

**(1) First and Final Account and Report of Guardian of the Estate, (2) Petition for Allowance of Attorney's Fees, (3) for Termination of Guardianship of the Estate and (4) Delivery of Assets**

<b>Age: 18 years</b>	<b>DELIA GONZALEZ</b> , Guardian, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Order does not comply with Local Rule 7.6.1. Monetary distributions must be stated in dollars and not as percentages of the estate. The order should specifically state the amount of money to be distributed to the minor after payment of attorney fees and costs.</p>
	Account period: 10/31/12 – 4/15/14	
	Accounting - <b>\$217,609.50</b>	
<b>Cont. from</b>	Beginning POH - <b>\$117,353.88</b>	
<b>Aff.Sub.Wit.</b>	Ending POH - <b>\$213,847.84</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Attorney - <b>\$2,304.25</b> (16.05 hours @ \$80 - \$300 per hour for attorney and paralegal time)	
<b>Inventory</b>	Costs - <b>\$460.50</b> (filing fee, certified copies)	
<b>PTC</b>		
<b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Petitioner states</b> the minor is now 18 years old and therefore requests the guardianship be terminated.	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/	Petitioner requests that the funds held in the blocked account be delivered to Rafael De La Mora.	
<b>Aff.Pub.</b>	Petitioner prays for an Order:	
<b>Sp.Ntc.</b>	1. Approving, allowing, and settling the account and report of guardian;	
<b>Pers.Serv.</b>	2. Authorizing payment of attorney fees and costs;	
<b>Conf. Screen</b>	3. Terminating the guardianship of the estate;	
<b>Letters</b>	4. Authorizing all funds remaining delivered to Rafael De La Mora.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<input checked="" type="checkbox"/> <b>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: 6/25/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1 – De La Mora</b>

**(1) First Account and Report of Guardian, (2) Petition for Allowance of Attorney Fees and Reimbursement of Costs Advanced**

<b>Age: 17 years</b>	<b>DELIA GONZALEZ</b> , Guardian, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, August 19, 2015</b> at 9:00 a.m. in Department 303, for the filing of the final account.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	Account period: 10/31/12 – 10/30/13	
<b>Cont. from</b>	Accounting - <b>\$117,523.90</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$117,353.88</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$113,657.09</b>	
<input type="checkbox"/> <b>Inventory</b>	Attorney - <b>\$1,459.25</b> (11 hours @ \$80 - \$300 per hour for attorney and paralegal time)	
<input type="checkbox"/> <b>PTC</b>		
<input checked="" type="checkbox"/> <b>Not.Cred.</b>	Costs - <b>\$460.50</b> (filing fee, certified copies)	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>	5. Approving, allowing, and settling the account and report of guardian;	
<input type="checkbox"/> <b>Pers.Serv.</b>	6. Authorizing payment of attorney fees and costs.	
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input checked="" type="checkbox"/> <b>2620(c)</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed on: 6/25/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2A – De La Mora</b>

**Status Hearing Re: Receipt of Assets from the Estate**

<b>Age: 17 years</b>	<p><b>DELIA GONZALEZ</b>, paternal aunt, <b>RAFAEL DE LA MORA MARTIN</b> and <b>MARIA DE JESUS GOMEZ MUNOZ</b>, paternal grandparents were appointed guardians of the person on 10/31/12.</p> <p><b>DELIA GONZALEZ</b> was appointed guardian of the estate on 10/31/12.</p> <p>Letters issued on 10/31/12.</p> <p>Partial Inventory and appraisal filed on 12/18/12 showing a value of \$117,353.88.</p> <p>This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora and Francisco De La Mora.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need current written status report</b> 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 120613, 121213, 022114, 050214</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</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: KT</b>
		<b>Reviewed on: 6/25/14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 2B – De La Mora</b>

**Status Hearing Re: Receipt of Assets from the Estate**

<b>Age: 14 years</b>	<b>DELIA GONZALEZ</b> , paternal aunt, <b>RAFAEL DE LA MORA MARTIN</b> and <b>MARIA DE JESUS GOMEZ MUNOZ</b> , paternal grandparents were appointed guardians of the person on 10/31/12.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need current written status report</b> 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><b>Note:</b> The first account was filed and is set for hearing on 7/16/14. However, the court will still need the status of the assets to be received from the minor's parents' estates.</p>	
<b>Cont. from 120613, 121213, 022114, 050214</b>	<b>DELIA GONZALEZ</b> was appointed guardian of the estate on 10/31/12.		
<b>Aff.Sub.Wit.</b>	Letters issued on 10/31/12.		
<b>Verified</b>	Partial Inventory and Appraisal filed on 12/18/12 shows a value of \$117,353.17.		
<b>Inventory</b>	This status hearing was set to inform the court of the status of the assets to be received from the estates of the minor's deceased parents Lorena De La Mora and Francisco De La Mora.		
<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>			
			<b>Reviewed by: KT</b>
			<b>Reviewed on: 6/25/14</b>
			<b>Updates:</b>
		<b>Recommendation:</b>	
		<b>File 3 – De La Mora</b>	





<b>DOD: 9-21-12</b>	<b>ROSARIO R. FORESTIERE</b> , Spouse and named Executor without bond, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> The will is not self-proving. Petitioner has provided a Declaration from Marvin T. Helon pursuant to Probate Code §8221 attesting as to the handwriting of his father Marvin E. Helon, who was one of the subscribing witnesses, as well as a Declaration from Rosario Forestiere (Petitioner and spouse) attesting as to the handwriting of the decedent.</p> <p><b>Note:</b> On 5-7-14, Andre Forestiere filed "Opposition to Petition to Administer Estate and to Remove and Disqualify Administrator/Executor and to Appoint a New Executor." However, this was filed as a new matter rather than an opposition to this petition and was therefore was set for hearing separately. See Page D.</p>
<b>Cont from 042814, 052814, 061914</b>	Petitioner was originally appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>	Petitioner now requests that the decedent's <b>will dated 8-5-65</b> be admitted to probate and that he be appointed as Executor pursuant to the will.	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Full IAEA – ok	
<input checked="" type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>	Will dated 8-5-65	
<input type="checkbox"/> <b>Pers.Serv.</b>	Residence: Fresno	
<input type="checkbox"/> <b>Conf. Screen</b>	Publication: Petitioner references publication filed 11-30-12	
<input checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>	<b>Value of Estate:</b>	
<input type="checkbox"/> <b>Objections</b>	<ul style="list-style-type: none"> <li>I&amp;A filed 3-18-13 indicates a total estate value of \$122,000.00 consisting of real property and a vehicle.</li> <li>Order Confirming Sale of Real Property filed 1-3-14 indicates that the real property was sold for \$175,000.00.</li> </ul>	
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>	<b>Note:</b> Page C of this calendar is a status hearing set for filing the receipt for blocked account.	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 6-24-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6A - Forestiere</b>

<b>DOD: 9-21-12</b>	<p><b>ROSARIO R. FORESTIERE</b>, Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li><b>Petitioner states the estate is not in a condition to be closed at this time because a will has been discovered and a Petition for Probate of Will is in process. In addition, escrow on the sale of the residence has not yet closed. The Court may require additional information as to the anticipated time frame for close of escrow, filing the petition for probate of will, and then closing the estate.</b></li> </ol> <p><i>Note: The Petition for Probate of Will filed 3-19-14 is Page A.</i></p> <ol style="list-style-type: none"> <li><b>The Administrator was previously appointed with Limited IAEA without bond. At this time, since the residence has sold for a purchase price of \$175,000.00, the Court may require bond or blocked account going forward.</b></li> </ol>
	<p>At hearing on 1-3-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p>	
<b>Cont. from 032114, 042814, 052814</b>	<p>Status Report filed 3-11-14 by Attorney Wright states that a will has now been discovered and a Petition for Probate of Will is in process. The assets of the estate include the decedent's home, personal vehicle, and personal effects. On 12-31-13, the Court approved the sale of the residence and it is currently in escrow. The estate is not in a condition to be closed until the will has been admitted and escrow has closed.</p>	
<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</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: skc</b>
		<b>Reviewed on: 6-24-14</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6B – Forestiere</b>

	<b>ROSARIO R. FORESTIERE</b> , Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 6-19-14:</b> The Court authorizes the funds to be transferred to Mr. Janisse’s trust account with subsequent placement in a blocked account. Andre Forestiere agrees to service by email and provides email address. The Court orders Mr. Forestiere to provide a permanent mailing address once one is obtained. Continued to 6-26-14. Set on 6-26-14 for Status Re Issues before the Court and objections.</p> <p><b>Note:</b> Page E is the additional status hearing set by the above minute order.</p> <p>1. Need receipt for blocked account (MC-356).</p>
	On 1-3-14, the Court confirmed the sale of real property at \$175,000.00.	
<b>Cont from 052814, 061914</b>	At the status hearing on 3-21-14 regarding the filing of the first account or petition for final distribution, it was noted that the estate is not in a condition to close at this time because a will has been found and the Administrator would be filing a petition to admit the will to probate. See Page A.	
<b>Aff.Sub.Wit.</b>	The Court ordered the proceeds from the sale of the property deposited into a blocked account and set this status hearing for filing of the receipt.	
<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</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:</b> skc</p> <p><b>Reviewed on:</b> 6-24-14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 6C - Forestiere</b></p>



**Status Hearing Re: Issues before Court and Objections**

	<b>ROSARIO R. FORESTIERE</b> , Spouse, was appointed as Administrator with Limited IAEA without bond on 1-3-13 and Letters issued on 1-7-13.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	On 1-3-14, the Court confirmed the sale of real property at \$175,000.00.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>	At the status hearing on 3-21-14 regarding the filing of the first account or petition for final distribution, it was noted that the estate is not in a condition to close at this time because a will has been found and the Administrator would be filing a petition to admit the will to probate.	
<b>PTC</b>	See Page A.	
<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>	The Court ordered the proceeds from the sale of the property deposited into a blocked account and set status hearing for filing of the receipt.	
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>	At the continued status hearing re filing the receipt on 6-19-14, the Court set this additional Status Hearing re Issues before the Court and Objections.	
<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> 6-24-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6E - Forestiere</b>

**7 Sunshine E. Lorenz (Estate)**

**Case No. 12CEPR01064**

**Atty Thomas, Lanier (for Walter Lorenz – Administrator/Petitioner)**

**(1) Petition for Settlement of First and Final Account and (2) Final Distribution and (3) for Order Fixing and Allowing Compensation for All Services Rendered**

<b>DOD: 10/07/12</b>		<b>WALTER LORENZ, Administrator, is Petitioner.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>03/29/13 – 05/30/13</b>	<ol style="list-style-type: none"> <li>No calculation of the statutory fee is provided in the Petition as required pursuant to CA Rules of Court Rule 7.705.</li> <li>No itemization of the requested costs is provided.</li> <li>The Petition does not address notices to the Victim's Compensation Board or the Franchise Tax Board (Probate Code § 9202).</li> <li>Need Order.</li> </ol>
<b>Cont. from</b>		Accounting - <b>\$85,000.00</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$85,000.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$74,154.88</b> (all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>	Administrator - <b>\$3,400.00</b>	
<input checked="" type="checkbox"/>	<b>PTC</b>	Administrator reimbursement - <b>\$20,958.00</b> (for expenses incurred in maintaining and selling the real property asset of the estate, itemization provided))	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Attorney (statutory) - <b>\$3,400.00</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Costs - <b>\$677.43</b> (no itemization provided)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Closing - <b>\$750.00</b>	
		<b>Distribution, pursuant to intestate succession, is to:</b>	
	<b>Aff.Pub.</b>	Dave Predergast - \$11,242.36	<b>Reviewed by:</b> JF <b>Reviewed on:</b> 06/25/14 <b>Updates:</b> <b>Recommendation:</b> <b>File 7 - Lorenz</b>
	<b>Sp.Ntc.</b>	Bonnie Prendergast - \$11,242.36	
	<b>Pers.Serv.</b>	Andrew Prendergast - \$11,242.36	
	<b>Conf. Screen</b>	Timothy Prendergast - \$11,242.36	
	<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>		



**Petitioner states, continued:**

- In the instant matter, the Settlor and the current lifetime beneficiary of the Trust have consented to the proposed modification; *(signed written consents attached as Exhibits B and C)*;
- The contingent remainder beneficiaries have not consented because the contingent remainder beneficiaries are comprised of minors and persons not yet in being; *[Note: currently ascertainable contingent remainder beneficiaries are **JOHN MITCHELL BERBERIAN** and **REBECCA ROSE BERBERIAN**, the two minor children of **JOSEPH M. BERBERIAN**];*
- Petitioner believes it is not necessary or required to appoint a guardian ad litem pursuant to Probate Code § 1003 to represent the interests of the contingent remainder beneficiaries in regard to the proposed modification for the following reasons:
  - The interests of the current beneficiary, **JOSEPH M. BERBERIAN**, and that of the contingent remainder beneficiaries are aligned in regard to the proposed modification such that **JOSEPH M. BERBERIAN** can adequately represent the interests of the contingent remainder beneficiaries;
  - The interests of the contingent remainder beneficiaries will not be impaired by the proposed modification because it is reasonably likely, based on the relative young age of the current lifetime beneficiary compared to the Settlor, that by the time any present interest vests in the contingent remainder beneficiaries the Trust will already be, or will immediately become, a non-grantor trust as a result of both settlors predeceasing the current lifetime beneficiary; *[Note: Co-Settlor Barbara A. Berberian is petitioning the Court; Co-Settlor Richard Berberian is deceased, DOD 6/12/2013.]*

**Petitioner prays for an order modifying the Trust as set forth in *Exhibit E* attached to the *Petition*.**

**Notes Re Consent and Guardian ad Litem:**

- Probate Code § 15404(b) provides that if any beneficiary does not consent to the modification of the trust, upon petition to the Court, the other beneficiaries, with consent of the Settlor, may compel a modification of the trust if the interests of the beneficiaries who do not consent are not substantially impaired. Further, Probate Code § 15404(c) provides that if the trust provides for disposition of principal to a class of persons such as "heirs" of the Settlor, the Court may limit the class of beneficiaries whose consent is needed to compel the modification of the trust to the beneficiaries who are reasonably likely to take under the circumstances.
- Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code § 15405 provides that for the purposes of § 15404, the consent of a beneficiary who lacks legal capacity, including a minor, may be given in proceedings before the Court by a Guardian ad Litem, if it would be appropriate to do so. In determining whether to give consent, the Guardian ad Litem may rely on general family benefit accruing to living members of the beneficiary's family as a basis for approving a modification of the trust. Commentary to these provisions states that under § 1003, it is not necessary to appoint a guardian ad litem if the affected interests are otherwise represented, e.g., by competent adults with identical interests.

**Note Re Proposed Order:** Given that the case caption and case number may not clearly constitute some portion of the contents of the order, the proposed order has been interlineated to provide the signature line for the Judicial Officer at the bottom of *Schedule A*, below the statement of trust assets consisting of **995** shares of common stock of Berberian Ranches, Inc. and the Trustee's signature line, such that the order now complies with Local Rule 7.6.1 (F), providing that some portion of the contents of the order must appear on the page upon which the Judge's signature is affixed.

Atty Chielpegian, Michael S., of Chielpegian Law Offices (for Petitioners Michael Berberian and Barbara J. Berberian)

Petition to Modify Irrevocable Trust

		<p><b>MICHAEL BERBERIAN and BARBARA J. BERBERIAN</b>, Co-Settlers, are Petitioners.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Pages 8 through 12</b> are related trust matters.</p> <p><b>Continued from 5/1/2014.</b> Minute Order [Judge Chittick] states notice to Richard Berberian is dispensed with in that he is deceased. Matter continued for counsel to provide notice to all parties.</p> <p><b>Note:</b> Notice of Hearing filed 5/2/2014 shows notice was mailed 5/2/2014 to all interested parties.</p>
		<p><b>Petitioners state:</b></p> <ul style="list-style-type: none"> <li><b>MARY D. GUIRAGOSSIAN</b> is the current Trustee of the <b>MARY D. GUIRAGOSSIAN 2012 IRREVOCABLE RANCH TRUST</b> and has been since its creation on 12/31/2012 (<i>copy of Trust attached as Exhibit A</i>); she is the current lifetime beneficiary of the Trust; her issue are contingent remainder beneficiaries of the Trust;</li> <li>Petitioners seek to modify the Trust, and the Petitioners, the lifetime Trust beneficiary, and the Trustee all consent to the proposed modification; (<i>signed written consents attached as Exhibits B and C</i>);</li> <li>The proposed modification will not impair the interest of any settlor or beneficiary of the Trust; (<i>copy of proposed modification attached as Exhibit D; copy of the proposed Modified Trust attached as Exhibit E</i>);</li> <li>The proposed modification is necessary to terminate the grantor trust status of the Trust, which currently treats the trust estate as being owned by Petitioners for federal and state income tax purposes;</li> <li>Further, upon terminating the grantor trust status of the Trust, it is necessary to modify the Trust in order to ensure and clarify that the Trust satisfies the requirements of a Qualified Subchapter S Trust;</li> <li>By its terms, the Trust may be modified by the Trustee to satisfy the Qualified Subchapter S Trust requirements; however, to avoid any uncertainty or issues, Petitioners seek to formally modify the income distribution requirements concurrently with the modification of the grantor trust status;</li> </ul> <p style="text-align: center;"><b>~Please see additional page~</b></p>	<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/24/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 9 - Guiragossian</b></p>
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	UCCJEA		
	Citation		
	FTB Notice		

**Petitioners state, continued:**

- Pursuant to Probate Code § 15404(b), if the Settlers and certain, but not all, of the beneficiaries consent, they may compel [*emphasis in petition*] the modification of the Trust provided that “the interests of the beneficiaries who do not consent are not substantially impaired;”
- In the instant matter, the Settlor and the current lifetime beneficiary of the Trust have consented to the proposed modification; (*signed written consents attached as Exhibits B and C*);
- The contingent remainder beneficiaries have not consented because the contingent remainder beneficiaries are comprised of minors and persons not yet in being; [*Note: currently ascertainable contingent remainder beneficiaries are **JOHN V. GUIRAGOSSIAN** and **ANNA M. GUIRAGOSSIAN**, the two minor children of **MARY D. GUIRAGOSSIAN***];
- Petitioner believes it is not necessary or required to appoint a guardian ad litem pursuant to Probate Code § 1003 to represent the interests of the contingent remainder beneficiaries in regard to the proposed modification for the following reasons:
  - The interests of the current beneficiary, **MARY D. GUIRAGOSSIAN**, and that of the contingent remainder beneficiaries are aligned in regard to the proposed modification such that **MARY D. GUIRAGOSSIAN** can adequately represent the interests of the contingent remainder beneficiaries;
  - The interests of the contingent remainder beneficiaries will not be impaired by the proposed modification because it is reasonably likely, based on the relative young age of the current lifetime beneficiary compared to the Settlers, that by the time any present interest vests in the contingent remainder beneficiaries the Trust will already be, or will immediately become, a non-grantor trust as a result of both settlors predeceasing the current lifetime beneficiary.

**Petitioners pray for an order modifying the Trust as set forth in *Exhibit E* attached to the *Petition*.**

**Notes Re Consent and Guardian ad Litem:**

- Probate Code § 15404(b) provides that if any beneficiary does not consent to the modification of the trust, upon petition to the Court, the other beneficiaries, with consent of the Settlor, may compel a modification of the trust if the interests of the beneficiaries who do not consent are not substantially impaired. Further, Probate Code § 15404(c) provides that if the trust provides for disposition of principal to a class of persons such as “heirs” of the Settlor, the Court may limit the class of beneficiaries whose consent is needed to compel the modification of the trust to the beneficiaries who are reasonably likely to take under the circumstances.
- Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code § 15405 provides that for the purposes of §15404, the consent of a beneficiary who lacks legal capacity, including a minor, may be given in proceedings before the Court by a Guardian ad Litem, if it would be appropriate to do so. In determining whether to give consent, the Guardian ad Litem may rely on general family benefit accruing to living members of the beneficiary's family as a basis for approving a modification of the trust. Commentary to these provisions states that under § 1003, it is not necessary to appoint a guardian ad litem if the affected interests are otherwise represented, e.g., by competent adults with identical interests.

**Note Re Proposed Order:** Given that the case caption and case number may not clearly constitute some portion of the contents of the order, the proposed order has been interlineated to provide the signature line for the Judicial Officer at the bottom of *Schedule A*, below the statement of trust assets consisting of **120** shares of common stock of Berberian Ranches, Inc. and the Trustee's signature line, such that the order now complies with Local Rule 7.6.1 (F), providing that some portion of the contents of the order must appear on the page upon which the Judge's signature is affixed.

Petition to Modify Irrevocable Trust

		<b>MICHAEL BERBERIAN and BARBARA J. BERBERIAN</b> , Co-Settlers, are Petitioners.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Pages 8 through 12</b> are related trust matters.</p> <p><b>Continued from 5/1/2014.</b> Minute Order [Judge Chittick] states notice to Richard Berberian is dispensed with in that he is deceased. Matter continued for counsel to provide notice to all parties.</p> <p><b>Note:</b> Pursuant to Probate Code § 17201, <i>Petition</i> does not but should state the names and addresses of each person entitled to notice of the <i>Petition</i>. However, <i>Proof of Service by Mail</i> filed 3/17/2014 shows all persons entitled to notice (including ascertainable contingent remainder beneficiaries) pursuant to Probate Code §§ 15804(a) and 17203(a)(2) were mailed notice on 3/14/2014.</p>
		<b>Petitioners state:</b>	
Cont. from 050114		<ul style="list-style-type: none"> <li><b>SUSAN M. BROWN</b> is the current Trustee of the <b>SUSAN M. BROWN 2012 IRREVOCABLE RANCH TRUST</b> and has been since its creation on 12/31/2012 (<i>copy of Trust attached as Exhibit A</i>); she is the current lifetime beneficiary of the Trust; her issue are contingent remainder beneficiaries of the Trust;</li> <li>Petitioners seek to modify the Trust, and the Petitioners, the lifetime Trust beneficiary, the ascertainable contingent beneficiaries of the Trust, and the Trustee all consent to the proposed modification; (<i>signed written consents attached as Exhibits B, C, D, E and F</i>);</li> <li>The proposed modification will not impair the interest of any settlor or beneficiary of the Trust; (<i>copy of proposed modification attached as Exhibit G; copy of the proposed Modified Trust attached as Exhibit H</i>);</li> <li>The proposed modification is necessary to terminate the grantor trust status of the Trust, which currently treats the trust estate as being owned by Petitioners for federal and state income tax purposes;</li> <li>Further, upon terminating the grantor trust status of the Trust, it is necessary to modify the Trust in order to ensure and clarify that the Trust satisfies the requirements of a Qualified Subchapter S Trust;</li> <li>By its terms, the Trust may be modified by the Trustee to satisfy the Qualified Subchapter S Trust requirements; however, to avoid any uncertainty or issues, Petitioners seek to formally modify the income distribution requirements concurrently with the modification of the grantor trust status;</li> </ul>	
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	Status Rpt		
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~Please see additional page~			
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 6/24/14	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 10 - Brown</b>	

**Petitioners state, continued:**

- Pursuant to Probate Code § 15404(b), if the Settlor and certain, but not all, of the beneficiaries consent, they may compel [*emphasis in petition*] the modification of the Trust provided that “the interests of the beneficiaries who do not consent are not substantially impaired;”
- In the instant matter, the Settlor, the current lifetime beneficiary of the Trust, and the adult contingent remainder beneficiaries of the Trust have consented to the proposed modification;
- The remaining contingent remainder beneficiaries have not consented because the remaining contingent remainder beneficiaries are comprised of persons not yet in being (i.e., the issue of Susan M. Brown and/or the issue of any of the adult contingent remainder beneficiaries); [*Note: currently ascertainable contingent remainder beneficiaries are **MICHAEL P. BROWN, ADAM K. BROWN, and DAVID J. BROWN, the three adult children of SUSAN M. BROWN***];
- Petitioner believes it is not necessary or required to appoint a guardian ad litem pursuant to Probate Code § 1003 to represent the interests of the contingent remainder beneficiaries in regard to the proposed modification for the following reasons:
  - The interests of the current beneficiary, **SUSAN M. BROWN**, and that of the contingent remainder beneficiaries are aligned in regard to the proposed modification such that **SUSAN M. BROWN** can adequately represent the interests of the contingent remainder beneficiaries;
  - The interests of the contingent remainder beneficiaries will not be impaired by the proposed modification because it is reasonably likely, based on the relative young age of the current lifetime beneficiary compared to the Settlor, that by the time any present interest vests in the contingent remainder beneficiaries the Trust will already be, or will immediately become, a non-grantor trust as a result of both settlors predeceasing the current lifetime beneficiary.

**Petitioners pray for an order modifying the Trust as set forth in *Exhibit H* attached to the *Petition*.**

**Notes Re Consent and Guardian ad Litem:**

- Probate Code § 15404(b) provides that if any beneficiary does not consent to the modification of the trust, upon petition to the Court, the other beneficiaries, with consent of the Settlor, may compel a modification of the trust if the interests of the beneficiaries who do not consent are not substantially impaired. Further, Probate Code § 15404(c) provides that if the trust provides for disposition of principal to a class of persons such as “heirs” of the Settlor, the Court may limit the class of beneficiaries whose consent is needed to compel the modification of the trust to the beneficiaries who are reasonably likely to take under the circumstances.
- Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code § 15405 provides that for the purposes of §15404, the consent of a beneficiary who lacks legal capacity, including a minor, may be given in proceedings before the Court by a Guardian ad Litem, if it would be appropriate to do so. In determining whether to give consent, the Guardian ad Litem may rely on general family benefit accruing to living members of the beneficiary’s family as a basis for approving a modification of the trust. Commentary to these provisions states that under § 1003, it is not necessary to appoint a guardian ad litem if the affected interests are otherwise represented, e.g., by competent adults with identical interests.

**Note Re Proposed Order:** Given that the case caption and case number may not clearly constitute some portion of the contents of the order, the proposed order has been interlineated to provide the signature line for the Judicial Officer at the bottom of *Schedule A*, below the statement of trust assets consisting of **120** shares of common stock of Berberian Ranches, Inc. and the Trustee’s signature line, such that the order now complies with Local Rule 7.6.1(F), providing that some portion of the contents of the order must appear on the page upon which the Judge’s signature is affixed.



**Petitioner states, continued:**

- Pursuant to Probate Code § 15404(b), if the Settlor and certain, but not all, of the beneficiaries consent, they may compel [emphasis in petition] the modification of the Trust provided that “the interests of the beneficiaries who do not consent are not substantially impaired;”
- In the instant matter, the Settlor, the current lifetime beneficiary of the Trust, and the adult remainder beneficiary of the Trust, have consented to the proposed modification; *(signed written consents attached as Exhibits B, C, and D);*
- The remaining contingent remainder beneficiaries have not consented because the contingent remainder beneficiaries are comprised of minors and persons not yet in being (i.e., the issue of **ERIN BERBERIAN GLEASON**, and/or the issue of Settlor’s son, **JOSEPH M. BERBERIAN**). [Note: current adult contingent remainder beneficiary is **JOSEPH M. BERBERIAN**, and the currently ascertainable contingent remainder beneficiaries are his two minor children, **JOHN MITCHELL BERBERIAN** and **REBECCA ROSE BERBERIAN**];
- Petitioner believes it is not necessary or required to appoint a guardian ad litem pursuant to Probate Code § 1003 to represent the interests of the contingent remainder beneficiaries in regard to the proposed modification for the following reasons:
  - The interests of the current beneficiary, **ERIN BERBERIAN GLEASON**, and that of the contingent remainder beneficiaries are aligned in regard to the proposed modification such that **ERIN BERBERIAN GLEASON** and the adult remainder beneficiary, **JOSEPH M. BERBERIAN**, can adequately represent the interests of the contingent remainder beneficiaries;
  - The interests of the contingent remainder beneficiaries will not be impaired by the proposed modification because it is reasonably likely, based on the relative young age of the current lifetime beneficiary compared to the Settlor, that by the time any present interest vests in the contingent remainder beneficiaries the Trust will already be, or will immediately become, a non-grantor trust as a result of both settlors predeceasing the current lifetime beneficiary; [Note: Co-Settlor Barbara A. Berberian is petitioning the Court; Co-Settlor Richard Berberian is deceased, DOD 6/12/2013.]

**Petitioner prays for an order modifying the Trust as set forth in Exhibit F attached to the Petition.**

**Notes Re Consent and Guardian ad Litem:**

- Probate Code § 15404(b) provides that if any beneficiary does not consent to the modification of the trust, upon petition to the Court, the other beneficiaries, with consent of the Settlor, may compel a modification of the trust if the interests of the beneficiaries who do not consent are not substantially impaired. Further, Probate Code § 15404(c) provides that if the trust provides for disposition of principal to a class of persons such as “heirs” of the Settlor, the Court may limit the class of beneficiaries whose consent is needed to compel the modification of the trust to the beneficiaries who are reasonably likely to take under the circumstances.
- Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code § 15405 provides that for the purposes of §15404, the consent of a beneficiary who lacks legal capacity, including a minor, may be given in proceedings before the Court by a Guardian ad Litem, if it would be appropriate to do so. In determining whether to give consent, the Guardian ad Litem may rely on general family benefit accruing to living members of the beneficiary’s family as a basis for approving a modification of the trust. Commentary to these provisions states that under § 1003, it is not necessary to appoint a guardian ad litem if the affected interests are otherwise represented, e.g., by competent adults with identical interests.

**Note Re Proposed Order:** Given that the case caption and case number may not clearly constitute some portion of the contents of the order, the proposed order has been interlineated to provide the signature line for the Judicial Officer at the bottom of *Schedule A*, below the statement of trust assets consisting of **995** shares of common stock of Berberian Ranches, Inc. and the Trustee’s signature line, such that the order now complies with Local Rule 7.6.1 (F), providing that some portion of the contents of the order must appear on the page upon which the Judge’s signature is affixed.

Atty Chielpegian, Michael S., of Chielpegian Law Offices (for Petitioners Michael Berberian and Barbara J. Berberian)

Petition to Modify Irrevocable Trust

		<p><b>MICHAEL BERBERIAN and BARBARA J. BERBERIAN</b>, Co-Settlers, are Petitioners.</p> <p><b>Petitioners state:</b></p> <ul style="list-style-type: none"> <li><b>PATRICIA A. BERBERIAN</b> is the current Trustee of the <b>PATRICIA A. BERBERIAN 2012 IRREVOCABLE RANCH TRUST</b> and has been since its creation on 12/31/2012 (<i>copy of Trust attached as Exhibit A</i>); she is the current lifetime beneficiary of the Trust; her issue are contingent remainder beneficiaries of the Trust;</li> <li>Petitioners seek to modify the Trust, and the Petitioners, the lifetime Trust beneficiary, and the Trustee all consent to the proposed modification; (<i>signed written consents attached as Exhibits B and C</i>);</li> <li>The proposed modification will not impair the interest of any settlor or beneficiary of the Trust; (<i>copy of proposed modification attached as Exhibit D</i>; <i>copy of the proposed Modified Trust attached as Exhibit E</i>);</li> <li>The proposed modification is necessary to terminate the grantor trust status of the Trust, which currently treats the trust estate as being owned by Petitioners for federal and state income tax purposes;</li> <li>Further, upon terminating the grantor trust status of the Trust, it is necessary to modify the Trust in order to ensure and clarify that the Trust satisfies the requirements of a Qualified Subchapter S Trust;</li> <li>By its terms, the Trust may be modified by the Trustee to satisfy the Qualified Subchapter S Trust requirements; however, to avoid any uncertainty or issues, Petitioners seek to formally modify the income distribution requirements concurrently with the modification of the grantor trust status;</li> </ul> <p align="center">~Please see additional page~</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Pages 8 through 12</b> are related trust matters.</p> <p><b><u>Continued from 5/1/2014.</u></b> Minute Order [Judge Chittick] states notice to Richard Berberian is dispensed with in that he is deceased. Matter continued for counsel to provide notice to all parties.</p> <p><b>Note:</b> Notice of Hearing filed 5/2/2014 shows notice was mailed 5/2/2014 to all interested parties.</p>
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		<p><b>Reviewed by:</b> LEG</p> <hr/> <p><b>Reviewed on:</b> 6/24/14</p> <hr/> <p><b>Updates:</b></p> <hr/> <p><b>Recommendation:</b></p> <hr/> <p><b>File 12 – P. Berberian</b></p>	

**Petitioners state, continued:**

- Pursuant to Probate Code § 15404(b), if the Settlers and certain, but not all, of the beneficiaries consent, they may compel [emphasis in petition] the modification of the Trust provided that “the interests of the beneficiaries who do not consent are not substantially impaired;”
- In the instant matter, the Settlor and the current lifetime beneficiary of the Trust have consented to the proposed modification;
- The contingent remainder beneficiaries have not consented because the remaining contingent remainder beneficiaries are comprised of minors and persons not yet in being; [Note: currently ascertainable contingent remainder beneficiaries are **ELIZABETH M. MILLER**, and **ALEXANDRA N. MILLER**, the two minor children of **PATRICIA A. BERBERIAN**];
- Petitioner believes it is not necessary or required to appoint a guardian ad litem pursuant to Probate Code § 1003 to represent the interests of the contingent remainder beneficiaries in regard to the proposed modification for the following reasons:
  - The interests of the current beneficiary, **PATRICIA A. BERBERIAN**, and that of the contingent remainder beneficiaries are aligned in regard to the proposed modification such that **PATRICIA A. BERBERIAN** can adequately represent the interests of the contingent remainder beneficiaries;
  - The interests of the contingent remainder beneficiaries will not be impaired by the proposed modification because it is reasonably likely, based on the relative young age of the current lifetime beneficiary compared to the Settlers, that by the time any present interest vests in the contingent remainder beneficiaries the Trust will already be, or will immediately become, a non-grantor trust as a result of both settlors predeceasing the current lifetime beneficiary.

**Petitioners pray for an order modifying the Trust as set forth in *Exhibit E* attached to the *Petition*.**

**Notes Re Consent and Guardian ad Litem:**

- Probate Code § 15404(b) provides that if any beneficiary does not consent to the modification of the trust, upon petition to the Court, the other beneficiaries, with consent of the Settlor, may compel a modification of the trust if the interests of the beneficiaries who do not consent are not substantially impaired. Further, Probate Code § 15404(c) provides that if the trust provides for disposition of principal to a class of persons such as “heirs” of the Settlor, the Court may limit the class of beneficiaries whose consent is needed to compel the modification of the trust to the beneficiaries who are reasonably likely to take under the circumstances.
- Probate Code § 1003(a) provides, in pertinent part, that the Court may, on its own motion, appoint a Guardian ad Litem to represent the interests of a minor if the Court determines that representation of the interest otherwise would be inadequate. Probate Code § 15405 provides that for the purposes of § 15404, the consent of a beneficiary who lacks legal capacity, including a minor, may be given in proceedings before the Court by a Guardian ad Litem, if it would be appropriate to do so. In determining whether to give consent, the Guardian ad Litem may rely on general family benefit accruing to living members of the beneficiary’s family as a basis for approving a modification of the trust. Commentary to these provisions states that under § 1003, it is not necessary to appoint a guardian ad litem if the affected interests are otherwise represented, e.g., by competent adults with identical interests.

**Note Re Proposed Order:** Given that the case caption and case number may not clearly constitute some portion of the contents of the order, the proposed order has been interlineated to provide the signature line for the Judicial Officer at the bottom of *Schedule A*, below the statement of trust assets consisting of **120** shares of common stock of Berberian Ranches, Inc. and the Trustee’s signature line, such that the order now complies with Local Rule 7.6.1(F), providing that some portion of the contents of the order must appear on the page upon which the Judge’s signature is affixed.

**Petition to Appoint Successor Trustee**

	<b>NEIL WALDEN</b> , Trustee, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>Petitioner states:</b>	
	<ul style="list-style-type: none"> <li>Petitioner was appointed Successor Trustee of the Trust by the <b>BRIM J. CARTER AND JUNE A. CARTER REVOCABLE LIVING TRUST dated 9/30/1997</b> to serve upon the disability or death of <b>BRIM J. CARTER</b> and <b>JUNE A. CARTER</b> (copy of Trust attached as Exhibit A); Petitioner accepted the office of Successor Trustee on 12/18/2013; (Petitioner's name was misspelled in the Trust; attached as <i>Exhibit B</i> is a letter from Mr. Tahajian documenting that Neil Waldrum and Neil Walden are one in the same person;)</li> <li><b>BRIM J. CARTER</b> was found to meet the definition of incapacity by documentation provided by his attending physicians dated 11/22/2013 and 11/28/2013; (copies attached as <i>Exhibit C</i>);</li> <li><b>JUNE A. CARTER</b> was found to meet the definition of incapacity by documentation provided by her attending physicians dated 10/21/2013 and 11/5/2013 (copies attached as <i>Exhibit C</i>);</li> <li>Trust terms provide that should both <b>BRIM J. CARTER</b> and <b>JUNE A. CARTER</b> become disabled and fail to serve, Petitioner was to serve as sole Successor Trustee;</li> <li>If Petitioner fails to serve, then <b>NORTHERN TRUST BANK</b> was to serve in his place; Declination of <b>NORTHERN TRUST BANK</b> to serve is attached as <i>Exhibit D</i>;</li> <li>As a result, there is no successor trustee to Petitioner;</li> <li>Due to the nature of the disability of <b>BRIM J. CARTER</b> and <b>JUNE A. CARTER</b>, Trust administration may continue for a number of years; Petitioner believes it is in the best interest of future trust administration to have a successor trustee in place;</li> <li>Petitioner requests the Court appoint <b>SHIRLEY L. PAUL</b>, daughter of <b>BRIM J. CARTER</b> and <b>JUNE A. CARTER</b>, to serve as his sole successor trustee without bond (consent to serve attached as <i>Exhibit E</i>);</li> <li><b>SHIRLEY L. PAUL</b> is familiar with the family business; prior to the date of her parent's incapacity, she was active in the administration of the business, and since her parents' disability, she has agreed to and is serving as the Secretary and Chief Financial Officer of the family's business;</li> <li>Petitioner believes that <b>SHIRLEY L. PAUL'S</b> appointment as his successor trustee is in the best interest of the trust and of those persons interested in the trust.</li> </ul>	
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	<b>Petitioner requests that the Court appoint SHIRLEY L. PAUL to serve as sole Successor Trustee without bond should NEIL WALDEN fail to serve for any reason.</b>	
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 6/24/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 13 - Carter</b>

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

<b>DOD: 04/01/2014</b>		<p><b>CONNIE HAMLIN</b>, daughter, is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Caruthers Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b>                  Personal property - \$20,000.00                  Real property - \$150,000.00  <b>Total - \$170,000.00</b></p> <p>Probate Referee: Rick Smith</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: If the petition is granted status hearings will be set as follows:</b></p> <ul style="list-style-type: none"> <li>• <b>Wednesday, 11/26/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Wednesday, 08/26/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<b>Cont. from 060914</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LV	
		<b>Reviewed on:</b> 06/24/2014	
		<b>Updates:</b>	
		<b>Recommendation:</b> Submitted	
		<b>File 14 - Ash</b>	



Page 2

**History of Accounts:**

**In addition to the General Assignment, the Trust's Schedule A (dated 3-3-89) lists the following account:**

- Stock Account at A.G. Edwards & Sons, Inc., Acct. No. xx025, containing specific stocks.

**Petitioner states:**

- In 1994, the assets from the AG Edwards account were transferred into a new account opened with RPR Clearing Services.
- In 1996, the assets from RPR Clearing Services were transferred into a new account opened with AmeriTrade.
- The assets transferred into the AmeriTrade account were deposited into an account with Jones & Associates Capital Management, which later became Coastal Discount Stockbrokers.
- In 2003, when Decedent signed her premarital agreement with Clifford Hiemforth, the premarital agreement listed the account with Coastal Discount Stockbrokers as Decedent's asset.
- Coastal Discount Stockbrokers was sold to Ferris Baker Watts, and in 2004, an account was opened under the name of "Elizabeth Hiemforth" with the assets from the Coastal Discount Stockbrokers.
- Finally, Ferris Baker Watts was sold to RBC Wealth Management, where the assets now reside.

Petitioner states the RBC Wealth Management account should be deemed an asset of the trust, in that the account changed name, but assets remained the same over time from the original account with AG Edwards & Sons, Inc., to the current account with RBC Wealth Management.

**Additionally, the Decedent listed an account with USAA Investment Management Company as her asset on the 2003 premarital agreement.** Petitioner states the Decedent titled the account as "Elizabeth C. Hiemforth Trust," an entity which, to Petitioner's knowledge, does not exist, but which demonstrates a declaration by Decedent that she held the property as trustee, manifesting her intent to create a trust.

Under the terms of Decedent's will, the residue of her estate is to distribute to the Fred W. Schardt Family Trust. Given that Decedent listed this account as part of her existing estate in her premarital agreement, mistakenly titled in the name of a nonexistent trust, and given the general assignment and the disposal of the residue of her estate to the trust pursuant to her will, Petitioner asserts that the USAA Investment Management Account should also be deemed an asset of the trust.

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

<b>DOD: 08/31/2013</b>		EIKO II, surviving spouse, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Petition does not set forth enough facts for the Court to determine that it is indeed community property. Attachment 7 does not set forth the following: <ul style="list-style-type: none"> <li>• The date the property was acquired.</li> <li>• That all the property the petitioner is asking to pass was acquired during the marriage using community property funds and was not received by gift, devise or bequest.</li> </ul>
		No other proceedings.	
		Decedent died intestate.	
<b>Cont. from</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>	w/	
	<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>		
			<b>Reviewed by:</b> LV
			<b>Reviewed on:</b> 06/24/2014
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 16 - Haruo</b>

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

<b>DOD: 10/13/2013</b>	<b>JANIS NAKAMOTO SERA, TOBY DEAN NAKAMOTO and SHARON KAY KAYO NAKAMOTO SALDANA</b> , children, are petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>	40 days since DOD.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>	No other proceedings	
<input type="checkbox"/> <b>Inventory</b>	I & A - <b>\$140,000.00</b>	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>	Will dated: 09/08/2006 devises all property pass to Janis Nakamoto Sera, Toby Dean Nakamoto and Sharon Kay Kayo Nakamoto Saldana.	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	w/	
<input type="checkbox"/> <b>Aff.Pub.</b>	Petitioners request Court determination that decedent's 100% interest in real property located at 2977 E. Holland Ave. Fresno, Ca. pass 1/3 <sup>rd</sup> to Janis Nakamoto Sera, 1/3 <sup>rd</sup> to Toby Dean Nakamoto and 1/3 <sup>rd</sup> to Sharon Kay Kayo Nakamoto Saldana pursuant to decedent's will.	
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LV
		<b>Reviewed on:</b> 06/25/2014
		<b>Updates:</b>
		<b>Recommendation:</b> Submitted
		<b>File 17 - Nakamoto</b>

Atty Lyon, Paul J., sole practitioner (for Petitioners George M. Smith and Michelle J. Smith)

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

<b>Age: 26 years</b>	<b>NO TEMPORARY REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>	
	<p><b>GEORGE M. SMITH and MICHELLE JO SMITH,</b> parents, are Petitioners and request appointment as Limited Co-Conservators of the Person. <i>(Medical consent powers not requested.)</i></p>	<b>OFF CALENDAR</b>	
		<p><i>First Amended Petition for Appointment of Limited Probate Conservator was filed 6/9/2014, and is set for hearing on 7/10/2014.</i></p>	
<b>Cont. from</b>			
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>			
<input type="checkbox"/> <b>Verified</b>			
<input type="checkbox"/> <b>Inventory</b>			
<input type="checkbox"/> <b>PTC</b>			
<input type="checkbox"/> <b>Not.Cred.</b>			
<input type="checkbox"/> <b>Notice of Hrg</b>			
<input type="checkbox"/> <b>Aff.Mail</b>			
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input type="checkbox"/> <b>9202</b>			
<input type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
		<b>Reviewed by: LEG</b>	
		<b>Reviewed on: 6/24/14</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 18 - Smith</b>	

Atty Lyon, Paul J., sole practitioner (for Petitioners George M. Smith and Michelle J. Smith)

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

<b>Age: 23 years</b>	<b>NO TEMPORARY REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<p><b>GEORGE M. SMITH and MICHELLE JO SMITH</b>, parents, are Petitioners and request appointment as Limited Co-Conservators of the Person. <i>(Medical consent powers not requested.)</i></p>	<p><b>OFF CALENDAR</b></p> <p><i>First Amended Petition for Appointment of Limited Probate Conservator was filed 6/9/2014, and is set for hearing on 7/10/2014.</i></p>
<b>Cont. from</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 6/24/14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 19 - Smith</b>

Age:		NEEDS/PROBLEMS/COMMENTS:  <b><u>OFF CALENDAR</u></b>  Bond filed 5-30-14
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 6-25-14
		Updates:
		Recommendation:
		File 20 - Rudd

First Amended Petition for Probate of Will and for Letters Testamentary

DOD: 8-16-13	<b>MICHAEL D. COWIN and DANIEL RAY COWIN</b> , named Co-Executors without bond, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b> <b>Note:</b> Michael Cowin previously filed a Petition for Probate of Will requesting to be appointed as Executor alone. At hearing on 1-23-14, Daniel Cowin, the other named co-executor, appeared. The parties were directed to participate in mediation. At hearing on 1-27-14, Michael Cowin's petition was denied without prejudice and the Court directed that an amended petition be filed and no republication be required.
Cont. from 031314, 050114	Full IAEA – ok	<b>Note:</b> Michael Cowin's original petition was originally published for the hearing date of 1-23-14. However, the hearing date for this amended petition for appointment of Michael Cowin and Daniel Cowin has <u>not</u> been published pursuant to the Court's minute order of 1-27-14.
Aff.Sub.Wit.	Will dated: 3-19-04	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Verified	Residence: Clovis	<b>Examiner's Note:</b> Nothing further has been filed. The estate has not been established. No one has been appointed as executor. Distribution is not appropriate. Petitioners have not explained why \$220,000.00 was alleged, but now there are no assets. Petitioners are not the only heirs and there may be creditors. Petitioners may wish to seek legal advice from an attorney regarding the issues and notes noted below that remain:
Inventory	Publication – Business Journal	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
PTC	<b>Estimated Value of the Estate:</b>	<b>Examiner's Note:</b> Nothing further has been filed. The estate has not been established. No one has been appointed as executor. Distribution is not appropriate. Petitioners have not explained why \$220,000.00 was alleged, but now there are no assets. Petitioners are not the only heirs and there may be creditors. Petitioners may wish to seek legal advice from an attorney regarding the issues and notes noted below that remain:
Not.Cred.	Personal property: \$220,000.00	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Notice of Hrg	<b>Probate Referee:</b> Steven Diebert	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Aff.Mail W	<b>Note:</b> If the petition is granted, status hearings will be set as follows:	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Aff.Pub. X	<ul style="list-style-type: none"> <li>• <b>Thurs 9-4-14</b> at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal.</li> <li>• <b>Thurs 9-3-15</b> at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.</li> </ul>	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Sp.Ntc.	Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Pers.Serv.		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Conf. Screen		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Letters		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Duties/Supp		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Objections		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Video Receipt		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
CI Report		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
9202		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
✓ Order		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Aff. Posting		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Status Rpt		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
UCCJEA		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
Citation		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
FTB Notice		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
		<b>NEEDS/PROBLEMS/COMMENTS:</b> <b>Note:</b> Michael Cowin previously filed a Petition for Probate of Will requesting to be appointed as Executor alone. At hearing on 1-23-14, Daniel Cowin, the other named co-executor, appeared. The parties were directed to participate in mediation. At hearing on 1-27-14, Michael Cowin's petition was denied without prejudice and the Court directed that an amended petition be filed and no republication be required.
		<b>Note:</b> Michael Cowin's original petition was originally published for the hearing date of 1-23-14. However, the hearing date for this amended petition for appointment of Michael Cowin and Daniel Cowin has <u>not</u> been published pursuant to the Court's minute order of 1-27-14.
		<b>Continued from 3-13-14:</b> The Court is advised that an agreement was reached during mediation. Petitions to file a petition to close an estate with no assets.
		<b>Examiner's Note:</b> Nothing further has been filed. The estate has not been established. No one has been appointed as executor. Distribution is not appropriate. Petitioners have not explained why \$220,000.00 was alleged, but now there are no assets. Petitioners are not the only heirs and there may be creditors. Petitioners may wish to seek legal advice from an attorney regarding the issues and notes noted below that remain:
		<ol style="list-style-type: none"> <li>1. Need Notice of Petition to Administer Estate (DE-121).</li> <li>2. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing on: <ul style="list-style-type: none"> <li>- Alvin Leon Cowin, Jr.</li> <li>- Kenneth Paul Cowin</li> </ul> </li> </ol>
		<b>Note:</b> The two petitioners were directed to participate in mediation for the purpose of working together as co-executors in accordance with the decedent's will. However, the mediation agreement filed 3-10-14 by Daniel Cowin appears to address distribution.
		<b>Please note:</b> <u>Distribution is not appropriate at this point. This hearing is for appointment of the co-executors only and distribution cannot be addressed until the estate has been inventoried and appraised, creditors are adequately provided for, and the estate is in a position to be closed according to applicable law. At that time, and upon further petition, the Court will order distribution pursuant to the will and applicable law.</u>
		<b>Please also note:</b> <u>The other heirs were not party to the mediation and have not been noticed for any hearings. Whatever agreements were reached between the two petitioners regarding distribution may not be appropriate. The parties are strongly encouraged to seek legal advice from an attorney going forward.</u>
		Reviewed by: skc
		Reviewed on: 6-24-14
		Updates:
		Recommendation:
		File 21A – Galvan



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

DOD: 01/09/98		RALPH EAVES, son, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>OFF CALENDAR</b> <b>Amended Petition filed 06/19/14</b> <b>and set for hearing on 07/24/14</b>  1. The Petition indicates that the decedent had a will, however no copy of the will is attached to the petition and it does not appear that a will has been deposited with the Court. Need clarification as to whether the decedent had a will or died intestate.  2. The Petition indicates that the decedent had a predeceased spouse; therefore the name and date of death of predeceased spouse must be listed in attachment 14. Further all heirs of the decedent including all children (even if they are now deceased, and if so their date of death must be stated) and grandchildren of the decedent. <b>Note:</b> The Petitioner states that he is the decedent's only surviving son. This seems to indicate that the decedent had other children besides Petitioner. All decedent's children even if they are deceased must be stated in attachment 14 to the Petition, their dates of death must also be stated.  3. Need <i>Notice of Hearing</i> . 4. Need proof of service by mail of <i>Notice of Hearing</i> at least 15 days before the hearing to all persons who should be listed on attachment 14.
		40 days since DOD.	
		No other proceedings.	
Cont. from 032714, 042414		I & A - \$65,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Decedent will?? (See notes)	
<input checked="" type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Petitioner requests Court determination that decedent's interest in real property located on Lafayette Avenue in Fresno, CA pass to him pursuant to decedent's will? (see notes)	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
Reviewed by: JF			
Reviewed on: 06/24/14			
Updates:			
Recommendation:			
File 22 - Eaves			

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

<b>DOD: 5-23-12</b>	<b>RANDY LOVEJOY and JENNIFER MARIE PRICE</b> , Friends, are Petitioners.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. Need filing fee of \$435.00. This petition was filed with a fee waiver; however, because the asset valued at \$70,000.00 is requested to be distributed to Petitioners. Therefore, the filing fee is due prior to distribution.</b>  <b>2. Petitioners do not state Decedent's interest in the property. Did the decedent own a 100% interest in the property?</b>  <b>3. Decedent's will is not self-proving. The Court may require Proof of Subscribing Witness (DE-131) pursuant to Probate Code §8220.</b>  <b>4. Need order (DE-315).</b>
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	I&A: \$70,000.00	
<input checked="" type="checkbox"/> <b>Verified</b>	Will dated 3-10-10 devises decedent's entire estate to Petitioners.	
<input checked="" type="checkbox"/> <b>Inventory</b>	Petitioners request Court determination that Decedent's real property located at 3992 E. Marcus in Friant, CA, passes to them, each as to an undivided one-half interest.	
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>	X	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 6-25-14
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 23 - Talbot</b>