

THERE IS NO PAGE 1

**2A Alex and Lillian G. Lamm Living Trust (Trust) Case No. 12CEPR00687**

Atty Baldwin, Kenneth A. (of McCormick Barstow, for Allene Joyce Lamm O'Neal – Co-Trustee – Petitioner)

Atty Poochigian, Mark (for Duane Lamm – Co-Trustee)

**Petition to Compel Co-Trustee Duane Alan Lamm to File Report and Account After Written Request; to Remove Duane Alan Lamm as a Co-Trustee; to Redress Breaches of the Trust by Duane Alan Lamm; to Divide and Distribute the Trust Estate; and to Terminate the Trust [Prob. C. 15642 & 17200 et seq.]**

<p><b>Alex Lamm</b> DOD: 11-17-90</p>	<p><b>ALLENE JOYCE LAMM O'NEAL</b>, Co-Trustee, is Petitioner and states:</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b> <b>CONTINUED TO 9-20-13</b> per joint request</p>
<p><b>Lillian Lamm</b> DOD: 11-19-06</p>	<ul style="list-style-type: none"> <li>Trustors Alex and Lillian created the Alex and Lillian Lamm Living Trust (the "Trust") on 3-11-88.</li> </ul>	<p><b>Page 4B is Status Re Settlement</b></p>
<p><b>Cont. from 092012, 112912, 022513, 031813</b></p>	<ul style="list-style-type: none"> <li>The Trust was amended and restated on 9-21-90.</li> </ul>	<p><b>Minute Order 9-20-12:</b></p>
<p><b>Aff.Sub.Wit.</b></p>	<ul style="list-style-type: none"> <li>Alex died on 11-17-90, causing the trust to be divided among the Alex Lamm By-Pass Trust, the Alex Lamm Marital Trust, and the Lillian G. Lamm Survivor's Trust, which remained revocable.</li> </ul>	<p>Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.</p>
<p><input checked="" type="checkbox"/> <b>Verified</b></p>	<ul style="list-style-type: none"> <li>The Survivor's Trust was amended twice: on 6-7-04 and 2-17-05.</li> </ul>	<p><b>Minute Order 11-29-12:</b> Parties request the matter be set for trial. Matter set for Court Trial on 3/29/13 with a one-day estimate. The Court sets a Settlement Conference on 2/25/13. Counsel is directed to submit their settlement conference statements along with a courtesy copy for the Court on the Thursday before the hearing. The Court authorizes Mr. O'Rourke to file his objections. The Court advises counsel that it will accept the objections subject to any filing fees. Set on 2-25-13 at 10:30am for Settlement Conference. Additional hearing date: 3-29-13 at 10am for Court Trial.</p>
<p><b>Inventory</b></p>	<ul style="list-style-type: none"> <li>Lillian died on 11-19-06.</li> </ul>	<p><b>1. The proposed order includes a blank for a surcharge amount to be filled in for attorney's fees. The Court may require clarification and further documentation regarding the amount requested.</b></p>
<p><b>PTC</b></p>	<ul style="list-style-type: none"> <li>For purposes of this petition, "Trust" refers to all three trusts collectively.</li> </ul>	<p><b>Reviewed by:</b> skc</p>
<p><b>Not.Cred.</b></p>	<p>Petitioner states the Trust provides that she and her brother <b>DUANE ALAN LAMM</b> were to become co-trustees on the death of the Trustors; however, since Lillian's death, Duane has asserted exclusive control over most of the assets of the Trust.</p>	<p><b>Reviewed on:</b> 7-16-13</p>
<p><input checked="" type="checkbox"/> <b>Notice of Hrg</b></p>	<p>The Trust as amended provides that the Marital Trust and the By-Pass Trust are to terminate and be distributed to Duane and Allene in equal shares immediately following Lillian's death.</p>	<p><b>Updates:</b></p>
<p><input checked="" type="checkbox"/> <b>Aff.Mail</b> W</p>	<p>The Survivor's Trust as amended provides that the Survivor's Trust is to terminate at Lillian's death and is to be distributed as follows:</p>	<p><b>Recommendation:</b></p>
<p><b>Aff.Pub.</b></p>	<ul style="list-style-type: none"> <li>To <b>BLAKE LAMM</b> (Trustors' grandson) a fractional portion (56.64%) of the Survivor Trust's ownership interest (45.56%) in certain real property in Reedley consisting of approx. 76 acres; and</li> </ul>	<p><b>File 2A - Lamm</b></p>
<p><b>Sp.Ntc.</b></p>	<ul style="list-style-type: none"> <li>To <b>DUANE</b> and <b>ALLENE</b>, the residue of the Survivor's Trust estate, in equal shares, which includes that the share apportioned to <b>ALLENE</b> is to include a certain residence ("Allene's Residence") and that the share apportioned to <b>DUANE</b> is to include the Trustors' residence, without affecting the equality of the shares.</li> </ul>	
<p><b>Pers.Serv.</b></p>	<p><b>SEE ADDITIONAL PAGES</b></p>	
<p><b>Conf. Screen</b></p>		
<p><b>Letters</b></p>		
<p><b>Duties/Supp</b></p>		
<p><b>Objections</b></p>		
<p><b>Video Receipt</b></p>		
<p><b>CI Report</b></p>		
<p><b>9202</b></p>		
<p><input checked="" type="checkbox"/> <b>Order</b></p>		
<p><b>Aff. Posting</b></p>		
<p><b>Status Rpt</b></p>		
<p><b>UCCJEA</b></p>		
<p><b>Citation</b></p>		
<p><b>FTB Notice</b></p>		

**Petitioner states:**

- The Trust Estate includes real estate, corporate stock, gemstones and cash, including an undivided 75% ownership interest as tenant in common in certain commercial real property consisting of an office building (the "commercial building") in Reedley, which is leased to Chase Bank. (The other 25% is owned by Duane's former spouse, Linda W. Lamm.)
- Petitioner states that since Lillian's death, Duane has been and continues to collect all rent from the Commercial Building personally and deposits same into his bank account without Allene's consent and in breach of the terms of the Trust.
- The Trust Estate also includes gemstones and precious metals, including specified items, and a Wells Fargo checking account, which is under Duane's exclusive control in breach of the terms of the Trust.
- The Trust Estate also includes 55% of the issued and outstanding common stock of Al Lamm Ranch, Inc., a California corporation. Allene and Duane each own 22.5%. Petitioner states Duane possesses and controls all of the assets of the Corporation and uses those assets for the exclusive benefit of his personal farming operations to the detriment of the Corporation and its majority owner, the Trust.
- The 76 acres of farmland (the "Home Ranch") located in Reedley is owned by the Trust and leased to Rio Vista Limited Partnership under a lease dated 10-1-05 that expires 9-30-20. Petitioner states all rent from the Home Ranch has been and continues to be collected by Duane and deposited in his personal accounts over which he has exclusive control. Duane has not provided Allene with any accounting nor made any distributions of such rental income to Allene in breach of the Trust.

*Examiner's Note: It is unclear if this is the same 76 acres as is specified in the devise to Blake Lamm, since the devise indicates that the Trust owns only a partial interest of 45.56%, but this section of the petition indicates that the Trust owns this real property. The Court may require clarification.*

- Petitioner states that at Lillian's death, Duane unilaterally assumed the primary duties of administering the Trust Estate, and appointed himself as the Trust decision maker and used his knowledge of the family holdings to single-handedly control the management of the Trust Estate while excluding Allene as a trustee in violation of Probate Code § 15620, which requires unanimous consent of co-trustees for action. Specifically, Petitioner states Duane has insisted on exercising exclusive control over the Commercial Building, Home Ranch and Corporation because those assets provide him with his primary source of income. Duane also holds physical possession of the specified gemstones and precious metals.
- Petitioner states she formally demanded an accounting and proposed division and distribution of the Trust Estate in a letter to Duane's attorney Mark Poochigian on 5-17-12, which letter has been ignored. Duane appears reticent in providing a full and complete disclosure of this acts and proceedings involving the Trust and has been less than forthcoming in his response to Allene's requests for information. Because of Duane's refusal to provide information and his exclusive control over the assets, including all bank accounts, for over five years, Duane should be directed to file full accounting.
- Petitioner states Duane has committed numerous breaches of trust by collecting all rents in connection with the Commercial Building and Home Ranch and depositing them into his personal accounts. By doing so, he has converted assets – a clear breach of trust.
- Duane has personally benefitted from his exclusive control and use of the equipment owned by the Corporation, the controlling shares of which are owned by the Trust. Neither the Corporation nor the Trust has received any benefit from Duane's personal use of such equipment.
- Petitioner further alleges that Duane has taken unauthorized withdrawals of cash from the Trust – another clear breach of the Trust and Probate Code § 15620 – without her consent, and no equalizing distributions have been made to Petitioner.

**SEE ADDITIONAL PAGES**

**Page 3**

- Finally, Duane has refused for well over five years to cooperate with Petitioner in division and distribution of the Trust Estate to the beneficiaries notwithstanding the terms of the Trust which require termination and immediate division and distribution following Lillian's death.
- Probate Code § 15642 empowers this Court to remove a trustee who has committed a breach or whose hostility or lack of cooperation with the other co-trustees impairs the administration of the Trust. Redress should also include removal of Duane as a co-trustee for his conversion of assets, unauthorized withdrawals, and refusal to cooperate. Such redress will allow Petitioner as the sole trustee to complete the necessary division and distribution as required by the express terms of the Trust.
- Redress should also include attorneys' fees and legal costs, as Petitioner has been forced to take extreme measures to compel Duane to carry out his fiduciary duties. Section 1(f) of the Trust allows the trustee to employ attorneys on behalf of the trust to assist in carrying out her duties. Petitioner, in carrying out her duties, has been required to retain counsel and incur legal costs to compel Duane to carry out his duties. Such fees and costs should be surcharged against Duane's beneficial interest in an amount according to proof.
- The Trust was to terminate on Lillian's death, which was over five years ago. Duane has refused to cooperate with Allene in dividing and distributing the Trust Estate to beneficiaries in accordance with the express terms of the Trust. Under Probate Code §§ 17200(b)(13) and (14), this Court has the authority and should order termination and distribution.

**Petitioner requests the Court Order:**

- **That Duane be directed to prepare and file within 30 days an account of the Trust from Lillian's death (11-19-06) through present, accompanied by a schedule of property, current market value, and all liabilities of the Trust;**
- **That Duane be compelled to restore to the Trust all Trust assets that he has converted for his personal use and benefit;**
- **That Duane be compelled to either return to the Trust all unauthorized cash advances that he has taken from the Trust Estate as described, plus interest at the max. legal rate, or in the alternative, be compelled to cause the Trust to make an equalizing distribution to Allene, plus interest;**
- **That Duane be removed as a co-trustee of the Trust;**
- **Directing that the Trust be terminated and the Trust Estate be divided and distributed to the Trust beneficiaries in accordance with the express terms of the Trust;**
- **For attorneys' fees and legal costs incurred by Petitioner in connection with this Petition to be surcharged against Duane's share of the Trust Estate; and**
- **For such other and further orders and relief as the Court may deem appropriate.**

**Further Notes re status:**

**On 9-20-12**, at the request of Mr. O'Rourke, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present be completed by 11-19-12.

**On 11-20-12**, Mr. Poochigian filed a Declaration stating that his office sent a letter to Kenneth Baldwin's office on 11-19-12 enclosing an accounting from 11-19-06 through 10-31-12 (attached).

**Minute Order 9-20-12:** Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.

**Note: No accounting has been properly filed for Court review; however, Objections to Accounting of Co-Trustee, Duane Alan Lamm were filed 11-30-12.**

**Examiner notes that an accounting (attached to Declaration) was sent to Petitioner's attorney; however, the accounting was not filed as a Petition for Court review.**

**Therefore, Examiner has not reviewed the schedules or the objections.**

**If the Co-Trustee's Accounting is to be reviewed by the Court, need Petition with appropriate filing fee.**

**Minute Order 2-25-13:** Counsel informs the Court that a settlement agreement is in progress. Matter continued. Status hearing set (Page 4B).

		<b>NEEDS/PROBLEMS/COMMENTS:</b>
	<b>ALLENE JOYCE LAMM O'NEAL</b> , Co-Trustee, filed Petition to Compel Co-Trustee <b>DUANE ALAN LAMM</b> to File Report and Account after Written Request, to Remove <b>DUANE ALAN LAMM</b> as Co-Trustee, to Redress Breaches of the Trust by <b>DUANE ALAN LAMM</b> , to Divide and Distribute the Trust Estate, and to Terminate the Trust on 8-6-12.	<b>CONTINUED TO 9-20-13</b> per joint request
<b>Cont. from 031813</b>	<b>DUANE ALAN LAMM</b> filed Objections on 9-20-12.	1. Need status of settlement agreement. The petition at Page 2A remains pending.
<b>Aff.Sub.Wit.</b>	<b>At hearing on 9-20-12, the Court ordered Mr. Poochigian to prepare a formal accounting</b> for the period commencing from the date of death to the present by 11-19-12, and the matter was continued to 11-29-12.	
<b>Verified</b>	<b>On 11-20-12</b> , Attorney Poochigian filed a declaration that appears to contain an informal unverified "accounting" that was sent to Mr. Baldwin.	
<b>Inventory</b>	At hearing on 11-29-12, the matter was set for trial on 3-29-13, settlement conference to be held on 2-25-13.	
<b>PTC</b>	<b>On 11-30-12</b> , Allene Joyce Lamm O'Neal filed Objections to Accounting.	
<b>Not.Cred.</b>	<b>At hearing on 2-25-13</b> , Counsel informed the Court that a settlement agreement is in progress. The Settlement Conference was taken off calendar and the Court set this status hearing re: Settlement Agreement for 3-18-13, and continued to 7-19-13 per Minute Order.	
<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:</b> skc
		<b>Reviewed on:</b> 7-16-13
		<b>Updates:</b> 7-17-13
		<b>Recommendation:</b>
		<b>File 2B – Lamm</b>



**4**      **Michaela Lozano (Trust)**  
 Atty      Miller, Jennifer A

Case No. 13CEPR00241

Probate Status Hearing Re: Filing Proof of Bond

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Bond filed on 06/20/13</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
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<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 07/16/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 4 – Lozano</b>



**Probate Status Hearing Re: Failure to File a Final Account or Petition for Final Distribution**

<b>DOD: 04/05/03</b>	<b>EDWARD L. MYERS, JR. and MONIQUE M. HUTCHINGS</b> , were appointed as Co-Administrator's with Will Annexed on 08/19/03.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need <b>Final Accounting and/or Petition for Final Distribution</b> <u>or</u> 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</b>	<b>Letters of Administration with Will Annexed</b> were issued on 08/19/13.	
<b>Aff.Sub.Wit.</b>	<b>Inventory &amp; Appraisal</b> , partial No. 1 filed 04/08/04 - \$707,312.97	
<b>Verified</b>	<b>Inventory &amp; Appraisal</b> , final filed 04/21/04 - \$16,968.64	
<b>Inventory</b>	<b>Inventory &amp; Appraisal</b> , partial No. 1 corrected filed 11/10/04 - \$877,312.97	
<b>PTC</b>	<b>Petition for Preliminary Distribution and Statutory Fees</b> filed 03/16/05 was granted on 06/02/05.	
<b>Not.Cred.</b>	<b>Ex Parte Petition for Amended Letters</b> granted 05/30/13 ordered that Monique M. Hutchings is the sole Administrator following the death of Edward L. Myers, Jr. <b>and set this matter for status.</b>	
<b>Notice of Hrg</b>	<b>Amended Letters of Administration with Will Annexed</b> were issued on 06/05/13.	
<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:</b> JF
		<b>Reviewed on:</b> 07/16/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6 – Myers</b>



**Probate Status Hearing Re: Accounting and/or Report to the Court Regarding the Assets of the Guardianship**

<b>Age: 18</b>	<b>ROSIE VILLANUEVA</b> , maternal grandmother, was appointed guardian of the Person and Estate on 02/07/2000. <b>Letters of Guardianship were issued on 02/07/2000.</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Accounting and/or Report to the Court regarding assets of the Guardianship.</p> <p><b>Note:</b> The Inventory &amp; Appraisal filed 08/09/2000 lists an insurance claim for wrongful death, amount uncertain as an asset. It does not appear that a Supplemental Inventory &amp; Appraisal was ever filed upon the settlement of that insurance claim. Nothing further was filed in the matter until the Ex Parte Petition for Withdrawal of Funds from Blocked Account.</p> <p><b>Note:</b> Rosie Villanueva was represented by William F. Hancock in her initial Petition to be appointed as Guardian. The Ex Parte Petition to Withdraw funds from Blocked Account was filed by Rosie Villanueva in pro per.</p>
	<b>Inventory &amp; Appraisal</b> , final filed 08/09/2000 - \$325.68	
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>	<b>Ex Parte Petition for Withdrawal of Funds from Blocked Account</b> was filed 06/13/13 stating that Nicolette has reached the age of 18 and requesting to withdraw funds held in a blocked account.	
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account</b> set this matter for status regarding accounting and/or Report to the Court Regarding the Assets of the Guardianship.	
<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:</b> JF
		<b>Reviewed on:</b> 07/16/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 8A – Martinez</b>

**Reconsideration of the Petition for Withdrawal of Funds from a Blocked Account**

<b>Age:</b> 18	<b>ROSIE VILLANUEVA</b> , maternal grandmother, was appointed guardian of the Person and Estate on 02/07/2000. <b>Letters of Guardianship were issued on 02/07/2000.</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>As of 07/16/13, nothing further has been filed in this matter.</b></p> <p>The Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account ordered that Rosie Villanueva be personally present at the hearing if no accounting and/or report is filed prior to the hearing.</p> <p><b>Note:</b> Rosie Villanueva was represented by William F. Hancock in her initial Petition to be appointed as Guardian. The Ex Parte Petition to Withdraw funds from Blocked Account was filed by Rosie Villanueva in pro per.</p>
<b>Cont. from</b>	<b>Inventory &amp; Appraisal</b> , final filed 08/09/2000 - \$325.68	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	<p><b>Ex Parte Petition for Withdrawal of Funds from Blocked Account</b> was filed 06/13/13 stating that Nicolette has reached the age of 18 and requesting to withdraw funds held in a blocked account.</p> <p><b>Order on Ex Parte Petition for Withdrawal of Funds from Blocked Account</b> set this matter for reconsideration of the Petition for Withdrawal of Funds from Blocked Account.</p>	
<input type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		
<input type="checkbox"/> <b>Aff.Mail</b>		
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<input type="checkbox"/> <b>Pers.Serv.</b>		
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<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 07/16/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8B – Martinez</b></p>

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

<b>DOD: 04/19/07</b>	<b>EVELYN S. DUARTE</b> , sister, was appointed Executor with full IAEA without bond on 07/10/07. Letters Testamentary were issued on 07/10/07.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>CONTINUED FROM 06/21/13</b>
		<b>Minute Order from 06/21/13 states: Ms. Duarte is directed to speak with the Court Examiner immediately following today's hearing. Ms. Duarte is advised that a status report will need to be filed before the next hearing.</b>
<b>Cont. from 042613, 062113</b>	<b>Inventory &amp; Appraisal</b> filed 08/03/07 - \$155,000.00.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>	<b>Notice of Status Hearing</b> filed 03/01/13 set this matter for status. <b>Clerk's Certificate of Mailing</b> states that a copy of the Notice of Status Hearing was mailed to Evelyn S. Duarte on 03/01/13.	<b>1. Need Accounting and/or Petition for Final Distribution.</b>
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	<b>Status Report</b> filed 07/16/13 states: The estate consists solely of real property located in Fresno. The property is occupied by Evelyn Duarte, Executor, and she pays the mortgage and homeowners association dues. There are liens on the estate from the decedent's creditors. The Executor has sent letters to each of the creditors. As of the date of this report, no money has been filed or requested or accepted on this estate.	<b>Note:</b> Petitioner filed a Request for Dismissal on 06/12/13; however the Dismissal was not entered as requested because Letters have issued and a Request for Dismissal is not acceptable to close this estate. Need Accounting and/or Petition for Final Distribution.
<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:</b> JF
		<b>Reviewed on:</b> 07/16/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 9 – Flores</b>

<b>DOD: 3/8/2006</b>	<p><b>ARACELI SOTO GOMEZ</b> was appointed Administrator without bond with full IAEA authority on 7/27/2009.</p> <p>Letters issued on 7/27/2009. Inventory and appraisal was due 12/27/2009.</p> <p>First Account or Petition for Final Distribution was due 7/27/2010.</p> <p><b>I&amp;A filed 12-4-12 reflects a total estate value of \$68,035.00 consisting of a 1/3 interest in real property, various personal property items, and three vehicles.</b></p> <p><b>Status Report filed 12-12-12 states</b> Attorney Cross has only a few days ago learned of a title problem which he is in the process of addressing. Apparently after the decedent's divorce in 1983, the decedent was awarded the property; however, because the judgment does not contain a full property description or even the APN, there is no record of transfer to the decedent alone. It appears application will need to be made in the dissolution action to either modify the judgment or have the clerk sign a deed conveying title in accordance with the judgment. Attorney Cross is unable to attend the hearing on time, and requests the matter be trailed, or preferably, continued to any date between Jan 15-Feb 15, 2013.</p> <p><b>Status Report (unverified) filed 3-14-13</b> requests continuance to at least 4-19-13 because clearance of title has not yet been completed.</p> <p><b>Status Report (unverified) filed 4-18-13</b> requests continuance to a date on or after 5-29-13 due to unexpected delays in clearance of title.</p> <p><b>Status Report (unverified) filed 5-30-13</b> states clearance of title to the 1/3 interest in real property has still not yet been completed. Attorney Cross requested four weeks. Matter continued to 7-19-13.</p> <p><b>As of 7-16-13, nothing further has been filed.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 11-9-12, 12-14-12, 2-1-13, 3-15-13, 4-19-13, 5-31-13</b></p> <p>1. <b>Need first account or petition for final distribution or current written status report.</b></p> <p><i>Note: Declaration filed 12-12-12 indicated that Mr. Cross intended to request a corrected judgment of dissolution in the old family law case; however, Court records do not indicate that any request has been made. At this point, what steps have been taken to correct the title issue?</i></p>
<b>Cont. from 110912, 121412, 020113, 031513, 041913, 053113</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>	X	
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by: skc</b>
		<b>Reviewed on: 7-16-13</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 10 - Soto</b>

Probate Status Hearing Re: (1) Failure to File Inventory & Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

<p><b>DOD: 12/21/2005</b></p>	<p><b>KAMLJIT K. ASHAT</b>, surviving spouse, was appointed as Administrator with full IAEA authority and without bond on 2/10/2009.</p>	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p>
<p>Cont. from 022213, 032213, 051013, 053113</p>	<p>At the time of the filing of the Petition for Probate the estate was estimated to be \$2,761,000.00.</p>	<p><b>Continued from 5/31/13. As of 7/16/13 the following issues remain:</b></p>
<p>Aff.Sub.Wit.</p>	<p>The decedent died intestate survived by his spouse and three children, one of which is a minor.</p>	<p>1. Need Inventory and Appraisal, first account, petition for final distribution or current written status report pursuant to Local Rule 7.5 which states in all matter set for Status Hearing (unless inventory and appraisal <u>and</u> accounting or petition for final distribution has been filed) <b>verified Status Reports must be filed no later than ten (10) days before the hearing</b> and shall be served on all interested parties.</p>
<p>Verified</p>	<p><b>Inventory and appraisal was due July 2009.</b></p>	
<p>Inventory</p>	<p><b>First account or a petition for final distribution was due April of 2010.</b></p>	
<p>PTC</p>	<p>Notice of Status Hearing was mailed to attorney William Cowin on 12/19/2012.</p>	
<p>Not.Cred.</p>	<p><b>Preliminary Status Report filed on 2/21/13 states</b> but for several lawsuits that arose after the death of the decedent, this probate could have been finalized at an earlier date. With the exception of a parcel of real property located on Blackstone Avenue, all real and personal property assets on the estate are community property. The piece of property on Blackstone was purchased with community funds by the decedent when Mrs. Ashat was temporarily out of the country and title was taken in the name of the decedent temporarily. The above referenced litigation involved a case where Mrs. Ashat and the Estate brought an unlawful detainer action against tenants regarding a portion of the Blackstone property. That case was settled. The second case is a Federal case, case no. 1:121-CV-00224-AWI-SMS styled <i>Delgado v. Abdo Saleh, USA Gas &amp; Grocery and Kamaljit K. Ashat</i>. This issue is a man in a wheel chair who habitually files complaints against businesses whose bathrooms do not meet code standards. The estate attorney is of the opinion that the estate cannot be closed until this Federal case is concluded. The Federal case has finally been resolved and closed in late 2012 and the attorney's office was only recently informed that the Federal case has been concluded. They will now be moving forward with completing a final accounting, transfer of title to Mrs. Ashat and closing this estate.</p>	
<p>Notice of Hrg</p>		
<p>Aff.Mail</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>		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 5/28/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 11 - Ashat</b></p>

**Status Report filed on 5/30/13 states** since the last hearing Attorney Cowin was finally able to have a telephone call with Ms. Ashat and she confirmed that the federal case had been settled and that she would send the settlement documents and litigation cost billings to him. Since he had not received the information, Mr. Cowin states he contacted her again and she reassured him that she was sending the information right away. Mr. Cowin states he has not received the information nor any communication from her since that time, and, accordingly have not been in a position to finalize the documentation to close the probate at this time.

On Thursday, May 30<sup>th</sup> he was able to contact Mrs. Ashat's husband on his cell phone. He assured Mr. Cowin that he would help Mrs. Ashat gather the requested information and provide the same to him. Mr. Cowin request an additional 30 to 45 days to finalize this probate.

DOD: 06/02/11		<p>TONI RICHARDSON, daughter, was appointed Administrator with Limited Authority and without on 02/16/12. <b>Letters of Administration were issued on 02/22/12.</b></p> <p><b>Order Confirming Sale of Real Property</b> was filed 05/21/13. <b>Minute Order from hearing on 05/21/13</b> states (in relevant part): The Court orders that the proceeds be placed into a blocked account. <b>And set this matter for status regarding Receipt for the Deposit of Money into Blocked Account.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Receipt for funds deposited into a blocked account.</p> <p><b>Note:</b> No Order to Deposit Money into Blocked Account has been submitted to or signed by the Court.</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			
		<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 07/16/13</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 – Bonham</b></p>	

**13A Adin Davis (Estate)**

Case No. 11CEPR01023

Atty Davis, David (pro per, former Administrator)

Atty Kruthers, Heather (for the Public Administrator)

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

<b>DOD: 7/25/2011</b>	<b>DAVID DAVIS</b> , son, was appointed Administrator with full IAEA authority and without bond on 1/11/2012. On 3/22/13 the Court removed <b>DAVID DAVIS</b> and appointed the <b>PUBLIC ADMINISTRATOR</b> .	<p><b>NEEDS/PROBLEMS/ COMMENTS:</b></p> <p>Minute order dated 6/21/13 set an OSC and ordered David Davis to be personally present on 7/19/13. (Please see page 13B)</p>																	
<b>Cont. from 032213, 062113</b>	Inventory and appraisal shows an estate valued at \$325,344.45 (of which \$291,344.45 was cash)																		
<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>																			
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<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>Creditor's Claims filed as follows:</b></p> <table style="width: 100%;"> <tr> <td>Franchise Tax Board -</td> <td style="text-align: right;">\$ 9,769.87</td> </tr> <tr> <td>American Express -</td> <td style="text-align: right;">\$ 6,892.33</td> </tr> <tr> <td>American Express -</td> <td style="text-align: right;">\$ 999.45</td> </tr> <tr> <td>DMC Services -</td> <td style="text-align: right;">\$ 352.56</td> </tr> <tr> <td>DMC Services -</td> <td style="text-align: right;">\$ 604.60</td> </tr> <tr> <td>GE Capital Bank -</td> <td style="text-align: right;">\$ 300.84</td> </tr> <tr> <td>CitiBank -</td> <td style="text-align: right;">\$ 7,071.24</td> </tr> <tr> <td>Bank of America -</td> <td style="text-align: right;">\$ 877.11</td> </tr> <tr> <td><b>Total</b> -</td> <td style="text-align: right;"><b>\$26,868.00</b></td> </tr> </table> <p><b>Notice of Status Hearing was mailed to Attorney Gary Mosenbocker and Administrator David Davis on 11/15/13.</b></p> <p><b>Administrator, David Davis, was formerly represented by Gary Mosenbocker. Mr. Motsebocker filed a Motion to be Relieved as Counsel on 11/7/12.</b> Stating he had difficulties communicating with the Administrator. The Administrator was refusing to provide information requested by counsel necessary to bring the matter to a conclusion. On 1/2/13 and order was signed granting Mr. Mosenbockers Motion to be Relieved as Counsel.</p> <p><b>Minute Order dated 1/2/13 ordered David Davis to be personally present at the status hearing on 3/22/13.</b></p> <p><b>A copy of the Minute Order dated 1/2/13 was mailed to David Davis on 1/8/13.</b></p> <p><b>Minute Order dated 3/22/13 states</b> the court on its own motion removes David Davis as Administrator and appoints the Public Administrator.</p> <p style="text-align: center;"><b>Please see additional page</b></p>	Franchise Tax Board -	\$ 9,769.87	American Express -	\$ 6,892.33	American Express -	\$ 999.45	DMC Services -	\$ 352.56	DMC Services -	\$ 604.60	GE Capital Bank -	\$ 300.84	CitiBank -	\$ 7,071.24	Bank of America -	\$ 877.11	<b>Total</b> -	<b>\$26,868.00</b>
Franchise Tax Board -	\$ 9,769.87																		
American Express -	\$ 6,892.33																		
American Express -	\$ 999.45																		
DMC Services -	\$ 352.56																		
DMC Services -	\$ 604.60																		
GE Capital Bank -	\$ 300.84																		
CitiBank -	\$ 7,071.24																		
Bank of America -	\$ 877.11																		
<b>Total</b> -	<b>\$26,868.00</b>																		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 7/16/13</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p>File 13A - Davis</p>																	

**Status Report of the Public Administrator filed on 6/14/13** states Deputy Public Administrator Noe Jimenez repeatedly tried to reach David Davis (former Administrator) by telephone. He left messages with a woman who informed him that Mr. Davis was not in and that she would leave messages for him to call. However, Mr. Davis failed to call.

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

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

**Order to Show Cause Re: Failure to Turn Over Assets to the Public Administrator and Imposition of Sanctions in the Amount of \$500.00**

<b>DOD: 7/25/2011</b>	<p><b>DAVID DAVIS</b>, son, was appointed Administrator with full IAEA authority and without bond on 1/11/2012. On 3/22/13 the Court removed <b>DAVID DAVIS</b> and appointed the <b>PUBLIC ADMINISTRATOR</b>.</p> <p><b>Status Report of the Public Administrator filed on 6/14/13</b> states Deputy Public Administrator Noe Jimenez repeatedly tried to reach David Davis (former Administrator) by telephone. He left messages with a woman who informed him that Mr. Davis was not in and that she would leave messages for him to call. However, Mr. Davis failed to call.</p> <p>On 4/23/13, Deputy Jimenez mailed a letter to Mr. Davis via certified mail. In the letter, Deputy Jimenez discussed the eight outstanding creditor's claims, the status of the assets listed on the inventory and appraisal filed by Mr. Davis and whether taxes for the estate had been paid. To date, no response to the letter has been received. Deputy Jimenez has also continued to try to reach Mr. Davis by telephone with no success. When no response was received Deputy Jimenez allowed the eight creditor's claims. However with no assets being turned over to the Public Administrator, the claims cannot be paid.</p> <p><b>Minute order dated 6/21/2013 states</b> the Court sets an Order to Show Cause on 7/19/2013 regarding David Davis' failure to turn over assets to the Public Administrator and imposition of sanctions in the amount of \$500.00. the court orders David Davis to be personally present on 7/19/2013.</p> <p><b>Order to Show Cause was mailed to David Davis on 6/21/2013.</b></p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<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: 7/16/2013</b>		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 13B – Davis</b>		

<b>DOD: 4/14/2012</b>	<p><b>SANTOS PEREZ</b> was appointed Administrator with full IAEA authority and bond set at \$78,000.00 on 1/10/2013.</p> <p>Bond was filed on 6/18/2013.</p> <p>Letters issued 6/18/2013.</p> <p><b>Unverified Status Report filed on 6/5/2013</b> states Walter L. Clark &amp; Associates advised 6/4/13 that it had been unable to obtain an Administrator Bond on Santos Perez, the petitioner herein, through one insurance company. On 6/4/13 counsel had been advised that the file was filed after that disapproval and it fell through the cracks. Upon inquiry by Petitioner's counsel, the bond application was sent to another bonding company on 6/4/13, and the morning of 6/5/13, counsel for Petitioner was advised the bond application had been approved and is being mailed to counsel today.</p> <p>The bond will be filed sometime next week so that Letters of Administration can be issued.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need current verified 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 060713</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: 7/16/2013</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 14 – Gonzalez</b>

Atty Gin, Robert W., of Griswold, LaSalle, Cobb, Down & Gin (for Terri Denise Gill, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

<b>DOD: 4/14/2012</b>		<p><b>TERRI DENISE GILL</b>, daughter, was appointed Executor with Full IAEA without bond on 2/13/2013. Letters issued on 2/19/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>OFF CALENDAR</b></p> <p><i>Final Inventory and Appraisal filed 7/12/2013.</i></p>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG	
		<b>Reviewed on:</b> 7/16/13	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 15 – Hanggi</b>	

Atty Simonian, Jeffrey D., of Penner, Bradley & Simonian (for Cory W. Brock, Executor)

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

<b>DOD: 4/9/2012</b>		<p><b>CORY W. BROCK</b>, son, was appointed Executor with Full IAEA without bond on 2/13/2013.</p> <p><b>Letters issued on 2/19/2013.</b></p> <p>Pursuant to Probate Code § 8800(b), <i>Final Inventory and Appraisal</i> was due <b>6/19/2013</b>.</p> <p><b>Minute Order dated 2/13/2013</b> from the hearing on the petition for probate set the matter for a status hearing for filing of the final inventory and appraisal on 7/19/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).</p>
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>	X		
<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>			

Status Hearing Re: Filing of the Inventory and Appraisal

<b>Age:</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>OFF CALENDAR</u></b> <b>Inventory &amp; Appraisal filed</b> <b>05/03/13</b>
<b>DOD:</b>		
<b>Cont. from</b>		
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	
<input type="checkbox"/>	<b>Verified</b>	
<input type="checkbox"/>	<b>Inventory</b>	
<input type="checkbox"/>	<b>PTC</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	
<input type="checkbox"/>	<b>Notice of Hrg</b>	
<input type="checkbox"/>	<b>Aff.Mail</b>	
<input type="checkbox"/>	<b>Aff.Pub.</b>	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	
<input type="checkbox"/>	<b>Pers.Serv.</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	
<input type="checkbox"/>	<b>Letters</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>	
<input type="checkbox"/>	<b>Objections</b>	
<input type="checkbox"/>	<b>Video Receipt</b>	
<input type="checkbox"/>	<b>CI Report</b>	
<input type="checkbox"/>	<b>9202</b>	
<input type="checkbox"/>	<b>Order</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	
<input type="checkbox"/>	<b>Status Rpt</b>	
<input type="checkbox"/>	<b>UCCJEA</b>	
<input type="checkbox"/>	<b>Citation</b>	
<input type="checkbox"/>	<b>FTB Notice</b>	
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 07/16/13
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 17 – Koontz</b>

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

<b>DOD: 12/19/12</b>	<p><b>MANUEL ROJAS</b>, brother, was appointed Administrator with Full Authority and without bond on 02/14/13.</p> <p><b>Letters of Administration</b> were issued on 02/20/13.</p> <p><b>Inventory &amp; Appraisal</b>, partial No. 1 filed 05/01/13 - \$200,000.00</p> <p><b>Inventory &amp; Appraisal</b>, partial No. 2 filed 07/17/13 - \$114,063.05</p> <p><b>Status Report, Request for Extension of Time to Obtain Bond and Request for Extension to File Final Inventory &amp; Appraisal</b> filed 07/18/13 states: Administrator filed a Petition for Probate on 01/09/13, Letters of Administration were issued on 02/20/13, no bond was required at that time. Since the time that Letters were issued, Administrator has located additional heirs of the Decedent. Waivers of Bond have been obtained from some of those newly found heirs, but not from all of them. Therefore, Administrator has completed an application for a bond. Administrator would like more time to ascertain whether or not the heirs who have not waived bond would be willing to do so. Administrator believes that all heirs have been located and provided notice of the proceedings at this time.</p> <p>The Administrator has filed 2 partial Inventory &amp; Appraisals. But due to the condition of the decedent's residence, the Administrator did not have enough information relating to all of Decedent's property allowing him to file a final Inventory &amp; Appraisal at this time.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>⚡ Need <b>Final Inventory &amp; Appraisal</b> <u>or</u> 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><b>Note:</b> Petitioner filed a First Amendment to the Petition on 06/10/13 that lists decedent's deceased siblings and their issue unintentionally omitted from the Petition for Probate. Waivers of bond have been filed by two of the newly disclosed heirs; however, Waivers of Bond are also needed from Elizabeth McCollough and Loretta O'Casey or bond should be set in the amount of \$315,000.00.</p>
<b>Cont. from</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 07/16/13		
<b>Updates:</b> 07/18/13		
<b>Recommendation:</b>		
<b>File 18 – Sanchez</b>		

Status Hearing Re: Filing of Proof of Bond or waivers

DOD: 1-15-09	<p>JOE HOGG was appointed Administrator with Full IAEA without bond at hearing on 5-28-13 <b>subject to</b> the filing of waivers of bond by Jovanna Augman and Demetrius Augman.</p> <p>The Court set this status hearing for the filing of waivers or bond.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 5-28-13 (Judge Smith):</b>          Jovanna Augman and Demetrius Augman advise the Court that they are willing to sign waivers of bond. The Court grants the petition subject to the filing of the waivers. The Court sets the matter for Status Hearing Re: the Filing of the Proof of Bond on 7/19/13, Status Hearing Re: the Filing of the Inventory and Appraisal on 10/25/13, and Status Hearing Re: the Filing of the Accounting and/or Petition for Distribution on 7/25/14.          Petition granted. Order to be signed ex parte.</p> <p><i>Note: Waivers have not yet been filed. Therefore the Order appointing Mr. Hogg has not been signed or filed, and Letters have not yet issued.</i></p> <p><b>1. Need waivers from heirs Demetrius Augmon and Jovanna Agumon or bond of \$130,000.00.</b></p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 7-17-13
		Updates:
		Recommendation:
		File 19 – Crenshaw

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 4/15/2012	<p><b>DAWNETTE MYERS</b> was appointed as Administrator with full IAEA authority and without bond on 1/9/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
	<p>Minute order dated 1/9/2013 set a status hearing for the filing of the inventory and appraisal.</p>	
Cont. from 060713, 070513	<p><b>Status Report filed on 7/2/13 states</b> the assets of the estate consists of one personal residence. The personal representative has information on this asset and it is ready to proceed with obtaining an appraisal by the appointed probate referee.</p>	
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		<p><b>Reviewed by: KT</b></p>
UCCJEA		<p><b>Reviewed on: 7/16/13</b></p>
Citation		<p><b>Updates:</b></p>
FTB Notice		<p><b>Recommendation:</b></p>
	<p>Accordingly, the personal representative of this estate is having difficulty in preparing an inventory and appraisal for those assets.</p>	<p><b>File 20 – Myers</b></p>