



## 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.

Attorney Poochigian, Mark S. (for Petitioner Ann L. Kromberg, Administrator)  
 Attorney Krause, Stefanie J. (for Ruth P. Lind, former Attorney for Administrator Ann Kromberg)

**First and Final Report of Personal Representative, Petition for Termination of Decedent's Estate and Allowance of Attorneys' Fees on Waiver of Accounting**

<b>DOD: 6/10/1991</b>	<b>ANN L. KROMBERG</b> , daughter and Administrator, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Page 1B</b> is the <i>Petition for Allowance of Ordinary and Extraordinary Fees to Attorney Ruth P. Lind.</i></p> <p><b>Page 1C</b> is the Status Hearing Re Resolution.</p> <p><b>Continued from 8/11/2015.</b> Minute Order states parties have reached resolution in principle, it just needs to be reduced to writing.</p> <p><b>The following issues from the last hearing remain:</b></p> <ol style="list-style-type: none"> <li>Petitioner distributed the estate real property without Court order in violation of Probate Code § 10501(a)(4). Court may require Petitioner to procure a deed of rescission for the real property from Decedent's spouse, <b>MARLENE KROMBERG</b>, as suggested by Petitioner.</li> <li><i>Petition</i> states there are no assets remaining in the estate for distribution, as Petitioner distributed the sole estate asset to the Decedent's spouse. <i>Petition</i> does not but should address the source of payment for the requested attorney fees and reimbursement of costs.</li> <li>Need proposed order.</li> </ol>
	Accounting is waived.	
<b>Cont. from 071415, 081115</b>		
<input type="checkbox"/> Aff.Sub.Wit.	I & A — <b>\$375,000.00</b>	
<input type="checkbox"/> Verified	POH — <b>\$0.00</b>	
<input checked="" type="checkbox"/> Inventory		
<input checked="" type="checkbox"/> PTC	Administrator — <b>waives</b>	
<input checked="" type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Attorney (BMJ) — <b>\$8,400.00</b> (80% of total <b>\$10,500.00</b> statutory fee requested to be paid to Baker Manock & Jenson;)	
<input checked="" type="checkbox"/> Aff.Mail	W/	
<input type="checkbox"/> Aff.Pub.		
<input checked="" type="checkbox"/> Sp.Ntc.	W/	
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<input type="checkbox"/> Letters	062691	
<input type="checkbox"/> Duties/Supp		
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<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report	Costs — <b>\$435.00</b> (filing fee)	
<input checked="" 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	N/A	

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<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 9/9/15
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 1A - Kromberg</b>

**Petitioner states:**

**Character of Estate and Advance Distribution:**

- The estate consists solely of real property, which the Decedent received as a gift from his parents on approximately 2/14/1949;
- Pursuant to that certain Declaration of Land Patent recorded on 9/13/1985, Decedent and **MARLENE KROMBERG**, spouse, severally certified and declared [*in sum, that the real property is patented and thereby a perfect fee simple title is held in their names*]; (copy of Land Patent attached as Exhibit A);
- Pursuant to the Land Patent, the real property that has been inventoried as an asset of this Decedent's estate was declared as of 9/13/1985 to be owned jointly by Decedent James M. Kromberg and Marlene Kromberg;
- Even in the absence of the Land Patent, the Decedent was married to Marlene Kromberg in 1953, and at all times during the marriage, including for many years prior to 1985 (the time which California first required transmutations to be in writing), the Decedent treated the real property as the community property of himself and Marlene Kromberg; the property was improved and farmed using community property, the Decedent and his wife Marlene Kromberg personally farmed the property, the proceeds from such property were treated as community property; thus, it appears to the Petitioner that such real property was the community property of the Decedent and Marlene Kromberg;
- The estate is in a condition to be closed; the estate administration was prolonged due to multiple factors, including that the Decedent's conservatorship case prior to his death (0420590) was not closed until 1998 [*Decedent's DOD 6/10/1991*];
- Petitioner, in attempting to complete the administration of the estate without incurring unnecessary attorney's fees, consulted with a paralegal service regarding completion of administration; based on that consultation, Petitioner incorrectly understood that as personal representative she was authorized to make distributions from the Decedent's estate after giving notice of the proposed action to interested persons;
- Petitioner distributed the Decedent's real property to Decedent's surviving spouse, Marlene Kromberg on 2/13/2015 after obtaining consents from the other heirs of the Decedent (copy of recorded Deed to real property attached as Exhibit B);
- If required by the Court, Petitioner will request that her mother [Marlene Kromberg] execute a deed of rescission, conveying the subject real property back to the estate of the Decedent, as Petitioner does not anticipate any problem obtaining such deed from her mother is required;
- There are no assets remaining in the estate for distribution, as Petitioner distributed the sole estate asset to the Decedent's spouse.

**~Please see additional page~**

**Petitioner states, continued:****Representation and Attorney's Fees:**

- Attorney Ruth P. Lind was counsel of record for Petitioner in this matter from its inception in 1991 until 2/10/2015; (Petitioner consulted with but did not retain Baker Manock & Jensen in 2012, and Attorney Poochigian advised Ms. Lind in February 2012 that he had not been retained);
- Petitioner was [self-represented] from 2/10/2015 until 4/9/2015, when Attorney Poochigian began representing her until the present;
- Ruth Lind has, through counsel, corresponded with Petitioner regarding the amount of fees claimed to be owed to Ms. Lin (*copy of billing statement sent to Petitioner's counsel on 5/12/2015 attached as Exhibit C*);
- Ms. Lind requests **80%** of the statutory fee (**\$8,400.00**), in addition to costs (**\$334.50**) and extraordinary fees for a total fee request of **\$28,467.50**;
- Petitioner objects to the fees requested by Ms. Lind, and is hopeful that good-faith attempts to resolve her dispute with Ms. Lind will result in their agreeing on a mutually acceptable amount of attorney's fees that should be paid to Ms. Lind and that such agreement may be reached prior to the hearing on the instant petition;
- As of the filing of this Petition, Baker Manock & Jensen has rendered ordinary and extraordinary services to the Petitioner, and requests that **80%** of the statutory fee be apportioned to it, and that additional fees for extraordinary services to the personal representative be awarded to Baker Manock & Jensen in an amount not to exceed **\$10,000.00**, based on appropriate substantiation.

**Petitioner requests this Court order that:**

1. Administration of the estate be closed without an accounting;
2. All acts and proceedings of Petitioner as personal representative be confirmed and approved;
3. Petitioner be authorized and directed to pay Petitioner's attorney Baker Manock & Jensen the sum of **\$8,400.00** as fees for ordinary services to Petitioner, **\$435.00** for costs advanced to the estate, and fees for extraordinary services to the personal representative in an amount not to exceed **\$10,000.00**, based on appropriate substantiation; and
4. Distribution of the estate in Petitioner's hands [*there are no assets remaining in the estate for distribution*], and any other property of Decedent or estate not now known or discovered be made to the persons entitled to it.

Attorney Poochigian, Mark S. (for Petitioner Ann L. Kromberg, Administrator)

Attorney Krause, Stefanie J. (for Ruth P. Lind, former Attorney for Administrator Ann Kromberg)

Petition for Allowance of Ordinary and Extraordinary Fees to Attorney Ruth P. Lind

DOD: 6/10/1991	RUTH P. LIND, former Attorney for Administrator Ann Kromberg, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Continued from 8/11/2015.</b> <i>Minute Order</i> states parties have reached resolution in principle, it just needs to be reduced to writing.
Cont. from 081115	<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>Ann Kromberg retained Attorney Ruth Lind for assistance in administering the Estate of James Kromberg; Ms. Lind rendered legal services necessary in the administration of the estate from the start of the probate until 2/10/2015;</li> <li>Ann Kromberg has filed an inventory and appraisal showing the value of the estate to be <b>\$375,000.00</b>;</li> <li>Although Ms. Lind was unable to complete the probate of this action due to a Substitution of Attorney, Ms. Lind did the majority of the work on the probate;</li> <li>The only remaining item to be complete when Ms. Lind substituted out was preparation of the Petition for Final Distribution and Accounting, which the Administrator indicates will be waived;</li> <li>Therefore, Ms. Lind requests <b>80%</b> of the <b>\$10,500.00</b> statutory fee; Ms. Lind requests <b>\$8,400.00</b> of that fee;</li> <li>Additionally, Ms. Lind has performed extraordinary legal services in the administration of the estate; the activities, amount of time devoted to each, and the costs are detailed in the <i>Declaration of Ruth P. Lind [filed 6/22/2015]</i>;</li> <li>Ms. Lind should be allowed reasonable compensation for these services, which is <b>\$19,833.00</b>, and which has not been paid;</li> <li>Ms. Lind also incurred costs in the administration of the estate, itemized in the <i>Declaration of Ruth P. Lind [filed 6/22/2015]</i>; Ms. Lind should be allowed reimbursement of those costs in the amount of <b>\$334.50</b>;                      ~Please see additional page~                 </li> </ul>	
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✓ Order		
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		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 9/9/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1B - Kromberg</b>

**Petitioner states, continued:**

- There is good cause to grant this Petition prior to the final distribution of the estate; there have been continued delays by Ann L. Kromberg to finalize the estate, which may continue considering the Petition relies on pending waivers of the accounting;
- Furthermore, waiting until the conclusion of the probate will result in hardship on Ms. Lind, as further set forth in her Declaration in support of this Petition.

**Petitioner prays the Court make its Order as follows:** Ann L. Kromberg, the Administrator of the Estate, be authorized and directed to pay Ruth P. Lind **\$8,400.00** from estate funds as the unpaid balance of compensation for ordinary services to the estate, **\$19,733.00** as the unpaid balance of extraordinary services to the estate as specified, and **\$334.50** as reimbursement for costs incurred by Ruth P. Lind as specified for a total of **\$28,467.50**.

**Declaration of Ruth P. Lind in Support of Petition filed 6/22/2015** describes the extraordinary legal services rendered and includes dated itemizations from 6/10/1991 to 8/18/2006, for **139.95 hours** resulting in a fee of **\$19,733.00**, calculated at rates of **\$125.00/hour in 1991, \$135.00/hour in 1992, \$150.00/hour in 1993, \$175.00/hour in 1995, and \$200.00/hour in 2002** and for the remainder of the work on this probate. **Declarant states:**

- She represented the Administrator Ann L. Kromberg from the start of the probate proceeding until 2/10/2015;
- She also represented the Administrator in other matters that were filed in Fresno County Superior Court [please refer to Page 1 for list of 4 separate cases, which have all been completed]; payment was authorized by Court order for all of those matters, and the fees and costs sought in this *Petition* were not billed for or paid in those matters;
- The probate is still continuing in this matter, although she is no longer the attorney of record in this proceeding;
- Because she represented the Administrator during a substantial part of the probate, completed all work except for the filing of the Inventory and Appraisal which she prepared in its entirety, and the Petition for Final Distribution, she requests **80%** of the statutory fee of **\$10,500.00**, amounting to **\$8,400.00**;
- There were bankruptcy cases involving some estate properties and interest, and she provided extraordinary services in corresponding and conferencing with Administrator and various attorneys involved with the bankruptcy cases, and title company officer, including arranging for appointment of special administrator; as a result, the Public Administrator was appointed and the properties in question were protected;
- She provided extraordinary services in obtaining records and assets from William Kromberg, needed to enable the Administrator to marshal the Decedent's assets; as a result of her actions, the Administrator was able to stop attempts of William Kromberg and his son to move assets;
- The **\$8,400.00** in statutory fees and **\$19,733.00** in extraordinary fees is reasonable compensation for the legal services itemized and attached as *Exhibit A* to the Declaration;
- She has not received payment for any of her services on this case; she received payment for services provided in other matters in which she represented the Administrator [Ann L. Kromberg]; however, the items listed in *Exhibit A* are not duplicates of previously paid fees or costs;
- She advanced costs itemized on *Exhibit A* [for certified copies, filing fees, publication, archive retrieval fee], and requests reimbursement of the **\$334.50** costs;
- There is good cause for allowance of compensation at this time; she was required to devote substantial time to providing legal services on this case;
- She is a sole practitioner and her normal income diminished accordingly, causing hardship to her.

Attorney Poochigian, Mark S. (for Petitioner Ann L. Kromberg, Administrator)

Attorney Krause, Stefanie J. (for Ruth P. Lind, former Attorney for Administrator Ann Kromberg)

Probate Status Hearing Re: Resolution

DOD: 6/10/1991	<p><b>ANN L. KROMBERG</b>, daughter and Administrator, filed a <i>First and Final Report of Personal Representative, Petition for Termination of Decedent's Estate and Allowance of Attorneys' Fees on Waiver of Accounting</i> on 6/9/2015.</p> <p><b>RUTH P. LIND</b>, former Attorney for Administrator Ann Kromberg, filed a <i>Petition for Allowance of Ordinary and Extraordinary Fees to Attorney Ruth P. Lind</i> on 6/22/2015.</p> <p><b>Minute Order dated 8/11/2015</b> from the hearing on the above-referenced petitions set this status hearing on 9/15/2015 regarding the resolution and its reduction to writing.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
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Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 9/9/15	
	Updates:	
	Recommendation:	
	File 1C – Kromberg	

Atty Krbechek, Randolph (for Petitioner Frank Hine, Administrator)

First and Final Account and Report of Executor and Petition for Its Settlement, for Allowance of Attorneys' Fees, and for Final Distribution

DOD: 7/29/2010		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b>OFF CALENDAR</b></p> <p>Order on First and Final Report filed 9/3/2015.</p>	
Cont. from 070815, 081915			
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	Citation		
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		Reviewed by: LEG	
		Reviewed on: 9/3/15	
		Updates:	
		Recommendation:	
		File 7 - Hine	

**8 Cain Blanco, Trinity Blanco and Vanity Blanco (GUARD/P)**

**Case No. 11CEPR00659**

Petitioner: Oriana S. Blanco (pro per)

Guardian: Rosemary Blanco (pro per)

**Petition for Termination of Guardianship**

	<b>ORIANA S. BLANCO</b> , mother, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Please see petition for details.	<b>Continued to 10/20/15</b> at the request of the petitioner.
	Court Investigator Report filed 8/11/15.	
<b>Cont. from 081815</b>		
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		<b>Reviewed by:</b> KT
		<b>Reviewed on:</b> 9/9/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 8 – Blanco</b>