

**Probate Status Hearing for Failure to File an Inventory and Appraisal and
 First Account or Petition for Final Distribution.**

DOD: 06/10/1991	ANN KROMBERG , was appointed Administrator with full IAEA without bond on 07/16/1991.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. First and Final Report for Final Distribution filed 06/09/2015. Hearing is set for 07/14/2015. Note: Ann Kromberg, Administrator, was formerly represented by Attorney Ruth Lind. A Substitution of Attorney was filed on 04/09/2015 showing Ms. Kromberg is now represented by Attorney Mark S. Poochigian. 1. Need First Account or Petition for Final Distribution or <u>current</u> written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Letters issued on 07/16/1991.	
Cont. from 031115	Final Inventory and Appraisal was filed 04/09/2015 showing an estate valued at \$375,000.00. (I&A was due 12/1991)	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	First Account or Petition for Final Distribution was due 09/1992.	
Not.Cred.		
Notice of Hrg	Notice of Status Hearing was mailed to Former Attorney Ruth Lind and Ann Kromberg on 03/03/2015.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections	Former Status Report filed 04/09/2015 states the personal representative has engaged the undersigned counsel to assist her with completing the administration of the estate, both are working diligently toward completing the administration of the estate. There are a number of creditor's claims that have been properly filed with the court, served on the estate, fully allowed and paid by the personal representative. The personal representative and counsel are in the process of working with the creditors to obtain acknowledgments that these claims have been stratified, or withdrawals of such claims.	
Video Receipt		
CI Report		
9202 Order	The persona representative's former attorney Ruth P. Lind has incurred attorney's fees and costs for which Ms. Lind has indicated she will request allowance. Rather than have a dispute with Ms. Lind regarding her attorney's fees and costs, the personal representative would like to arrive at an agreement with Ms. Lind regarding the amount of attorney's fees and costs.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Please see additional page

Reviewed by: LV
Reviewed on: 06/08/2015
Updates: 06/09/2015
Recommendation:
File 1 - Kromberg

If such an agreement may be reached, the personal representative would be pleased to include a request for payment of Ms. Lind's fees in her petition for final distribution. A letter was sent to Ms. Lind on 04/02/2015, regarding the amount of the fees that would ultimately be claimed. On 04/07/2015, not having received a reply from Ms. Lind, the undersigned counsel for the personal representative reached Ms. Lind by telephone; in that conversation, Ms. Lind indicated that she had asked attorney Stefanie Krause to assist her regarding her fee request, and that Ms. Krause would be in touch with the undersigned counsel. Ms. Lind also indicated that the approximate amount of the attorney's fees and costs incurred was \$22,900.

Attempting to complete the administration of this estate without incurring unnecessary attorney's fees, the personal representative consulted with a paralegal service regarding the completion of the administration. Based on that consultation, petitioner incorrectly understood that, as personal representative of the estate, she was authorized to make certain distributions from the decedent's estate after giving notice of the proposed action to interested persons. As such, petitioner distributed the decedent's real property situated in Fresno County to the decedent's surviving spouse Marlene K. Kromberg on 02/13/2015, after obtaining consents from the other heirs of the decedent. If required by the court the personal representative will request that her mother execute a deed of rescission, conveying the subject real property back to the estate of the decedent. The personal representative does not anticipate any problem with obtaining such a deed from her mother.

The personal representative and her counsel are working toward being able to file a petition for final distribution of the estate. As discussed above, there are some outstanding issues that will require a short period of time to resolve. The personal representative intends to work diligently with her counsel to resolve the outstanding issues discussed. To allow time for the personal representative to deal with the outstanding issues, and for the filing of a petition for final distribution, the personal representative requests a continuance of instant status hearing for a period of sixty days.

2 Noah Derek Lee Haas (GUARD/P)

Case No. 08CEPR01201

Petitioner Bain-Orndoff, Natalie (Mother – Pro Per)

Petition for Termination of Guardianship

Age: 9	<p>NATALIE BAIN-ORNDOFF, mother, is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> • Shelly Renee Wilson (Guardian) • Derel Willis Lee Haas (Father) • Gary Haas (Paternal Grandfather) • Robert Omdoff (Maternal Grandfather) • Patricia Miller (Maternal Grandfather) 	
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
<input 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 type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input checked="" type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: LV	
		Reviewed on: 06/08/2015	
		Updates:	
		Recommendation:	
		File 2 - Haas	

3 Malaysia Ramirez, Jacob Ramirez, Nigeria Ramirez & Carlos Johnson (GUARD/P)
Case No. 09CEPR00158

Atty Garrido-Ross, Emily Erica (pro per – maternal grandmother/Petitioner)
Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Malaysia, 13	<u>TEMPORARY EXPIRES 06/10/15</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 05/06/15</u> Minute Order from 05/06/15 states: Clementh Johnson objects as to the minor Carlos; he is to file and properly serve written objections. The Court orders the Court Investigator to contact the Child Abduction Unit in Stockton for further report to the Court. The Court orders visitation for Mr. Johnson a minimum of one time per week, supervised by the guardian.</p> <p>As of 06/08/15, no objections have been filed.</p> <p>1. Declarations of Due Diligence filed 04/29/15 state that efforts to locate the fathers, paternal grandparents and maternal grandfather have been unsuccessful, if diligence is not found, need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> for:</p> <ul style="list-style-type: none"> a. Theodoro Jesus Wiley Ramirez (father of Malaysia, Jacob & Nigeria) – personal service required b. Clementh Johnson (father of Carlos) – personal service required c. Paternal grandparents – service by mail ok d. Jesse Marquez (maternal grandfather) – service by mail ok
Jacob, 11	<p>EMILY ERICA GARRIDO-ROSS, maternal grandmother, is Petitioner.</p>		
Nigeria, 10	<p>Father (Malaysia, Jacob & Nigeria): THEODORO JESUS WILEY RAMIREZ – <i>Declaration of Due Diligence</i> filed 04/29/15</p>		
Carlos, 8	<p>Father (Carlos): CLEMENTH JOHNSON – <i>Declaration of Due Diligence</i> filed 04/29/15; <i>Appeared at hearing</i> on 05/06/15</p>		
Cont. from 030415, 041515, 050615	<p>Mother: CHRISTINA MONIQUE MARQUEZ-SOTO – <i>personally served</i> on 01/05/15; <i>Consent & Waiver of Notice</i> filed 03/23/15</p>		
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	w/		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: JF</p> <p>Reviewed on: 06/08/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Ramirez</p>

Atty **Leichty, Bruce, of Escondido (for Petitioner Victoria Pumarejo, Executor)**

First Account of Victoria Pumarejo, Executor

DOD: 8/24/2008	VICTORIA PUMAREJO , daughter and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 4/15/2015 per request of counsel. [No issues remain to be addressed.]
Cont. from 041515	Account period: 8/24/2008 – 2/27/2015	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - [\$146,000.00?]	
<input type="checkbox"/> Verified	Beginning POH - [\$146,000.00?]	
<input checked="" type="checkbox"/> Inventory	Ending POH - \$51,334.57 (all cash)	Note: Court will set a status hearing as follows:
<input checked="" type="checkbox"/> PTC	Petitioner states:	<ul style="list-style-type: none"> Thursday, October 29, 2015 at 9:00 a.m. in Dept. 303 for the filing of the Second and Final Account and petition for final distribution.
<input checked="" type="checkbox"/> Not.Cred.	<ul style="list-style-type: none"> This <i>First Account</i> is filed pursuant to the Court's <i>Minute Order</i> of 12/10/2014, providing that if a <i>First Account</i> were on file by 3/2/2015, no appearance would be necessary at the status hearing on 3/4/2015; 	Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.
<input checked="" type="checkbox"/> Notice of Hrg	<ul style="list-style-type: none"> Petitioner also notifies the Court that she intends to file a <i>Request for Approval of First Account and for Partial Distribution</i>, based on escrow on sale of the real property (the only valuable asset) having closed on 2/20/2015; 	
<input checked="" type="checkbox"/> Aff.Mail W /O	<ul style="list-style-type: none"> Petitioner believes there will be Form 1041 and 541 information returns to file for the estate for 2015, which cannot be filed until 2016; 	
<input type="checkbox"/> Aff.Pub.	<ul style="list-style-type: none"> Petitioner anticipates having to keep the estate open until 2016, but hopes before that time to seek appropriate Court approval to make full distribution to the devisees, and possibly to also seek approval of a Final Account and Distribution. 	
<input checked="" type="checkbox"/> Sp.Ntc.	Petitioner as Executor requests that the <i>First Account of Executor</i> be settled, allowed and approved.	
<input type="checkbox"/> Pers.Serv.		Reviewed by: LEG
<input type="checkbox"/> Conf. Screen		Reviewed on: 6/8/15
<input type="checkbox"/> Letters 090710		Updates:
<input type="checkbox"/> Duties/S		Recommendation: SUBMITTED
<input type="checkbox"/> Objections		File 4 – Maestas
<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 checked="" type="checkbox"/> FTB Notice		

5 Michael W. Roberts (Estate) Case No. 12CEPR00290

Attorney Donaldson, Larry A. (for Kenneth Roberts – Administrator)

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

DOD: 02/24/2012	KENNETH ROBERTS , Administrator with full IAEA and bond set at \$20,000.00, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need notice to the following: <ul style="list-style-type: none"> • Jessica A. Roberts • Jennifer Roberts • Christen Roberts 3. Need Notice to Lisa Horton, Attorney representing Christina Roberts, Trustee of the Jennifer Roberts Special Needs Trust pursuant to the Request for Special Notice filed 02/19/2015.
	Account period 02/24/2012 – 03/31/2015	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$ 164,494.87	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$129,764.97	
<input type="checkbox"/> Inventory	Ending - \$123,040.13	
<input type="checkbox"/> PTC	Administrator - Waives	
<input type="checkbox"/> Not.Cred.	Attorney - Waives	
<input type="checkbox"/> Notice of Hrg	Closing - \$100.00	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.	Distribution, pursuant to intestate succession, is to:	
<input type="checkbox"/> Sp.Ntc.	Jessica Roberts – cash in the amount of \$1,487.26 for reimbursement of cost of funeral expenses, \$686.44 and ½ interest in real property located at 2617 Hampton, Fresno, Ca.	
<input type="checkbox"/> Pers.Serv.	Jennifer Roberts - \$686.44 and ½ interest in real property located at 2617 Hampton, Fresno, Ca.	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	3/14/13	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" 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 checked="" type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/09/2015
		Updates:
		Recommendation:
		File 5B – Roberts

7 Fred Otto Loeffler (CONS/PE) Case No. 13CEPR00655

Attorney Bagdasarian, Gary G. (for Linda Plift – daughter)
 Attorney Barkinskaya, Jennie (for Conservatee)
 Attorney Jenkins, Shani D (for Mick Loeffler – son)
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Notice of Motion and Motion to Disqualify Conservatees' Attorneys of Record;

Memorandum of Points and Authorities; Declaration of Petitioner Dianne Huerta

		<p>DIANE M. HUERTA, daughter, is Petitioner.</p> <p>Petitioner moves to disqualify the Farley Law Firm from representing Conservatees Fred Otto Loeffler and Kathleen D. Loeffler. This motion is made on the grounds that there is a conflict of interest with respect to the Farley Law Firm representing both conservatees, particularly with regard to the Conservator's Petition to Approve the Settlement Agreement.</p> <p>Petitioner states: After numerous unsuccessful attempts to settle the case, the parties participated in mediation before the Hon. Howard Broadman (Ret.) on May 17, 2014. After negotiations lasting over 9 hours, the parties reached and executed a settlement agreement. Subsequently, a Notice of Settlement and Petition for Approval of Settlement Agreement were filed by the Conservator. Two days before the hearing on the Approval of Settlement Agreement, Objections to the Petition were filed on behalf of Fred and Kathleen Loeffler. The Objections are based on the argument that the agreement is unenforceable because Fred Loeffler did not sign the settlement agreement. However, the only declaration filed in support of the objections was that of Kathleen Loeffler. <i>Fred Loeffler did not submit any declaration expressing his objection to approval of the settlement.</i> The Court has taken the matter under submission.</p> <p style="text-align: center;">Continued on Page 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Order of the Court filed 05/13/15 approved the settlement and arbitration agreements.</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		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: JF</p> <p>Reviewed on: 06/09/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 - Loeffler</p>

Petitioner submits that the evidence demonstrates the lack of Fred Loeffler's informed consent to objecting to the approval of the settlement agreement and that in fact, the evidence shows that approval of settlement agreement is in Dr. Loeffler's best interest and that his actions demonstrate his acceptance of the agreement. The objection filed by the Farley Law Firm on behalf of Dr. Loeffler appears based on erroneous, or at least unfounded assumption that Dr. Loeffler's interest and desire are aligned with and best served by Mrs. Loeffler's attempt to void the settlement agreement. Accordingly, the Court should undertake to ascertain and confirm that the objection filed on behalf of Dr. Loeffler is based on his informed consent and, further, that it is in his personal best interests to repudiate the settlement. This may be accomplished through an in chamber, confidential process that protects against any waiver or breach of privilege.

The evidence shows that the rights and interests of Dr. and Mrs. Loeffler have not always been aligned and that they have not shared common objectives. An example of this is that early on in these proceedings, Dr. Loeffler approved of and desired the appointment of a conservator, while Mrs. Loeffler did not. Further evidence is reflected in the fact that the attorney who represented the conservatees at mediation, Mr. Rube, found it necessary to withdraw as counsel for Dr. Loeffler for reasons having to do with Mrs. Loeffler and not Dr. Loeffler. Mr. Rube's stated reason for withdrawing pertained to "certain comments made by Mrs. Loeffler", which statements he said could be "used against Dr. Loeffler." He further stated that he could not serve as effective counsel for Dr. Loeffler because of Mrs. Loeffler's letter to him and her concern about Mick Loeffler.

This action initially arose out of concerns over the conduct of Mick Loeffler towards his parents, and the evidence more than substantiates those concerns. Most notably is the note written by Mick to his father, Dr. Loeffler, instructing him to "clam up". Further evidence supporting these concerns is found in the correspondence sent to the Dr. and Mrs. Loeffler by their former attorney, Kevin Gunner.

As far as the Farley Law Firm's joint representation, the firm's own billing invoices reflect that little or no attention has been directed at adequately disclosing the potential conflicts associated with the firm's representing both Dr. and Mrs, Loeffler. Moreover, those same invoices show that, in stark contrast to the time spent and communications with Mrs. Loeffler, the firm's attorneys have spent little or no time communicating with Dr. Loeffler regarding the settlement agreement or objecting to the approval of it. Specifically, the invoices show that the attorneys had at least 19 telephone conversations with Mrs. Loeffler, eight of which concerned objecting to the settlement agreement. The attorneys also recorded 2 meetings with Mrs. Loeffler concerning the same subject. In contrast, there is no record of any telephone conversation with Dr. Loeffler and, except for non-specific references to meetings with "clients" or to the "Loefflers" there is no record of the attorneys meeting with Dr. Loeffler. In addition, while there is record of "Mrs. Loeffler's concerns" on 08/08/14, there is no record of Dr. Loeffler ever expressing any concern. The only declaration referenced in the invoices is that of Mrs. Loeffler, and there is no record of any declaration of Dr. Loeffler much less any consideration of his declaration. Finally, while there is record of preparation of direct examination questions for Mrs. Loeffler, there is no similar record for Dr. Loeffler. In fact, there is no record of Dr. Loeffler having any involvement in opposing the settlement.

In her declaration, Mrs. Loeffler states that after the mediation she had second thoughts about the agreement. Nowhere in her declaration does she state that Dr. Loeffler objects to the agreement. Instead she states that she and Dr. Loeffler spent approximately 10 hours "discussing and reviewing sensitive and emotional issues surrounding their four children." Thus, rather than show that Dr. Loeffler objected to the settlement, Mrs. Loeffler's declaration provides evidence of his acceptance of the settlement

Continued on Page 3

Petitioner submits that, based on the evidence, it is reasonable to conclude that her father does not share her mother's desire to void the settlement hammered out by the parties and in fact, he may desire approval of the settlement agreement in order to resolve what his wife described as "sensitive and emotional issues surrounding their four children. There is no evidence that Dr. Loeffler's attorneys have disclosed to him the potential consequences of voiding the settlement agreement or that his attorneys obtained his informed consent to object. In fact, if anything, the evidence leads to a contrary conclusion.

There is nothing showing that voiding the settlement agreement is in Dr. Loeffler's best interest or that it is his desire. Substantial time and effort has been expended by the parties to settle this difficult and costly litigation. The Loefflers were represented at the mediation by counsel and, as acknowledged by Mrs. Loeffler in her declaration, they had ample time to discuss and review the terms and conditions of the settlement before agreeing to it.

The Conservator signed the settlement agreement on behalf of Dr. Loeffler believing that it was in Dr. Loeffler's best interest to do so. Mrs. Loeffler obviously believed the settlement was reasonable and acceptable when she signed the agreement and her personal second thoughts do nothing to demonstrate Dr. Loeffler's change of mind.

This action has taken its toll on all of the parties, especially Dr. and Mrs. Loeffler, and it behooves the Court to leave no doubt that Dr. Loeffler's desire and best interests are being protected, regardless of the interests or desires of others, including his wife. Accordingly, this Court should disqualify the conservatees' current attorneys, the Farley Law Firm, and direct that Dr. Loeffler and Mrs. Loeffler be separately and independently represented, at least with respect to the settlement agreement.

[Exhibits and Legal argument re Disqualification provided]

Declaration of Petitioner Diane Huerta in Support of Motion to Disqualify Conservatees' Counsel filed 04/28/15 states: that her parents have not always shared the same opinions and desires with respect to this action. She has never heard her father express any objection to the settlement and she has been informed by the facility where Dr. Loeffler is residing that he has lost 8 pounds over the past month and has become increasingly anxious. He appears to have anxiety about this ongoing litigation. Further, Dr. Loeffler told declarant that Mrs. Loeffler instructed him not to talk to her because of the lawsuit. At a care conference at the facility, attended by both declarant (Diane Huerta) and Mrs. Loeffler, the issue was brought up and the parties were asked not to bring up the lawsuit in their visits with Dr. Loeffler due to the anxiety it caused him, Diane agreed and stated that she does not discuss the lawsuit with him, but Mrs. Loeffler stood up and walked out of the meeting without responding.

Opposition to Petitioner Diane Huerta's Motion to Disqualify Conservatees' Counsel filed 05/27/15 by Fred Loeffler states: Petitioner's contention that the Farley Law Firm is in a conflict of interest in its concurrent representation of Kathleen and Fred Loeffler is not supported by any admissible evidence. There is no such conflict and both of the Loefflers' interest are being adequately represented. Petitioner's Motion is full of baseless conclusions and a regurgitation of her position regarding the Petition for Approval of the settlement agreement. Further, now that this matter (and the related matters) have been resolved and all that is left to do is dismiss this matter, the instant Motion moot and nothing more than a waste of the Loefflers' time and money.

Continued on page 4

Petitioner's request to hold an in chamber proceeding to determine whether Fred's wishes are being adequately represented and whether objecting to the May 2014 settlement agreement is in his best interest would be a complete waste of everyone's time and money at this late state in the proceedings. Petitioner's Motion to Disqualify Conservatees' Attorneys of Record is nothing more than an attempt to urge the Court to make a decision on the Petition for Approval of Settlement Agreement of the May 2014 Settlement Agreement and to reargue her position regarding the same. This matter (and the related matters) have been resolved and no further proceedings are anticipated. A global settlement has been reached and approved by the Court. Disqualifying Farley Law Firm at this late stage in the proceedings would serve no purpose other than unnecessarily incurring further attorney's fees and costs and causing more stress to the Loefflers. Accordingly, the Motion should be denied.

Declaration of Jennie Barkinskaya in Support of Opposition to Motion to Disqualify Conservatees' Attorney of Record filed 05/27/15.

Michael "Mick" Loeffler's Opposition to Petitioner Diane Huerta's Motion to Disqualify Conservatees' Attorney of Record filed 05/27/15 states: The Motion is baseless and is also moot at this time due to the Court's ruling of 05/13/15. Petitioner's attorney Marcella Downing has been asked that in light of the Court's ruling whether she would be withdrawing the Motion, but she has refused to answer and instead has asked all counsel if they waive their rights to appeal. Such tactics are a waste of time, money, and clearly a waste of judicial resources. Petitioner Huerta needs to be reminded that the filing of motions for an improper purpose, to harass, cause unnecessary delay or for the needless increase in the costs of litigation are disapproved by this court. Objector respectfully requests that the court deny the Motion.

Petitioner's Reply to Opposition to Motion to Disqualify Conservatees' Attorney of Record filed 06/05/15.

Petitioner's Reply to Michael "Mick" Loeffler's Opposition to Motion to Disqualify Conservatees' Attorneys of Record filed 06/05/15. Both documents reiterate Petitioner's position and state that the Objector's miss the point of the Petition.

8 Kathleen Doris Loeffler (CONS/PE) Case No. 13CEPR00656

Attorney Bagdasarian, Gary G. (for Linda Pliff – daughter)
 Attorney Barkinskaya, Jennie (for Conservatee)
 Attorney Jenkins, Shani D (for Mick Loeffler – son)
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Notice of Motion and Motion to Disqualify Conservatees' Attorneys of Record;

Memorandum of Points and Authorities; Declaration of Petitioner Dianne Huerta

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See Page 7, the Motion and supporting documents filed in this matter appear to be exactly the same as outlined on Page 7.</p> <p>Note: Order of the Court filed 05/13/15 approved the settlement and arbitration agreements.</p>
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 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 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: JF
		Reviewed on: 06/09/15
		Updates:
		Recommendation:
		File 8 - Loeffler

	DOUGLAS CLEVINGER , son was appointed Administrator with full IAEA without bond on 05/12/2014.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p> <p>Note: Douglas Clevenger was appointed Special Administrator on 09/27/2013. An order confirming sale of real property was filed 12/03/2013 and the proceeds were ordered to be placed in a blocked account. \$88,525.75 was placed in a blocked account at Citi Bank.</p>
	Letters issued 05/22/2014.	
Cont. from		
Aff.Sub.Wit.	Inventory and Appraisal was filed on 09/03/2013 showing an estate valued at \$85,000.00.	
Verified		
Inventory		
PTC		
Not.Cred.	Minute Order of 05/12/2014 set this status for the filing of the First Account or Petition for Final Distribution.	
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: LV
		Reviewed on: 06/08/2015
		Updates:
		Recommendation:
		File 10 - Fore

Age: 62	TOM and LOUISE AVEDESIAN were appointed as Co-Trustees of the DANIEL KANDARIAN SPECIAL NEEDS TRUST on 3-28-14 with bond of \$52,514.00.	NEEDS/PROBLEMS/COMMENTS:
		Minute Order of 05/27/2015: Counsel represents that the accounting is prepared, but it is out of balance and he needs time to meet with his clients. Counsel, Tom Avedesian, and Louise Avedesian are all ordered to be personally present in court on 06/10/2015 if the petition is not filed at least two court days prior.
Cont. from 052715	At the hearing on 3-28-14, the Court set a status hearing for the filing of the first account on 03/27/2015.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.	On 03/27/2015 there were no appearances. The Court issued an Order to Show Cause to Mark Johnson, Tom Avedesian, and Louise Avedesian. They were ordered to be personally present on 04/29/2015.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute Order of 04/29/2015: Counsel states the non-appearance was due to an office calendaring problem; he will file the account within two weeks. The Court vacates the Order to Show Cause. If the petition is filed at least two court days prior, then no appearance is necessary on 05/27/2015.	1. Need first account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/08/2015
		Updates:
		Recommendation:
		File 11- Kandarian

Pro Per Petitioner Tu, Anh Phu (spouse)

Petition for Final Distribution on Waiver of Accounting

DOD: 2/6/2012		<p>ANH PHU TU, spouse and Administrator, is Petitioner.</p> <p>Accounting is <u>NOT</u> waived.</p> <p>I & A — \$205,000.00 POH — \$205,000.00 <i>(real property; no cash)</i></p> <p>Administrator — waives</p> <p>Distribution pursuant to intestate succession and Assignment of Interest in Estate documents filed on <u>10/25/2013</u> is to:</p> <p>ANH PHU TU – 100% interest in real property.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 042915			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" 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	090414	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 6/8/15
			Updates:
			Recommendation:
			File 12 - Dunn

14 Jasean Bess & Jashaya Sumlin (GUARD/P) Case No. 14CEPR00806

Mother Bess, Jezell (Pro Per – Mother – Petitioner)
 Guardian Bess, Courtney Lynn (Pro Per – Maternal Aunt – Guardian)

Petition for Termination of Guardianship

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> This petition pertains to the minor Jasean Bess only. Jashaya, age 4, is under guardianship with her maternal great-aunt, Breshia Robinson.</p> <p><u>Note:</u> This petition was filed ex parte on 4/8/15. On 4/9/15, the Court set this hearing and ordered Petitioner to provide notice to all interested parties no later than 15 days prior to the hearing.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the guardian and <u>all</u> relatives per Probate Code §1460(b)(5): <ul style="list-style-type: none"> - Courtney Lynn Bess (Guardian) - Father - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather Jeffery Bess - Maternal Grandmother Yolanda Moore <p><u>Note:</u> According to the original petition for guardianship, the father and paternal grandparents are unknown. The Court may require further information or diligence if available.</p>	
	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			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/8/15	
			Updates:	
			Recommendation:	
			File 14 – Bess & Sumlin	

Petition to Approve Waiver of Account, for Final Distribution, and for Allowance of Compensation for all Services Rendered

DOD: 9/16/14		<p>NANCY GENTILE, Daughter and Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$90,500.00 POH: \$90,500.00 (Real property, 1979 Ford Thunderbird, Misc. personal property)</p> <p>Executor (Statutory): Waived</p> <p>Attorney (Statutory): \$3,620.00</p> <p>Costs: \$1,371.00 (filing, publication, certified copies, appraisal)</p> <p>Distribution pursuant to Decedent's will and Declarations filed by Petitioner Nancy Gentile and Beneficiary Debra Menchu:</p> <p>Nancy Gentile: Real property, 1979 Ford Thunderbird, and an undivided 50% interest in misc. personal property</p> <p>Debra Menchu: An undivided 50% interest in misc. personal property</p>	NEEDS/PROBLEMS/COMMENTS:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" 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 checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 6/8/15</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 15 - Pfister</p>	

		<p>VINCE GHIMENTI and MICA GHIMENTI, nonrelatives, were appointed Co-Guardians of the Person and Estate with all funds to be placed into a blocked account on 4/6/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 5/13/15:</u> Counsel represents that the death certificate was just issued 4/30/15; they are still awaiting insurance funds. Guardians are admonished to document all communication with the insurance company. No appearance is necessary on 6/10/15 if the receipt is filed at least two court days prior.</p> <p>1. Need Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account (MC-356) or written status report pursuant to Local Rule 7.5.</p>
<p>Cont from 042915, 051315</p>			
	Aff.Sub.Wit.	<p>At the hearing on 4/6/15, the Court set this status hearing for the filing of the receipt for blocked account.</p>	
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 6/8/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Taylor</p>

Pro Per Petitioner Amparano, Joyce (daughter)

Petition for Authorization to Administer Under IAEA with Limited Authority (Prob. C. 8002, 10450)

DOD: 10/26/2009		<p>JOYCE AMPARANO, daughter, is Petitioner and requests appointment [as Administrator or as Special Administrator?] without bond. (Waivers of Bond filed 4/20/2015 by all heirs.)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p>Request for Dismissal entered 6/9/2015.</p> <p>Continued from 4/29/2015.</p> <p><i>Minute Order</i> states examiner notes provided in open court. The following defects from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Caption of the <i>Petition</i> does not request the type of administration sought by Petitioner, except that administration be authorized under IAEA with Limited Authority. CA Rule of Court 7.102 requires that the title of each pleading clearly and completely identify the nature of all relief sought or granted. Further, Item 2(b) and Item 2(c) of the <i>Petition</i> request appointment of Special Administrator with Limited IAEA authority, without bond. Need clarification of the Petitioner's request for appointment as administrator or special administrator. 2. Need <i>Notice of Petition to Administer Estate</i> and proof of mailed notice pursuant to Probate Code § 8110 for the persons listed in Item 8 of the <i>Petition</i>. <p style="text-align: center;">~Please see additional page~</p>	
Cont. from 032515, 042915				
<input type="checkbox"/>	Aff.Sub.Wit.			Limited IAEA — OK
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			Decedent died testate or intestate?
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X Residence — Fresno Publication — Reedley Exponent
<input type="checkbox"/>	Aff.Mail			X
<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	X Supp		
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order	Probate Referee: Steven Diebert		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Estimated value of the Estate:</p> <p>Personal property - \$440.02*</p> <p>Total - \$440.02</p> <p><i>*Petition states the only personal property left by Decedent is the FCERA retirement benefit to which Decedent's spouse, JEANNETTE JARAMILLO, is entitled, that \$440.02 is the estimated monthly benefit, and that it is not possible to ascertain whether any lump sum amount is payable to her at this time.</i></p>		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 6/8/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17 - Amparano</p>		

Additional Page 17, Frank F. Amparano (Estate) Case No. 15CEPR00150

NEEDS/PROBLEMS/COMMENTS, continued:

3. Need *Confidential Supplement to Duties and Liabilities of Personal Representative* form, pursuant to Local Rule 7.10.1 and Probate Code § 8404.
4. Need mandatory-use *Waiver of Bond by Heir or Beneficiary* form [Judicial Council DE-111 (A-d3)] signed by all of Decedent's heirs to be filed with the Court (**Note:** *Attachment 3(d)(3) Waiver of Bond attached to the instant Petition signed by the seven persons is insufficient.*)
5. *Petition* does not explain the reason that the Petitioner's daughter seeks appointment as administrator (or special administrator) rather than the Decedent's spouse (or former spouse). Need declination to act as administrator from Decedent's spouse pursuant to Probate Code § 8461.
6. **Item 3(e) of the *Petition* is incomplete re: whether Decedent was intestate or testate, and if testate, a copy of Decedent's Will must be attached to the *Petition*.**
7. Item 5(a) of the *Petition* is incomplete as to (3) or (4) re: registered domestic partner, and (7) or (8) re: issue of a predeceased child.
8. Item 8 of the *Petition* lists **JEANNETTE AMPARANO**, "current spouse" and lists **JEANNETTE AMPARANO (JARAMILLO)**, "former spouse." Two different addresses are listed as if these are two different persons. Need clarification.
9. Need additional information and legal authority regarding the Petitioner's basis for seeking to use a *Petition for Letters of Special Administration with Limited Authority* as the foundation for collecting the **FCERA** retirement benefit for Decedent's spouse, **JEANNETTE JARAMILLO**, through the Petitioner effectuating a Qualified Domestic Relations Order in a pending Fresno Superior Court dissolution action, if the Court were to appoint Petitioner as administrator.

Pro Per Petitioner Esperanza Gonzalez (non-relative)

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

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> paternal grandparents. 	
		<p>ESPERANZA GONZALEZ, non-relative (long-term girlfriend of child's maternal grandfather), is Petitioner.</p> <p><i>Please see petition for details.</i></p> <p>Court Investigator's Report was filed on 4/21/2015.</p>		
Cont. from 042915				
	Aff.Sub.Wit.			
✓	Verified			
	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			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				<p>Reviewed by: LEG</p> <p>Reviewed on: 6/8/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Ramirez</p>

Pro Per Petitioner Bishop B. Brown (brother)

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

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 4/9/2015.</p> <p>Continued from 4/29/2015. Minute Order states examiner notes provided in open court.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> <i>Petition</i> requests medical consent powers. Need <i>Medical Capacity Declaration</i> (Judicial Council form GC-335) in support of Petitioner's request pursuant to Probate Code § 1890(c). <p style="text-align: center;">~Please see additional page~</p>
		<p>BISHOP B. BROWN, brother, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.</p>	
Cont. from 042915			
	Aff.Sub.Wit.		
✓	Verified	<i>NEED Capacity Declaration.</i>	
	Inventory		
	Cap. Dec.	X	
	Not.Cred.		
✓	Notice of Hrg	Voting Rights NOT Affected	
✓	Aff.Mail	<i>Please see Petition for details</i>	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	Court Investigator's Report was filed on 4/22/2015.	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	X	
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 6/8/15
			Updates:
			Recommendation:
			File 19 - Brown

NEEDS/PROBLEMS/COMMENTS, continued:

2. Need *Conservatorship Video Viewing Certificate* pursuant to Local Rule 7.15.9(A). Petitioner can visit the Court's website @ <http://www.fresno.courts.ca.gov/Probate/conservatorship> which provides a link to view the video and printable receipt for viewing by Petitioner that must be filed with the Court.

Attorney Petty, Teresa B., for Petitioner Linda L. Inman
 Objector Inman, Diana (Pro Per)

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

DOD: 1/23/2015	LINDA L. INMAN , daughter, is Petitioner and requests appointment as Administrator with bond set at \$215,000.00 .	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 04/29/2015 Diana Inman and Ray Inman object for the record; written objections are due by 05/27/2015 or the Court reserves the right to not consider them.</p> <p>Note: Court will set status hearings as follows:</p> <ul style="list-style-type: none"> • Thursday, May 28, 2015 at 9:00 a.m. in Dept. 303 for filing proof of bond; • Tuesday, September 29, 2015 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and • Thursday, June 30, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p> <p>Reviewed by: LEG (LV for 6/10/15 hearing)</p> <p>Reviewed on: 6/08/15 (LV)</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 – Inman</p>
Cont. from 042915	Full IAEA — OK	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Residence — Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	Publication — Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input checked="" type="checkbox"/> Aff.Pub.	Estimated value of the Estate:	
<input type="checkbox"/> Sp.Ntc.	Real property - \$215,000.00	
<input type="checkbox"/> Pers.Serv.	Total - \$215,000.00	
<input type="checkbox"/> Conf. Screen	Probate Referee: Rick Smith	
<input checked="" type="checkbox"/> Letters	Contest of Appointment of Personal Representative filed by Diana Inman on 05/27/2015 states Linda, petitioner, has been taking care of the family for almost 40 years so it pains Ms. Inman, objector, to realize how blind she has been to her lies and greed. Linda has assumed all assets in the decedent's estate. Ms. Inman states that Linda has violated her fiduciary duties by giving pieces of jewelry to her sister Carol and a painting from Italy to their brother Ray, as if she were the owner of those items.	
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" 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		

Please see additional page

Her petition doesn't even show the items listed on her "Inventory and Appraisal" originally filed with her conservatorship in 1981. Ms. Inman states she knows that these pieces still exist because Linda asked her in a phone conversation on 02/05/2015. Ms. Inman states that nearly two weeks after their mother passed, Linda asked "so you, Ray & Carol and know that there is some jewelry. Do we want to tell the state about it so they can tax us or not?" This shows how willing she is to commit tax fraud. There are other times she has violated ethical and moral limits. Linda has never had to have an accounting on their mother's estate, even though she states she couldn't do anything without the court's approval. Ms. Inman states she trusted Linda completely with her mother's care. Ms. Inman states Linda has not spoken to her since their mother's funeral. Ms. Inman states that Linda said "all I have to do is keep mom alive for a few more years until I'm eligible for social security."

At a family meeting, the one and only meeting, everyone agreed to Linda not being the administrator, therefore Ms. Inman submits herself without the statutory fee to administer the estate and without a lawyer. Ms. Inman states it is such a small estate this causes her to question Linda's need for a lawyer and finds her posture in this case suspect.

Wherefore, contestant prays that the court:

Deny petitioner's petition for appointment as administrator of Charlotte Marie Inman, deceased, and for issuance of letters of administration.

Opposition to Diana Inman's Contest of Appointment of Personal Representative filed on 06/09/2015 states on 05/27/2015, Diana Inman filed a "Contest of Appointment of Personal Representative" with the Court. Inman's Contest was not served upon the proposed administrator's counsel until 06/04/2015, said service was by mail and was not received until 06/08/2015. The envelope is postmarked on 06/04/2015, just six days prior to the hearing scheduled in this matter. The postmark coincides with the Proof of Service Inman filed with the Court. Further, Inman's Contest contains no petition for a competing appointment; hence it has no force or effect.

As stated in the Probate Code, any "interested person may oppose the petition for appointment by filing an objection to petitioner's competency to serve or his or her right to appointment by filing an objection to petitioner's competency to serve or his or her right to appointment, or by filing a petition asserting a superior right to appointment." Probate Code §§ 8004, subd. (a), 1043. "If the contestant asserts the right of another person to appoint as personal representative, the contestant shall also file a petition and serve notice in the manner provided..." Ibid. (emphasis added). Diana Inman's Contest lacks a Petition for Appointment.

Notice of hearing on a petition for appointment of a personal representative to an estate must be served "[a]t least 15 days before the hearing..." Prob. Code §8110. In this case, the Judge allowed for shortened time, however, did not allow for a change in the necessary substantive requirements. Further, the contents of a petition are specifically set forth. Id. At §§ 8002, 8003, subd.(a). The petition must state, among other things, the date and place of the decedent's death, address and relation to the decedent of each heir and devisee, the character of the property, and the name of the person for whom appointment is sought. Ibid.

Please see additional page

Diana Inman's "Contest" does none of these things. Instead it merely objects. Diana Inman's Contest fails on its face. The notice requirements were not met.

Even assuming Inman had given proper notice, which she did not, her Contest lacks the substantive requirements under the Code. It fails to attach a competing petition. Nor can the requirements of such a petition be discerned from her Contest. Without a competing petition, her contest is of no consequence. Diana Inman cannot play the role of a spoiler without providing any arguable alternatives.

Diana Inman's Contest falls short at every turn. Her Contest is both procedurally insufficient and devoid of substance. The Contest should be denied outright.

Inman's claims fail on two grounds. Her contest lacks property service and fails to include a petition for appointment. Therefore it should be denied in its entirety.

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

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			<ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Shavon Newsome-Nichols (Mother) - Father 3. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Maternal Grandfather - Paternal Grandfather - Paternal Grandmother
	Aff.Sub.Wit.		
✓	Verified		
	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		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6/8/15
			Updates:
			Recommendation:
			File 21 - Newsome

Ex Parte Application for Order Appointing Successor Trustee of the DiLeo Family Trust -
 GST Exempt Marital Deduction Trust, and Successor Trustee of the DiLeo Family Trust -
 GST Non-Exempt Marital Deduction Trust

Age:		NEEDS/PROBLEMS/COMMENTS: CONTINUED TO 7/14/15 Per Attorney request
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:
		Reviewed on: 6/8/15
		Updates:
		Recommendation:
		File 22 - DiLeo

Petitioner Gray, Sabrina Christina (pro per – maternal grandmother)

Petition for Appointment of Temporary Guardian of the Person

Age: 2		GENERAL HEARING: 07/01/15		NEEDS/PROBLEMS/COMMENTS:	
		<p>SABRINA CHRISTINA GRAY, maternal grandmother, is Petitioner.</p> <p>Father: VINCENT GARZA aka PABLO – Declaration of Due Diligence filed 05/01/15 and 05/26/15 states that his whereabouts are unknown; petitioner states that she has not seen the father for 3 years</p> <p>Mother: SAVANNAH RYAN OTT – personally served on 05/05/15</p> <p>Paternal grandparents: UNKNOWN</p> <p>Maternal grandfather: RONALD OTT – deceased</p> <p>Petitioner states [see Petition for details].</p> <p>Declaration of Petitioner filed 05/11/15 [see file for details]</p> <p>Court Investigator Jennifer Young filed a report on 05/22/15.</p> <p>Declaration filed 05/27/15 [see file for details].</p>		<p>CONTINUED FROM 05/27/15 Minute Order from 05/27/15 states: The Court orders that Savannah Ott go directly to Global Drug Testing from the courtroom today and submit to a drug test. Ms. Gray is to go also and pay for test. Parties are to provide the test results to the Court on 06/10/15. The Court further orders visitation for Sabrina Gray every Saturday from 10:00am to 4:00pm.</p> <p>1. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Temporary Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Vincent Garza aka Pablo (father) – unless diligence is found; Declaration of Due Diligence filed 05/01/15 and 05/26/15</p>	
Cont. from 051315, 052715					
<input type="checkbox"/>	Aff.Sub.Wit.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>			
<input type="checkbox"/>	Inventory	<input type="checkbox"/>			
<input type="checkbox"/>	PTC	<input type="checkbox"/>			
<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>			
<input type="checkbox"/>	Sp.Ntc.	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>	w/		
<input checked="" type="checkbox"/>	Conf. Screen	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Letters	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Duties/Supp	<input type="checkbox"/>			
<input type="checkbox"/>	Objections	<input type="checkbox"/>			
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>			
<input type="checkbox"/>	9202	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>			
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>			
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>			
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>			
<input type="checkbox"/>	Citation	<input type="checkbox"/>			
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>			
				Reviewed by: JF	
				Reviewed on: 06/08/15	
				Updates:	
				Recommendation:	
				File 24 - Ott	

		See petition for details.	NEEDS/PROBLEMS/ COMMENTS:	
Cont from 051815, 052715				
<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 type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			X
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/8/15	
			Updates:	
			Recommendation:	
			File 26 - Hayslett	

See petition for details.			NEEDS/PROBLEMS/COMMENTS: 1. If diligence is not found, need personal service of Notice of Hearing with a copy of the temp petition on the father per Probate Code §2250(e).
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	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: 6/8/15
			Updates:
			Recommendation:
			File 27 - Basilio

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	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: 6/8/15	
			Updates:	
			Recommendation:	
			File 28 - Villagomez	

Probate Status Hearing re: Filing Inventory & Appraisal

		<p>CATHERINE MARY KELLEY was appointed conservator of the person and estate with bond set at \$25,740.00 on 2/2/15.</p> <p>Bond filed on 2/5/15 and Letters issued.</p> <p>Minute Order dated 2/2/15 set this status hearing for the filing of the inventory and appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> I&A filed 6/8/15</p> <p>Note: This case has fees owing for the court investigation. \$500.00 for the investigation on the temporary conservatorship and \$547.00 for the investigation on the general conservatorship for a total owing of \$1,047.00.</p>
Cont. from 060315			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/8/15 (skc)
			Updates:
			Recommendation:
			File 29 - Shannon