

Conservator: Florence Chapman (pro per)

Petition for transfer

|                                     |               |  |  |
|-------------------------------------|---------------|--|--|
|                                     |               | <p><b>FLORENCE CHAPMAN</b>, mother, was appointed conservator on 5/11/1987.</p>  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>If the petition is granted a status hearing will be set on <b>Wednesday, September 9, 2015 at 9:00 a.m. in Dept. 303</b> for confirmation of receipt of transfer</p> |
|                                     |               |  |  |
| <b>Cont. from</b>                   |               | <p>Court Investigator JoAnn Morris filed a Petition for Transfer on 4/23/15 requesting this proceeding be transferred to Santa Barbara County because the conservatee has resided there for over one year, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.</p> |  |
| <input type="checkbox"/>            | Aff.Sub.Wit.  |  |  |
| <input checked="" type="checkbox"/> | Verified      | <p>Court Investigator further recommends that the fees and costs related to this transfer be waived.</p>   |  |
| <input type="checkbox"/>            | Inventory     |  |  |
| <input type="checkbox"/>            | PTC           |  |  |
| <input type="checkbox"/>            | Not.Cred.     |  |  |
| <input checked="" type="checkbox"/> | Notice of Hrg |  |  |
| <input checked="" type="checkbox"/> | Aff.Mail      |  |  |
| <input type="checkbox"/>            | Aff.Pub.      |  |  |
| <input type="checkbox"/>            | Sp.Ntc.       |  |  |
| <input type="checkbox"/>            | Pers.Serv.    |  |  |
| <input type="checkbox"/>            | Conf. Screen  |  |  |
| <input type="checkbox"/>            | Letters       |  |  |
| <input type="checkbox"/>            | Duties/Supp   |  |  |
| <input type="checkbox"/>            | Objections    |  |  |
| <input type="checkbox"/>            | Video Receipt |  |  |
| <input type="checkbox"/>            | CI Report     |  |  |
| <input type="checkbox"/>            | 9202          |  |  |
| <input checked="" type="checkbox"/> | Order         |  |  |
| <input type="checkbox"/>            | Aff. Posting  |  |  |
| <input type="checkbox"/>            | Status Rpt    |  |  |
| <input type="checkbox"/>            | UCCJEA        |  |  |
| <input type="checkbox"/>            | Citation      |  |  |
| <input type="checkbox"/>            | FTB Notice    |  |  |
|                                     |               |  | Reviewed by: KT  |
|                                     |               |  | Reviewed on: 6/30/15   |
|                                     |               |  | Updates:   |
|                                     |               |  | Recommendation:  |
|                                     |               |  | File 1 - Chapman   |

**2 Elvira Rodriguez (Estate)**

**Case No. 05CEPR00988**

**Executor Murillo, Joel M. (Attorney/Executor)**

**Attorney Murphy, Christine M. (Deputy Attorney General – Objector)**

**Motion to Termination Further Proceedings and Discharge of Personal Representative**

|   |   |  |
|---|---|--|
| <b>DOD: 04/15/05</b>                                  | <p><b>JOEL MURILLO</b> was appointed Executor with Full IAEA without bond and Letters issued on 02/22/2006.</p> <p><b>Petitioner states:</b> in the petition for probate filed 08/26/2005, movant alleged that the value of the assets of decedent subject to probate administration was \$155,000.00. This allegations was based on the best evidence available that decedent died possessed of the real estate at 10651 Fantz, Del Rey, California (the said real estate), which was subject to administration. On June 25, 2014, a final Inventory and Appraisal was filed in this estate reflecting that property. However, the property described above is not now or was it on June 25, 2014, property that is subject to administration. The reason is that on 06/09/2014, in Fresno Superior Court case 14CEPR00329, the court Ordered on the Petition to Determine Succession to Real Property pursuant to Probate Code § 13151 that the said real estate passed to Angelita Garcia. Thus, the said real estate is no longer an asset of this estate, rendering moot the Inventory and Appraisal filed on 06/25/2014.</p> <p>Movant diligently searched for all assets of decedent but failed to discover any property of any kind belonging to the estate that is subject to administration.</p> <p>All costs, expenses, and premiums on surety bonds, incurred in the administration of the estate have been paid.</p> <p>A request for special notice was filed by the California Department of Health Services and notice of the time and place of hearing on this motion was given as required by law.</p> <p><b>Wherefore, movant prays:</b></p> <ol style="list-style-type: none"> <li>1. For an order terminating further proceedings for the administration of the estate.</li> <li>2. For an order to discharge the personal representative of the estate.</li> <li>3. For such other orders as the court may deem proper.</li> </ol> <p style="text-align: center;"><b>Please see additional page</b></p> | <b>NEEDS/PROBLEMS/COMMENTS:</b>  |
|   |   | <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need Notice of Hearing to be served on all interested parties.</li> <li>3. Need Notice to the Department of Health Care Services pursuant to the Request for Special Notice filed 07/03/2006.</li> </ol> |
| <b>Cont. from</b>                                     |   |  |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>          |   |  |
| <input checked="" type="checkbox"/> <b>Verified</b>   |   |  |
| <input type="checkbox"/> <b>Inventory</b>             |   |  |
| <input type="checkbox"/> <b>PTC</b>                   |   |  |
| <input type="checkbox"/> <b>Not.Cred.</b>             |   |  |
| <input type="checkbox"/> <b>Notice of Hrg</b>         | x   |  |
| <input type="checkbox"/> <b>Aff.Mail</b>              | x   |  |
| <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 checked="" 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: LV</b>   |
|   |   | <b>Reviewed on: 06/30/2015</b>   |
|   |   | <b>Updates:</b>  |
|   |   | <b>Recommendation:</b>   |
|   |   | <b>File 2 - Rodriguez</b>  |

**Opposition to Motion to Terminate Further Proceedings and Discharge of Personal Representative filed 06/24/2015 by Christine M. Murphy, Deputy Attorney General**, states on May 27, 2015, the personal representative of decedent Elvira Rodriguez, Joel Murillo, filed a "Motion to Termination (sic) Further Proceedings and Discharge of Personal Representative". While the Department of Health Care Services (Department) was served with the motion, counsel for the Department was not and did not receive a copy of the motion until mid-June. Department opposes the granting of Motion on the grounds that the Judgment and Judgment Lien against petitioner Joel Murillo, as personal representative, has not been satisfied.

Department obtained a judgment against Joel Murillo, as representative of the Estate of Elvira Rodriguez, on August 9, 2009 in *Shewry v. Murrillo*, Fresno Superior Court Case No. 08CECG03103DRF. Attached here to as Exhibit A is a copy of the Notice of Entry of Judgment and Judgment in that case. Subsequently, a Judgment Lien was recorded against the estate property of decedent at 10651 E. Fantz Ave. Del Rey, California, 93616 (Estate Property). Attached hereto as Exhibit B is a copy of the Judgment lien. The lien remains on the estate property and has not been satisfied by the petitioner.

After the filing of the judgment lien, Joel Murillo initiated another action to probate the estate property of the decedent Elvira Rodriguez. (Matter of Elvira Rodriguez, Fresno Superior Court, Case No. 14CEPR00329.) In the later action, the Court issued an order dated 06/09/2014, determining that the estate property of Elvira Rodriguez succeed to the beneficiary of the Will, Angelita Garcia.

Department opposes the granting of the present motion on the grounds that the judgment against petitioner Joel Murillo, as personal representative in the above-entitled matter, and the judgment lien, have not been satisfied. Thus, any order of discharge would not be appropriate without satisfaction of the judgment and lien.

Further, denial of the motion to discharge Joel Murillo, as personal representative, will preserve the Department's claim and avoid further litigation. Department is concerned that because of the multiple proceedings probating the estate property there may be a later challenge by Angelita Garcia to the legitimacy of the Department's lien against the Estate Property. The Department wants to avoid the need for a Court action pursuant to Welfare and Institutions Code section 14009.5 against Angelita Garcia as a recipient of estate property or an action for payment from the personal representative. Thus, the Department respectfully requests that the Court deny the motion seeking to terminate further proceedings and to discharge Joel Murillo as personal representative until the judgment is satisfied by either settlement involving the beneficiary of the Estate Property, recognition of the lien by Angelita Garcia, or payment of the Department's claim.

Also, the parties are presently in settlement discussions regarding the satisfaction of the Department's Judgment and lien. Department, thus, requests that the Court continue this motion to allow for the entry of a settlement agreement addressing the issues raised by the outstanding judgment and requests a continuance until at least August 14, 2015 for the drafting of said settlement agreement.

For the foregoing reasons, Department respectfully requests the Court deny the motion or, in the alternative, continue the motion to allow for the entry of settlement agreement.

Attorney: Rusca, Rodney R. (for Petitioner Heather Huffman, mother)  
 Guardian: Nora S. Yerena (Pro Per, maternal aunt)

Petition for Visitation

|                           |  |  |
|---------------------------|--|--|
| Age: 10 years             | HEATHER HUFFMAN, mother, is Petitioner.  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b><br/> <b>Continued from 6/18/2015.</b> Minute Order states Nora [Huffman Yerena, Guardian] is provided with contact information for Ann Thomas, Ph.D., and is to contact her regarding setting up appointment for child and mother. She is allowed to inquire into other neutral psychologists that will work with her schedule if needed. No changes to current visitation except Court is ordering a supervised visit, by Nora, tomorrow 6/19/2015 from 6pm to 8pm at McDonalds Playplace in Watsonville near Guardian's home. Only the mother is to be at the visit.</p> <p><b>Note: Declaration of RODNEY RICHARD RUSCA Re: Independent Health Provider was filed 6/29/2015.</b></p> <p>1. Declaration of Nora Yerena, Guardian, filed 6/25/2015 states she is asking that this case be transferred to Santa Cruz County, where the child resides. A petition for transfer pursuant to Probate Code § 2212 and 2213, is not currently before the Court, and the Guardian must file such petition in a separate pleading in this case, and must provide notice of the petition pursuant to Probate Code § 2214.</p> |
|                           | NORA SUE HUFFMAN (YERENA) maternal aunt, was appointed Guardian on 1/4/2012.                               |  |
| Cont. from 052815, 061815 | ~Please see Petition for details~  |  |
| Aff.Sub.Wit.              | Declaration filed 4/20/2015 by ALEXANDER WILLIAM WARD, mother's boyfriend.                                 |  |
| ✓ Verified                | Declaration filed by NORA S. YERENA (previously Huffman) on 5/27/2015.                                     |  |
| Inventory                 | Declaration filed by NORA S. YERENA on 5/27/2015 contains an attached 4-page letter to the Court.          |  |
| PTC                       | Supplemental Petition for Visitation and Declaration was filed by Petitioner HEATHER HUFFMAN on 5/28/2015. |  |
| Not.Cred.                 | Declaration of Ricardo Yerena-Perez, Guardian's husband, filed 6/11/2015.                                  |  |
| ✓ Notice of Hrg           | Declaration of Cynthia Ash, family friend, filed 6/11/2015.  |  |
| Aff.Mail                  | Declaration filed by NORA S. YERENA (previously Huffman) on 6/25/2015.                                     |  |
| Aff.Pub.                  |  |  |
| Sp.Ntc.                   |  |  |
| ✓ Pers.Serv.              |  |  |
| Conf. Screen              |  |  |
| Letters                   |  |  |
| Duties/Supp               |  |  |
| Objections                |  |  |
| Video Receipt             |  |  |
| CI Report                 |  |  |
| 9202                      |  |  |
| Order                     | X  |  |
| Aff. Posting              |  |  |
| Status Rpt                |  |  |
| UCCJEA                    |  |  |
| Citation                  |  |  |
| FTB Notice                |  |  |
|                           |  | Reviewed by: LEG   |
|                           |  | Reviewed on: 6/30/15   |
|                           |  | Updates:   |
|                           |  | Recommendation:  |
|                           |  | File 3 – O’Ryan  |

**4A In Re the Trust of Elaine A McClain (Trust)**  
**Atty Panzak, Gordon G. (for Jeff Dale – Successor Trustee – Petitioner)**  
**Atty Marshall, Jared (Associated counsel for Jeff Dale)**  
**Atty Freed, William J. (for Debbie Duehning, Guardian ad Litem for George McLain, IV)**

**Case No. 11CEPR00028**

**Trustee/Respondent's Motion to Dismiss, and Points and Authorities in Support,**

and

**Declaration in Support**

|  |  |   |
|--|--|---|
| <b>DOD: 5-21-08</b>                                      | <b>JEFF DALE</b> , Successor Trustee, is Petitioner.   | <p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><u>Minute Order 5/14/15:</u><br/> Continued for review of the late filed documents and any possible rulings the Court may be able to make before trial setting. Mr. Freed makes an oral request for fees and costs associated with today's hearing due to the late filing; the Court does not rule on the request today. Mr. Freed may make the request again in the future.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <p><b>Note:</b> On 3-30-15, Debbie Duehning, GAL for beneficiary George McLain, IV, filed a Motion for Leave to Amend Petition along with Points and Authorities and a Declaration in support, which motion is set for hearing on 5-14-15. See Page B.</p> <hr/> <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 6/30/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 4 – McClain</b></p> |
|  | <b>Petitioner states:</b> In 1996, <b>ELAYNE MCLAIN</b> created the <b>ELAINE A. MCLAIN TRUST of 1996</b> . (The trust preparer misspelled the Settlor's name.) The Trust was effective upon its creation and provided for <b>GEORGE MCLAIN, IV and MICHELE L. DALE</b> to be co-trustees. The trust was funded and duly administered by the Co-Trustees until 2007, when both co-trustees developed dementia. Under the terms of the trust, <b>JEFF DALE</b> (Petitioner) then became the sole successor trustee. Settlor Elayne McLain died 5-21-08, making the trust irrevocable. |   |
| <b>Cont from 033015, 042715, 051415</b>                  | During the tenure of <b>GEORGE MCLAIN, IV and MICHELE L. DALE</b> , the real estate placed into the trust was sold. A great portion of the sales of the realty were consumed in the care of Settlor Elayne McLain. The balance was placed into an investment account under the names of <b>ELAYNE MCLAIN and MICHELE DALE</b> as joint tenants.  |   |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             | In fall of 2008, the stock market collapsed and an emergency Order was obtained to allow funds to be withdrawn from the stock market, and approx. \$214,000 was saved.   |   |
| <input checked="" type="checkbox"/> <b>Verified</b>      | In 2011, <b>JEFF DALE</b> (Petitioner) filed a petition for instructions and was instructed by Judge Oliver to retain \$107,000 in the trust, and pay \$107,000 in settlement of an adverse claim.   |   |
| <input type="checkbox"/> <b>Inventory</b>                | In July 2010, <b>DEBBIE DUEHNING, as Guardian ad Litem for GEORGE MCLAIN, IV,,</b> who was then incapacitated, filed a petition for distribution in the Superior Court of San Diego, attempting to take control of the trust. She attempted to persuade the San Diego Court that it had proper venue by deceitfully stating that the trust was a new testamentary trust as opposed to an existing inter vivos trust administered in Fresno County since 1996.  |   |
| <input type="checkbox"/> <b>PTC</b>                      | <b>SEE ADDITIONAL PAGES</b>  |   |
| <input type="checkbox"/> <b>Not.Cred.</b>                |  |   |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> |  |   |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>      |  |   |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 |  |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  |  |   |
| <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 checked="" 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>               |  |   |

**Page 2**

**Petitioner states (Continued):** Objections were filed by Trustee Jeff Dale (Petitioner) and eventually the fraudulent action in San Diego County was dismissed. The attorney used by Duehning, James H. Pasto, was subsequently disbarred.

Litigation was filed by Duehning in Fresno County Superior Court in seriatum and the litigation has been on hold since January 23, 2012.

In July 2011, a First Accounting was filed and served on Duehning. During the various hearings in front of Judge Oliver, Mr. Pasto, on behalf of his clients:

- a. Waived time for filing responsive pleadings to the last two petitions;
- b. Agreed to settle the litigation by agreeing to take 50% of the approximately \$130,000 estate, less adjustments for creditor claims, costs and fees incurred to date;
- c. Agreed to place George McLain, IV, in a formal conservatorship in San Diego County;
- d. Agreed not to attack the trust administration before July 2007, which is when Mr. Dale's tenure as trustee began.

**Examiner's Note:** *No accounting was ever filed with the Court. Minute Order 3-30-15 clarifies that the accounting was informal and provided in discovery.]*

Attorney Pasto failed to appear at two separate hearings, and the Court took the matter off calendar. Attorney Laurie Barber was retained by Duehning in July 2012, and a new attorney, William Freed, was retained by Duehning in August 2014.

Petitioner states despite an offer in settlement to allow a stipulated dismissal of all four petitions and for each side to absorb its fees and costs, and for immediate distribution of the trust, no actions have been taken by Attorney Freed.

As recently as February 2, 2015, Attorney Panzak reconveyed the offer to Attorney Freed's automated telephone system.

Trustee Jeff Dale is left with no alternative but to request a motion for dismissal and the other remedies sought. Petitioner states the trust is ready for distribution upon the Court's order of dismissal.

Please see petition for points and authorities and further argument.

**The Trustee/Respondent (Petitioner herein) prays that the Court order as follows:**

- 1. That all 4 petitions filed by the Petitioner (Duehning) be dismissed;**
- 2. That the Respondent be allowed Court fees and costs;**
- 3. That the Respondent be awarded Attorney Fees as Costs;**
- 4. That the Court make any further order it deems Fair and Just.**

**Debbie Duehning, Conservator for George McLain, IV, filed a Response and Opposition to Trustee's Motion to Dismiss on 3-9-15.**

**SEE ADDITIONAL PAGES**

**Page 3**

**Objector states:** Petitioner has labeled this filing a "motion to dismiss;" however, he has improperly included allegations more commonly used in petitions. Due to the strange format, Objector will first respond to the "statement facts," as if responding to a petition, will then bring argument, which will be in the form most traditionally associated with motion practice.

Objector states (in summary): Both Michele Dale and George McLain, IV, showed signs of diminished capacity since the late 1990s, and neither were capable of managing their financial affairs by the late 1990s. Jeff Dale began handling all financial matters for the trust in 1995.

Objector has never received paperwork regarding the sale of the various real properties that were half owned by the trust. Elaine McLain lived with Objector from 1991 until her death, and Objector received minimal financial assistance from Jeff Dale or the trust to care for her needs. Based on the value of the trust assets, as best known to Objector, the amount of money provided by Jeff Dale accounted for only a small fraction of what the trust should have received from the sales. There has been no accounting for these actions.

Objector has been unable to find an order indicated that Jeff Dale was instructed to "pay \$107,000 in settlement of an adverse claim." Instead, Objector found instructions that *both* \$107,000 accounts were to remain in the trust. Objector contends and alleges in her proposed amended petition that Jeff Dale was never instructed to pay an adverse claim and improperly spent and removed \$107,000 from the trust in violation of court orders.

Jeff Dale mischaracterizes the July 2010 San Diego petition. Duehning did not seek to "take control of the trust." She sought distributions that Jeff Dale failed to make for the previous two years before filing the petition, and sought to remove him as trustee because of his continued and complete failure to look out for the interests of George or Michele. She attempt to argue that San Diego was proper venue because Elaine McClain had lived there before, during, and after the trust was executed. She denies that she acted deceitfully. The matter was not fraudulently brought and no finding of fraudulent activity was ever argued and no assertion was before the San Diego Court. Attorney Pasto did not inform Duehning of his problems with the bar before, during, or after his disbarment.

After Duehning's petition, Jeff Dale initiated trust related proceedings in early 2011. Duehning's action was necessitated because Jeff Dale failed to make any distribution from the trust although it had been nearly three years since Ms. McLain's death.

Objector denies that the litigation has been "on hold" since 2012. This Court ordered Jeff Dale to distribute all trust funds owing to George on 3-20-12. He has never complied with this order. His failure to distribute funds greatly hindered progress of the prosecution of this matter. Had Jeff Dale distributed as ordered, the trust could have been closed, and all actions could be accounted for and subjected to the scrutiny of court proceedings.

**SEE ADDITIONAL PAGES**

**Page 4**

**Objector states (Continued):** No settlement was ever entered into or executed. Mr. Pasto never had authority to settle litigation, and never entered into any settlement with Duehning's consent or knowledge. Any discussions Mr. Pasto had, if any, were in apparent pursuit of his personal settlement goals and do not actually constitute a settlement. Duehning never gave Pasto authority to settle the litigation or limit Dale's or anyone else's liability or complicity for their wrongful actions.

Objector denies that there was any offer of "immediate distribution" of George's rightful share, as ordered. Jeff Dale merely tried to have his inaction and wrongdoing absolved by settlement.

Jeff Dale's legal obligation is to follow the Court's March 2012 order and distribute the funds to George to which he is legally entitled. Had he done that, a settlement would probably have occurred by now. Jeff Dale is responsible for the delay.

**See pleading for further details as to Objector's argument. Objector requests the Court dismiss the Motion to Dismiss and allow her to proceed to bring this matter to trial.**

**Petitioner Jeff Dale filed a Rebuttal on 3-24-15 that prays the Court grant the prayer as stated in the motion.**

**Declaration of Debbie Duehning in Response to Rebuttal of Jeff Dale filed 5/7/15 states she never authorized attorney James Pasto to make certain agreements. See declaration for specifics.**

**SEE ADDITIONAL PAGES**

## Page 5 – NEEDS/PROBLEMS/COMMENTS:

1. Petitioner Jeff Dale requests that “all 4 petitions filed by the Petitioner (Duehning) be dismissed.” However, Court records indicate that there are only two (2) petitions currently outstanding in this matter:
  - Ms. Duehning’s Petition for Order Compelling Trustee to Make Distribution to Trust Beneficiary; for Imposition of a Constructive Trust; and for an Accounting filed 4-6-11; and
  - Ms. Duehning’s Petition to Review Reasonableness of Trustees Compensation, Reasonableness of Attorney’s Fees and Costs; for an Accounting and for Removal of Trustee filed 8-25-11.

Therefore, need clarification: What petitions, specifically, is Mr. Dale requesting be dismissed?

Note: On 9-6-11, Ms. Duehning filed a motion to amend her petition filed 4-6-11; however, the motion does not appear to have been granted or denied, and no amended petition was filed.

Note: Although the Court continued to include status conferences regarding Mr. Dale’s Petition for Instructions filed 1-13-11, the Court’s minute order of 4-11-11 reflects that that petition was granted, and an order was signed on 4-21-11. Therefore, it does not appear that this petition is technically outstanding.

Update: Ms. Duehning, filed a Motion for Leave to Amend Petition along with Points and Authorities and a Declaration in support, which motion is set for hearing on 5-14-15. See Page B.
2. As noted by Objector, although filed as a motion, Mr. Dale’s request appears to require review as a petition under Probate Code §17200. As such, it should state the names and addresses of each person entitled to notice pursuant to Probate Code §17201. The Court may require a declaration containing this information. (Note: Also, if this is a “petition” seeking relief under the Probate Code, the \$435 filing fee would be due from both petitioner and respondent, instead of the \$60 motion fee that was paid by Petitioner only.)
3. Petitioner states that he was instructed by Judge Oliver to retain \$107,000 in the trust and to pay \$107,000 in settlement of an adverse claim. As a matter of clarification, Examiner notes that the Court’s Order of 4-21-11 authorizes transfer of \$107,000 from the Michele Dale Conservatorship to the Elaine McLain Trust, only. There is no mention of payment of \$107,000 in settlement of an adverse claim. Note: The minute order of 4-11-11 indicates that the matter would be continued to 6-6-11 in the event that there are issues that still need to be resolved. At a later hearing on 10-3-11, Mr. Panzak advised that \$170,000 and \$25,000 have been transferred into segregated accounts, and the Court ordered that the accounts remain frozen. However, these figures do not correspond to the figures in the Order signed 4-21-11 or the figures in this petition. The Court may require clarification.

**4B In Re the Trust of Elaine A McClain (Trust)**

**Case No. 11CEPR00028**

**Atty Freed, William J. (for Debbie Duehning, Conservator of Beneficiary George McLain, IV)**  
**Petitioner Debbie Duehning's, Conservator for George McLain IV, Notice of**  
**Motion and Motion for Leave to Amend Petition (CCP §§ 473(a)(1), 576)**

|   |  |   |
|---|--|---|
| <b>DOD: 5-21-08</b>                               | <b>DEBBIE DUEHNING</b> , Conservator of George McLain IV, is Petitioner. | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Minute Order 5/14/15:</u><br/>Continued for review of the late filed documents and any possible rulings the Court may be able to make before trial setting. Mr. Freed makes an oral request for fees and costs associated with today's hearing due to the late filing; the Court does not rule on the request today. Mr. Freed may make the request again in the future.</p> <p><u>See additional pages.</u></p> |
|   |  |   |
|   |  |   |
| Cont from: 051415                                 |  |   |
|   |  |   |
| <input type="checkbox"/> Aff.Sub.Wit.             |  |   |
| <input checked="" type="checkbox"/> Verified      |  |   |
| <input type="checkbox"/> Inventory                |  |   |
| <input type="checkbox"/> PTC                      |  |   |
| <input type="checkbox"/> Not.Cred.                |  |   |
| <input checked="" type="checkbox"/> Notice of Hrg |  |   |
| <input checked="" type="checkbox"/> Aff.Mail      | W  |   |
| <input type="checkbox"/> Aff.Pub.                 |  |   |
| <input type="checkbox"/> Sp.Ntc.                  |  |   |
| <input type="checkbox"/> Pers.Serv.               |  |   |
| <input type="checkbox"/> Conf. Screen             |  |   |
| <input type="checkbox"/> Letters                  |  |   |
| <input type="checkbox"/> Duties/Supp              |  |   |
| <input checked="" type="checkbox"/> Objections    |  |   |
| <input type="checkbox"/> Video Receipt            |  |   |
| <input type="checkbox"/> CI Report                |  |   |
| <input type="checkbox"/> 9202                     |  |   |
| <input type="checkbox"/> Order                    | X  |   |
| <input type="checkbox"/> Aff. Posting             |  |   |
| <input type="checkbox"/> Status Rpt               |  |   |
| <input type="checkbox"/> UCCJEA                   |  |   |
| <input type="checkbox"/> Citation                 |  |   |
| <input type="checkbox"/> FTB Notice               |  |   |

**Petitioner moves the Court for an Order allowing her leave to amend her Petition originally filed on or around 4/6/11. The Proposed Second Amended Petition for Orders as follows is attached:**

- 1) Compelling Trustee to Make Distribution to Trust Beneficiary;
- 2) For Damages for Breach of Trust/Fiduciary Duties;
- 3) For Damages for Fraud/Concealment;
- 4) For Recovery of Trust Property/Quiet Title;
- 5) For Recovery of Trust Assets;
- 6) Compelling Trustee to Perform an Accounting;
- 7) For Removal of Trustee;
- 8) For Cancellation of Deeds

**Declaration of William Freed in support of petition states the Second Amended Petition (SAP) will:**

- a) Add Jeffrey Dale, as Conservator of the Estate of Michele Dale, Gordon Panzak as former Conservator for Michele Dale and as an individual, Dalpar Investments, and Dalpar Investments LLC as named Respondents;
- b) Add allegations regarding the history of the trusts in question;
- c) Add allegations regarding Jeffrey Dale's role in historic Trust transactions;
- d) Add allegations that Jeffrey Dale sold Trust real property to his friend, Gordon Panzak, who then transferred title to the Trust real property to Jeffrey Dale's company, originally Dalpar Investments and later Dalpar Investments, LLC, and that these transactions were concealed from George McLain IV;
- e) Add allegations regarding Jeffrey Dale's companies' roles in this matter;
- f) Add allegations regarding the tracing of Trust assets;
- g) Add allegations that both Gordon Panzak and Jeffrey Dale marshaled assets away from the Trusts and into Michele Dale's Conservatorship;

**SEE ADDITIONAL PAGES**

## Page 2

- h) Add an actual Request for an Order Directing Jeffrey Dale to distribute George McLain IV's beneficial interest in the trust assets. Petitioner's original petition requested the order in the prayer for relief, but did not specify an actual Request for Relief;
- i) Add a Request for Relief for Damages for Breach of Trust and Breach of Fiduciary Duty, and for aiding and abetting the same;
- j) Add a request for Relief for Damages, for Fraud and Concealment;
- k) Add a request for Relief for Quiet Title. Petitioner alleges that Jeffrey Dale fraudulently sold Trust real property. Petitioner also alleges that Gordon Panzak never had title to the real property when he purportedly transferred it to Jeffrey Dale's company;
- l) Add a Request for Relief for Removal of Trustee;
- m) Add a Request for Relief for Cancellation of Deeds; and
- n) Add Prayers for Relief that reflect the above changes.

Attorney Freed states Petitioner's original counsel did very little work on her behalf and was facing disciplinary proceedings that led to his disbarment during his representation of Petitioner. He did not keep her well-informed. After Mr. Freed took over as counsel, he was only able to obtain a minimal amount of information from former counsel, and Petitioner had few documents to provide. After receiving this matter and obtaining records from three different court matters, his office was able to discover additional information. Petitioner believes this new evidence shows potential fraudulent acts by Respondent, Jeffrey Dale, and his counsel of record, Gordon Panzak. Specific details and timeline is provided in the declaration.

Mr. Freed states the request to amend was not made earlier for several reasons, as alleged in the SAP, including:

- Respondents were actively covering up actions and inactions, including utilizing Gordon Panzak as a "strawman" to cover up a real property sale to Jeffrey Dale's own company.
- George McLain IV was not a participant in Michele Dale's conservatorship proceedings, and neither he nor Petitioner were aware of the allegations made therein.,
- Following months of no communication, Petitioner's first counsel, Mr. Pasto, provided almost no file information to Petitioner after she obtained new counsel, which placed additional difficulties on Mr. Freed's properly advising Petitioner the course of action to take and who to involve, in uncovering new facts and obtaining assets rightfully belonging to George McLain IV.
- Finally, once he received Respondent's Motion to Dismiss, he did not feel it was proper to file the Motion for Leave to Amend until after this Court rendered its decision on the dismissal.

**Note: The following documents were filed 5/13/15 (the day prior to the last hearing). The Court continued the matter for review prior to trial setting:**

- **Successor Trustee Jeff Dale's Opposition to Petitioner Debbie Duehning's Motion for Leave to Amend Petition**
- **Request for Judicial Notice in Support of Opposition**
- **Declaration of Jared Marshall in Support of Late Filing**

**SEE ADDITIONAL PAGES**

Page 3

**Successor Trustee Jeff Dale's Opposition to Petitioner Debbie Duehning's Motion for Leave to Amend Petition filed 5/13/15 states** after three years of complete inaction, Ms. Duehning has filed a motion for leave to amend a petition that was filed over four years ago. The Court should deny the motion for two reasons: 1) the amendment is futile as it contradicts other sworn statements and is barred by the statute of limitations; and 2) permitting leave to amend will prejudice Mr. Dale because the proposed amendment attempts to supersede a prior stipulation between counsel in order to take a second bite at the apple. See Opposition for law and argument.

**Request for Judicial Notice in Support of Opposition** requests notice of:

1. Petition for Appointment of Probate Conservator of the Person and Estate of George McLain IV, filed in San Diego County Superior Court Case No. 37-2011-00151947-PR-CP-CTL (Ex. A);
2. Petition for Order Compelling Trustee to Make Distribution to Trust Beneficiary; for Imposition of a Constructive Trust; and for an Accounting, filed 7/16/10 in San Diego (Ex. B); and
3. Declaration of Gordon Panzak in Support of Motion to Dismiss filed as part of Trustee's Motion to Dismiss on 2/13/15 (Ex. C).

**Declaration of Jared Marshall in Support of Late Filing** states though the task of preparing the opposition to the motion was delegated to Mr. Marshall by co-counsel Gordon Panzak, his office failed to properly calendar the matter due to the size and complexity of the file. The necessity to file after the statutory deadline was caused by mistake, inadvertence, surprise, and excusable neglect pursuant to CCP§473, from which relief is mandatory.

**Corrected Declaration of William Freed Regarding Late Filing of Opposition to Motion; Declaration in Support of Compensatory Legal Fees and Costs filed 5/26/15 states** he has not been able to read the opposition but understand that a declaration was filed by Attorney Jaret Marshall asking the court to allow the late filing. This late filing prejudices Mr. Freed's client in that he is not able to reply to the argument and authority presumably contained therein. Should the Court allow late-filed opposition, Mr. Freed requests that Mr. Marshall pay Mr. Freed his reasonable compensatory legal fees and costs as called for pursuant to CCP §473(b) totaling \$540.67 as follows:

- a. Cancellation charge for airfaire to appear at hearing on Motion for Leave to Amend Petition \$125.00;
- b. Cancellation charges for hotel in Fresno \$89.67
- c. Courtcall Appearance \$116.00
- d. Attorney fees for preparation of declaration (0.7 hours @ \$300/hr) \$210.00

**Debbie Duehning's, Conservator for George McLain IV, Opposition to Respondent's Request for Judicial Notice filed 6/15/15 states** Respondent's opposition relies on a few isolated, out of context statements from documents contained in his request for judicial notice. However, it is improper for the court to consider the contents of any of the submitted exhibits. Furthermore, this court cannot consider the truth of anything not indisputably true. Respondent has improperly request admission of the contents of various documents and improperly relies upon said contents as being absolutely true. Therefore, the request for judicial notice must be denied. See argument.

**SEE ADDITIONAL PAGES**

Dept. 303, 9:00 a.m. Thursday, July 2, 2015

**Page 4**

**Debbie Duehning's, Conservator for George McLain IV, Reply Brief in Support of Motion for Leave to Amend Petition filed 6/15/15 states** Jeffrey Dale's, Successor Trustee of the Elaine A. McLain Trust, Opposition to Petitioner's Motion for Leave to Amend lacks any valid arguments. Respondent has improperly sought to have this Court analyze the proposed pleadings as if he filed a demurrer. Furthermore, his statute of limitations defense, as well as his prejudice argument, both fail to present any cognizable legal theory. See argument. For all of the reasons stated therein, Petitioner respectfully requests the Court grant her motion for leave to amend. Petitioner also respectfully requests that the Proposed Second Amended Petition be deemed to be the amended pleading and that it be deemed filed and served as of the date of the granting of the motion.

**Examiner's Note: Petitioner requests that the proposed amended petition, which was attached as an exhibit to this petition, be deemed filed. However, the attachment is an unsigned, unverified copy.**

**An original petition must be properly filed at the clerk's office, and at filing, will be given an appropriate hearing date.**

|  |   |  |
|--|---|--|
| <b>DOD: 2/20/11</b>                              | <p><b>PUBLIC ADMINISTRATOR</b> was appointed on the court's own motion as Successor Administrator on 7/31/13.</p> <p><b>JULIE FULCHER</b>, ex-wife, was appointed as Administrator with Full IAEA without bond on 8/23/11. Ms. Fulcher was removed and the Public Administrator appointed on 7/31/13.</p> <p>The intestate heirs are the Decedent's two children, one of whom is a minor.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute order dated 3/26/15 states Counsel requests 90 days; if the final accounting is filed at least two court days prior, then no appearance is necessary on 7/2/15.</b></p> <p>1. Need 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 102913, 052114, 112014, 032615</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: 6/29/15</b>  |
|  |   | <b>Updates:</b>  |
|  |   | <b>Recommendation:</b>   |
|  |   | <b>File 5 - Fulcher</b>  |

**6 Kyle Yang Special Needs Trust**

**Case No. 11CEPR01045**

**Attorney: Melinda Bell of San Juan Capistrano (for Petitioners/Trustees Lee Ann Hitchman and Bruce Hitchman)**

**Third Account and Report of the Trustees of the Kyle Yang Special Needs Trust; Petition to Settle Account; Petition for Order Authorizing Trustees Fees on Account; and Petition to Fix and Allow Trustee Fees and Attorney Fees; Petition for Instruction to Allow Additional Care Manager Fees**

|                   |                      |  |  |
|-------------------|----------------------|--|--|
|                   |                      | <b>LEE ANN HITCHMAN and BRUCE HITCHMAN,</b><br>professional fiduciary Co-Trustees, are<br>Petitioners.   | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br>1. Disbursement schedule shows a payment of \$435.00 on 2/20/14 for the filing of the Second Account. The \$435.00 was returned to the attorney on 2/26/14. The amount charged for the filing of the Second Account was \$200.00, paid on 3/10/14. Therefore it appears that \$135.00 should be returned to the trust estate.<br><br><b>Note:</b> Disbursement schedule also includes \$86.00 for CourtCall on 4/17/14. Effective 1/1/15 Local Rule 7.17B considers telephonic appearance costs to be a part of the cost of doing business, and are not reimbursable costs. |
|                   |                      | <b>Account period: 12/1/2012 – 11/30/2013</b>  |  |
| <b>Cont. from</b> |                      |  |  |
|                   | <b>Aff.Sub.Wit.</b>  | Accounting - <b>\$258,729.72</b>   |  |
| ✓                 | <b>Verified</b>      | Beginning POH - <b>\$228,748.38</b>  |  |
|                   | <b>Inventory</b>     | Ending POH - <b>\$229,304.03</b><br><i>(\$42,433.79 is cash; non-cash assets consist of Merrill Lynch investment portfolio)</i>  |  |
|                   | <b>PTC</b>           |  |  |
|                   | <b>Not.Cred.</b>     |  |  |
| ✓                 | <b>Notice of Hrg</b> | Co-Trustees - <b>\$5,840.50</b><br><i>(Declaration and itemizations attached. 19.30 hours @ \$85.00/hour Staff rate and 33.60 hours @ \$125.00/hour trustee rate.)</i>   |  |
| ✓                 | <b>Aff.Mail</b>      |  |  |
|                   | <b>Aff.Pub.</b>      |  |  |
|                   | <b>Sp.Ntc.</b>       | Attorney - <b>\$4,795.00</b><br><i>(Declaration and itemization attached. 9.2 hours @ \$350.00 per hour totaling \$3,220.00 plus \$1,575.00 for anticipated time for emailing Trustees, reviewing and responding to probate notes, preparing, filing and serving notice, reviewing file and preparing for hearing, and attending hearing.)</i> |  |
|                   | <b>Pers.Serv.</b>    |  |  |
|                   | <b>Conf. Screen</b>  |  |  |
|                   | <b>Letters</b>       |  |  |
|                   | <b>Duties/Supp</b>   |  |  |
|                   | <b>Objections</b>    |  |  |
|                   | <b>Video Receipt</b> | Bond - <b>\$259,551.00</b><br><i>(sufficient)</i>  |  |
|                   | <b>CI Report</b>     |  |  |
|                   | <b>9202</b>          |  |  |
|                   | <b>Order</b>         | X  |  |
|                   | <b>Aff. Posting</b>  |  |  |
|                   | <b>Status Rpt</b>    |  |  |
|                   | <b>UCCJEA</b>        |  |  |
|                   | <b>Citation</b>      |  |  |
|                   | <b>FTB Notice</b>    |  |  |
|                   |                      | <b>Please see additional page</b>  |  |
|                   |                      | <b>Reviewed by:</b> KT   |  |
|                   |                      | <b>Reviewed on:</b> 6/30/15  |  |
|                   |                      | <b>Updates:</b>  |  |
|                   |                      | <b>Recommendation:</b>   |  |
|                   |                      | <b>File 6 - Yang</b>   |  |

**Petitioners state (cont.):** Petitioners request this Court's authority to continue with the services of the Care Manager and to spend up to \$5,000.00 over the next 15 months for services to benefit the beneficiary.

The Care Managers have developed a positive relationship with the beneficiary and his family. The work with the Care Manager has resulted in the Beneficiary receiving mental health services, identifying additional services for the beneficiary and assisting with enrollment in an appropriate high school to allow him to pursue his goals in the health care field. The Care Managers have assisted with finding appropriate resources through the County, scheduled necessary appointments, secured a Hmong translator and generally assisted the parents in procuring and managing services for the beneficiary. The Petitioners believe that the beneficiary has made significant progress emotionally and educationally and it is important to continue with the services of the Care Managers.

**Petitioners pray for an Order:**

1. Approving, allowing and settling the Third Account and Report of Trustees;
2. Authorize and fix fees to Petitioners in their capacity as Trustees in the sum of \$5,840.50;
3. Authorizing Petitioners to pay their attorney the sum of \$4,795.00 for legal services rendered;
4. The Court authorize Trustee's to pay themselves up to \$200.00 per month on account of Trustee's compensation beginning 5/1/15 and continuing for a period not to exceed 15 months, or until further order of this court;
5. The Court authorize the trustee to continue the Care Managers services to the beneficiary and to spend up to \$5,000 over the next 15 months for those services.

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**NEEDS/PROBLEMS/COMMENTS (cont):**

2. Order on Second Account allowed \$1,260.00 in anticipated attorney fees. Attorney fees declaration for the Third Account does not include an itemization of those anticipated fees. Need itemization of charges for the anticipated time.
3. Need Order. Local Rule 7.1 states a proposed Order shall be submitted with all pleadings that request relief. If the proposed order is not received in the Probate Filing Clerk's Office ten (10) days before the scheduled hearing, a continuance may be required.

**Note:** Court will set a status hearing as follows:

- **Wednesday, June 15, 2016 at 9:00 a.m. in Dept. 303** for filing of the fourth account.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

|  |  |  |                             |
|--|--|--|-----------------------------|
| <b>DOD: 4-4-13</b>                       | <b>BETTY A. PATE</b> , Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.  | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 4/9/15:</b> Parties are still awaiting the refund from the Tax Board. If the accounting is filed at least two court days prior, then no appearance is necessary on 7/2/15.</p> <p>As of 6/30/15, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution or <u>current</u> written status report pursuant to Local Rule 7.5.</p> |                             |
| <b>Cont. from 091914, 111914, 010815</b> | At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.   |  |                             |
| <b>Aff.Sub.Wit.</b>                      |  |  |                             |
| <b>Verified</b>                          |  |  |                             |
| <b>Inventory</b>                         | Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.  |  |                             |
| <b>PTC</b>                               |  |  |                             |
| <b>Not.Cred.</b>                         |  |  |                             |
| <b>Notice of Hrg</b>                     |  |  |                             |
| <b>Aff.Mail</b>                          |  |  |                             |
| <b>Aff.Pub.</b>                          |  |  |                             |
| <b>Sp.Ntc.</b>                           | The first account or petition for final distribution is now due. Probate Code §12200.  |  |                             |
| <b>Pers.Serv.</b>                        |  |  |                             |
| <b>Conf. Screen</b>                      | <b>Status Report filed 9-16-14 states</b> the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close. |  |                             |
| <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 Report filed 11-14-14 states</b> there have been continuing efforts by the estate representative to conclude this issue with the tax board. The attorney is informed and believes that once this issue of tax liability is resolved, the estate should be in a position to be closed.  |  |                             |
| <b>Status Rpt</b>                        |  |  |                             |
| <b>UCCJEA</b>                            |  |  |                             |
| <b>Citation</b>                          |  |  |                             |
| <b>FTB Notice</b>                        |  |  |                             |
|  |  |  | <b>Reviewed by:</b> skc     |
|  |  |  | <b>Reviewed on:</b> 6/30/15 |
|  |  | <b>Updates:</b>  |                             |
|  |  | <b>Recommendation:</b>   |                             |
|  |  | <b>File 13 - Guidi</b>   |                             |

Atty Joy, Maurice E. (for Administrator Staci Ann Ragan)

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

|                           |   |   |
|---------------------------|---|---|
| <b>DOD: 7/27/2013</b>     | <b>STACI ANN RAGAN</b> , daughter, was appointed Administrator with Full IAEA authority without bond on 11/20/2013.   | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b>OFF CALENDAR</b></p> <p><i>Waiver of Accounting and Petition for Final Distribution filed 6/24/2015, is set for hearing on 8/4/2015.</i></p> <p><b>Continued from 4/23/15.</b><br/>Minute Order states no appearance is required on 6/4/15 if the petition is filed by 6/2/15, however, if the petition is not filed then a verified Status Report is to be filed by 6/2/15 and Staci Ragan is ordered to be personally present.</p> |
|                           |   |   |
|                           |   |   |
|                           |   |   |
|                           |   |   |
| Cont. from 042315, 060415 | <b>Amended Letters issued on 1/16/2014.</b>   |   |
| Aff.Sub.Wit.              | Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was filed 6/2/2014 showing an estate value of <b>\$764,265.07</b> .   |   |
| Verified                  |   |   |
| Inventory                 |   |   |
| PTC                       | Pursuant to Probate Code § 12200, first account and/or petition for final distribution was due 1/16/2015.   |   |
| Not.Cred.                 |   |   |
| Notice of Hrg             | <b>Minute Order dated 11/20/2013</b> set this status hearing for filing of the first account and/or petition for final distribution.  |   |
| Aff.Mail                  |   |   |
| Aff.Pub.                  |   |   |
| Sp.Ntc.                   |   |   |
| Pers.Serv.                | <b>Status Report of Stacie Ann Ragan filed 1/12/2015 for previous status hearing states:</b>  |   |
| Conf. Screen              | <ul style="list-style-type: none"> <li>Declarant has not completed all duties required of her with respect to administration of the estate in that the escrow was opened for the sale of real property owned by the estate;</li> <li>Notice of Proposed Action was served on all persons affected by the sale but the escrow is contingent upon the obtainment of a lot line adjustment, and this has caused a delay in the close of escrow;</li> <li>A deed adjusting the lot line has been signed very recently and it is anticipated that upon the recording of the deed, the escrow will close shortly thereafter;</li> <li>Declarant will then be in a position to file a Petition for Final Distribution of the estate with the Court.</li> </ul> |   |
| Letters                   |   |   |
| Duties/Supp               |   |   |
| Objections                |   |   |
| Video Receipt             |   |   |
| CI Report                 |   |   |
| 9202                      |   |   |
| Order                     |   |   |
| Aff. Posting              |   |   |
| Status Rpt                |   |   |
| UCCJEA                    |   |   |
| Citation                  |   |   |
| FTB Notice                |   |   |
|                           |   | Reviewed by: LEG  |
|                           |   | Reviewed on: 6/30/15  |
|                           |   | Updates:  |
|                           |   | Recommendation:   |
|                           |   | File 8 - Hamlin   |

Attorney: Roberts, Gregory J. (for Petitioner Robert Lee Adams, Executor)

**First and Final Account of Executor and Petition for Its Settlement; for Allowance of Fees and for Final Distribution**

|                                     |                               |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
|-------------------------------------|-------------------------------|--|---|---|---------------------|---------------|---|---------------------|------------|---|--|----------|---|--|----------|---|--|----------------|---|---|---------|---|-------------------|--|
| <b>DOD: 6/30/2013</b>               |                               | <p><b>ROBERT LEE ADAMS</b>, step-son and Executor, is Petitioner.</p> <p><b>Account period: 6/20/2013 – 5/13/2015</b></p> <table> <tr> <td>Accounting</td> <td>-</td> <td><b>\$646,606.63</b></td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td><b>\$642,606.59</b></td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td><b>\$640,988.80</b><br/><i>(all cash)</i></td> </tr> <tr> <td>Executor</td> <td>-</td> <td><b>\$15,932.13</b><br/><i>(statutory)</i></td> </tr> <tr> <td>Attorney</td> <td>-</td> <td><b>\$15,932.13</b><br/><i>(statutory)</i></td> </tr> <tr> <td>Accountant Fee</td> <td>-</td> <td><b>\$3,245.00</b><br/><i>(payable to Magone &amp; Co., Florham Park, NJ; per itemization attached as Exhibit 2; for fiduciary tax returns related to Decedent's NJ probate;)</i></td> </tr> <tr> <td>Closing</td> <td>-</td> <td><b>\$2,000.00</b></td> </tr> </table> <p><b>Distribution pursuant to Decedent's Will is to:</b></p> <ul style="list-style-type: none"> <li>• THE GIDEONS INTERNATIONAL – <b>\$301,939.77 cash;</b></li> <li>• THE GIDEONS INTERNATIONAL, HILL COUNTRY CAMP – <b>\$301,939.77 cash.</b></li> </ul> | Accounting  | - | <b>\$646,606.63</b> | Beginning POH | - | <b>\$642,606.59</b> | Ending POH | - | <b>\$640,988.80</b><br><i>(all cash)</i> | Executor | - | <b>\$15,932.13</b><br><i>(statutory)</i> | Attorney | - | <b>\$15,932.13</b><br><i>(statutory)</i> | Accountant Fee | - | <b>\$3,245.00</b><br><i>(payable to Magone &amp; Co., Florham Park, NJ; per itemization attached as Exhibit 2; for fiduciary tax returns related to Decedent's NJ probate;)</i> | Closing | - | <b>\$2,000.00</b> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> |
| Accounting                          | -                             |  | <b>\$646,606.63</b>   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Beginning POH                       | -                             |  | <b>\$642,606.59</b>   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Ending POH                          | -                             |  | <b>\$640,988.80</b><br><i>(all cash)</i>  |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Executor                            | -                             |  | <b>\$15,932.13</b><br><i>(statutory)</i>  |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Attorney                            | -                             |  | <b>\$15,932.13</b><br><i>(statutory)</i>  |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Accountant Fee                      | -                             |  | <b>\$3,245.00</b><br><i>(payable to Magone &amp; Co., Florham Park, NJ; per itemization attached as Exhibit 2; for fiduciary tax returns related to Decedent's NJ probate;)</i> |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| Closing                             | -                             |  | <b>\$2,000.00</b>   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <b>Cont. from</b>                   |                               |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Aff.Sub.Wit.</b>           |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Verified</b>               |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Inventory</b>              |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>PTC</b>                    |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Not.Cred.</b>              |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Notice of Hrg</b>          |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Aff.Mail</b> <sup>w/</sup> |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <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> 052014         |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Duties/Supp</b>            |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Objections</b>             |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Video Receipt</b>          |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>CI Report</b>              |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>9202</b>                   |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>Order</b>                  |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Aff. Posting</b>           |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Status Rpt</b>             |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>UCCJEA</b>                 |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input type="checkbox"/>            | <b>Citation</b>               |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
| <input checked="" type="checkbox"/> | <b>FTB Notice</b>             |  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |
|                                     |                               | <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/30/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b> SUBMITTED</p> <p><b>File 9 - Edmonds</b></p>  |   |   |                     |               |   |                     |            |   |  |          |   |  |          |   |  |                |   |   |         |   |                   |  |

**10 George Robert Peterson (Estate)**

**Case No. 14CEPR00385**

Attorney: Jonathon L. Petty (for Petitioner/Executor Kristen Peterson)

**Report of Sale and Petition for Order Confirming Sale of Real Property**

|   |  |  |
|---|--|--|
| <b>DOD: 10/2/13</b>   | <b>KRISTEN PETERSON</b> is Executor/petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b>  |
|   |  |  |
|   | <b>Sale price</b> - <b>\$225,000.00</b>  | 1. Petition does not state the manner of vesting title to the buyers.  |
|   | <b>Overbid</b> - <b>236,750.00</b>   |  |
| <b>Cont. from</b>   |  |  |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>                | <b>Reappraisal</b> - <b>\$205,000.00</b>   | 2. Need proof of service of the Notice of Hearing on buyers Thomas E. Heinricy and Jennifer D. Heinricy. Probate Code §10308(c). |
| <input checked="" type="checkbox"/> <b>Verified</b>         |  |  |
| <input checked="" type="checkbox"/> <b>Reappraisal</b>      | <b>Property</b> - 4665 N. Barton, Fresno   |  |
| <input type="checkbox"/> <b>PTC</b>                         |  |  |
| <input type="checkbox"/> <b>Not.Cred.</b>                   | <b>Publication</b> - Business Journal  | 3. Order is incomplete. It does not list the names of the buyers and the manner of vesting title at #9 – Need new order.         |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> W/ | <b>Buyers</b> - Thomas E. Heinricy and Jennifer D. Heinricy.   |  |
| <input type="checkbox"/> <b>Aff.Mail</b>                    |  |  |
| <input checked="" type="checkbox"/> <b>Aff.Pub.</b>         | <b>Broker</b> - <b>\$13,500.00</b> (6% - payable 3% to Century 21, Adanalian & Vasquez Realty and 3% to Realty Concepts) |  |
| <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 checked="" type="checkbox"/> <b>Aff. Posting</b>     |  | <b>Reviewed by: KT</b>   |
| <input type="checkbox"/> <b>Status Rpt</b>                  |  | <b>Reviewed on: 6/30/15</b>  |
| <input type="checkbox"/> <b>UCCJEA</b>                      |  | <b>Updates:</b>  |
| <input type="checkbox"/> <b>Citation</b>                    |  | <b>Recommendation:</b>   |
| <input type="checkbox"/> <b>FTB Notice</b>                  |  | <b>File 10 - Peterson</b>  |

Petitioner **Mendoza, Isaias (pro per – paternal cousin)**

Petitioner **Cantor, Misaela (pro per – paternal cousin)**

**Petition - Appoint Guardian of the Person**

|                                     |                       |   |   |
|-------------------------------------|-----------------------|---|---|
| <b>Age: 4 mos.</b>                  |                       | <p align="center"><b><u>TEMPORARY EXPIRES 06/04/15</u></b></p> <p><b>ISAIAS MENDOZA and MISAELA CANTOR</b>, paternal cousins, are Petitioners.</p> <p>Father: <b>HILDEBERTO DE LA CRUZ</b> – Consent &amp; Waiver of Notice filed 04/01/15</p> <p>Mother: <b>CHHORVIN PECH</b> – Consent &amp; Waiver of Notice filed 04/01/15</p> <p>Paternal grandfather: JOSE DE LA CRUZ – served by mail on 04/03/15<br/>Paternal grandmother: LEODEGARIA AGRIPINO – served by mail on 04/03/15</p> <p>Maternal grandfather: YOEUP PECH – served by mail on 04/03/15<br/>Maternal grandmother: VETH MY – personally served on 06/14/15</p> <p><b>Petitioners state</b> [see Petition for details].</p> <p><b>Court Investigator Dina Calvillo filed a report on 04/27/15.</b></p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>CONTINUED FROM 06/04/15</u></b></p> <p><b>Petitioners are Spanish speaking.</b></p> |
| <b>Cont. from 060415</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> n/a |   |   |
| <input checked="" type="checkbox"/> | <b>Conf. Screen</b>   |   |   |
| <input checked="" type="checkbox"/> | <b>Letters</b>        |   |   |
| <input checked="" type="checkbox"/> | <b>Duties/Supp</b>    |   |   |
| <input type="checkbox"/>            | <b>Objections</b>     |   |   |
| <input type="checkbox"/>            | <b>Video Receipt</b>  |   |   |
| <input checked="" type="checkbox"/> | <b>CI Report</b>      |   |   |
| <input type="checkbox"/>            | <b>9202</b>           |   |   |
| <input checked="" type="checkbox"/> | <b>Order</b>          |   |   |
| <input type="checkbox"/>            | <b>Aff. Posting</b>   |   |   |
| <input type="checkbox"/>            | <b>Status Rpt</b>     |   |   |
| <input checked="" type="checkbox"/> | <b>UCCJEA</b>         |   |   |
| <input type="checkbox"/>            | <b>Citation</b>       |   |   |
| <input type="checkbox"/>            | <b>FTB Notice</b>     |   |   |
|                                     |                       | <b>Reviewed by:</b> JF  |   |
|                                     |                       | <b>Reviewed on:</b> 06/29/15  |   |
|                                     |                       | <b>Updates:</b>   |   |
|                                     |                       | <b>Recommendation:</b>  |   |
|                                     |                       | <b>File 11 – De La Cruz</b>   |   |

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

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

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

|  |  |   |
|--|--|---|
| <b>DOD: 05/26/2005</b>                                 | <b>FRANK UNDERWOOD</b> , is petitioner and requests appointment as Administrator without bond. | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note: Petitioner is also the petitioner on Page #13. Decedent, Reuben Nelson, is the father of the Decedent, Susan Nelson, on page #13.</b></p> <p><b>Minute Order of 05/21/2015: Counsel requests 40 days.</b></p> <p><b>The deficiencies with the pleadings include, but are not limited to, the following:</b></p> <ol style="list-style-type: none"> <li>1. Need date of death of the deceased spouse pursuant to Local Rule 7.1.1D.</li> <li>2. #5a(3) or #5a(4) was not answered regarding a registered domestic partner.</li> <li>3. Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.</li> <li>4. The issue of bond has not been addressed on the petition at #3d(1) or #3d(2).</li> <li>5. Need Notice of Petition to Administer Estate.</li> </ol> <p><b>Please see additional page</b></p> |
|  | Full IAEA – o.k.   |   |
| <b>Cont. from 052115</b>                               |  |   |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>           | Decedent died intestate  |   |
| <input checked="" type="checkbox"/> <b>Verified</b>    | Residence: Fresno  |   |
| <input type="checkbox"/> <b>Inventory</b>              | Publication: The Business Journal  |   |
| <input type="checkbox"/> <b>PTC</b>                    |  |   |
| <input type="checkbox"/> <b>Not.Cred.</b>              | <b>Estimated value of the Estate:</b>  |   |
| <input type="checkbox"/> <b>Notice of Hrg</b>          | Personal property - \$175,000.00   |   |
| <input type="checkbox"/> <b>Aff.Mail</b>               |  |   |
| <input checked="" type="checkbox"/> <b>Aff.Pub.</b>    | Probate Referee: Steven Diebert  |   |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                |  |   |
| <input type="checkbox"/> <b>Pers.Serv.</b>             |  |   |
| <input type="checkbox"/> <b>Conf. Screen</b>           |  |   |
| <input checked="" type="checkbox"/> <b>Letters</b>     |  |   |
| <input checked="" type="checkbox"/> <b>Duties/Supp</b> |  |   |
| <input type="checkbox"/> <b>Objections</b>             |  |   |
| <input type="checkbox"/> <b>Video Receipt</b>          |  |   |
| <input type="checkbox"/> <b>CI Report</b>              |  |   |
| <input type="checkbox"/> <b>9202</b>                   |  |   |
| <input checked="" type="checkbox"/> <b>Order</b>       |  |   |
| <input type="checkbox"/> <b>Aff. Posting</b>           |  |   |
| <input type="checkbox"/> <b>Status Rpt</b>             |  |   |
| <input type="checkbox"/> <b>UCCJEA</b>                 |  |   |
| <input type="checkbox"/> <b>Citation</b>               |  |   |
| <input type="checkbox"/> <b>FTB Notice</b>             |  |   |
|  |  | <b>Reviewed by:</b> LV  |
|  |  | <b>Reviewed on:</b> 06/29/2015  |
|  |  | <b>Updates:</b>   |
|  |  | <b>Recommendation:</b>  |
|  |  | <b>File 12 - Nelson</b>   |

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

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

- **Thursday, December 03, 2015** for filing the Inventory and Appraisal
- **Thursday September 01, 2016** for filing the first account or petition for final distribution.

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

**13 Susan Nelson (Estate)**

**Case No. 15CEPR00377**

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

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

|                                     |                            |  |   |   |            |               |   |              |              |   |                     |  |
|-------------------------------------|----------------------------|--|---|---|------------|---------------|---|--------------|--------------|---|---------------------|--|
| <b>DOD: 03/28/2015</b>              |                            | <p><b>FRANK UNDERWOOD</b>, is petitioner and requests appointment as Administrator with will annexed without bond.</p> <p>Full IAEA – o.k.</p> <p>Holographic Will dated: 06/16/2000</p> <p>Residence: Fresno<br/>Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table border="0"> <tr> <td>Personal property</td> <td>-</td> <td>\$1,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$160,000.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$161,000.00</b></td> </tr> </table> <p>Probate Referee: Rick Smith</p> | Personal property   | - | \$1,000.00 | Real property | - | \$160,000.00 | <b>Total</b> | - | <b>\$161,000.00</b> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order of 05/21/2015: Counsel requests 40 days.</b></p> <p><b>The deficiencies with the pleadings include, but are not limited to, the following:</b></p> <ol style="list-style-type: none"> <li>#5a(3) or #5a(4) was not answered regarding a registered domestic partner.</li> <li>#5a(7) or #5a(8) was not answered regarding issue of predeceased child.</li> <li>Petitioner is not listed on #8 of the petition as required and it is unclear what the relationship is to the decedent.</li> <li>Need proof of holographic instrument.</li> <li>The issue of bond has not been addressed on the petition at #3d(1) or #3d(2).</li> <li>Need Notice of Petition to Administer Estate.</li> </ol> <p><b>Please see additional page</b></p> |
| Personal property                   | -                          |  | \$1,000.00  |   |            |               |   |              |              |   |                     |  |
| Real property                       | -                          |  | \$160,000.00  |   |            |               |   |              |              |   |                     |  |
| <b>Total</b>                        | -                          |  | <b>\$161,000.00</b>   |   |            |               |   |              |              |   |                     |  |
| <b>Cont. from 052115</b>            |                            |  | <p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 06/29/2015</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 13 - Nelson</b></p> |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Proof of Holographic Inst. |  |   | x |            |               |   |              |              |   |                     |  |
| <input checked="" type="checkbox"/> | Verified                   |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Inventory                  |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | PTC                        |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Not.Cred.                  |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Notice of Hrg              | x  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Aff.Mail                   | x  |   |   |            |               |   |              |              |   |                     |  |
| <input checked="" type="checkbox"/> | Aff.Pub.                   |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Sp.Ntc.                    |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Pers.Serv.                 |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Conf. Screen               |  |   |   |            |               |   |              |              |   |                     |  |
| <input checked="" type="checkbox"/> | Letters                    |  |   |   |            |               |   |              |              |   |                     |  |
| <input checked="" type="checkbox"/> | Duties/Supp                |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Objections                 |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Video Receipt              |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | CI Report                  |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | 9202                       |  |   |   |            |               |   |              |              |   |                     |  |
| <input checked="" type="checkbox"/> | Order                      |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Aff. Posting               |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Status Rpt                 |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | UCCJEA                     |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | Citation                   |  |   |   |            |               |   |              |              |   |                     |  |
| <input type="checkbox"/>            | FTB Notice                 |  |   |   |            |               |   |              |              |   |                     |  |

7. Need proof of service of the Notice of Petition to Administer Estate pursuant to Probate Code §8110 on Charlie Nelson.

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

- **Thursday, December 03, 2015** for filing the Inventory and Appraisal
- **Thursday September 01, 2016** for filing the first account or petition for final distribution.

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

Petition to Determine Succession to Real Property

|                 |  |                           |
|-----------------|--|---------------------------|
| DOD: 4/4/12     | ANTHONY SHAMOON and JAMYE LYNN DUDEK are petitioners.  | NEEDS/PROBLEMS/COMMENTS:  |
|                 | 40 days since DOD.   |                           |
|                 | No other proceedings.  |                           |
| Cont. from      |  |                           |
| Aff.Sub.Wit.    |  |                           |
| ✓ Verified      | Will dated: 8/28/08 devises entire estate to Val Davis provided she survives the decedent by 60 days. Ms. Davis died on 5/2/12, after the decedent, but less than 60 days. Will provides that if Ms. Davis does not survive then the estate passes to Anthony Shamoon and Jayme Dudek in equal shares. |                           |
| Inventory       |  |                           |
| PTC             |  |                           |
| Not.Cred.       |  |                           |
| ✓ Notice of Hrg |  |                           |
| ✓ Aff.Mail      | W/   |                           |
| Aff.Pub.        |  |                           |
| Sp.Ntc.         | I & A - \$135,000.00   |                           |
| Pers.Serv.      |  |                           |
| Conf. Screen    | <b>Petitioners request</b> Court determination that Decedent's 100% interest in real property located at 1006 N. Kady in Reedly pass to them in equal shares.  |                           |
| Letters         |  |                           |
| Duties/Supp     |  |                           |
| Objections      |  |                           |
| Video Receipt   |  |                           |
| CI Report       |  |                           |
| 9202            |  |                           |
| ✓ Order         |  |                           |
| Aff. Posting    |  |                           |
| Status Rpt      |  |                           |
| UCCJEA          |  |                           |
| Citation        |  |                           |
| FTB Notice      |  |                           |
|                 |  | Reviewed by: KT           |
|                 |  | Reviewed on: 6/30/15      |
|                 |  | Updates:                  |
|                 |  | Recommendation: SUBMITTED |
|                 |  | File 14 - Shamoon         |

# 15 Wayne Thomas Nobile (Estate) Case No. 15CEPR00539

Attorney Thomas, Lanier (for Merna L. Nobile – Petitioner – Wife)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under the IAEA

|                                     |                      |   |   |                                       |
|-------------------------------------|----------------------|---|---|---------------------------------------|
| <b>DOD: 08/27/2014</b>              |                      | <b>MERNA L. NOBILE</b> , spouse/named executor without bond, is petitioner. | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br><b>Note: If the petition is granted status hearings will be set as follows:</b><br><br><ul style="list-style-type: none"> <li>• <b>Thursday, 12/03/2015 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <b>and</b></li> <li>• <b>Thursday, 09/01/2016 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul><br>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. |                                       |
|                                     |                      | Full IAEA – o.k.  |   |                                       |
|                                     |                      | Will dated 06/14/2004   |   |                                       |
| <b>Cont. from</b>                   |                      | Residence: Clovis   |   |                                       |
| <input type="checkbox"/>            | <b>Aff.Sub.Wit.</b>  | s/p   |   | Publication: The Business Journal     |
| <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> |   |   | <b>Estimated value of the Estate:</b> |
| <input checked="" type="checkbox"/> | <b>Aff.Mail</b>      |   |   | Personal property - \$32,000.00       |
| <input checked="" type="checkbox"/> | <b>Aff.Pub.</b>      |   |   | Real property - \$540,000.00          |
| <input type="checkbox"/>            | <b>Sp.Ntc.</b>       |   |   | <b>Total - \$572,000.00</b>           |
| <input type="checkbox"/>            | <b>Pers.Serv.</b>    |   |   | Probate Referee: Rick Smith           |
| <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> 06/30/2015  |                                       |
|                                     |                      |   | <b>Updates:</b>   |                                       |
|                                     |                      |   | <b>Recommendation:</b> Submitted  |                                       |
|                                     |                      |   | <b>File 15 - Nobile</b>   |                                       |

Attorney Kruthers, Heather H. (for Petitioner Public Guardian)

Petition to Appoint Probate Conservator of the Person and Estate

|            |               |   |   |
|------------|---------------|---|---|
|            |               | <b>NO TEMPORARY REQUESTED</b>   | <p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p><b>Court Investigator Advised Rights on 6/23/2015.</b></p> <p><b>Voting Rights Affected – Need Minute Order.</b></p> <ol style="list-style-type: none"> <li><i>Petition requests medical consent powers. Need Medical Capacity Declaration in support of Petitioner's request pursuant to Probate Code § 1890(c).</i></li> <li><i>Need declaration regarding discussion with the proposed Conservatee regarding the proposed sale of the real property.</i></li> </ol> |
|            |               | <p><b>PUBLIC GUARDIAN</b> is Petitioner and requests appointment as Conservator of the Person with medical consent powers; and of the Estate without bond.</p> <p style="text-align: center;">~Please see Petition for details~</p> <p><b>Court Investigator's Report was filed on 6/25/2015.</b></p> |   |
| Cont. from |               |   |   |
|            | Aff.Sub.Wit.  |   |   |
| ✓          | Verified      |   |   |
|            | Inventory     |   |   |
|            | Cap. Dec.     | X   |   |
|            | Not.Cred.     |   |   |
|            | Notice of Hrg | N/A   |   |
|            | Aff.Mail      |   |   |
|            | Aff.Pub.      |   |   |
|            | Sp.Ntc.       |   |   |
| ✓          | Pers.Serv.    |   |   |
|            | Conf. Screen  |   |   |
| ✓          | Letters       |   |   |
|            | Duties/Supp   |   |   |
|            | Objections    |   |   |
|            | Video Receipt |   |   |
| ✓          | CI Report     |   |   |
| ✓          | PG Report     |   |   |
| ✓          | Order         |   |   |
|            | Aff. Posting  |   |   |
|            | Status Rpt    |   |   |
|            | UCCJEA        |   |   |
| ✓          | Citation      |   |   |
|            | FTB Notice    |   |   |
|            |               |   | <p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 6/30/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 16 - Cotton</b></p>   |

|  |   |  |
|--|---|--|
| <b>DOD: 12/28/2014</b>                                   | <b>FRED GOMEZ, JR.</b> , son, is petitioner.  | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br>1. Petition indicates that the decedent died testate however a copy of the decedent's will was not attached to the petition. Need will.<br><br>2. Need Order. |
|  | 40 days since DOD.  |  |
|  | No other proceedings.   |  |
| <b>Cont. from</b>  |   |  |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             | I&A - \$110,000.00  |  |
| <input checked="" type="checkbox"/> <b>Verified</b>      | Decedent died testate – Need Will   |  |
| <input checked="" type="checkbox"/> <b>Inventory</b>     | Petitioner requests Court determination that decedent's 100% interest in real property located at 457 E. Church Ave., Fresno, Ca. pass to Fred Gomez. |  |
| <input type="checkbox"/> <b>PTC</b>                      |   |  |
| <input type="checkbox"/> <b>Not.Cred.</b>                |   |  |
| <input checked="" type="checkbox"/> <b>Notice of Hrg</b> |   |  |
| <input checked="" type="checkbox"/> <b>Aff.Mail</b>      | w/  |  |
| <input type="checkbox"/> <b>Aff.Pub.</b>                 |   |  |
| <input type="checkbox"/> <b>Sp.Ntc.</b>                  |   |  |
| <input type="checkbox"/> <b>Pers.Serv.</b>               |   |  |
| <input type="checkbox"/> <b>Conf. Screen</b>             |   |  |
| <input type="checkbox"/> <b>Letters</b>                  |   |  |
| <input type="checkbox"/> <b>Duties/Supp</b>              |   |  |
| <input type="checkbox"/> <b>Objections</b>               |   |  |
| <input type="checkbox"/> <b>Video Receipt</b>            |   |  |
| <input type="checkbox"/> <b>CI Report</b>                |   |  |
| <input type="checkbox"/> <b>9202</b>                     |   |  |
| <input checked="" type="checkbox"/> <b>Order</b>         |   |  |
| <input type="checkbox"/> <b>Aff. Posting</b>             |   |  |
| <input type="checkbox"/> <b>Status Rpt</b>               |   |  |
| <input type="checkbox"/> <b>UCCJEA</b>                   |   |  |
| <input type="checkbox"/> <b>Citation</b>                 |   |  |
| <input type="checkbox"/> <b>FTB Notice</b>               |   |  |
|  |   | <b>Reviewed by:</b> LV   |
|  |   | <b>Reviewed on:</b> 06/30/2015   |
|  |   | <b>Updates:</b>  |
|  |   | <b>Recommendation:</b>   |
|  |   | <b>File 17 - Gomez</b>   |

Petitioner Gonzalez, Manuel (Pro Per – Father – Petitioner)

Petitioner Magana, Paula (Pro Per – Mother – Petitioner)

Petition for Appointment of Probate Conservator of the Person

|   |               |                           |  |   |
|---|---------------|---------------------------|--|---|
|   |               | See petition for details. | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Court Investigator advised rights on 6/18/15</p> <p>Voting rights affected, need minute order</p> <ol style="list-style-type: none"> <li>1. Need Citation.</li> <li>2. Need proof of personal service of Citation with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1824 on Proposed Conservatee Zulema Cortez.</li> <li>3. Need video receipt pursuant to Local Rule 7.15.8.A.</li> </ol> |   |
|   |               |                           |  |   |
|   |               |                           |  |   |
|   |               |                           |  |   |
|   |               |                           |  |   |
|   |               |                           |  |   |
|   | Aff.Sub.Wit.  |                           |  |   |
| ✓ | Verified      |                           |  |   |
|   | Inventory     |                           |  |   |
|   | PTC           |                           |  |   |
|   | Not.Cred.     |                           |  |   |
| ✓ | Notice of Hrg |                           |  |   |
| ✓ | Aff.Mail      |                           |  | W |
|   | Aff.Pub.      |                           |  |   |
|   | Sp.Ntc.       |                           |  |   |
|   | Pers.Serv.    |                           |  | X |
| ✓ | Conf. Screen  |                           |  |   |
| ✓ | Letters       |                           |  |   |
| ✓ | Duties/Supp   |                           |  |   |
|   | Objections    |                           |  |   |
|   | Video Receipt |                           |  | X |
| ✓ | CI Report     |                           |  |   |
|   | 9202          |                           |  |   |
| ✓ | Order         |                           |  |   |
|   | Aff. Posting  |                           |  |   |
|   | Status Rpt    |                           |  |   |
|   | UCCJEA        |                           |  |   |
|   | Citation      | X                         |  |   |
|   | FTB Notice    |                           |  |   |
|   |               |                           | Reviewed by: skc   |   |
|   |               |                           | Reviewed on: 6/30/15   |   |
|   |               |                           | Updates:   |   |
|   |               |                           | Recommendation:  |   |
|   |               |                           | File 18 - Cortez   |   |

**Petition for Appointment of Temporary Guardian of the Person**

|  |  |                                 |
|--|--|---------------------------------|
| <b>Age:</b> 10 months                                    | <b><u>GENERAL HEARING: 08/24/15</u></b>  | <b>NEEDS/PROBLEMS/COMMENTS:</b> |
|  | <b>DAYNNA WOOD</b> , maternal grandfather's long term girlfriend, is Petitioner. |                                 |
|  | Father: <b>TERRANCE BRYANT</b> – personally served on 06/25/15                   |                                 |
|  | Mother: <b>SABRINA FRITH</b> – personally served on 06/25/15                     |                                 |
|  | Paternal grandparents: UNKNOWN   |                                 |
|  | Maternal grandfather: KENNETH FRITH  |                                 |
|  | Maternal grandmother: UNKNOWN  |                                 |
|  | <b>Petitioner states</b> [see Petition for details].                             |                                 |
| <b>Cont. from</b>  |  |                                 |
| <input type="checkbox"/> <b>Aff.Sub.Wit.</b>             |  |                                 |
| <input checked="" type="checkbox"/> <b>Verified</b>      |  |                                 |
| <input type="checkbox"/> <b>Inventory</b>                |  |                                 |
| <input type="checkbox"/> <b>PTC</b>                      |  |                                 |
| <input type="checkbox"/> <b>Not.Cred.</b>                |  |                                 |
| <input checked="" 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 checked="" type="checkbox"/> <b>Pers.Serv.</b>    | w/   |                                 |
| <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 checked="" type="checkbox"/> <b>UCCJEA</b>        |  |                                 |
| <input type="checkbox"/> <b>Citation</b>                 |  |                                 |
| <input type="checkbox"/> <b>FTB Notice</b>               |  |                                 |
|  |  | <b>Reviewed by:</b> JF          |
|  |  | <b>Reviewed on:</b> 06/30/15    |
|  |  | <b>Updates:</b>                 |
|  |  | <b>Recommendation:</b>          |
|  |  | <b>File 19 - Bryant</b>         |

**20 George Izaiah Avalos (GUARD/P) Case No. 15CEPR00618**

Petitioner Molina , Cathy Irene (Pro Per – Maternal Grandmother)

**Petition for Appointment of Temporary Guardianship of the Person**

|  |  |   |
|--|--|---|
| <b>Age:</b> 7                                    | <b><u>GENERAL HEARING 08/24/2015</u></b>                 | <b>NEEDS/PROBLEMS/COMMENTS:</b>   |
|  | CATHY IRENE MOLINA, maternal grandmother, is petitioner. |   |
|  | <b><u>Please see petition for details</u></b>            |   |
| <b>Cont. from</b>                                |  | <b><u>Off Calendar</u></b>  |
| <input type="checkbox"/> Aff.Sub.Wit.            |  | <b>Request for Dismissal of Temporary Petition only entered on 07/01/2015. General Hearing remains set for 08/24/2015.</b>  |
| <input checked="" type="checkbox"/> Verified     |  |   |
| <input type="checkbox"/> Inventory               |  |   |
| <input type="checkbox"/> PTC                     |  |   |
| <input type="checkbox"/> Not.Cred.               |  |   |
| <input type="checkbox"/> Notice of Hrg           | x  |   |
| <input type="checkbox"/> Aff.Mail                |  |   |
| <input type="checkbox"/> Aff.Pub.                |  |   |
| <input type="checkbox"/> Sp.Ntc.                 |  |   |
| <input type="checkbox"/> Pers.Serv.              | x  |   |
| <input checked="" type="checkbox"/> Conf. Screen |  |   |
| <input checked="" type="checkbox"/> Letters      |  |   |
| <input checked="" type="checkbox"/> Duties/Supp  |  |   |
| <input type="checkbox"/> Objections              |  |   |
| <input type="checkbox"/> Video Receipt           |  |   |
| <input type="checkbox"/> CI Report               |  |   |
| <input type="checkbox"/> 9202                    |  |   |
| <input checked="" type="checkbox"/> Order        |  |   |
| <input type="checkbox"/> Aff. Posting            |  |   |
| <input type="checkbox"/> Status Rpt              |  |   |
| <input checked="" type="checkbox"/> UCCJEA       |  |   |
| <input type="checkbox"/> Citation                |  |   |
| <input type="checkbox"/> FTB Notice              |  |   |
|  |  | <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of personal service five (5) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Temporary Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>• George Avalos (Father)</li> <li>• Celina Guerrero (Mother)</li> </ul> </li> <li>3. UCCJEA is vastly incomplete. Need minor's residence information for the past 5 years.</li> <li>4. Page #5 of the Guardianship Petition – Child Information Attachment (GC 210(CA)) which pertains to whether the child has Native American Ancestry was not completed. Need declaration with page #5 attached.</li> </ol> |
|  |  | <b>Reviewed by:</b> LV  |
|  |  | <b>Reviewed on:</b> 06/30/2015  |
|  |  | <b>Updates:</b>   |
|  |  | <b>Recommendation:</b>  |
|  |  | <b>File 20 - Avalos</b>   |

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

|                                  |   |   |
|----------------------------------|---|---|
| <b>DOD: 1/17/13</b>              | <p><b>DRAKE K. COTTON</b> was appointed Executor with full IAEA and without bond on 3/12/14.</p> <p>Letters issued on 3/14/14.</p> <p>I &amp; A filed on 6/9/14 showing the estate valued at \$235,000.00</p> <p>Minute Order dated 2/18/15 set this status hearing for the filing of the first account or petition for final distribution.</p> <p><b>Former Unverified Status Report of attorney Thomas Boyajian filed on 4/21/15</b> states they are currently in the process of completing the Petition for Final Distribution.</p> <p><b>Former Unverified Status Report of attorney Thomas Boyajian filed on 6/19/15</b> states the Petition for Final Distribution has been signed by the Executor and returned to their office. They are in the process of implementing the filing of the petition.</p> <p><b>Minute order dated 6/25/15</b> states no appearance is necessary on 7/2/15 if the petition is filed at least two court days prior.</p> | <p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. <b>Need First Account/Petition for Final Distribution or 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 042415, 062515</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>                |   |   |
|                                  | <p><b>Reviewed by:</b> KT</p> <p><b>Reviewed on:</b> 6/29/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 21 - Cotton</b></p>  |   |

1 Ace Benjamin Milam (GUARD/P) Case No. 15CEPR00154  
 Attorney Margosian, Michael J. (for Elizabeth and Keith Allen – Paternal Grandmother and  
 Step-Grandfather – Petitioners)  
 Petition for Appointment of Temporary Guardian of the Person (Prob. Code §2250)

|   |               |                           |   |   |
|---|---------------|---------------------------|---|---|
|   |               | See petition for details. | <b>NEEDS/PROBLEMS/COMMENTS:</b><br><br><u>Note:</u> This matter will be heard in Dept. 72 at 8:30 a.m.<br><br>1. Notice of Hearing filed 6/26/15 indicates on the "Proof of Service by Mail" that the parents were personally served as required by Probate Code §2250(e), but does not include any details regarding the service (date, time, location), and Petitioner did not use the proper form for Proof of Personal Service of Notice of Hearing GC-020(P). The Court may require further proof of personal service. |   |
|   |               |                           |   |   |
|   |               |                           |   |   |
|   |               |                           |   |   |
|   |               |                           |   |   |
|   |               |                           |   |   |
|   | Aff.Sub.Wit.  |                           |   |   |
| ✓ | Verified      |                           |   |   |
|   | Inventory     |                           |   |   |
|   | PTC           |                           |   |   |
|   | Not.Cred.     |                           |   |   |
| ✓ | Notice of Hrg |                           |   |   |
| ✓ | Aff.Mail      |                           |   | W |
|   | Aff.Pub.      |                           |   |   |
|   | Sp.Ntc.       |                           |   |   |
| ✓ | Pers.Serv.    |                           |   | X |
| ✓ | Conf. Screen  |                           |   |   |
| ✓ | Letters       |                           |   |   |
| ✓ | Duties/Supp   |                           |   |   |
|   | Objections    |                           |   |   |
|   | Video Receipt |                           |   |   |
|   | CI Report     |                           |   |   |
|   | Clearances    |                           |   |   |
| ✓ | Order         |                           |   |   |
|   | Aff. Posting  |                           |   |   |
|   | Status Rpt    |                           |   |   |
| ✓ | UCCJEA        |                           |   |   |
|   | Citation      |                           |   |   |
|   | FTB Notice    |                           |   |   |
|   |               |                           | Reviewed by: skc  |   |
|   |               |                           | Reviewed on: 6/30/15  |   |
|   |               |                           | Updates:  |   |
|   |               |                           | Recommendation:   |   |
|   |               |                           | File 1 - Milam  |   |