



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.

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>This status hearing was set in 2012 for the filing of the next accounting by the former conservator, who is now deceased. Per Order dated 7-23-13, there is a status hearing currently set for 8-23-13 for the filing of a petition for appointment of successor conservator by the Public Guardian. Upon appointment of a successor conservator, the Court will set further status for account current.</p>
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8-12-13
		Updates:
		Recommendation:
		File 1 – Ferguson

5 Patricia Stott (CONS/PE)
Atty Nuttall, Natalie R. (for Brooke Castle – granddaughter/Petitioner)
Atty Franco, Paul C. (for Clayton James Stott – stepson)
Atty Rindlisbacher, Curtis D. (Court Appointed for Conservatee)

Case No. 13CEPR00432

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

Age: 90	TEMPORARY EXPIRES 07/11/13	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/11/13 Minute Order from 07/11/13 states: The Court is informed that the parties have reached an agreement. The Court directs that the settlement agreement be reduced to writing. Matter continued to 08/15/13. The temporary is extended to 08/15/13.</p> <p>Court Investigator advised rights on 05/17/13.</p> <ol style="list-style-type: none"> Petitioner requests appointment as conservator of the estate without bond. Effective 1/1/2008, pursuant to CRC 7.207, except as otherwise provided by statute, every conservator or guardian of the estate appointed after 12/31/2007, must furnish a bond, including a reasonable amount for the cost of recovery to collect the bond under Probate Code 2320(c)(4)). Based on the information provided in the Petition, bond should be set at \$31,790.00. Need Order. <p>Note: If the Petition is granted, Status hearings will be set as follows:</p> <ul style="list-style-type: none"> Friday, 12/06/13, at 9:00am in Dept. 303 for filing of the Inventory & Appraisal; and Friday, 09/05/14, at 9:00am in Dept. 303 for filing of the First Account and Report of Conservator. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
	<p>BROOKE CASTLE, is Petitioner, and requests appointment as Conservator of the Person and Estate without bond.</p> <p>Estimated Value of Estate: Personal property: \$ 2,500.00 Annual income: \$ 26,400.00 Total: \$ 28,900.00 Cost of Recovery: \$ 2,890.00 Total Bond: \$ 31,790.00</p> <p>Petitioner states: Patty is 90 years old and has lived at Green Gables Assisted Living in Clovis since October 2012. Patty's husband passed away in 1999, and her son Timothy, Petitioner's father, passed away in July of 2012. Her granddaughters, Timothy's two daughters, Brook (Petitioner) and Molly, also live in Clovis and are close to Patty.</p> <p>Patty has nominated Brooke to be her conservator because she is being badgered and controlled by her stepson, Jim, who lives in Washington state. Patty is not able to stand up to Jim and feels intimidated to the point that she gives in to his wishes and orders. He has been known to cause Patty to become visibly upset.</p> <p>Petitioner states Jim recently caused Patty to change her Trust to name Jim as sole acting trustee, as well as give Jim Power of Attorney. He recently sent a 30-day notice to her residence that she will be moving to Woodland Hills in Southern California at the end of this month (May 2013). Patty has no plans or desire to move there, where she has no relatives or acquaintances.</p> <p>Petitioner states that in December 2012, Jim informed Brooke of the POA, and in February 2013 Jim informed Brooke that Patty had revised her trust, revoking her original trust, as executed between Patty and her husband in 1986.</p>	
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Recommendation:		
File 5 – Stott		

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Further, in March 2013, Jim "fired" Patty's longtime financial advisor, Joe Rinaldi of Quantum Financial Advisors, through which Patty had an account at Charles Schwab. **Upon doing so, Jim transferred approx. \$550,000.00 from Patty's account into his own bank accounts. It is unknown at this time where these funds are now located or if they have been spent.**

Petitioner states Patty then revoked Jim's POA on 3-23-13, giving Brooke POA, but it is feared that Jim will again force Patty to change her POA to him. Conservatorship is necessary because without it, Jim is able to force Patty to sign testamentary documents which put Jim in control of not only her finances, but where she lives. Temporary Conservatorship is necessary to revoke the 30-day notice to her residence and to protect Patty's estate assets to see that they are not misappropriated or further depleted.

Court Investigator Jennifer Daniel filed a report on 5-21-13.

Court Investigator Jennifer Daniel filed a Supplemental Report on 06/24/13.).

On 06/18/13, the parties engaged in a settlement conference. **Minute Order from Settlement Conference on 06/18/13** states: Also present in the courtroom are David Castle and Darlene McCallum. Parties engage in settlement discussions with the Court. Matter remains set for 07/01/13.