



ATTENTION

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

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

Thank you for your patience.

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or
 Failure to File a First Account or Petition for Final Distribution**

DOD: 12/01/2002	JUDY RILEY , daughter, was appointed Administrator with will annexed without bond on 09/06/2005.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 06/10/2014: The Court notes that the hour is 10:15 a.m. and there are no appearances. The Court further notes that sanctions have been previously imposed. The Court sets the matter for an Order to Show Cause on 07/15/2014 regarding failure to appear and further sanctions in the amount of \$1,000.00 each as to Michael Milnes and Judy Riley. Michael Milnes and Judy Riley are ordered to be personally present on 07/15/2014.</p> <p>Copy of Minute Order dated 06/10/2014 and Order (re: Order to Show Cause) mailed to Michael Milnes and Judy Riley on 06/16/2014.</p> <p>Minute Order of 05/09/2014: No appearances. Michael Milnes is ordered to be personally present on 06/10/2014.</p> <p>Minute Order of 05/09/2014 on Order to Show Cause Re: Failure to File and Failure to Appear: No appearances. The Court imposes sanctions against Michael Mines and Judy Riley in the amount of \$500.00 each. Sanctions are ordered paid by 05/23/2014.</p> <p>Copy of Minute Order mailed to Michael Milnes and Judy Riley on 05/14/2014.</p> <p>Minute Order of 02/21/2014: No appearances. The Court notes the file has no indication of notices of being returned. The Court issues order to Show Cause with sanctions of \$500 to Judy Riley and Mr. Milnes for failure to file or appear.</p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
	Letters issued on 09/06/2005.	
Cont. from 022114, 050914, 061014	Inventory and Appraisal as due on 02/2006.	
Aff.Sub.Wit.	First Account or Petition for Final Distribution was due on 11/2006.	
Verified	Notice of Status Hearing was mailed to Attorney Michael A. Milnes and Judy Riley on 11/21/2013.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/06/2014
		Updates:
		Recommendation:
		File 1A – Eldridge

Order to Show Cause Re: Failure to Appear; Further Sanctions in the Amount of \$1,000.00 each as to Michael Milnes and Judy Riley

DOD: 12/01/2002	<p>JUDY RILEY, daughter, was appointed Administrator with will annexed without bond on 09/06/2005.</p> <p>Minute Order of 06/10/2014: The Court notes that the hour is 10:15 a.m. and there are no appearances. The Court further notes that sanctions have been previously imposed. The Court sets the matter for an Order to Show Cause on 07/15/2014 regarding failure to appear and further sanctions in the amount of \$1,000.00 each as to Michael Milnes and Judy Riley. Michael Milnes and Judy Riley are ordered to be personally present on 07/15/2014.</p> <p>Copy of Minute Order dated 06/10/2014 and Order (re: Order to Show Cause) mailed to Michael Milnes and Judy Riley on 06/16/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need payment in the amount of \$1,000.00 each for sanctions imposed on Judy Riley, Administrator, and Attorney Michael Milnes.</p>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 07/11/2014
		Updates:
		Recommendation:
		File 1B - Eldridge

(1) First and Final Account and Report of Administrator, (2) Report of Special Administrator, (3) Petition for Instructions, (4) for Statutory and Extraordinary Fees to Administrator and her Attorney, and (5) for Final Distribution

DOD: 03/26/09		LORI GARCIA , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The accounting is incomplete. It is missing all schedules (receipts, gains on sales, distributions, losses on sales, etc.). Only the summary of account is provided. Need amended accounting. Examiner is unable to verify the statutory fee due to the missing schedules to the accounting. Further, there appears to be an addition error in the Supplemental Accounting calculation of the statutory fees. Examiner calculates the total estate accounted for, using the unverified figures listed, to be \$372,118.38 rather than \$372,818.38. Need revised accounting in order to determine correct statutory fee. Further, it is noted that the statutory fee references "transfers" that are deducted from the Receipts. Need clarification as to what these are if they are not readily apparent on the schedules that should be included in an amended accounting. The Supplemental Accounting lists the payoff of the Wells Fargo Credit Card claim as \$13,600.22 but the creditor's claim lists the amount of the claim as \$13,020.77. Need clarification. The administrator is requesting extraordinary compensation at \$50/hr. The court may require more information as to the appropriateness of this rate.
		Account period: 04/06/09 – 12/31/13	
Cont. from		Accounting - \$374,808.52	
<input type="checkbox"/> Aff.Sub.Wit.		Beginning POH - \$243,600.62	
<input checked="" type="checkbox"/> Verified		Ending POH - \$128,843.03	
<input checked="" type="checkbox"/> Inventory		(\$85,772.90 is cash)	
<input checked="" type="checkbox"/> PTC		Supplemental Account period:	
<input checked="" type="checkbox"/> Not.Cred.		01/01/14 – 06/30/14	
<input checked="" type="checkbox"/> Notice of Hrg		Accounting - \$217,641.34	
<input checked="" type="checkbox"/> Aff.Mail w/		Beginning POH - \$128,843.03	
<input type="checkbox"/> Aff.Pub.		Ending POH - \$217,641.34	
<input type="checkbox"/> Sp.Ntc.		(all cash)	
<input type="checkbox"/> Pers.Serv.		Administrator - \$10,456.37	
<input type="checkbox"/> Conf. Screen		(see note 2)	
<input type="checkbox"/> Letters		Administrator x/o - \$6,155.00	
<input type="checkbox"/> Duties/Supp		(itemized by date - \$4,120.00 related to the Jodean Coakley and Wells Fargo Litigation (82.4 hours @ \$50/hr.),	
<input type="checkbox"/> Objections		\$1,000.00 for sale of real property (Per Local Rule), and \$1,035.00 related to the Hinds Hospice Litigation (20.7 hours @ \$50.00/hr.)	
<input type="checkbox"/> Video Receipt		Attorney - \$10,456.37	
<input type="checkbox"/> CI Report		(see note 2)	
<input checked="" type="checkbox"/> 9202		Attorney x/o - \$48,609.00	
<input checked="" type="checkbox"/> Order		(itemized by date - \$1,266.00 re Appt. of Special Administrator, \$38,618.00 re Coakley/Wells Fargo litigation,	
<input type="checkbox"/> Aff. Posting		\$2,983.75 re Hinds Hospice Litigation,	
<input type="checkbox"/> Status Rpt		\$1,003.75 severance of cases, \$6,737.50 sale of residence)	
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation		Costs - \$5,151.94	
<input checked="" type="checkbox"/> FTB Notice		(\$6,151.94 less \$1,000.00 advanced by the beneficiaries for filing fees, certified copies, publication, court reporter fees, document production, subpoena fees)	
		Closing - \$3,000.00	
Continued on Page 2			
Reviewed by: JF			
Reviewed on: 07/10/14			
Updates:			
Recommendation:			
File 2 - Garcia			

Petitioner states that three creditor's claims were filed against the estate:

- 1. Wells Fargo Card Services - \$13,020.77
- 2. Wells Fargo Home Equity Line of Credit - \$157,072.34
- 3. Jodean Coakley - \$26,896.77

Petitioner states that the estate was involved in litigation between the estate and Jodean Coakley and Wells Fargo Bank. The matter was settled between the parties prior to trial. As part of the settlement agreement, Wells Fargo Home Equity Line of Credit filed a withdrawal of its claim asserting that it was a full satisfaction of all sums due Wells Fargo. However, Petitioner continued to receive notifications from Wells Fargo requesting payment of the credit card claim of \$13,020.77. In response to correspondence from counsel, Wells Fargo responded that despite its language indicating "full satisfaction" and waiver of all sums due, the position of the credit card department is that the claim was not withdrawn, and that the claims are identified by different file numbers. Petitioner requests instructions of the Court that the claim is a valid and existing claim and authorizing payment of same in the amount of \$13,600.22.

Distribution, pursuant to intestate succession, is to:

- Audrey Garcia - \$40,070.81
- Jill Vanni - \$40,070.81
- Mark Garcia - \$40,070.81

Objection to First and Final Account and Report of Administrator filed 07/10/14 by beneficiaries Mark Garcia, Jill Vanni, and Audrey Garcia states: They have many concerns that they have expressed to the Administrator and Attorney David Knudson. They specifically object to the extraordinary fees and request that the court consider the following:

- 1. In 2010 it came to their attention that David Knudson had a conflict of interest in that he had represented Wells Fargo in the past. Objectors state that Mr. Knudson never disclosed this conflict to them. Any extraordinary compensation requested Mr. Knudson with regard to dealings with Wells Fargo should be denied for that fact alone and in addition the estate should be allowed sanctions. This is currently the subject of an investigation by the State Bar of California, case no. 1-414-409.
- 2. There has been an extraordinary lack of communication by both the Administrator and attorney Knudson to the Objectors as the beneficiaries of the estate. Although requested numerous times, they were never provided with written accountings of the estate or estimates of what the extraordinary compensation that would be requested. Objectors state that they understand that it is not required to provide the beneficiaries with accountings during the administration of the estate, but understands that it is common practice and believes it's the right thing to do.
- 3. It was their understanding that Wells Fargo filed a satisfaction of its combined claims on 08/12/13, but now Administrator is requesting approval to pay the claim. Objectors request that the matter be reviewed in light of the conflict of interest with Wells Fargo noted above.
- 4. Objector Audrey Garcia was living in the real property asset of the estate prior to its being sold and during that time she paid the homeowner's insurance from her own funds. Upon the property being sold, Audrey called and cancelled the insurance. She was informed by the insurance company that she would be issued a refund of the overpaid amount. But instead of receiving the refund, the insurance company mailed the check to the administrator of the estate and David Knudson endorsed the check (that was written out to Audrey Garcia and not the estate) and deposited it into the estate account. This is currently the subject of an investigation by the California State Bar case # 1-414-409.
- 5. Both the administrator, Lori Garcia and attorney David Knudson, failed to communicate with the beneficiaries during the estate administration, even though the beneficiaries requested information numerous times. Lori was even sanctioned by the court for lack of communication with the court early on in the case and the same behavior continued throughout the administration of the estate.

Objector's request that the Court consider these points and deny the request for extraordinary compensation by both Mr. Knudson and Lori Garcia and order sanctions as the court deems appropriate.

NEEDS/PROBLEMS/COMMENTS (Continued):

- Petitioner filed a "Trustee Acceptance of Trust" pursuant to Probate Code §10954; however, the document appears to confuse the trustee's acceptance of the trust with the executor's role in administering the decedent's estate.

The document states the trustee will "Administer the trust estate in accordance with the law and will of the testator," and will "File a final account (or waiver of) with the Court." These are duties associated with administration of this decedent's estate only, which is separate from administration of the trust created in 2004 by both the decedent and her spouse, Joseph Mason, who is not deceased, as settlors.

Acceptance of trust should reference and acknowledge the terms of the trust agreement. Therefore, need amended Acceptance of Trust.

- Need declaration pursuant to Local Rule 7.12.5., setting forth the name of the trust, its establishment date, taxpayer ID number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in possession.

Note: Examiner is confused by Petitioner's statement that the trust is "not funded." Is the Mason Family Trust of 2004 actually in existence? If not, the decedent's will does makes a provision for alternate distribution at Article Fifth and complete amendment of this petition will be necessary.

- The Property On Hand Schedule lists the same exact amounts in each specific account as originally listed on the I&A as of the decedent's date of death (3-31-12), even though Petitioner states at Page 2, Line 24, that cash has been kept in interest-bearing accounts. Although accounting is waived, Cal. Rules of Court 7.550 requires the petition to state the property on hand. If this is the correct amount, then need clarification as to why these accounts have not earned any interest in over two years of estate administration. See also Duties and Liabilities of Personal Representative, #1.c. (Form DE-147, filed 10-31-12, signed by the Executor).

Note: The accounts listed include investment-type accounts at Morgan Stanley, as well as a "Western National Policy." Need clarification: Are these cash accounts? Why did they not earn interest? Alternatively, if they were converted to cash accounts, or consolidated, need explanation pursuant to Cal. Rules of Court 7.550.

- There appears to be a typo in both the I&A and the POH Schedule – cash accounts add up to \$205,522.95 (subject to clarification re interest on the accounts, as noted above). This affects both statutory fees and the distribution as follows: If I&A is \$505,522.95, statutory compensation would be \$13,110.46, and distribution to the trust would be \$205,522.95 less \$13,110.46, or \$192,412.49 plus the real property, subject to clarification above. Need revised order.
- The revised order should also include the legal description of the real property. Local Rule 7.6.1.A.

	TEMP EXPIRES 12-18-13, extended to 1-15-14		NEEDS/PROBLEMS/COMMENTS:
	GALE BREWER MUNCE , Maternal Great-Grandmother, is Petitioner.		Minute Order 12-18-13: The Court orders that Ms. Munce intervene in the Family Law matter and seek a prompt order. The temporary is extended to 1/15/14. Continued to 1/15/14; Temporary Guardianship Letters extended to 1/15/14.
	Father: JAMES PARKER - <i>Objection filed 12-27-13</i>		Minute Order 1-15-14: Family Law case number 13CEFL00969 is provided to the Court as a related case. The subpoenaed documents are released to Michael Margosian at the Court's direction. The temporary is extended to 7/15/14. The Court orders that the temporary expire on 7/15/14 or earlier upon order from Family Court. Ms. Schacher is directed to prepare the order. The Court notes for the minute order that James Parker left abruptly prior to the conclusion of today's hearing. Continued to: 7/15/14 at 09:00a.m. in Dept 303. Temporary Letters extended to: 7/15/14. (<i>Note: Extended Letters were never submitted or issued.</i>)
	Mother: EDEN LANTIA		<u>Note: It appears that the hearing on the motion for joinder to the family law matter has been continued a number of times to 7-29-14 in Dept. 202. The orders made 12-17-13 remain in effect, which state: "Father has the sole decision regarding Hailey and McKenzie (if guardianship is terminated)."</u>
	Aff.Sub.Wit.	Paternal Grandfather: Joseph Parker Paternal Grandmother: Teresa Parker	As of 7-10-14, nothing further has been filed in this Guardianship matter; however, there appears to have been ongoing proceedings in the family law matter.
	✓ Verified	Maternal Grandfather: Curtis R. Lantia Maternal Grandmother: Jennifer Lantia - <i>Consents and waives notice</i>	<u>If this matter goes forward, there are a number of issues that have not been addressed:</u>
	Inventory	Siblings: Hailey M. Parker (3) and Savanna R. Parker (5)	SEE ADDITIONAL PAGES
	PTC	Petitioner states [REDACTED].	
	Not.Cred.	Court Investigator Dina Calvillo filed a report on 12-16-13.	
	Notice of Hrg	Objection filed 12-27-13 by James Parker, Father, states [REDACTED]	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	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: 7-10-14
			Updates:
			Recommendation:
			File 5 – Parker

Page 2

NEEDS/PROBLEMS/COMMENTS:

The following issues remain:

1. Need Confidential Guardian Screening Form (Mandatory Judicial Council Form GC-212).
2. Need Notice of Hearing.
3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:
 - James Parker (Father)
 - Eden Lantia (Mother)
4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 or consent and waiver of notice or declaration of due diligence on:
 - Joseph Parker (Paternal Grandfather)
 - Teresa Parker (Paternal Grandmother)
 - Curtis Lantia (Maternal Grandfather)
5. The Court may require clarification regarding the presently pending family law action. See Local Rule 7.15.7.

Page 2

Petitioner alleges that Vanessa Kachadurian, without knowledge, permission, consent, or authorization of Vernon or Vance, unlawfully used Vernon's ATM card to withdraw approx. \$2,500.00 from Citibank Acct #xx088, and also removed approx. \$4,000.00 cash and tangible personal property from the residence including jewelry, misc. furnishings, Vernon's wallet, credit cards, Citibank debit card, and coins. Petitioner also alleges that Vanessa Kachadurian, by way of undue influence, fraud or theft, took possession of the 2005 Toyota Sienna thereby removing said van from the trust estate.

Petitioner prays for an order settling, allowing and approving the account and ratifying, confirming, and approving all acts and transactions of Petitioner as set forth in the petition, and for such other relief as the Court deems appropriate.

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

		NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		DEBORAH TITUS , Niece, is Petitioner and requests appointment as Conservator of the Person with medical consent powers and dementia medication and placement powers, and as Conservator of the Estate without bond.	Court Investigator advised rights on 6-11-14
Cont. from: 070114		Voting rights affected	Voting rights affected – need minute order
<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	A Capacity Declaration was filed 5-19-14.	
<input checked="" type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Court Investigator Dina Calvillo filed a report on 7-1-14.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Estimated value of estate: Personal property: \$300.00 Annual income: \$13,824.12 Real property: \$80,000.00	1. Petitioner Requests appointment without bond; however, per Probate Code §2320(c)(4) and Cal. Rules of Court 7.207, bond is required. Based on the information in the petition, bond should be fixed at \$15,536.53. However , per the Court Investigator's report, the proposed conservatee's former residence is being rented. The estimate above does not appear to include the rental income. Therefore, need clarification re income for appropriate bond calculation.
		Petitioner states the proposed Conservatee is unable to provide for her needs for physical health, food, clothing, and shelter, or manage her financial resources or resist fraud or undue influence because of her advanced state of dementia.	2. Need video receipt per Local Rule 7.15.8.
			3. Petitioner lists two relatives, Tenna Sehorn. niece, and Richard Sehorn, nephew, as addresses unknown. The Court may require diligence or notice per §1822.
			Note: If granted, the Court will set status hearings as follows: • Tues 9-29-14 for filing bond • Tues 12-16-14 for filing Inventory and Appraisal • Tues 12-21-15 for filing first account. If appropriate items are filed, the above status hearings may be taken off calendar.
			Reviewed by: skc
			Reviewed on: 7-10-14
			Updates:
			Recommendation:
			File 7 - Dolby

Atty Fiske, William S., sole practitioner (for Petitioner Dani V. Ellen)

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

DOD: 2/21/2014	DANI V. ELLEN , daughter and Successor Trustee of the LUCILA V. THOMAS 2007 REVOCABLE TRUST , is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need original Will of the Decedent to be deposited with the Court pursuant to Probate Code § 8200. Deposit fee of \$50.00 will be due from Petitioner prior to the order for distribution being processed for Petitioner. 2. Decedent's Will devises the estate residue to the Trustee of the LUCILA V. THOMAS 2007 REVOCABLE TRUST, thus the Petition requests distribution to the Petitioner as Successor Trustee. Pursuant to Local Rule 7.12.5, if property in the estate is to be distributed to a pre-existing trust, the current trustee must file a declaration setting forth the name of the trust, its establishment date, and taxpayer identification number, verifying that the trust is in full force and effect, and that the trustee has an executed copy of the trust in possession. Need a declaration of trust to be filed with the Court prior to distribution of the estate.
Cont. from	40 days since DOD.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	No other proceedings.	
<input checked="" type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	I & A - \$145,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	Will dated 5/3/2007 devises the estate residue to the Trustee of the LUCILA V. THOMAS 2007 REVOCABLE TRUST .	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Petitioner requests Court determination that Decedent's 100% interest in real property located at 2603 16 th Ave., Kingsburg, passes to the Petitioner as Successor Trustee of the LUCILA V. THOMAS 2007 REVOCABLE TRUST pursuant to Decedent's Will.	
<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: LEG
		Reviewed on: 7/10/14
		Updates:
		Recommendation:
		File 9 - Thomas

DOD: 9-26-13		LIANA M. WAITE , Daughter, is Petitioner and requests appointment as Administrator with Will Annexed with Full IAEA without bond. All heirs waive bond. Full IAEA – Need publication Holographic Will dated 9-18-13 Residence: Fresno Publication: Need publication Estimated value of estate: Personal property: \$ 5,000.00 Real property: \$160,601.00 (encumbered for \$155,000.00) Total: \$ 10,601.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need original will. Probate Code §8200. 2. Need typed copy of holographic will. Probate Code §8002(b)(1). 3. Need Notice of Petition to Administer Estate. Probate Code §8110. 4. Need proof of service of Notice of Petition to Administer Estate at least 15 days prior to the hearing on all relatives listed at #8. 5. Need publication. Probate Code §8120. Note: If granted, Status hearings will be set as follows: <ul style="list-style-type: none"> • Tues 12-16-14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Tues 9-16-15 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.
<input checked="" type="checkbox"/>	Proof of Holographic Will		
<input checked="" type="checkbox"/>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg X		
	Aff.Mail X		
	Aff.Pub. X		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: skc	
		Reviewed on: 7-10-14	
		Updates:	
		Recommendation:	
		File 10 - Sena	

DOD: 10-28-04	LEON Y. GEORGE , father, and ARMEN L. GEORGE , brother, were appointed as Co-Administrators with Full IAEA without bond and Letters issued on 1-25-05.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Cont'd from 2-14-14, 3-14-14, 5-16-14</u></p> <p><u>Minute Order 2-14-14: Counsel informs the Court that he is waiting on a copy of the brokerage account.</u></p> <p><u>Minute Order 3-14-14: Partial Inventory and Appraisal submitted to Mr. Diebert. Waiting on brokerage account.</u></p> <p><u>Minute Order 5-16-14: Partial Inventory and Appraisal submitted to Mr. Diebert.</u></p> <p><u>As of 7-10-14, nothing further has been filed. The following issues remain:</u></p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal pursuant to Probate Code §8800. 2. Need accounting and petition for final distribution pursuant to Probate Code §12200. <p><u>Note: Decedent's heirs pursuant to intestate succession would be his parents, Leon Y. George and Louise K. George.</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 7-10-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11 – George</p>
Cont. from 021414, 031414, 051614	Leon Y. George is a resident of Fresno, CA. Armen L. George is a resident of Sammamish, WA.	
Aff.Sub.Wit.		
Verified		
Inventory	The original petition alleged \$200,000.00 in personal property, annual income from personal property of \$5,000.00, and real property valued at \$150,000.00. However, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Three Creditor's Claims have been filed totaling \$28,426.95, and a Request for Special Notice was filed by the State of California Franchise Tax Board on 11-6-06.	
Conf. Screen		
Letters	No accounting or petition for final distribution was ever filed pursuant to Probate Code §12200.	
Duties/Supp		
Objections		
Video Receipt	The Court set this status hearing for failure to file Inventory and Appraisal and failure to file accounting or petition for final distribution. Both attorney and personal representative(s) are ordered to appear.	
CI Report		
9202		
Order	Notice of Status Hearing was mailed to Attorney Jeffrey D. Simonian and to Administrators Leon Y. George and Armen L. George on 11-21-13.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Atty Roberts, Gregory J. (for Timothy E. Moore – Trustee)

Atty Moore Huston, Deborah R. (pro per – Objector)

Atty Moore, Terence E. (pro per – Objector)

Status Hearing Re: Terence Moore's Bankruptcy Proceeding in Case #12-10802

	<p>TIMOTHY MOORE, Successor Trustee's First Account and Report of Successor Trustee and Petition for its Approval, was heard on 03/18/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
<p>Cont. from 080913, 011014, 031814</p>	<p>The matter was set for a Court Trial on 04/24/13.</p>	<p><u>CONTINUED FROM 03/18/14</u> Minute Order from 03/18/14 states: Matter continued to 07/15/14. Joint Status report to be submitted before the next hearing.</p>
<p>Aff.Sub.Wit.</p>	<p>Former Trustee TERENCE E. MOORE was removed per minute order 11-29-11. The order was signed 12-15-11.</p>	<p>As of 07/10/14, nothing further has been filed in this matter.</p>
<p>Verified</p>	<p>Minute Order from 04/24/13 set this matter for hearing regarding Terence Moore's bankruptcy proceeding.</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>
<p>Inventory</p>	<p>Status Declaration of Timothy Moore, Trustee, filed 08/02/13 states: The matter came before the Bankruptcy Court on 07/31/13 and the trial was continued until 12/13/13. The Trustee, Timothy Moore, requested an earlier date, but counsel for Terence Moore requested a December date. This Court was holding off on making a decision as to the allocation of costs and fees to be recovered from the beneficiaries, until after the bankruptcy trial so, if assets were recovered from the bankruptcy and put in the Trust, it would be easier for the Court to determine if it was necessary for the Court to issue an order for the recovery of funds from the beneficiaries to pay costs of the trust administration and to reimburse the Trustee for Trust expenses paid personally by Timothy Moore. As the bankruptcy trial has been continued until 12/13/13, the Trustee requests that this status hearing be continued until sometime in January of 2014.</p>	<p>Reviewed by: JF</p>
<p>PTC</p>	<p>There is also the issue remaining regarding the appraisal and sale of a coin collection. The beneficiaries had some discussions with the Trustee regarding a possible resolution regarding the value of the coin collection and the purchase of the coin collection by a beneficiary. Those discussions failed resulting in the coin collection being appraised. The appraisal should be completed within the next 10 days and the Trustee will proceed with the sale of the coin collection as instructed by the Court. To keep costs down, it is requested that the court continue this matter until January 2014 thereby avoiding furthers costs and fees to the Trust and the Trustee.</p>	<p>Reviewed on: 07/10/14</p>
<p>Not.Cred.</p>	<p>Continued on Page 2</p>	<p>Updates:</p>
<p>Notice of Hrg</p>		<p>Recommendation:</p>
<p>Aff.Mail</p>		<p>File 13 – Moore</p>
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>		
<p>Order</p>		
<p>Aff. Posting</p>		
<p>Status Rpt</p>		
<p>UCCJEA</p>		
<p>Citation</p>		
<p>FTB Notice</p>		

Status Declaration of Timothy Moore, Trustee filed 03/17/14 states: This matter was set for status on this date to advise the Court as to the status of the bankruptcy of Terrance Moore and the claim by the Trustee against Terrance Moore in the bankruptcy matter. The bankruptcy trial was held on 12/13/13. The trial was completed, but the court requested briefing and closing argument. The matter was set to be heard by the bankruptcy court, but Terrance Moore fired his attorney. Terrance Moore did not get court approval for the removal of his attorney as required by the court so the matter has been continued until the attorney issue is resolved and then closing arguments. The Trustee believes that Terrance Moore is continuing his antics to delay matters and to cause additional costs to the Trustee. This Court was holding off on making a decision as to the allocation of costs and fees to be recovered from the beneficiaries until after the bankruptcy trial so if assets were recovered from the bankruptcy and put in the Trust, it would be easier for the Court to determine if it was necessary for the Court to issue an order for the recovery of funds from the beneficiaries to pay costs of the trust administration and to reimburse the Trustee for Trust expenses paid personally by Timothy Moore. It now appears that the bankruptcy matter will not be resolved for several months, or longer. The Trustee requests a continuance to July 2014 at which time he hopes the bankruptcy trial will be completed and a final order can be made in this matter.

The appraisal and sale of the coin collection was completed in 2013. The coin collection sold for \$2,801.01 and the funds were put into the trust.

DOD: 08/28/11	SUSAN J. QUINN and RHONDA WALLACE , were appointed Co-Executors without bond on 11/08/11. Letters were issued on 11/21/11.	NEEDS/PROBLEMS/COMMENTS: CONTINUED FROM 03/17/14 As of 07/10/14, nothing further has been filed in this matter. 1. Need Final/Supplemental Account and/or Petition for Final Distribution.	
	Inventory & Appraisal, Final filed 04/10/12 - \$499,722.31		
	Inventory & Appraisal, Supplemental filed 04/18/13 - \$41,158.54		
Cont. from 091313, 111813, 031714	First & Final Account and Report of Executor filed 10/09/12 and set for hearing on 11/19/12.		
Aff.Sub.Wit.	Minute Order from 11/19/12 set this matter for status and states: The Court advises counsel that it is treating this as a Petition for Preliminary Distribution. The Court grants a distribution of up to 80% of the estate and compensation. Counsel is directed to submit a revised order. Status Report on Continued Administration filed 03/10/14 states: on 10/09/12, the co-executors filed their first account and report and petition for distribution. On 11/20/12, the Court entered an order authorizing distribution of substantially all of the assets of the estate, save and accepting the retention of cash for tax liabilities; the court also ordered payment of 80% of statutory attorney fees and extraordinary compensation. The Court ordered that estate administration continue pending the receipt of funds from the unclaimed property division of the State Controller's office in the amount of \$41,158.54 as set forth on the supplemental inventory and appraisal. Those funds were received on 12/07/12. Subsequently, the co-executors have been dealing with the IRS. The decedent did not file tax returns for 2008 or 2009. In filing a return for 2010, the Executors were advised of the missing returns. In filing those returns, the executors were advised that the decedent's identity had been stolen and a false return filed for 2010 in which an erroneous refund was claimed, which refund affected the prior year's returns. Working with a CPA to address the situation, corrected returns have been filed. The IRS assessed penalties on the late filed returns, and the estate sought abatement of those penalties. The executors have been advised to contact the IRS Taxpayer Advocate Service to resolve the issue, but that has not taken place yet. The co-executors distributed \$48,600.00 each to Alison Quinn and Brian Quinn, representing dividends on Quinn Company stock, and retained \$10,000.00 from each distribution towards income taxes payable by the estate on such dividends. The amount of income taxes payable by the estate on account thereof was the sum of \$9,920.00 and co-executors have now distributed the sum of \$10,800 (\$5,040 to each) as the balance of such distribution. Following the period of the account, the estate received an additional \$31,200 representing dividends on Quinn Company stock, which was distributed to Alison Quinn and Brian Quinn (\$15,600 each). The estate's bank account will have \$75,745.99 after payment of fees for preparation of the estates income tax returns. The amount at issue with the IRS is \$15,000. The executors anticipate that within 120 days they will be able to address the penalties with the taxpayer's advocate's division of the IRS and resolve the matter so the estate can be closed.		
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: JF Reviewed on: 07/10/14 Updates: Recommendation: File 14 - Quinn

DOD: 12-18-12	KEVIN HUDGINS and DANIELL DUTRA were appointed Co-Executors with Full IAEA without bond and Letters issued on 2-7-13.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 4-11-14, 5-23-14</u></p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p> <p>Note: Final I&A filed 9-24-13 indicates a total estate value of \$1,394,500.00 consisting of a business (Page Funeral Chapel, Inc.), various personal property, and various real property interests.</p> <p>Note: The next upcoming hearing date in 13CEPR00641 is 10-31-14, which is the status hearing that was set for the filing of accounting in that estate.</p> <hr/> <p>Reviewed by: skc</p> <p>Reviewed on: 7-10-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15- Hudgins</p>
	On 2-7-13, the Court set status hearing for the filing of the first account or petition for final distribution for 4-11-14.	
Cont from 041114, 052314	On 4-11-14, there were no appearances. Mr. Shepard was ordered to be personally present on 5-23-14.	
Aff.Sub.Wit.	On 5-23-14, there were no appearances. The matter was continued to 7-15-14 and Mr. Shepard was again ordered to be personally present.	
Verified	<u>Note:</u> On 6-16-14, The Franchise Tax Board withdrew their creditor's claim and request for special notice.	
Inventory	Status Report filed 7-7-14 by Attorney Shepard (not verified) states that the Co-Executors' father died shortly after their appointment in this case and they were also appointed as Co-Executors of the Estate of George L. Page (Case No. 13CEPR00641) on 8-29-13. Upon distribution, the Co-Executors will be the co-owners and operators of Page Funeral Chapel in Selma. Both this decedent and George L. Page were personally active in the operation of the funeral chapel prior to their deaths. Also, Decedent Victoria L. Hudgins was deeply in debt to the IRS, the FTB, and a Bank of America mortgage on her home. The two estates are intermingled under the terms of ownership of Page Funeral Chapel, the debts thereon, and the will of George L. Page, which includes a monthly cash bequest to George L. Page's companion. There is not enough cash in both estates to satisfy the creditors and bequests at this time. The Co-Executors are currently negotiating with creditors and interested persons in both estates.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 03/29/2013	MARK REIFF was appointed Executor with full IAEA with bond set at \$120,000.00 on 07/08/2013.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR. 1st, 3rd and Final Inventory and Appraisal filed 07/03/2014.</u>
	Bond filed 07/08/2013	
	Letters issued on 09/13/2013.	
Cont. from 120613, 021414, 041514	Minute Order dated 07/08/2013 set this status hearing for the filing of the Inventory and Appraisal.	
Aff.Sub.Wit.	Inventory & Appraisal Partial No. 2 filed 12/04/2013 - \$5,000.00	
Verified	Inventory & Appraisal Partial No. 4 filed 12/04/2013 - \$43,500	
Inventory	Inventory & Appraisal Partial No. 5 filed 12/16/2013 - \$103,912.27	
PTC	Inventory & Appraisal Partial No. 6 filed 02/03/2014 - \$27,723.00	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Status Report filed 04/08/2014 requests that the Court schedule one additional status hearing approximately 90 days from April 15, 2014.	
Letters	The Executor has entered into an Exclusive listing agreement to market the residence, and the residence is on the market. The Attorneys have recommended that Partial 1 not be filed prior to marketing so as to potentially adversely affect offers for purchase. Partial 1 is expected to be filed as soon as sale of the real property has been completed. Should the sale price greatly differ from the appraised amount, Executor may request that the probate referee revise his appraisal.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	The Levin & Carlson Partnership property is subject to a right of purchase by Marilyn Lungren, the decedent's partner and to a right of first refusal by Scott Raven, lessee. Accordingly, the valuation of the partnership property is a sensitive issue in the administration of the Estate, and additional time is needed to evaluate the Referee's appraisal and proceed with the administration of the partnership property.	

Reviewed by: LV

Reviewed on: 04/11/2014

Updates:

Recommendation:

File 16 - Carlson

DOD: 08/17/12		<p>EDWARD SIMPSON, brother, was appointed Administrator with Limited IAEA, without bond, with deposits of \$1,000,000.00 to be placed into a blocked account on 10/16/13. Letters of Administration were issued on 10/22/13.</p> <p>Status Hearing Report filed 07/10/14 states: The only assets of the estate are an insurance policy for \$1,000,000.00. The worker's compensation claim will be payable to decedent's son and son's mother. The parties in the insurance claim went to mediation in San Diego on 06/20/14 and have settled the matter. The final settlement agreement is still awaiting approval from the court. The estate is receiving approximately \$400,000.00 but that figure might change a little depending on the attorney's fees. The Administrator cannot file a receipt for the deposit of funds into a blocked account or a final inventory & appraisal because no funds have been distributed to the case. The court must approve the settlement agreement before any funds can be distributed to the estate. A 60 day continuance is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/17/14</u></p> <p>As of 07/10/14, nothing further has been filed in this matter.</p> <ol style="list-style-type: none"> 1. Need Receipt & Acknowledgement of Order for the Deposit of Money into Blocked Account. <p>Note: It does not appear that an Order to Deposit Money into Blocked Account has been submitted/signed.</p>	
Cont. from 111513, 031714				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
				<p>Reviewed by: JF</p> <p>Reviewed on: 07/10/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 17A – Simpson</p>

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 08/17/12	<p>EDWARD SIMPSON, brother, was appointed Administrator with limited IAEA, without bond, with deposits of \$1,000,000.00 to be placed into a blocked account on 10/16/13.</p> <p>Letters of Administration were issued on 10/22/13.</p> <p>Minute order dated 8/20/13 set this status hearing for the filing of the inventory and appraisal.</p> <p>Status Hearing Report filed 07/10/14 states: The only assets of the estate are an insurance policy for \$1,000,000.00. The worker's compensation claim will be payable to decedent's son and son's mother. The parties in the insurance claim went to mediation in San Diego on 06/20/14 and have settled the matter. The final settlement agreement is still awaiting approval from the court. The estate is receiving approximately \$400,000.00 but that figure might change a little depending on the attorney's fees. The Administrator cannot file a receipt for the deposit of funds into a blocked account or a final inventory & appraisal because no funds have been distributed to the case. The court must approve the settlement agreement before any funds can be distributed to the estate. A 60 day continuance is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/17/14</u></p> <p>As of 07/10/14, nothing further has been filed in this matter.</p> <p>1. Need inventory and appraisal.</p>
Cont. from 012114, 031714		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: JF</p> <p>Reviewed on: 07/10/14</p> <p>Updates: 07/11/14</p> <p>Recommendation:</p> <p>File 17B – Simpson</p>

DOD: 09/26/13	<p>PHYLLIS LYNN MADRIGAL and DEBRA ANN CULWELL, daughters were appointed as Co-Executors with Full IAEA and without bond on 01/23/14. Letters Testamentary were issued on 01/24/14.</p> <p>Clerk's Certificate of Mailing states that a copy of the minute order from 05/23/14 was mailed to Jeff Shepard on 05/23/14.</p>	NEEDS/PROBLEMS/COMMENTS:	
		<p><u>CONTINUED FROM 05/23/14</u> Minute Order from 05/23/14 states: No appearances. Matter continued to 07/15/14. The Court orders Jeff Shepard to be personally present on 07/15/14.</p> <p>1. Need Inventory & Appraisal.</p>	
Cont. from: 052314			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: JF
			Reviewed on: 07/10/14
		Updates:	
		Recommendation:	
		File 18 - Culwell	

	TIM COLLINS , Father, is Conservator.	NEEDS/PROBLEMS/COMMENTS:
	The Conservator's Third Account was settled on 7-31-13 and the Court set this status hearing for the filing of the Fourth Account.	1. Need Fourth Account or written status report pursuant to Local Rule 7.5.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 7-10-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 19 - Collins

Petition for Termination of Guardianship

		WHITNIE CARRILLO , Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on all relatives pursuant to Probate Code §1460(b)(5): - Shelly Musgrave (Guardian) - Jeremy Musgrave (Father) - Paul Musgrave (Paternal Grandfather) - Joe Carrillo (Maternal Grandfather) - Tammy Carmichael (Maternal Grandmother)
		SHELLY A. MUSGRAVE , Paternal Grandmother, was appointed guardian on 7-15-13.	
		Father: JEREMY B. MUSGRAVE	
		Paternal Grandfather: Paul M. Musgrave	
		Maternal Grandfather: Joe P. Carrillo	
		Maternal Grandmother: Tammy L. Carmichael	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Petitioner states she is requesting reinstatement of permanent custody of her son. She has completed the program through Pathways to Recovery as the sitting judge requested to regain custody of her son. She has maintained sobriety sine her son was placed in guardianship this past year. Petitioner expects to continue to live the life of sobriety for herself and her son. She is confident that she is ready to give him the stability he deserves. Petitioner states she has been accused of not understanding her son's medical condition and limitations, yet when she had custody, she had discussions with his cardiologist and will continue to do so in the future. She understands he requires more than the average child. Petitioner states she has hesitated to seek full time employment due to the claims by the guardian that she has a lack of regard for her son's well-being when she commits to his visiting. Once she has custody and normalcy again, she has childcare arranged and looks forward to working and providing for her son. Her family offers emotional, physical, and financial support. Petitioner states she has completed and succeeded in all requests from the court this past year and requests custody be granted back to her.</p> <p>Court Investigator Julie Negrete filed a report on 7-8-14.</p>	
		Reviewed by: skc Reviewed on: 7-10-14 Updates: Recommendation: File 20 - Musgrave	

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

Age: 5 years		<p align="center"><u>TEMPORARY EXPIRES 3/28/14,</u> <u>extended to 7/15/14.</u></p> <p>ADELITA GOMEZ, paternal grandmother, is petitioner. Father: JAIME ARELLANO – personally served on 2/11/14 Mother: CARA STEARNS Paternal grandfather: Jaime Arrellano – Declaration of Due Diligence filed on 3/7/14. Maternal grandparents: Unknown – Declaration of Due Diligence filed on 3/17/14.</p> <p>Petition does not indicate why a guardianship is necessary.</p> <p>Court Investigator Jennifer Daniel's Report filed on 3/16/14. Court Investigator Jennifer Daniel's Report filed on 7/8/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Please see competing petition filed by Desire Zamora on page 21B.</p> <p>As of 7/10/14 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: <ol style="list-style-type: none"> a. Cara Stearns (mother) 2. If court does not dispense with Notice, need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Jaime Arrellano (paternal grandfather) b. Maternal grandparents. – unless court dispenses with notice.
Cont. from 040214, 051914			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv. W/		
<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 checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 7/10/14	
		Updates:	
		Recommendation:	
		File 21A – Stearnes	

Age: 17		TEMP EXPIRES 7-15-14	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioner resides in Madera. <u>Note:</u> On 6-18-14, the Petitioner requested to dismiss the petition. However, because a temporary guardianship is in place, dismissal could not be entered. <u>If this matter goes forward, the following issues exist:</u> 1. Need Notice of Hearing. 2. Need proof of personal service on the minor and both parents per Probate Code §1511. 3. Need proof of service on all other relatives (paternal and maternal grandparents and siblings age 12 and older) per Probate Code §1511.
		ANGELINA BELMONTES, step-mother, is petitioner.	
		Father: EDWARD MEDINA	
<input type="checkbox"/>	Aff.Sub.Wit.	Mother: VIRGINIA VEGA	
<input checked="" type="checkbox"/>	Verified	Paternal grandparents: not listed. Maternal grandparents: not listed.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	Petitioner states the minor refuses to live with her father. She is being verbally, emotionally and mentally abusive to her, which is affecting her school, grades and everyday life.	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	DSS Social Worker Irma Ramirez filed a report on 7-8-14.	
<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 checked="" type="checkbox"/>	DSS Report		
<input checked="" type="checkbox"/>	Clearances		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc
			Reviewed on: 7-10-14
			Updates:
			Recommendation:
			File 22 - Medina

	GENERAL HEARING 9-2-14	NEEDS/PROBLEMS/COMMENTS:
	ALVINA E. ORTEGA , Cousin, is Petitioner.	
	Father: COSME BARRAZA, JR. Mother: SALINA ORTEGA	
<input type="checkbox"/>	Aff.Sub.Wit.	
<input checked="" type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	X
<input type="checkbox"/>	Aff.Mail	
<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 type="checkbox"/>	UCCJEA	X
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
	Paternal Grandfather: Not listed Paternal Grandmother: Not listed	1. Need Notice of Hearing.
	Maternal Grandfather: Inocencio Ortega Maternal Grandmother: Stacey Ortega	2. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice or declaration of due diligence on: - Cosme Barraza, Jr. (Father) - Salina Ortega (Mother)
	Petitioner states the mother is unstable, on drugs and alcohol. Petitioner has had the child since birth off and on for weeks at a time. When the mother does come, all she does is sleep and not ever acknowledge the child. He is not safe with her. She is not in her right state of mind.	3. Need UCCJEA Form GC-120, which provides the child's residence history and other information about the child (other cases, etc.).
	Petitioner needs temporary guardianship to take the child for a checkup and doctor appointments and she is afraid for his safety in his mother's care.	4. Petitioner indicates that the minor has Native American ancestry. Therefore, additional notice will be required for the general hearing on 9-2-14.
		<u>Need Notice of Child Custody Proceeding for Indian Child (ICWA-030) completed and turned in to the Probate Clerk's office AS SOON AS POSSIBLE or guardianship proceedings may be delayed.</u>
		Reviewed by: skc
		Reviewed on: 7-10-14
		Updates:
		Recommendation:
		File 23 - Barraza

Atty Downing, Marcella (for Diane Huerta – daughter)
Atty Rube, Melvin K. (for Conservatee)
Atty Magness, Marcus D. (for Mick Loeffler – son)
Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate/Petitioner)
Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)

Petition for Approval of Settlement Agreement

		BRUCE BICKEL , Temporary Conservator of the Estate, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order.</p>
		Petitioner requests approval of the Settlement Agreement executed 05/17/14 [fully executed original attached to Petition as Exhibit A]. The Settlement Agreement is conditional upon confirmation by the Court and the Parties agreed that Petitioner would file a request for its approval.	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	x	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Continued on Page 2

6. The Settlement Agreement provides for a visitation schedule in conformity with the Parties' previous agreement and as set forth in the Court's Order dated 04/02/14.
7. Mick Loeffler shall have the right to reside in Dr. and Mrs. Loeffler's personal residence. He shall pay for all utilities and minor repairs and yard maintenance. An amount as set forth in the Settlement Agreement shall be charged against Mick's distributive share of his parent's estate in lieu of a rental charge.
8. A neutral third party shall serve as the agent under Dr. and Mrs. Loeffler's Advance Health Care Directives.
9. There shall be no gifting of property, monetary, personal, or otherwise from Dr. and Mrs. Loeffler or the Trustee of the Loeffler Family Trust to the children of Dr. and Mrs. Loeffler.
10. All parties' attorney's fees and costs shall be paid by the Loeffler Family Trust.
11. All trial date and all hearings and motion dates in the Conservatorship matters and Trust action are to be vacated.

As set forth in Section 14.4 of the Settlement Agreement, all parties' attorney's fees and costs shall be paid by the Loeffler Family Trust account. As set forth in the Settlement Agreement and the Court's order of 10/31/13, no assets can be distributed from the Loeffler Family Trust without prior Court authorization. The parties submitted invoices in support of their request for payment/reimbursement of the following amounts from the Loeffler Family Trust:

1. Mick Loeffler – outstanding balance to Gilmore, Wood, Vinnard & Magness: \$16,874.13; reimbursement to Mick Loeffler for attorney's fees and costs: \$57,801.55;
2. Dr. and Mrs. Loeffler – outstanding balance to Melvin Rube through 05/31/14: \$17,697.46;
3. Diane Huerta and Linda Plitt (through 05/08/14) – outstanding balance to Howk & Downing: \$108,188.67; reimbursement to Diane Huerta for mediation expenses: \$1,937.50; and
4. Linda Plitt – outstanding balance to Gary Bagdasarian: \$6,431.30; reimbursement to Linda Plitt for attorney's fees and costs: \$6,335.00.

A duplicate request for approval of payment of attorney's fees and costs is made in the Petition for Approval of Settlement Agreement in the Conservatorship matter of Mrs. Loeffler, however only one payment of the above fees is requested.

Petitioner prays for an Order:

1. Approving the Settlement Agreement;
2. Authorizing and directing Mr. Bickel as temporary Trustee of the Loeffler Family Trust to make the following payments from the RBC Brokerage Account no. xxx-x314, titled in the name of the Fred and Kathleen Loeffler Trust:
 - a. To Gilmore, Wood, Vinnard & Magness the amount of \$16,874.13;
 - b. To Mick Loeffler the amount of \$57,801.55;
 - c. To Melvin Rube the amount of \$17,697.43;
 - d. To Linda Plitt the amount of \$6,335.00;
 - e. To Howk & Downing the amount of \$108,188.67;
 - f. To Diane Huerta the amount of \$1,937.50;
 - g. To Gary Bagdasarian the amount of \$6,431.30.
3. Any such other orders as the Court deems appropriate.

1B Fred Loeffler (CONS/PE)
Atty Downing, Marcella (for Diane Huerta – daughter)
Atty Rube, Melvin K. (Petitioner atty for Conservatee)
Atty Magness, Marcus D. (for Mick Loeffler – son/Objector)
Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate)
Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)

Case No. 13CEPR00655

Notice of motion and motion to be Relieved as Counsel (Melvin Rube)

		MELVIN RUBE , attorney for Fred and Kathleen Loeffler, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> The Declaration in Support of Attorney's Motion to be Relieved as Counsel references a Supplemental Declaration to be filed confidentially, however, it does not appear that any such Supplemental Declaration has been filed. Need Order.
		Petitioner has represented Fred and Kathleen Loeffler since their daughters, Diane Huerta and Linda Plitt, filed Petitions to be appointed as Temporary Conservator's of the Person and Estate.	
Cont. from		On 05/17/14 the parties reached a settlement during mediation and a Settlement Agreement was executed.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input 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		
Continued on Page 2			<p>Reviewed by: JF</p> <p>Reviewed on: 07/11/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1B – Loeffler</p>

1B

Diane Huerta's Response and Memorandum of Points & Authorities in Opposition to Motion to be Relieved as Counsel by Melvin Rube filed 07/01/14 states: Professional Rules of Conduct Rule 3-700(C) states the terms under which withdrawal is and is not permissible. This matter is currently pending before this Court and Mr. Rube has not given any statutory support for his request to be removed as counsel. Further, Dr. and Mrs. Loeffler failed to execute Mr. Rube's signed Substitution of Attorney form which appears to indicate they prefer Mr. Rube continue to represent them in this matter. Mr. Rube has represented Dr. and Mrs. Loeffler all the way through mediation resulting in a signed settlement agreement and an agreement to arbitrate should there be any questions in the application of the agreement. While it agreed that Mr. Rube would be compelled to remove himself as counsel should this matter continue to trial because of the likely need for him to testify, a final disposition in this matter has now been agreed upon. To withdraw at this late date does not allow for adequate time for employment of other counsel and unnecessarily prolongs an already too long process. An agreement has been signed and is just awaiting approval of this Court. Any difficulty Mr. Rube complains of has had with his clients in all likelihood has existed throughout this case. In fact, Petitions have repeatedly asserted that the very type of letter Mr. Rube complains of having received, have been received by Mr. Gunner, Mr. Bickel, Sierra View, and others. In fact, Mr. Bickel and Mr. Gunner both expressed the concern that the letters sent to them were actually authored by Mick Loeffler. In conclusion, Dr. and Mrs. Loeffler were represented through the mediation process, have signed the settlement agreement, and agreed to arbitrate any further issues which may arise with Judge Broadman. There may have been reason for Mr. Rube to remove himself prior to this point, however, at this point, removal only serves the purpose of delaying the execution of the agreement already signed. Objector respectfully requests that the Court approve the settlement agreement signed by all parties and deny the petition to be removed as counsel by Mr. Rube until after a health care representative has been appointed for Dr. and Mrs. Loeffler.

	RYAN M. JANISSE , attorney for Mick Loeffler, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner has represented Mick Loeffler for the duration of these proceedings.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	On 05/17/14 the parties reached a settlement during mediation and a Settlement Agreement was executed.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states that an irreconcilable difference has arisen between counsel and his client and requests that he be relieved as counsel of record for Mick Loeffler.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 07/11/14
		Updates:
		Recommendation:
		File 1C – Loeffler

Atty Downing, Marcella (for Diane Huerta – daughter/Petitioner)

Atty Rube, Melvin K. (for Conservatee)

Atty Magness, Marcus D. (for Mick Loeffler – son/Objector)

Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate/Petitioner)

Atty Bagdasarian, Gary G. (for Linda Plitt – daughter/Petitioner)

Petition for Approval of Settlement Agreement

		<p>BRUCE BICKEL, Temporary Conservator of the Estate, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order.</p>	
		<p>Petitioner requests approval of the Settlement Agreement executed 05/17/14 [fully executed original attached to Petition as Exhibit A]. The Settlement Agreement is conditional upon confirmation by the Court and the Parties agreed that Petitioner would file a request for its approval.</p>		
Cont. from		<p>The Settlement Agreement provides:</p> <p>12. No conservatorship shall be established for either Dr. Loeffler or Mrs. Loeffler. Provisions in the agreement provide for the orderly transition of the assets of the Temporary Conservatorship estates and The Loeffler Family Trust to the Successor Trustee of the Loeffler Family Trust.</p> <p>13. The Successor Trustee of the Loeffler Family Trust will be Comerica Bank. In the event of a vacancy, the Court shall appoint a professional licensed fiduciary or institutional fiduciary.</p> <p>14. The Loeffler Family Trust is to be modified to provide that it is irrevocable and cannot be revoked, amended or terminated, except as provided by Probate Code § 15403 et seq.</p> <p>15. The Trustee of the Loeffler Family Trust is to be modified to require annual accountings of its proceedings and the accountings shall be provided to Dr. and Mrs. Loeffler, Ms. Huerta, Ms. Plitt, Sam Loeffler and Mick Loeffler. The Trustee shall also provide quarterly reports to the persons listed above.</p> <p>16. Comerica Bank shall serve as the agent under a Limited Durable Power of Attorney with the limited authority to manage Dr. and Mrs. Loeffler's IRA accounts and the signing of any federal and state tax returns on their behalves.</p> <p>Continued on Page 2</p>		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

17. The Settlement Agreement provides for a visitation schedule in conformity with the Parties' previous agreement and as set forth in the Court's Order dated 04/02/14.
18. Mick Loeffler shall have the right to reside in Dr. and Mrs. Loeffler's personal residence. He shall pay for all utilities and minor repairs and yard maintenance. An amount as set forth in the Settlement Agreement shall be charged against Mick's distributive share of his parent's estate in lieu of a rental charge.
19. A neutral third party shall serve as the agent under Dr. and Mrs. Loeffler's Advance Health Care Directives.
20. There shall be no gifting of property, monetary, personal, or otherwise from Dr. and Mrs. Loeffler or the Trustee of the Loeffler Family Trust to the children of Dr. and Mrs. Loeffler.
21. All parties' attorney's fees and costs shall be paid by the Loeffler Family Trust.
22. All trial date and all hearings and motion dates in the Conservatorship matters and Trust action are to be vacated.

As set forth in Section 14.4 of the Settlement Agreement, all parties' attorney's fees and costs shall be paid by the Loeffler Family Trust account. As set forth in the Settlement Agreement and the Court's order of 10/31/13, no assets can be distributed from the Loeffler Family Trust without prior Court authorization. The parties submitted invoices in support of their request for payment/reimbursement of the following amounts from the Loeffler Family Trust:

5. Mick Loeffler – outstanding balance to Gilmore, Wood, Vinnard & Magness: \$16,874.13; reimbursement to Mick Loeffler for attorney's fees and costs: \$57,801.55;
6. Dr. and Mrs. Loeffler – outstanding balance to Melvin Rube through 05/31/14: \$17,697.46;
7. Diane Huerta and Linda Plitt (through 05/08/14) – outstanding balance to Howk & Downing: \$108,188.67; reimbursement to Diane Huerta for mediation expenses: \$1,937.50; and
8. Linda Plitt – outstanding balance to Gary Bagdasarian: \$6,431.30; reimbursement to Linda Plitt for attorney's fees and costs: \$6,335.00.

A duplicate request for approval of payment of attorney's fees and costs is made in the Petition for Approval of Settlement Agreement in the Conservatorship matter of Mrs. Loeffler, however only one payment of the above fees is requested.

Petitioner prays for an Order:

4. Approving the Settlement Agreement;
5. Authorizing and directing Mr. Bickel as temporary Trustee of the Loeffler Family Trust to make the following payments from the RBC Brokerage Account no. xxx-x314, titled in the name of the Fred and Kathleen Loeffler Trust:
 - h. To Gilmore, Wood, Vinnard & Magness the amount of \$16,874.13;
 - i. To Mick Loeffler the amount of \$57,801.55;
 - j. To Melvin Rube the amount of \$17,697.43;
 - k. To Linda Plitt the amount of \$6,335.00;
 - l. To Howk & Downing the amount of \$108,188.67;
 - m. To Diane Huerta the amount of \$1,937.50;
 - n. To Gary Bagdasarian the amount of \$6,431.30.
6. Any such other orders as the Court deems appropriate.

Atty Downing, Marcella (for Diane Huerta – daughter)
 Atty Rube, Melvin K. (Petitioner/atty for Conservatee)
 Atty Magness, Marcus D. (for Mick Loeffler – son)
 Atty Johnson, Summer A. (for Bruce Bickel – Temp. Cons. of the Estate)
 Atty Bagdasarian, Gary G. (for Linda Plitt – daughter)

Notice of motion and motion to be Relieved as Counsel (Melvin Rube)

		MELVIN RUBE , attorney for Fred and Kathleen Loeffler, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>3. The Declaration in Support of Attorney's Motion to be Relieved as Counsel references a Supplemental Declaration to be filed confidentially, however, it does not appear that any such Supplemental Declaration has been filed.</p> <p>4. Need Order.</p>
		Petitioner has represented Fred and Kathleen Loeffler since their daughters, Diane Huerta and Linda Plitt, filed Petitions to be appointed as Temporary Conservator's of the Person and Estate.	
Cont. from		On 05/17/14 the parties reached a settlement during mediation and a Settlement Agreement was executed.	
<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		
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<input 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		
Continued on Page 2			
Reviewed by:		JF	
Reviewed on:		07/11/14	
Updates:			
Recommendation:			
File		2B – Loeffler	

Diane Huerta's Response and Memorandum of Points & Authorities in Opposition to Motion to be Relieved as Counsel by Melvin Rube filed 07/01/14 states: Professional Rules of Conduct Rule 3-700(C) states the terms under which withdrawal is and is not permissible. This matter is currently pending before this Court and Mr. Rube has not given any statutory support for his request to be removed as counsel. Further, Dr. and Mrs. Loeffler failed to execute Mr. Rube's signed Substitution of Attorney form which appears to indicate they prefer Mr. Rube continue to represent them in this matter. Mr. Rube has represented Dr. and Mrs. Loeffler all the way through mediation resulting in a signed settlement agreement and an agreement to arbitrate should there be any questions in the application of the agreement. While it agreed that Mr. Rube would be compelled to remove himself as counsel should this matter continue to trial because of the likely need for him to testify, a final disposition in this matter has now been agreed upon. To withdraw at this late date does not allow for adequate time for employment of other counsel and unnecessarily prolongs an already too long process. An agreement has been signed and is just awaiting approval of this Court. Any difficulty Mr. Rube complains of has had with his clients in all likelihood has existed throughout this case. In fact, Petitions have repeatedly asserted that the very type of letter Mr. Rube complains of having received, have been received by Mr. Gunner, Mr. Bickel, Sierra View, and others. In fact, Mr. Bickel and Mr. Gunner both expressed the concern that the letters sent to them were actually authored by Mick Loeffler. In conclusion, Dr. and Mrs. Loeffler were represented through the mediation process, have signed the settlement agreement, and agreed to arbitrate any further issues which may arise with Judge Broadman. There may have been reason for Mr. Rube to remove himself prior to this point, however, at this point, removal only serves the purpose of delaying the execution of the agreement already signed. Objector respectfully requests that the Court approve the settlement agreement signed by all parties and deny the petition to be removed as counsel by Mr. Rube until after a health care representative has been appointed for Dr. and Mrs. Loeffler.

	RYAN M. JANISSE , attorney for Mick Loeffler, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner has represented Mick Loeffler for the duration of these proceedings.	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	On 05/17/14 the parties reached a settlement during mediation and a Settlement Agreement was executed.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner states that an irreconcilable difference has arisen between counsel and his client and requests that he be relieved as counsel of record for Mick Loeffler.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w/	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 07/11/14
		Updates:
		Recommendation:
		File 2C – Loeffler