



## ATTENTION

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

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

Thank you for your patience.

**Atty** Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

**Atty** Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole E.; of McCormick Barstow (for Antonietta "Rosa" Verni, daughter and Co-Trustee, and Nicola "Nick" Verni, son and Co-Trustee)

**Atty** Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son)

**Atty** Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

**Status Hearing**

<b>Leonarda DOD:</b> 7/31/2000	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, filed a <i>Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets</i> on 7/26/2012.</p> <p><b>NICOLA "NICK" VERNI</b>, son and Successor Trustee of the <b>SURVIVOR'S TRUST</b>, and <b>ANTONIETTA "ROSA" VERNI</b>, daughter and Trustee of the <b>MERGED FAMILY SUB-TRUST</b>, filed a <i>Response to Petition to Remove Trustees, etc.</i> on 9/27/2012.</p> <p><b>CARMELA DeSANTIS</b> filed a <i>Petition to Construe Trust Provision</i> on 7/26/2012.</p> <p><b>NICK VERNI and ROSA VERNI</b> filed a <i>Response to Petition to Construe Trust Provision</i> on 9/27/2012.</p> <p><b>CARMELA DeSANTIS</b> filed a <i>Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust</i> on 8/14/2012.</p> <p><b>NICK VERNI and ROSA VERNI</b> filed a <i>Response to Petition to Establish Claim of Ownership</i> on 9/27/12.</p> <p><b>CARMELA DeSANTIS</b> filed <i>Amended Objections to First Account Current of Trustee</i>, and filed <i>Objections to Second Account Current of Trustee</i>, both filed on 7/26/2012.</p> <p style="text-align: center;">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 5/24/2013.</b> Minute Order states counsel requests a continuance.</p> <p><b>Note:</b> Matter is set for Court Trial on <b>9/10/2013</b> with a 15-day estimate.</p> <p><b>Page 1B</b> is the <i>Petition to Remove Trustees, etc.</i></p> <p><b>Page 1C</b> is the <i>Petition to Construe Trust Provision.</i></p> <p><b>Page 1D</b> is the <i>Petition to Establish Claim of Ownership in Favor of Trust to Property, etc.</i></p>
<b>Saverio DOD:</b> 5/25/2009		
<b>Cont. from 120512, 010313, 022113, 032213, 052413</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
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<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/17/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1A - Verni</b></p>

**Petitioner Carmela DeSantis' Status Report filed by Joseph Marchini on 6/11/2013 states:**

- **Pending Petitions:** Petitioner has several petitions and several objections to trustee accountings pending before the Court in this matter:
  - (a) Petition to (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets;
  - (b) Petition to Construe Trust Provision;
  - (c) Petition to Establish Claim of Ownership in Favor of Trust to Property and for Order Directing its Transfer to the Trustees to Hold in Trust;
  - (d) Objections to First Account Current and Report of Trustees and Petition for its Settlement;
  - (e) Amended Objections to the First Account Current and Report of Trustees; and
  - (f) Objections to the Second Account Current.
  
- **Additional Petitions:** The Trustees have provided, but not filed with the Court, accountings for 2011 and 2012; Counsel for Petitioner has reviewed those accountings in detail and will file objections to them which Petitioner proposed be tried with the pending petitions.
  
- **Discovery:** Early in this case, Petitioner served written discovery, to which the trustees have responded; the parties have agreed to an open extension of time for Petitioner to bring a motion to compel; in order to expedite the review of documents, and hopefully, the resolution of disputed transactions, Petitioner has retained a forensic accountant to review accounting records directly with the accountants retained by the Trustees; Petitioner's accountant has met twice with the Trustee's accountant; the parties are in the process of scheduling an on-site review of relevant accounting records; Petitioner has requested deposition dates for the Trustees and their brother, **DINO VERNI**; Petitioner will also require depositions of the Trustees' accountant, possibly some third party vendors, and possibly some persons employed in the operation of Trust farm property; scheduling has proved to be difficult due to summer and trial schedules; **a short continuance of the trial date of 40 to 65 days may be necessary** [emphasis added] if these scheduling conflicts cannot be resolved soon; Petitioner previously proposed that the parties agree to waive percipient witness discovery cut-offs, and the Trustees are in agreement; Petitioner previously proposed that the parties agree to resolve discovery disputes on shortened noticed with the Court's assistance and consent, and the Trustees are in agreement.
  
- **Bifurcation:** Hearings on the various petitions and objections are scheduled for 9/10/2013; Petitioner previously recommended severing the issue of tracing and valuing *inter vivos* gifts to a date after the Court has resolved the Trust interpretation issue set to be heard with the other petitions on 9/10/2013, and the Trustees are in agreement.

~Please see additional page~

**Petitioner has prepared** a proposed *Stipulation to Bifurcate Trial, to Waive Percipient Discovery Cut-Off, and to Provide Process for Discovery Dispute Resolution; and Proposed Order (attached as Exhibit A)*, stating in sum:

- The parties desire to conduct proceedings in the matter in an efficient and economical manner, and accordingly, have entered into this Stipulation;
- **Bifurcation:** Subject to Court approval, trial shall be bifurcated such that Trust interpretation issues raised in the *Petition to Construe Trust Provision* shall be tried and adjudicated first, and before trial and adjudication of any of the other petitions and objections [see *Stipulation for details*];
- **Resolution of Discovery Disputes:** The parties acknowledge that Local Rule 2.1.17 establishes a procedure for handling discovery disputes which includes a requirement that any party desiring to bring a motion to compel [...] must first request an informal Pretrial Discovery Conference to attempt to resolve any pending discovery disputes; [see *Stipulation for details re parties' agreement in the event a request for Pretrial Discovery Conference is granted*];
- **Waiver of Percipient Discovery Cut-Off:** The parties agree to waive the percipient discovery cut-off relevant to all available forms of discovery arising under applicable law and agree that the date for completion of discovery shall be deemed to be the date of trial; the parties waive the time limits for service of deposition notices and subpoenas, consumer notices and related documents; the parties shall agree to dates for depositions and, in the event they cannot, reasonable prior notice of not less than 3 court days shall be given.

**Petitioner requests another status conference in approximately 30 days.**

**1B In the Matter of the Verni Family Trust (Trust)**

Case No. 10CEPR00639

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Antonietta "Rosa" Verni, daughter and Co-Trustee, and Nicola "Nick" Verni, son and Co-Trustee)

Atty Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son)

Atty Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

**Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]**

Leonarda DOD: 7/31/2000	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, is Petitioner.  <b>Petitioner states:</b></p> <ul style="list-style-type: none"> <li>The <b>VERNI FAMILY TRUST of 1999</b> was created by <b>SAVERIO VERNI</b> and <b>LEONARDA VERNI</b> on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the <b>VERNI MARITAL TRUST</b>, the <b>VERNI FAMILY TRUST</b>, (which was amended once during both Trustors' lifetimes), and the <b>VERNI SURVIVOR'S TRUST</b> (copies of Trusts attached as Exhibit A); following Leonarda's death, Saverio amended the <b>SURVIVOR'S TRUST</b> seven times, with the <i>Eighth Amendment</i> (the final) amending the <b>SURVIVOR'S TRUST</b> in its entirety;</li> <li>Saverio served as sole trustee of the three sub-trusts until his death on 5/25/2009, and upon his death the Marital Sub-Trust terminated and its principal was added to the Family sub-trust, which became the <b>MERGED FAMILY SUB-TRUST</b>;</li> <li>Pursuant to the Trust terms, <b>ANTONIETTA ROSA VERNI</b>, daughter, is first appointed and currently serves as Successor Trustee of the Merged Family Sub-Trust; pursuant to the <i>Eighth Amendment</i> to Trust, <b>NICOLA VERNI</b>, son, is first appointed and currently serves as Successor Trustee of the <b>SURVIVOR'S TRUST</b>;</li> <li>The beneficiaries of each of the Sub-Trusts are the Settlor's five children: <b>ANTONIETTA ROSA VERNI (Rosa)</b>, <b>NICOLA VERNI (Nick)</b>, <b>LEONARD VERNI (Dino)</b>, <b>MARIA STANZIALE</b>, and <b>CARMELA DeSANTIS</b> (Petitioner); and specific distributions from the Survivor's Sub-Trust are to <b>ERLINDA MARCIANO VERNI (\$200,000.00)</b> and <b>ST. ANTHONY OF PADUA CATHOLIC CHURCH (\$200,000.00)</b>;</li> <li>Following the death of Saverio and Leonarda, the Merged Family Sub-Trust names Rosa as First Successor Appointee, and Maria as Second Successor Appointee; Eighth Amendment provides that upon Saverio's ceasing to act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust;</li> <li><b>Petitioner seeks a Court order pursuant to Probate Code § 15642 removing Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the Survivor's Sub-Trust.</b></li> </ul>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Saverio DOD: 5/25/2009			<b>Continued from 5/24/2013.</b> Minute Order states counsel requests a continuance.
Conf. from 091112, 100212, 120512, 010313, 022113, 032213, 052413			<b>Note:</b> Additional notes pages originally prepared with respect to this petition have been omitted.
Aff.Sub.W			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg		X	
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.			
Conf. Screen			
Letters			
Duties/S			
Objection			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 6/17/13	
		Updates:	
		Recommendation	
		File 1B - Verni	



**1D In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639**  
**Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)**  
**Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole E.; of McCormick Barstow (for Antonietta "Rosa" Verni, daughter and Co-Trustee, and Nicola "Nick" Verni, son and Co-Trustee)**  
**Atty Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son, and Nicola "Nick" Verni, son and Co-Trustee)**  
**Atty Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)**

**Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1)**

Leonarda DOD: 7/31/2000	<p><b>CARMELA DeSANTIS</b>, daughter and Trust Beneficiary, is Petitioner.</p> <p><b>Summary of Petitioner's requests for specific relief:</b></p> <ol style="list-style-type: none"> <li>Determining that the following is property of the Trust estate:             <ol style="list-style-type: none"> <li><b>Almond crops:</b> (i) The almond meat inventory on hand at the date of Saverio's death; (ii) all almond crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the almond inventory and crops;</li> <li><b>Olive crops:</b> (i) The olive oil, olive crop and olive inventory on hand at the date of Saverio's death; (ii) all olive crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the olive oil, inventory and crops;</li> <li><b>Other crops (Stone Fruit, Grapes, Etc.):</b> (i) The inventory of other crop grown on Trust land, on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such crops grown on Trust land since Saverio's death and during 2009; and (iii) proceeds from the sale of the inventory and crops;</li> <li><b>Other Inventory on Hand:</b> (i) The inventory of firewood and olive oil on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such items produced from products grown on Trust land since Saverio's death and during 2009; [and (iii) proceeds from the sale of the other inventory;]</li> <li><b>Proceeds from Sale of Trust Real Property:</b> The money received by Nick and Dino from DeYoung Properties in connection with the option to purchase land and used by DeYoung Properties to actually purchase Trust land which sum is believed to be not less than <b>\$1,000,000.00</b>;</li> </ol> </li> <li>Directing each of the beneficiaries in possession or holding the property to transfer such property to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);</li> <li>Directing each of the beneficiaries in possession or holding any proceeds from the sale or exchange of any of the property to transfer such proceeds to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);</li> <li>For judgment in favor of the Trustees of the Trust against any beneficiary who received the Trust property and proceeds, in an amount to be determined and as required to compensate for all of the detriment and damages cause to the Trust; and</li> <li>For treble damages pursuant to Probate Code § 859.</li> </ol>	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>Continued from 5/24/2013.</b> Minute Order states counsel requests a continuance.</p> <p><b>Note:</b> Additional notes pages originally prepared with respect to this petition have been omitted.</p>
Saverio DOD: 5/25/2009		
Cont. from 100212, 120512, 010313, 022113, 032213, 062113		
Aff.Sub.W		
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Objection		
Video Receipt		
CI Report		
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<input checked="" type="checkbox"/> Order		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/17/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1D - Verni</b></p>

**Status Hearing Re: Filing of the Inventory and Appraisal**

<b>DOD: 12/7/11</b>	<p><b>KIRK HAGOPIAN</b> was appointed as Administrator with Full IAEA authority and without bond on 7/26/12.</p> <p>Minute Order dated 7/26/12 set this status hearing for the filing of the inventory and appraisal.</p> <p>Inventory and Appraisal, partial no. One with a value of \$80,268.71 was filed on 5/31/13</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Final Inventory and Appraisal 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>
<b>Cont. from 120712</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202 Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: KT</b>
		<b>Reviewed on: 6/17/13</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2 - Smart</b>



**Status Hearing Re: Receipts for Blocked Accounts**

		<p><b>ESTELA CRUZ</b>, mother, is conservator of the person and estate.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
		<p>Order approving 6<sup>th</sup> account was signed on 5/14/13. Order states that \$150,000 was to be withdrawn from the blocked account at WestAmerica Bank and that \$75,000 each would be deposited into Murphy Bank and Bank of the Sierra.</p>	
<b>Cont. from</b>		<p>Receipt for Blocked Account was filed for Murphy Bank on 5/22/13.</p>	
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>		<p><b>Status Report filed on 5/22/13</b> states the receipt for Bank of the Sierra will be filed after July 28, 2013 because the CD cannot have additional deposits made until its maturity date on 7/28/2013. Letter from operations manage attached.</p>	
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>			
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
			<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 6/17/2013</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 5 – Cruz</b></p>

**Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]**

<b>DOD: 12-1-02</b>	<b>RICHARD ALLEN CANADA</b> , Son, was appointed Administrator with Full IAEA with <b>bond of \$17,000.00 on 5-4-04.</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Minute Order 4-12-13:</u> Counsel informs the Court that Mr. Canada has agreed to work with him with respect to this matter.</p> <p><u>Note:</u> Pursuant to Substitution of Attorney filed 5-6-13, Mr. Canada is now self-represented.</p> <ol style="list-style-type: none"> <li>1. Need first account or petition for final distribution or verified status report pursuant to Local Rule 7.5 and Probate Code §§ 1021, 1023.</li> <li>2. Need proof of service of Notice of Hearing with a copy of the status report on parties that have requested special notice pursuant to Probate Code §1252.</li> </ol> <p><u>Note:</u> The file indicates that the decedent left a spouse who relocated to Lapu Lapu City, Philippines, after the decedent's death, and two adult children, including the Administrator, who reside in Fresno.</p> <p><u>Note:</u> There have been numerous creditor's claims filed in this estate totaling \$11,748.70.</p>
	Bond of \$17,000.00 was filed and Letters issued on 5-7-04.	
<b>Cont from 041213</b>	Inventory and Appraisal filed 7-6-04 indicates a total estate value of \$90,000.00 consisting of real property located at 2365 South Lily in Fresno.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	On 2-25-13, Attorney C. Michael Farmer filed a Notice of Change of Address, which prompted review of the status of this case.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>	On 3-1-13, the Court set this hearing for failure to file a first account or petition for final distribution. Notice was mailed to Attorney Farmer on 3-1-13.	
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 6-17-13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6 - Canada</b>



Probate Status Hearing Re: Failure to File First Account or Petition for Final Distribution  
 [Prob. C. 12200, et seq.]

<b>DOD: 7/29/2010</b>	<b>FRANK SCOTT HINE</b> was appointed Administrator with Full IAEA and bond set at \$118,260.00 on 1/5/2011.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need First Account, Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.																								
<b>Cont. from</b>	Minute order dated 6/15/2012 states the court orders bond set at \$45,000.00 and Limited IAEA authority.																									
<b>Aff.Sub.Wit.</b>	Bond of \$45,000.00 filed on 8/10/12.																									
<b>Verified</b>	Letters issued 10/24/12.																									
<b>Inventory</b>	Inventory and Appraisal filed on 6/6/2012 showing the estate valued at \$134,550.00																									
<b>PTC</b>																										
<b>Not.Cred.</b>																										
<b>Notice of Hrg</b>																										
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<b>Pers.Serv.</b>	<b>Creditor's Claims filed:</b>																									
<b>Conf. Screen</b>	<table> <tr> <td>CitiBank</td> <td>-</td> <td>\$12,563.66</td> </tr> <tr> <td>DCM Services</td> <td>-</td> <td>\$ 260.80</td> </tr> <tr> <td>Frank Hine</td> <td>-</td> <td>\$ 4,743.41</td> </tr> <tr> <td>Donna Langley</td> <td>-</td> <td>\$17,625.99</td> </tr> <tr> <td>Wesley Langley</td> <td>-</td> <td>\$ 1,397.38</td> </tr> <tr> <td>FTB</td> <td>-</td> <td>\$ 2,660.09</td> </tr> <tr> <td>FTB</td> <td>-</td> <td>\$ 4,337.54</td> </tr> <tr> <td><b>Total</b></td> <td></td> <td><b>\$43,689.17</b></td> </tr> </table>		CitiBank	-	\$12,563.66	DCM Services	-	\$ 260.80	Frank Hine	-	\$ 4,743.41	Donna Langley	-	\$17,625.99	Wesley Langley	-	\$ 1,397.38	FTB	-	\$ 2,660.09	FTB	-	\$ 4,337.54	<b>Total</b>		<b>\$43,689.17</b>
CitiBank	-		\$12,563.66																							
DCM Services	-		\$ 260.80																							
Frank Hine	-		\$ 4,743.41																							
Donna Langley	-		\$17,625.99																							
Wesley Langley	-		\$ 1,397.38																							
FTB	-		\$ 2,660.09																							
FTB	-		\$ 4,337.54																							
<b>Total</b>			<b>\$43,689.17</b>																							
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<b>9202</b>																										
<b>Order</b>																										
<b>Aff. Posting</b>																										
<b>Status Rpt</b>																										
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<b>Citation</b>																										
<b>FTB Notice</b>																										
		<b>Reviewed by: KT</b>																								
		<b>Reviewed on: 6/17/2013</b>																								
		<b>Updates:</b>																								
		<b>Recommendation:</b>																								
		<b>File 9 - Hine</b>																								

<b>DOD: 3/15/11</b>		<p><b>TIMOTHY JOHNSON</b> was appointed Administrator with Will Annexed, with full IAEA authority and bond set at \$80,000 on 12/15/2011.</p> <p>Bond was filed on 2/24/12 and Letters issued.</p> <p>I &amp; A filed 4/26/12 show the estate valued at \$145,000.00</p> <p>Notice of Status Hearing for failure to file a first account or petition for final distribution was mailed to attorney Edward Fannuchi on 1/14/13.</p> <p><b>Unverified Status Report of Attorney Fannuchi filed 5/17/13 states</b> the counsel is awaiting the release from DCM Services on the payment of the creditor's claim filed on behalf of PG&amp;E.</p> <p>Counsel is awaiting the release or notification of a lien from the Department of Health Care Services.</p> <p>It is anticipated that those releases should arrive any day.</p> <p>The First and Final Account and Petition for Final Distribution has been prepared and is ready for filing upon receipt of those releases.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR.</b> 1<sup>st</sup> and Final Account filed and set for hearing on 7/15/2013.</p>				
<b>Cont. from 030113, 031513, 041913, 052413</b>							
<b>Aff.Sub.Wit.</b>							
<b>Verified</b>							
<b>Inventory</b>							
<b>PTC</b>							
<b>Not.Cred.</b>							
<b>Notice of Hrg</b>							
<b>Aff.Mail</b>							
<b>Aff.Pub.</b>							
<b>Sp.Ntc.</b>							
<b>Pers.Serv.</b>							
<b>Conf. Screen</b>							
<b>Letters</b>							
<b>Duties/Supp</b>							
<b>Objections</b>							
<b>Video Receipt</b>							
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<b>Order</b>							
<b>Aff. Posting</b>							
<b>Status Rpt</b>							
<b>UCCJEA</b>							
<b>Citation</b>							
<b>FTB Notice</b>							
		<table border="1"> <tr> <td><b>Reviewed by: KT</b></td> </tr> <tr> <td><b>Reviewed on: 6/17/13</b></td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation:</b></td> </tr> <tr> <td><b>File 10 - Johnson</b></td> </tr> </table>	<b>Reviewed by: KT</b>	<b>Reviewed on: 6/17/13</b>	<b>Updates:</b>	<b>Recommendation:</b>	<b>File 10 - Johnson</b>
<b>Reviewed by: KT</b>							
<b>Reviewed on: 6/17/13</b>							
<b>Updates:</b>							
<b>Recommendation:</b>							
<b>File 10 - Johnson</b>							

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

<b>DOD: 7/25/2011</b>	<b>DAVID DAVIS</b> , son, was appointed Administrator with full IAEA authority and without bond on 1/11/2012. On 3/22/13 the Court removed <b>DAVID DAVIS</b> and appointed the <b>PUBLIC ADMINISTRATOR</b> .	<b>NEEDS/PROBLEMS/COMMENTS:</b>																		
<b>Cont. from 032213</b>	Inventory and appraisal shows an estate valued at \$325,344.45 (of which \$291,344.45 was cash)																			
Aff.Sub.Wit.	<b>Creditor's Claims filed as follows:</b>	<b>Reviewed by: KT</b>																		
Verified	<table border="0"> <tr><td>Franchise Tax Board -</td><td>\$ 9,769.87</td></tr> <tr><td>American Express -</td><td>\$ 6,892.33</td></tr> <tr><td>American Express -</td><td>\$ 999.45</td></tr> <tr><td>DMC Services -</td><td>\$ 352.56</td></tr> <tr><td>DMC Services -</td><td>\$ 604.60</td></tr> <tr><td>GE Capital Bank -</td><td>\$ 300.84</td></tr> <tr><td>CitiBank -</td><td>\$ 7,071.24</td></tr> <tr><td>Bank of America -</td><td>\$ 877.11</td></tr> <tr><td><b>Total</b> -</td><td><b>\$26,868.00</b></td></tr> </table>	Franchise Tax Board -	\$ 9,769.87	American Express -	\$ 6,892.33	American Express -	\$ 999.45	DMC Services -	\$ 352.56	DMC Services -	\$ 604.60	GE Capital Bank -	\$ 300.84	CitiBank -	\$ 7,071.24	Bank of America -	\$ 877.11	<b>Total</b> -	<b>\$26,868.00</b>	<b>Reviewed on: 6/17/13</b>
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CitiBank -	\$ 7,071.24																			
Bank of America -	\$ 877.11																			
<b>Total</b> -	<b>\$26,868.00</b>																			
Inventory	<b>Notice of Status Hearing was mailed to Attorney Gary Motsenbocker and Administrator David Davis on 11/15/13.</b>	<b>Updates:</b>																		
PTC	<b>Administrator, David Davis, was formerly represented by Gary Motsenbocker. Mr. Motsebocker filed a Motion to be Relieved as Counsel on 11/7/12.</b> Stating he had difficulties communicating with the Administrator. The Administrator was refusing to provide information requested by counsel necessary to bring the matter to a conclusion. On 1/2/13 and order was signed granting Mr. Mosenbockers Motion to be Relieved as Counsel.	<b>Recommendation:</b>																		
Not.Cred.	<b>Minute Order dated 1/2/13 ordered David Davis to be personally present at the status hearing on 3/22/13.</b>	<b>File 11 - Davis</b>																		
Notice of Hrg	<b>A copy of the Minute Order dated 1/2/13 was mailed to David Davis on 1/8/13.</b>																			
Aff.Mail	<b>Minute Order dated 3/22/13 states</b> the court on its own motion removes David Davis as Administrator and appoints the Public Administrator.																			
Aff.Pub.	<b>Please see additional page</b>																			
Sp.Ntc.																				
Pers.Serv.																				
Conf. Screen																				
Letters																				
Duties/Supp																				
Objections																				
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**Status Report of the Public Administrator filed on 6/14/13** states Deputy Public Administrator Noe Jimenez repeatedly tried to reach David Davis (former Administrator) by telephone. He left messages with a woman who informed him that Mr. Davis was not in and that she would leave messages for him to call. However, Mr. Davis failed to call.

On 4/23/13, Deputy Jimenez mailed a letter to Mr. Davis via certified mail. In the letter, Deputy Jimenez discussed the eight outstanding creditor's claims, the status of the assets listed on the inventory and appraisal filed by Mr. Davis and whether taxes for the estate had been paid. To date, no response to the letter has been received. Deputy Jimenez has also continued to try to reach Mr. Davis by telephone with no success. When no response was received Deputy Jimenez allowed the eight creditor's claims. However with no assets being turned over to the Public Administrator, the claims cannot be paid.

In light of the lack of cooperation from David Davis, the Public Administrator requests instructions from the Court.

<b>DOD: 7-3-11</b>	<p><b>BARBARA R. MORGAN</b>, Mother, was appointed Administrator with Full IAEA without bond and Letters issued on 10-11-12.</p> <p>At the hearing on 10-11-12, the Court set status hearing for 3-15-13 for filing of the Inventory and Appraisal.</p> <p>At hearing on 3-15-13, there were no appearances. The matter was continued to 4-12-13 and a copy of the minute order was mailed to Attorney Winter.</p> <p>On 4-5-13, Inventory and Appraisal Partial No. 1 was filed, reflecting \$116,314.51 in accounts.</p> <p><b>Status Report filed 6-12-13 states</b> the decedent had multiple accounts and investments, some of which Ms. Morgan was the pay on death beneficiary of. She also learned that others had other pay on death beneficiaries, so they will not be part of the estate. They are currently waiting to hear from Transamerica Retirement Solutions regarding the one remaining account. I&amp;A Partial No. 2 listing the Decedent's vehicle was sent to the probate referee on 6-11-13, and once Transamerica Retirement Solutions is resolved, Ms. Morgan does not anticipate any further delays.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<u>Continued from 3-15-13, 4-12-13</u>
<b>Cont. from 031513, 041213</b>		<b>Minute Order 3-15-13: No appearances.</b>
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		<b>Minute Order 4-12-13: Counsel informs the Court that he filed a partial inventory and appraisal last week and he is currently waiting on additional bank statements. Matter continued to 6/21/13. Counsel is ordered to file a status report one week before the next hearing. Continued to 6/21/13.</b>
<input checked="" type="checkbox"/> <b>Verified</b>		<b>1. Need Final Inventory and Appraisal.</b>
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<input checked="" type="checkbox"/> <b>Status Rpt</b>		<b>Reviewed by: skc</b>
<b>UCCJEA</b>		<b>Reviewed on: 6-17-13</b>
<b>Citation</b>	<b>Updates:</b>	
<b>FTB Notice</b>	<b>Recommendation:</b>	
	<b>File 13 - Shaver</b>	

		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR.</b> Inventory and appraisal filed on 5/23/13.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/17/2013
		Updates:
		Recommendation:
		File 14 - Agee

		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR.</u></b> Inventory and appraisal filed on 4/3/13.
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202 Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/17/2013
		Updates:
		Recommendation:
		File 15 - Jonassen

Status Hearing Re: Filing of Receipt of Funds in the Blocked Account

Age: 13 years	<p><b>FRANCES GONZALES</b>, paternal grandmother, was appointed guardian of the estate on 4/29/2013.</p> <p><b>Minute order from 4/29/13</b> states the Court grants the petition with special 2590 powers. Frances Gonzales is authorized to sign whatever documents are necessary to sell the property. The Court directs that the funds are to be placed into a blocked account. The Court sets the matter for status hearing.</p> <p><b>Status Report filed on 5/29/2013</b>          Attorney O'Neill states that the issued Letters have not yet been received by her office to forward to her client. As such there will not be sufficient time to close escrow on the sale of the house and open a blocked account by the hearing. Therefore, Ms. O'Neill requests the review hearing be continued to 6/21/13, which is the first Friday after May 31<sup>st</sup> that she will be available.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need receipt for blocked 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.</p>
Cont. from 053113		
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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CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 6/17/2013
		Updates:
		Recommendation:
		File 17 – Gonzales