p style="text-align: center;">SEE PAGE 2</p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-30-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2 - Mairena</p>
DOB: 2-23-79	Current Bond is \$56,000.00 (<i>Sufficient</i>)	
	Account period: 9-18-09 through 9-17-11	
Aff.Sub.Wit.	Accounting: \$358,645.64	
✓ Verified	Beginning POH: \$275,172.97	
Inventory	Ending POH: \$245,823.15	
PTC	(\$323.15 cash plus real and personal property)	
Not.Cred.	Conservator: Waived	
✓ Notice of Hrg	Attorney Downing: Not requested	
✓ Aff.Mail W	Attorney Blau (<i>Petitioner's former attorney</i>): \$1,980.00	
Aff.Pub.	(9 hours @ \$220.00/hr. Itemized services include reparation for the 2 nd Account, correspondence regarding bond and real property sale.)	
Sp.Ntc.	Petitioner states a Special Needs Trust was established in 2009 with the proceeds of a settlement and is under the supervision of San Francisco Superior Court with a professional fiduciary as trustee. In addition, litigation settlement proceeds from a Fresno Superior Court case that were previously listed as a "receivable" for \$20,000.00 were distributed directly to the special needs trust and are not under the control of the Conservator.	
Pers.Serv.	Conservatee's home was foreclosed on 12-7-11 (with Court approval at the settlement of the last account), and her current home is an asset of the special needs trust. Also at the last account, the Conservator was awarded the Conservatee's 1998 Honda Civic as payment for her services; however, Petitioner states she did not want compensation, and the vehicle was sold and the proceeds were deposited to the conservatorship estate account.	
Conf. Screen	Petitioner states the conservatorship estate now qualifies as a small estate as defined in Probate Code §2628(a).	
Letters	Petitioner requests that:	
Duties/Supp	1. Notice of hearing of this account, report and petition have been given as required by state law;	
Objections	2. Petitioner be directed to pay the sum of \$1,980.00 to the Law Office of Laurence Blau;	
Video Receipt	3. The Court order that Conservator is no longer required to provide accountings to the Court; and	
CI Report	4. All acts and transactions of Conservator be ratified, confirmed and approved.	
9202	SEE PAGE 2	
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

NEEDS/PROBLEMS/COMMENTS (Continued):

2. Examiner notes that although the Conservatee lives with her husband, the conservatorship estate appears to be paying for all of the household expenses (power, utilities, cable, food, gardening, household supplies and repairs, home security, etc.

Need clarification: Does the Conservatee's husband contribute to household expenses?

3. During this account period, Examiner notes approx. \$2,500.00 in fast food and other restaurant charges that appear to pay for meals for more than just the Conservatee. For example:

- Subway \$14.50
- In n Out Burgers \$33.40
- Fosters Freeze \$18.89
- Taco Bell: \$14.13
- Charleys Grill: \$34.04
- Wing Stop: \$46.64
- ROP Grill Brazilian: \$121.61
- Cheesecake Factory: \$198.31
- Subway \$119.70
- HTB (Hometown Buffet?): \$37.72

(These are just a few of the numerous restaurant meal charges listed.)

The Court may require clarification regarding the meals purchased for Conservatee and others with the Conservatee's funds and may require repayment and surcharge.

4. Petitioner previously requested the Honda Civic that was no longer usable by the Conservatee as compensation and that request was granted at the last hearing; however, this petition states she declined the vehicle, but sold it for \$500.00, which was a \$4,500.00 loss. The Court may require clarification as to how the sale value was reached, since this appears to be a substantial loss to the conservatorship estate.
5. Disbursements Schedule reflects \$200.00 as a birthday gift for the Conservatee's brother is a violation of Cal. Rules of Court 7.1059 (Standards of conduct for the conservator of the estate). The Court may require reimbursement to the estate and surcharge.
6. There are numerous gas and vehicle related expenses; however, Petitioner states the van is an asset of the Conservatee's special needs trust. Need clarification.
7. **There are numerous additional questionable disbursements during this account period. For instance, in September 2009, approx. \$1,800 was spent at Costco, Kmart, Walgreens for "food, clothing, household items and sanitary supplies," and on 10-2-09, over \$1,000 was spent for "furniture and baskets" at Target. However, there are no personal property items listed as assets. The Court may require clarification regarding the various expenditures. Were these funds spent for the benefit of the Conservatee pursuant to standards of conduct for a conservator of the estate? See Cal. Rules of Court 7.1059.**

Note: There may be additional issues; however, Examiner cannot continue in detail without further information. For example, The history of this case is not readily available from this petition and Examiner is unable to determine the reason for numerous trips to Northern California (Hayward and Milpitas), and whether gas for such trips is appropriate without further information.

3 Betty Lou Amelino (CONS/PE)

Case No. 06CEPR01291

Atty Bagdasarian, Gary G. (Petitioner/Court Appointed Attorney for Conservatee)

Atty Molsenbocker, Gary L (for Public Guardian/Conservator)

Petition for Compensation for Representation of Conservatee

		<p>GARY BAGDASARIAN, petitioner was Court appointed to represent the Conservatee on 1/5/2007.</p> <p>PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 5/23/2007.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the Public Guardian's Second Account and the Objections to the Second Account filed by the Conservatee's daughter, Cathy Chappel.</p> <p>Petitioner asks that he be paid from the conservatorship estate for 6 hours @ \$225.00-250.00 per hour for a total of \$1,475.00.</p> <p>Services are itemized by date and include review of documents, visits with client, and court appearances.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
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			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			
		<p>Reviewed by: KT</p> <p>Reviewed on: 5/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Amelino</p>		

1) Third and Final Account of Conservator, (2) Petition for Allowance of Fees for Attorney and (3) Petition for Reimbursement of Expenses to Conservator

DOD: 01/15/11	ROSEMARY TORRES , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		CONTINUED FROM 04/17/12
	Third and Final Account period: 03/16/10 – 01/15/11	As of 05/25/12, no additional documents have been filed and the following remains outstanding:
Cont. from		
Aff.Sub.Wit.	Accounting - \$218,125.01	<ol style="list-style-type: none"> The beginning POH of the subsequent to the final account does not match the ending POH of the Third and Final Account. The Accounting is not presented on the mandatory Judicial Council forms as required pursuant to CRC, Rule 7.575(e). Conservator requests reimbursement of \$4,307.40; however, Petitioner provides no itemization or statement regarding what the expenses are. Need itemization of the specific expenses conservator is requesting reimbursement for. The Petition is not signed by Petitioner. The Petition is not verified by Petitioner. Pursuant to Probate Code § 1023, the Petitioner, as the fiduciary must verify the Petition. Need order.
Verified x	Beginning POH - \$205,350.10	
Inventory	Ending POH - \$171,840.10	
PTC		
Not.Cred.	Subsequent to the Final Account period: 01/16/11 – 09/15/11	
✓ Notice of Hrg	Accounting - \$184,277.70	
✓ Aff.Mail w/	Beginning POH - \$183,750.15	
Aff.Pub.	Ending POH - \$171,403.13	
Sp.Ntc.		
Pers.Serv.	Conservator - \$4,037.40 (for reimbursement of expenses)	
Conf. Screen	Attorney - \$2,000.00	
Letters		
Duties/Supp	Petitioner prays for an order:	
Objections	<ol style="list-style-type: none"> Approving, allowing and settling the third and final account and subsequent to the final account; and Authorizing the conservator and attorney fees and commissions. 	
Video Receipt		
CI Report		
✓ 2620(c)		
Order x		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 05/25/12
		Updates:
		Recommendation:
		File 4 - Rodriguez

(1) First and Final Report of Executor on Waiver of Account and (2) Petition for Final Distribution and (3) for Allowance of Compensation to Executor and Attorneys for Ordinary Services

DOD: 06/19/10		SCOTT KUEHN , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$339,682.31	
<input type="checkbox"/>	Aff.Sub.Wit.	POH - \$337,463.57	
<input checked="" type="checkbox"/>	Verified	Executor - \$9,793.65 (statutory)	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.	Attorney - \$8,957.23 (statutory fee of \$9,793.65 less \$836.41 (balance of costs advanced by heirs and amounts retained from GMAC receipts))	
<input type="checkbox"/>	Notice of Hrg	n/a	
<input type="checkbox"/>	Aff.Mail	n/a	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Reimbursement of Administration Expenses to:	
<input type="checkbox"/>	Conf. Screen	Scott Kuehn (Executor) - \$1,269.53	
<input type="checkbox"/>	Letters	David P. Gifford - \$2,245.54	
<input type="checkbox"/>	Duties/Supp	12/01/10	
<input type="checkbox"/>	Objections	Closing - \$1,500.00	
<input type="checkbox"/>	Video Receipt	Distribution, pursuant to Decedent's Will, is to:	
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Houghton College - \$500.00	
<input checked="" type="checkbox"/>	Order	First Baptist Church of Batavia - \$500.00	
<input type="checkbox"/>	Aff. Posting	Eastern Baptist Theological Seminary - \$500.00	
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	Margaret Kuehn - \$104,065.87	
<input checked="" type="checkbox"/>	FTB Notice	Paul D. Gifford - \$104,065.87	
		Daniel Gifford - \$104,065.87	
			Reviewed by: JF
			Reviewed on: 05/25/12
			Updates:
			Recommendation: SUBMITTED
			File 5 - Gifford

Notice of Motion and Motion to be Relieved as Counsel

DOD: 03/11/11	<p>ROBERT L. SULLIVAN, attorney for James Hallbauer, Executor, is Petitioner.</p> <p>JAMES HALLBAUER, was appointed Executor without bond and Letters were issued on 06/07/11.</p> <p>Petitioner states that he is the attorney of record in this proceeding. He and his associate, Kristen Lieb, have made numerous attempts to contact Mr. Hallbauer through phone calls, e-mail messages, and correspondence requesting that he respond. Despite his assurances that he would respond, communicate and cooperate with his attorneys, Mr. Hallbauer has failed to do so and has persistently failed to complete the tasks required of him as personal representative of the estate. Due to Mr. Hallbauer's lack of response, Petitioner states that his firm is unable to complete the administration of the estate. A letter dated February 21, 2012 was mailed to Mr. Hallbauer via certified mail informing him of Petitioners intention to withdraw as counsel.</p> <p>There are no upcoming hearings scheduled in this matter.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 04/19/12 As of 05/25/12, no additional documents have been filed.</p> <p>Notes: A status hearing regarding continued Administration of the Estate and Filing of the Inventory & Appraisal will be set on:</p> <p>Friday, July 27, 2012 at 9:00am in Dept. 303</p>
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 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		
		<p>Reviewed by: JF</p> <p>Reviewed on: 05/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Hallbauer</p>

Atty Jaech, Jeffrey A., and Badhesha, Raj Singh (for Benjamin Harrison Smith, Jr. – Petitioner)
 Atty Sanoian, Joanne (for Jean Smith – Spouse – Original Petitioner for Conservatorship)
 Motion to Clarify and Enforce Stipulated Settlement

Age:	<p>BENJAMIN HARRISON SMITH, JR., former proposed Conservatee, is Petitioner.</p> <p>JEAN SMITH (<i>Petitioner's spouse</i>) dismissed her Petition for Appointment of Probate Conservator on 11-10-11 pursuant to STIPULATED SETTLEMENT filed 11-1-11.</p> <p>Petitioner states the Stipulated Settlement was intended to reduce hostilities between Ben and Jean by ensuring that a third adult was present at all times when Ben and Jean were together. As such, the Settlement specifically states only that a third person would be present when Ben visits Jean at the residence. The Settlement was not intended to limit his access to his own property or change the nature of his ownership rights.</p> <p>On or about 3-19-12, Mike (<i>Petitioner's son</i>) changed the locks and failed to provide Petitioner a key. On or about 4-12-12, Lisa (<i>Mike's wife</i>) called the Fresno County Sheriff's Dept. and when Petitioner tried to inform them that he was there legally and Butch (<i>Mike's son and Petitioner's grandson</i>) was his guest, Lisa disagreed and Petitioner was directed not to return to the home and Butch was arrested for trespassing.</p> <p>Petitioner provided a letter to the Sheriff's Dept. attaching the Settlement and property records showing his ownership; however, they refused to accept it as authority of his right to access the home.</p> <p>On or about 4-16-12, Mike also obtained a TRO against Butch directing him to stay at least 100 yards away from the home, with full knowledge that Butch uses the home for business purposes with Ben and Jeans' permission.</p> <p>On or about 4-16-12, Jean suffered a stroke and has now been placed in Autumn Ridge. Therefore, Petitioner now desires to return to the home and live there.</p> <p>Petitioner states the Settlement must be clarified to protect Ben's right to his property and requests modification of the Settlement language (see petition) and states the Court should issue an order compelling Jean and her agents to comply with the order.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. There is no conservatorship in place. Therefore, this petition is inappropriate in Probate Court. Further, the Stipulated Settlement filed 11-1-11 is <u>not</u> an order of this court.</p> <p>Note: The original Conservatorship petition was DISMISSED by the petitioner (Jean Smith) pursuant to a Stipulated Settlement.</p> <p><u>The Stipulated Settlement was filed but is not an Order of this Court.</u></p> <p>2. Notice of hearing was not served on Jean Smith directly pursuant to Cal. Rules of Court 7.51.</p> <p>Note: Notice of Related Case filed 5-29-12 by Michael H. Smith and Jenna R. Smith (Attorney Catherine Amador) indicates 12CEFL02286 (DVTR0 against Butch that expires 8-8-12) and 12CEPR00452 (Conservatorship of Dorothy Jean Smith with hearing set for 6-26-12).</p> <p>Reviewed by: skc</p> <p>Reviewed on: 5-30-12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Smith</p>
DOB:		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
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9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Page 2 of 3

SUMMARY (Continued):

Petitioner did not receive any detailed information until a beneficiaries' meeting on 8-6-11, to which she was forbidden to bring representation of any kind. At the meeting, a PowerPoint presentation included a list of the properties owned and a balance sheet for Varni Corporation (*not the trust*). This information was provided 18 months after the death of the surviving trustor and still no accounting was provided.

Petitioner states the trustee has not provided an accounting pursuant to Probate Code §16062, which requires account at termination or at least annually. A letter from the trustee's counsel dated 1-27-11 stated an accounting would be forthcoming, but the only information Petitioner received is the list and balance sheet noted above and provided at the beneficiaries' meeting. These documents do not conform to the requirements for the contents of an accounting (Probate Code §16063), including receipts and disbursements, assets and liabilities, trustee's compensation, and compensation of any agents hired.

In addition, Petitioner is informed and believes the trustee purchased a residence and adjacent vacant lot in Tahoma, California for \$865,000.00, and spent \$27,778.92 for additional improvements to the property, presumably an investment for the trust. The balance sheet provided to beneficiaries shows the property has expenses of \$62,198.76 for the period 6/2010-5/2011, yet this property has not generated any income. The purchase was made in December 2009, two months before the death of Louis Varni, at which Mr. Pinasco was a co-trustee. Mr. Varni was supposedly the beneficiary of this purchase; however, at that time, he was in poor health and advanced in age and it was highly unlikely that he would have ever visited or used the property. Petitioner speculates that Mr. Pinasco has used it himself since it has not been rented to third parties.

A trustee has a duty to manage assets as a prudent investor would, exercise reasonable care, skill and caution per Probate Code §16047(a), and also has a duty to make the trust property productive. The purchase and subsequent management of the Tahoma Property is a violation of the trustee's duty, since approximately one million dollars from the trust was spent on it, but it has not been rented out or generated any income. This money could have been available to distribute to beneficiaries of the trust.

Petitioner states the trustee has only made one small distribution to the beneficiaries at the meeting.

He has not provided a list of assets or proposed distribution schedule. Specifically, he has failed to make the distributions of tangible personal property in violation of the specific trustee's duties.

Petitioner further states that the trustee has a conflict of interest in that he is trustee, beneficiary, and an officer of Varni Corporation, which is owned by the trust. Trustees are subject to removal whenever it appears that their private interests conflict with their trust duties, and when it appears that trust property has been appropriated to their own use. See *Moore v. Bowes* (1937) 8 C.2d 162, 165; *Estate of Vokal* (1953) 121 C.A.2d 252, 258. Petitioner states that because he "is wearing multiple hats" it is difficult for him to act in the best interest of all trust beneficiaries.

Petitioner states the trustee should be removed from office, his powers suspended, and an independent successor trustee appointed because:

- He does not keep the beneficiaries informed regarding the administration of the trust;
- He has not provided an accounting for the trust;
- He has mismanaged assets of the trust; and
- He has not distributed the assets of the trust.

Petitioner also requests that the Court order trustee's compensation and/or share of the assets be charged for Petitioner's attorney's fees and costs for bringing this Petition.

Petitioner requests an Order:

- That Mr. Pinasco provide an accounting of the assets in the trust and the subtrusts created thereunder;
- That Mr. Pinasco be removed as trustee;
- That Justice Steven M. Vartabedian be appointed as the neutral successor trustee;
- That Mr. Pinasco surrender all assets of the trust and subtrusts created thereunder to the Court-appointed neutral successor trustee;
- That Mr. Pinasco's compensation/distributive share of the trust be charged and credited to Petitioner for the costs and attorney's fees for bringing this Petition; and
- Any such additional order as the Court deems proper.

SEE PAGE 3

Dept. 303, 9:00 a.m. Thursday, May 31, 2012

NEEDS/PROBLEMS/COMMENTS (Continued):

- 2. Petitioner provides a list of parties entitled to notice pursuant to Probate Code §17201; however, there appear to be a number of beneficiaries who are not included.**

The Court may require clarification and notice pursuant to Probate Code §17201 and Cal. Rule of Court 7.51 (including minors).

The list of persons that may require notice may include:

- Roberta (Jane) Pores (Eva Varni's sister)**
- Eva Varni's five grand-nieces and nephews**
- Kimala Hockey and her children**
- Dan Stetson and Jan Stetson (unknown relation to Eva Varni)**
- Kathy Pinasco and Sherry Pinasco (unknown relation to Eva Varni)**
- Lisa Pacheco (Louis Varni's sister)**
- Heirs of deceased heirs, as mentioned in the trust**
- "caregivers who served Eva Varni and Louis Varni during their lifetimes" pursuant to the 2-21-06 Amendment.**

Note: 30 days' notice is required. The Court may not shorten time for giving notice per Probate Code §17203(b).

- 3. Petitioner requests appointment of Justice Steven M. Vartabedian as the neutral successor trustee; however, there is no indication that he is aware of or would agree to serve as successor trustee. He was not served with notice of this petition, and there is no signed consent or acceptance of trust provided.**
- 4. Pursuant to Probate Code §15602, a person not named as a trustee in the trust instrument must provide a bond; however, Petitioner does not provide an estimate for bond purposes. The code states that the Court may not excuse the requirement except in compelling circumstances.**

Atty Barrus, John E., of Barrus & Roberts (for Petitioner Jennifer R. Kemp)

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

Age: 9 years		<p>NO TEMPORARY REQUESTED</p> <p>JENNIFER R. KEMP, mother, is Petitioner and requests appointment as Guardian of the Estate with deposits of "all funds" into a blocked account at Bank of the West.</p> <p>Estimated value of the Estate</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Personal Property</td> <td style="width: 10%; text-align: center;">-</td> <td style="width: 30%; text-align: right;">\$200,000.00</td> </tr> <tr> <td colspan="3"><hr/></td> </tr> <tr> <td>Total</td> <td style="text-align: center;">-</td> <td style="text-align: right;">\$200,000.00</td> </tr> </table> <p>Father: BRIAN R. KEMP; consents and waives notice;</p> <p>Paternal grandfather: Danny Kemp; sent notice by mail 4/18/2012;</p> <p>Paternal grandmother: Doris Kemp; sent notice by mail 4/18/2012;</p> <p>Maternal grandfather: Robert Ryan; deceased;</p> <p>Maternal grandmother: Maryann Pate; sent notice by mail 4/18/2012;</p> <p>Petitioner states the minor is an heir to his deceased maternal grandfather's estate, and appointment of a guardian of the estate is necessary to manage the minor's assets until he reaches the age of majority. Petitioner states she is the person closest to both the minor and the Decedent whose assets will comprise the minor's estate.</p>	Personal Property	-	\$200,000.00	<hr/>			Total	-	\$200,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: File contains two proposed orders for the Court's signature, which have been altered as follows:</p> <p>(1) Order Appointing Guardian of Minor has been altered at Item 9(c) to state "approximately \$200,000.00" in the space requiring a dollar amount; and</p> <p>(2) Order to Deposit Money into Blocked Account has been altered at Item 4 to state "approximately \$200,000.00" in the space requiring a dollar amount; in addition, Item 5(b) has been crossed out, as only Item 5(a) should be marked.</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Friday June 27, 2012 for proof of funds in blocked account • Friday October 5, 2012 for filing of the Inventory and Appraisal • Friday October 4, 2012 for filing of the first account
Personal Property	-		\$200,000.00									
<hr/>												
Total	-		\$200,000.00									
DOB: 3/5/2003												
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		W/									
<input type="checkbox"/>	Aff.Pub.											
<input type="checkbox"/>	Sp.Ntc.											
<input type="checkbox"/>	Pers.Serv.											
<input checked="" type="checkbox"/>	Conf. Screen											
<input type="checkbox"/>	Aff. Posting											
<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 checked="" type="checkbox"/>	Letters											
<input type="checkbox"/>	Status Rpt											
<input checked="" type="checkbox"/>	UCCJEA											
<input type="checkbox"/>	Citation											
<input type="checkbox"/>	FTB Notice											
		<p>Reviewed by: LEG / skc</p> <p>Reviewed on: 5/25/12</p> <p>Updates: 5-30-12</p> <p>Recommendation:</p> <p>File 9 - Kemp</p>										

DOD: 1/9/2012		<p>LUCY MEDARIS, surviving spouse, is petitioner.</p> <p>No other proceedings</p> <p>Decedent died intestate.</p> <p>Petitioner states ??</p> <p>Petitioner requests court confirmation that ½ interest in real property located in the County of Modoc belongs to her and that ½ interest passes to her.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petition does not include attachment 7 stating the facts upon which petitioner bases the allegation that the property described passes to and should be confirmed to her.</p> <p>2. Need Order</p>	
Cont. from				
	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			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 5/25/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Medaris</p>				

Petition for Letters of Administration; Authorization to Administer Under IAEA
 (Prob. C. 8002, 10450)

DOD:02/15/2012		NORMAN JOSEPH ROGERS , Father is Petitioner and requests appointment as administer without bond. Full IAEA-O.K. Decedent died intestate. Residence: Fresno Published: The Business Journal	NEEDS/PROBLEMS/COMMENTS: 1. Need Waiver of Bond from Jeanette Berger (Mother) or Bond set at \$240,000.00. 2. Need Letters Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, November 2, 2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, August 2, 2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input 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.			
Sp.Ntc.		Estimated Value of the Estate Personal Property - \$50,000.00 Real Property - \$190,000.00 Total: - \$240,000.00	
Pers.Serv.			
Conf. Screen			
<input type="checkbox"/> Letters	X		
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting		Probate Referee: Rick Smith	
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: KT/LV			
Reviewed on: 05/23/2012			
Updates:			
Recommendation:			
File 11 - Rogers			

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 1/22/2012		<p>STEVEN R. WALTER, Trustee of the Constance R. Walter Living Trust, is petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>Will dated 4/17/12 devises the residue of the estate (which includes the real property herein) to the Constance R. Walter Living Trust.</p> <p>I & A - \$100,000.00</p> <p>Petitioner requests court determination that decedent's 100% interest in real property pass to him as Trustee of the Constance R. Walter Living Trust, pursuant to Decedent's Will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
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 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		
		<p>Reviewed by: KT</p> <p>Reviewed on: 5/25/12</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 12 - Walter</p>	

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

DOD: 04/16/2012	LINDA LIPARI , Daughter/named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, November 2, 2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, August 2, 2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	Full IAEA- O.k.	
<input type="checkbox"/> Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/> Verified	Will dated: 04/21/2010	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Residence: Fresno	
<input type="checkbox"/> Not.Cred.	Publication: The Business Journal	
<input type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w	
<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		
	Estimated Value of the Estate	
<input checked="" type="checkbox"/> Duties/Supp	Personal Property - \$57,500.00	
<input type="checkbox"/> Objections	Gross fair market value - \$125,000.00	
	Total: - \$182,500.00	
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Probate Referee: Rick Smith	
<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/LV
		Reviewed on: 05/23/2012
		Updates:
		Recommendation: Now Submitted
		File 13 - Kesler

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

DOD: 06/24/2011		<p>JULIA W. MACCONOCHIE, and ALISA M. TIBBEY, named Co-Executors without bond, are Petitioners.</p> <p>Full IAEA- ?</p> <p>Will Dated: 12/04/2008</p> <p>Residence: Reedley Publication: None</p> <p>Estimated Value of the Estate</p> <table> <tr> <td>Personal Property</td> <td>-</td> <td>\$2,127.00</td> </tr> <tr> <td>Real Property</td> <td>-</td> <td>\$240,000.00</td> </tr> <tr> <td>Total:</td> <td></td> <td>\$242,127.00</td> </tr> </table> <p>Probate Referee: Steven Diebert</p>	Personal Property	-	\$2,127.00	Real Property	-	\$240,000.00	Total:		\$242,127.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued to 07/03/2012 at the request of the Attorney.</p> <ol style="list-style-type: none"> 1. Need Affidavit of Publication. 2. Need date of death of Ronald Williams (Son) per Local Rule 7.1D. 3. John H. Macconochie is not listed at #8 of the Petition as required. 4. Need proof of service for John H. Macconochie, named alternate executor. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, November 2, 2012 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Friday, August 2, 2013 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal Property	-		\$2,127.00									
Real Property	-		\$240,000.00									
Total:			\$242,127.00									
Cont. from												
<input type="checkbox"/>	Aff.Sub.Wit.		s/p									
<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									
<input type="checkbox"/>	Aff.Pub.		x									
<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: KT/LV										
		Reviewed on: 05/24/2012										
		Updates:										
		Recommendation:										
		File 14 - Williams										

Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Dismissal filed 5-24-12.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on:
		Updates:
		Recommendation:
		File 15A – Stallings

Age: 6 years DOB: 3/23/06	ANGELICA AGUNDEZ, paternal grandmother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Blanca de Ramirez (guardian/maternal grandmother). b. Edgar Agundez (father) –proof of service states father was served with the Notice of Hearing however the Notice of Hearing has not been filed therefore examiner is unable to check if the information on the Notice was correct. c. Karla Alvarez (mother)- proof of service states mother was served with the Notice of Hearing however the Notice of Hearing has not been filed therefore examiner is unable to check if the information on the Notice was correct.
Cont. from	BLANCA DE RAMIREZ , maternal grandmother, was appointed guardian on 1/12/12. Father: EDGAR AGUNDEZ – personally served at the Fresno County Jail on 5/8/12 Mother: KARLA ALVAREZ – personally served at Chowchilla on 5/10/12	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	X	
Aff.Mail	X	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order	X	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Current visitation order per Minute Order dated 1/12/12: Visits between Kaylie (minor) and Angelica Agundez (paternal grandmother/petitioner) are once per week on Saturday from 9:00 a.m. to 1:00 p.m. Pick-up and delivery are to be accomplished through Comprehensive Youth Services. Petitioner states she has been having regular weekly visits for 4 hours every Saturday. Petitioner states they both very much enjoy the visits. Kaylie recently asked Petitioner for more time on the weekly visits. She was told to ask her grandmother. Her grandmother said “no.” Petitioner states she can think of no reason why they cannot spend more time together, 4 hours per week is not enough. Petitioner respectfully requests that the court allow more time for the visits.	
	Reviewed by: KT Reviewed on: 5/25/12 Updates: Recommendation: File 16 - Alvarez	