

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>		<p><b>ANN L. KROMBERG</b>, daughter and Administrator, is Petitioner.</p> <p>Accounting is waived.</p> <p>I &amp; A — <b>\$375,000.00</b>                  POH — <b>\$0.00</b></p> <p>Administrator — <b>waives</b></p> <p>Attorney (BMJ) — <b>\$8,400.00</b>  <i>(80% of total \$10,500.00 statutory fee requested to be paid to Baker Manock &amp; Jenson;)</i></p> <p><b>Note:</b> Declaration of Ruth Lind filed 6/22/2015 states she represented the Administrator during a substantial part of the probate matter, up to and including the preparation in its entirety of the Inventory and Appraisal, and she requests <b>80%</b> of the statutory fee in the sum of <b>\$8,400.00</b>.</p> <p>Costs (filing fee) — <b>\$435.00</b></p> <p><b>~Please see additional page~</b></p>	<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>Petition 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>
Cont. from 071415, 081115			
Aff.Sub.Wit.			
Verified			
✓ Inventory			
✓ PTC			
✓ Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W/		
Aff.Pub.			
✓ Sp.Ntc.	W/		
Pers.Serv.			
Conf. Screen			
Letters	062691		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202			
Order	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice	N/A		
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 9/9/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 1A - Kromberg</b></p>	

**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>;  <b>~Please see additional page~</b> </li> </ul>	
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail	W/	
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Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<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>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 9/9/15	
	Updates:	
	Recommendation:	
	File 1C - Kromberg	

Probate Status Hearing

<b>DOD: 7/27/05</b>	<b>PUBLIC ADMINISTRATOR</b> was appointed Successor Administrator on 1/20/15. Letters issued 2/5/15.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont from 042115, 060915, 081815</b>	<b>History: JEFFREY MCCLAY</b> , Son, was appointed Administrator with Full IAEA with bond of \$252,000.00 on 5/23/06. Bond was filed and Letters issued 8/31/06. I&A filed 2/7/07 indicated residential real property valued at \$300,000.00.	
<b>Aff.Sub.Wit.</b>	On 5/10/07, a Request for Special Notice was filed by Probate Referee Steven Diebert. On 10/12/07, a Creditor's Claim of \$1,105.65 was filed by Cancer Care Associates of Fresno. There was no further activity in the estate the Court set the matter for status hearing in 2013.	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	On 9/10/14, Attorney Alexander filed a petition for final distribution on behalf of his absconded client pursuant to Probate Code §10953(c). The petition indicated that the Administrator borrowed a sum of money to satisfy obligations and expenses of the estate, secured by the real property, and intended to make a distribution to his sister, make necessary repairs, and assume the loan after closing. The attorney was unaware whether any distribution of loan proceeds was made, whether any payment to the sister was made, or whether any repairs were made on the residence. The attorney requested surcharge of the Administrator to the extent of any breach of fiduciary duty, etc., and also requested statutory and extraordinary attorney's compensation.	
<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>Minute Order 1/20/15 states:</b> The Court removes Jeffrey McClay and appoints the Public Administrator in order for them to pursue surcharging Mr. McClay on the bond. Tracy Stevenson requests time to have subpoenas issued and gather information. The Public Administrator is to submit a written status report for the 4/21/15 hearing.	
<b>UCCJEA</b>		
<b>Citation</b>	<b>Status Report Re Estate Assets filed 4/14/15 by Public Administrator states</b> Deputy PA Noe Jimenez spoke with Mr. Alexander, who believed that the only asset, the residence, was lost to foreclosure. He later found out that Mr. McClay may have benefitted from a loan he secured against the residence – a line of credit for \$120,000.00 on the house in 2007. It appears he pulled all the credit line money out, and the residence was sold at a trustee sale in 2010 for \$155,000.00. Mr. Jimenez believes he has found an accurate address for Mr. McClay in Sacramento, CA. <b>The PA and counsel agree that Mr. McClay should be surcharged the full amount of the property listed on the I&amp;A, \$252,100 of which should be paid by the bond company, less any amounts that the company can recover or show were paid to benefit the estate.</b>	
<b>FTB Notice</b>		
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 9/10/15
		<b>Updates:</b> 9/14/15
		<b>Recommendation:</b>
		<b>File 2 - McClay</b>

**Page 2**

**Declaration of Tracy A. Stevenson Regarding Discharge of Surety's Liability Upon Bankruptcy of Personal Representative filed 6/5/15 states:** Jeffrey M. McClay, the decedent's son, was appointed administrator of the decedent's estate on or about 5/23/06. ACIC filed its administrator's bond on behalf of Jeffrey M. McClay in the penal sum of \$252,100 on or about 8/31/06. In applying for that bond, McClay executed an indemnity agreement wherein he agreed to indemnify and reimburse the surety for all losses, attorney fee, and costs of any nature resulting from issuance of the bond.

On or about 7/8/08, while still acting as administrator of the estate, Jeffrey M. McClay filed a Voluntary Petition for Bankruptcy in the Eastern District of California, Case Number 2008-14472. That petition disclosed that he was administrator of the estate and as such held titled to the decedent's real property, subject to an encumbrance, and that he was an heir of the estate.

Because he was administrator at the time he filed for bankruptcy protection, the estate is charged with having knowledge of the bankruptcy filing and will failing to take action to seek relief from the bankruptcy court to protect its interests or pursue a claim. As such the estate's claim against McClay has been discharged by the bankruptcy court and the estate is barred from pursuing surcharge against him.

Because a claimant is required by law to obtain a surcharge judgment against a fiduciary before the surety's liability arises, the estate is legally precluded from proceeding against the surety in this matter.

Because McClay is bound by an indemnity agreement to indemnify the surety for all losses and fees and costs in connection with the bond, pursuing the surety would cause post-discharge economic loss to McClay and interfere with the fresh start granted by his bankruptcy discharge. (The surety did not receive notice of the bankruptcy action and the bankruptcy discharge does not preclude the surety from seeking indemnity from McClay, which it would do.) See authority provided.

The declaration concludes that the estate's ability to pursue surcharge against Jeffrey McClay has been discharged by the bankruptcy court, and the estate's ability to pursue the surety on its bond is also discharged for two reasons: 1) a surcharge against McClay is a prerequisite to pursuing the surety, and a surcharge cannot be sought; and 2) pursuit of the surety would violate the fresh start objective of the Bankruptcy Code.

**Response of Public Administrator to Declaration of Tracy A. Stevenson was filed 9/10/15.**

**SEE ADDITIONAL PAGES**

**Response of Public Administrator filed 9/10/15 states** although Ms. Stevenson refers to her document as a declaration, it is in fact an objection to the surcharge of the former Administrator. Her client, American Contractors Indemnity Company, will therefore be referred to as Objector.

According to the Court docket, the former administrator's attorney filed a petition for final distribution on 9/10/14. The petition included surcharge of McClay and for liability on the bond. The hearing on that petition has been continued several times for the attorney to provide notice, surety company to conduct discovery and file an objection, and the PA to file a response to objections.

**The PA states McClay's bankruptcy case is irrelevant to the surety's obligation to make good on its bond.** See CCP §§ 996.410 and 996.460, which specifically authorize this surcharge action and make Objector's liability independent of McClay's liability. The purpose of a bond for estate administration is to ensure that the estate can be made whole in the event a fiduciary (McClay) absconds with funds, and is unable to make the estate whole. Under the facts of this case, McClay did not faithfully execute his fiduciary duties, but rather violated that duty by stealing assets from the estate. Under the clear terms of the bond, the obligations to remit payment to the estate remain "in full force and effect."

**The estate's claim against McClay is NOT discharged because of his knowledge of his bankruptcy filing because his knowledge is NOT imputed to the estate.** The estate's claim is not discharged simply because McClay, the fiduciary, was aware of his own bankruptcy. His duty is to the beneficiaries and creditors of the estate. He did not make his bankruptcy known to anyone who had standing to object to his fraudulent taking of estate assets. There is no evidence before this court that he advised the bankruptcy trustee or judge of his fraudulent taking of estate assets. The PA used the case number provided to view the Federal Court's online case information system. The Estate of Joann McClay is not listed among the creditors of this case. This is not surprising since the only way it would be listed would be for McClay to have revealed his theft from the estate to the bankruptcy trustee and judge. Simply put, his knowledge cannot be imputed to the beneficiaries and creditors because of his breach of fiduciary duty and conflict of interest.

**The PA states obtaining a surcharge against the personal representative is NOT a prerequisite to pursuing a claim against the surety so the estate CAN pursue the surety.** See CCP §§ 996.410 and 996.460, stating that the principal and surety are liable jointly and severally. The PA agrees with Objector that the liability of a surety comes only after entry of judgment; however, Objector provides no basis for her statement that "this is generally taken to mean ...surcharge against the principal." The statute stands on its own and merely states entry of judgment. The PA is doing just that, seeking an entry of judgment against the surety, as authorized by state law.

**The estate is NOT barred from pursuing the surety bond because it would NOT violate the fresh start objective of the bankruptcy code.** First, the fresh start concept is to protect the principal. Second, the concept is not intended to protect the principal from all judgments. See authority. Third, by seeking payment from the surety, the PA is not seeking a judgment against the principal and thus is not violating the principal's right to the fresh start. The surety will do that if it decides to seek indemnification from McClay after paying on its claim to the estate.

**Conclusion: There being no argument that McClay embezzled from the estate, the PA requests the Court deny the objections and surcharge the surety company, ACIC, the amount of \$252,100, to be paid to the PA as successor administrator of the estate of Joann McClay.**

**First Account Current and Report of Successor Conservator of the Estate and  
Petition for its Settlement; for Allowance of Fees to the Conservator of Estate and his Attorney.**

	<b>BRUCE BICKEL</b> , Successor Conservator of the estate, is petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Notice of Hearing indicates that Donald Lewis McDaniel is the petitioner when in fact Bruce Bickel as conservator of the estate is petitioner.</li> <li>Disbursement schedule shows payments for auto registrations on a 1965 Chevy totaling \$253.00 however there is no 1965 Chevy listed on the property on hand. Need clarification.</li> <li>Order appointing Bruce Bickel as Conservator ordered all securities placed into a blocked account. There is no indication in the file that the account is in fact blocked.</li> <li>Bank statement for the RBC Wealth Management account shows the value of the account was \$489,386.74 as of 12/31/14. The statement indicates the assets are FDIC insured up to \$250,000.</li> <li>Based on the property on hand, receipts and cost of recovery, bond should be increased to \$317,000.00</li> <li>Need Order.</li> </ol>
	<b>ROBERT N. LOWDER, III</b> and <b>MARCIA LOWDER</b> are Successor Co-Conservators of the person.	
<b>Cont. from</b>	Account period: 10/12/13 – 12/31/14	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Accounting - <b>\$967,789.52</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Beginning POH - <b>\$742,043.92</b>	
<input type="checkbox"/> <b>Inventory</b>	Ending POH - <b>\$734,880.85</b>	
<input type="checkbox"/> <b>PTC</b>	Current bond: \$280,000.00	
<input type="checkbox"/> <b>Not.Cred.</b>	Attorney - <b>\$2,707.50</b>	
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	(\$1,250.00 per Local Rule for preparation of the accounting plus 1.5 hrs @275/hr. to update conservatee's estate plan and 4.1 hrs. @ \$250-\$275 for care of conservatee)	
<input checked="" type="checkbox"/> <b>Aff.Mail</b>	Attorney costs - <b>\$435.00</b> (filing fee)	
<input type="checkbox"/> <b>Aff.Pub.</b>	Conservator - <b>\$27,577.07</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>	(224.68 hrs. @ \$60-\$150/hr., already received \$10,078.50 per order allowing payment of \$600 per month leaving a balance due of \$17,498.57)	
<input type="checkbox"/> <b>Pers.Serv.</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Conf. Screen</b>	<ol style="list-style-type: none"> <li>Approving, allowing and settling the first account;</li> <li>Confirming, approving and ratifying all acts and transactions of Petitioner as conservator of the estate;</li> <li>Approving fiduciary commissions and attorney fees and costs.</li> </ol>	
<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 checked="" type="checkbox"/> <b>2620(c)</b>		
<input type="checkbox"/> <b>Order</b>	X	
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 9/10/15</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 3 – McDaniels</b></p>

**Note:** If the petition is granted, a status hearing will be set as follows:

- **Wednesday, March 1, 2017** at 9:00 a.m. in Department 303, for the filing of the second account.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

**Third Account Current and Report of Successor Conservator and Petition for Allowance of Compensation to Successor Conservator and Attorney and Dispensation of Further Accounts**

		<b>PUBLIC GUARDIAN, Conservator, is petitioner.</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Petition requests the court dispense with further accountings however, the request is not included in the pray or in the proposed order.</p> <p><b>Note:</b> If the Court does not dispense with further accountings a status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, August 30, 2017</b> at 9:00 a.m. in Department 303, for the filing of the fourth account.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
		Account period: 6/18/13 – 6/17/15	
<b>Cont. from</b>		Accounting - <b>\$40,077.15</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$ 3,927.13</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$ 2,174.70</b>	
<input type="checkbox"/>	<b>Inventory</b>	Conservator - <b>\$1,169.52</b>	
<input type="checkbox"/>	<b>PTC</b>	(3.87 Deputy hours @ \$96/hr and 10.50 Staff hours @ \$76/hr)	
<input type="checkbox"/>	<b>Not.Cred.</b>	Attorney - <b>\$1,250.00</b> (less than allowed per Local Rule)	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Bond fee - <b>\$50.00</b> (o.k.)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Petitioner states that the conservatorship estates meets the requirements of Probate Code § 2628(b) to dispenses with further accountings. Petitioner requests that the court dispense with further accountings as long as conservatorship estate continues the requirements of Probate Code §2628(b).	
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b>	W/	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Aff. Posting</b>	1. Approving, allowing and settling the third account;	
<input type="checkbox"/>	<b>Status Rpt</b>	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/>	<b>UCCJEA</b>	3. Payment of the bond fee.	
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Age:</b> 23 years	<b>TIM COLLINS</b> , conservator, is petitioner.		<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>CONTINUED FROM 07/28/15</b></p> <ol style="list-style-type: none"> <li>Receipts include the conservatee's wages totaling \$1,203.00. Probate Code §2601 states that wages are not part of the conservatorship. Wages shall be paid to the conservatee and are subject to his or her control to the same extent as if a conservatorship did not exist.</li> <li>The Conservator has been allowed a monthly fee of \$500 since 03/21/13. At that time Michael lived with the conservator. Michael now lives independently in his own condo with a roommate who is not paying rent due to his performing daily services for the conservatee. The Court may require more information about the appropriateness /necessity of continuing the \$500/mo. fee to the conservator given the changed circumstances.</li> </ol> <p><b>Note:</b> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li><b>Wednesday, June 8, 2016</b> at 9:00 a.m. in Department 303, for the filing of the Sixth account.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
	Account period: <b>4/24/14 – 4/23/15</b>		
	Accounting - <b>\$148,355.42</b>		
	Beginning POH- <b>\$131,484.99</b>		
	Ending POH - <b>\$129,453.19</b> (\$5,620.75 is cash)		
<b>Cont. from 072815</b>	Current bond: <b>\$61,000.00</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Conservator - Allowed \$500.00 per month per court order dated 3/21/13.		
<input checked="" type="checkbox"/> <b>Verified</b>	<b>Petitioner prays for an order:</b>		
<input type="checkbox"/> <b>Inventory</b>	1. Settling and allowing the fifth account and report;		
<input type="checkbox"/> <b>PTC</b>	2. Approving and confirming the acts of the petitioner as Conservator of the person and estate of Michael Collins.		
<input type="checkbox"/> <b>Not.Cred.</b>	<b>Court Investigator Samantha Henson filed a report on 02/09/15.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	<b>Declaration of Timothy Collins</b> filed 08/17/15 states: Michael's roommate is Jared Martin. The conservatee and his family have known Jared for many years through their church. Jared is not charged rent to live with Michael at his condo because he performs many tasks that are necessary for Michael to be able to live independently including ensuring Michael takes his medications every day as prescribed, assisting with Michael's hygiene, keeping the condo neat and clean, preparing meals and helping with laundry. The only other option would be for Michael to live with strangers at a group home, which would be very costly and could be confusing for Michael. Further, it is not easy living with an autistic person, and Jared deals with Michael's pacing and constant asking of repetitive questions. A roommate who performs all of these tasks and endures this situation would not be willing to pay \$500 - \$600/month in rent, they could easily go somewhere else and rent a room for that amount. For these reasons, Petitioner believes it is in Michael's best interest to allow Jared to continue to live in the condo rent free.		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/			
<input type="checkbox"/> <b>Aff.Pub.</b>			
<input type="checkbox"/> <b>Sp.Ntc.</b>			
<input type="checkbox"/> <b>Pers.Serv.</b>			
<input type="checkbox"/> <b>Conf. Screen</b>			
<input type="checkbox"/> <b>Letters</b>			
<input type="checkbox"/> <b>Duties/Supp</b>			
<input type="checkbox"/> <b>Objections</b>			
<input type="checkbox"/> <b>Video Receipt</b>			
<input type="checkbox"/> <b>CI Report</b>			
<input checked="" type="checkbox"/> <b>2620(c)</b>			
<input checked="" type="checkbox"/> <b>Order</b>			
<input type="checkbox"/> <b>Aff. Posting</b>			
<input type="checkbox"/> <b>Status Rpt</b>			
<input type="checkbox"/> <b>UCCJEA</b>			
<input type="checkbox"/> <b>Citation</b>			
<input type="checkbox"/> <b>FTB Notice</b>			
	<b>Reviewed by:</b> JF		
	<b>Reviewed on:</b> 09/10/15		
	<b>Updates:</b>		
	<b>Recommendation:</b>		
	<b>File 5 – Collins</b>		

<b>DOD: 06/24/10</b>	<b>ROGER ROWELL</b> and <b>DAVID E. ROWELL</b> , were appointed as Co-Administrators with Full IAEA without bond on 02/17/11. Letters were issued on 02/17/11.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>CONTINUED FROM 08/18/15</b>  1. Need Order closing the estate.
<b>Cont. from 081815</b>	On 10/21/11, <b>David E. Rowell</b> resigned as Co-Administrator. New Letters were issued to <b>Roger Rowell</b> as the sole Administrator on 11/01/11.	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>	<b>Inventory &amp; Appraisal</b> filed 11/29/11 shows an estate value of \$289,000.00 (1/7 <sup>th</sup> of a 40% interest in real property).	
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>	On 02/08/13, the Court removed Roger Rowell and appointed the Public Administrator as Successor Administrator.	
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>	Numerous Status Hearings have been heard since 2013.	
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>	<b>Closing Status Report of Public Administrator and Request that Estate be Closed and Request for Discharge</b> filed 09/09/15 states:	
<b>Letters</b>	The Public Administrator has been unable to contact former Administrator, Roger Rowell.	
<b>Duties/Supp</b>	An Inventory & Appraisal was filed by Roger Rowell on 11/29/11 indicating that the only asset of the estate is a 1/7 interest in a 40% interest of real property in Fresno County identified as APN: 425-092-30. Reportedly, the other 6/7 of the 40% interest was put into a trust, but the Public Administrator does not have that trust or any knowledge of it.	
<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>	The Public Administrator asserts that she can do nothing more to help close the estate and requests that she be discharged as successor administrator and that the estate be closed.	
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/10/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 6 – Rowell</b>

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			NEEDS/PROBLEMS/COMMENTS:  <b>OFF CALENDAR</b>  Order on First and Final Report filed 9/3/2015.	
Cont. from 070815, 081915				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/O
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			050113
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			Sp. Not. W/drawn
				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.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>Continued to 10/20/15</u></b> at the request of the petitioner.</p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service of the Notice of Hearing on:             <ol style="list-style-type: none"> <li>a. Rosemary Blanco (guardian)</li> <li>b. Anthony Blanco (father)</li> <li>c. Cain Blanco (minor)</li> <li>d. Trinity Blanco (minor)</li> <li>e. Jesse Blanco (paternal grandfather)</li> <li>f. Joe Rodriguez (maternal grandfather)</li> <li>g. Grace Amerino (maternal grandmother)</li> </ol> </li> </ol>
	Please see petition for details.	
	Court Investigator Report filed 8/11/15.	
Cont. from 081815		
<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		
		Reviewed by: KT
		Reviewed on: 9/9/15
		Updates:
		Recommendation:
		File 8 – Blanco

Attorney Bell, Melinda (for Petitioner Jana Keeley, mother)

Petition for Appointment of Guardian of the Estate

	<b>NO TEMPORARY REQUESTED</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>																																																					
	<p><b>JANA KEELEY</b>, mother, is Petitioner and requests appointment as Guardian of the Estate without bond with deposits of into a blocked account.</p> <p style="text-align:center;">~Please see <i>Petition for details</i>~</p> <p style="text-align:center;">~Please see <i>additional page</i>~</p>	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>• <b>Petition for Order to Dispose of Minor's Money was filed by Petitioner in Case Number <u>15CEPR00062</u> on 1/16/2015</b>, seeking an order to deposit into a blocked account the same funds which are the subject of the instant petition for guardianship of the estate.</li> <li>• <b>Minute Order dated 4/8/2015</b> from the hearing on the <i>Petition for Order to Dispose of Minor's Money</i> denies and dismisses the petition, and states: The Court finds that a Guardianship of the Estate is required and indicates the intention to grant it. Counsel requests that the new petition be filed into this same case [15CEPR00062], and she is directed to inquire with the Clerk's office.</li> <li>• <b>Letters of Temporary Guardianship of the Person issued on 4/26/2012</b> to <b>DIANA KATIGBAK</b>, paternal aunt, and <b>RICHARD VAGER</b>, uncle; the temporary guardianship remained for the duration of Court Trial and mediation; <i>Letters</i> expired on <b>8/23/2013</b> and were not extended.</li> <li>• <b>Order After [Court Trial] Hearing dated 9/30/2013 [Judge Oliver]</b> finds in most pertinent part that all parties have agreed that the guardianship shall be terminated.</li> </ul> <p style="text-align:center;">~Please see <i>additional page</i>~</p>																																																					
<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td colspan="2">Cont. from</td></tr> <tr><td style="width:50%;">Aff.Sub.Wit.</td><td style="width:50%;"></td></tr> <tr><td>✓ Verified</td><td></td></tr> <tr><td>Inventory</td><td></td></tr> <tr><td>PTC</td><td></td></tr> <tr><td>Not.Cred.</td><td></td></tr> <tr><td>✓ Notice of Hrg</td><td></td></tr> <tr><td>✓ Aff.Mail</td><td style="text-align:center;">w/</td></tr> <tr><td>Aff.Pub.</td><td></td></tr> <tr><td>Sp.Ntc.</td><td></td></tr> <tr><td>Pers.Serv.</td><td></td></tr> <tr><td>✓ Conf. Screen</td><td></td></tr> <tr><td>✓ Letters</td><td></td></tr> <tr><td>✓ Duties/Supp</td><td></td></tr> <tr><td>Objections</td><td></td></tr> <tr><td>Video Receipt</td><td></td></tr> <tr><td>CI Report</td><td></td></tr> <tr><td>9202</td><td></td></tr> <tr><td>✓ Order</td><td style="text-align:center;">w/ blocking order</td></tr> <tr><td>Aff. Posting</td><td></td></tr> <tr><td>Status Rpt</td><td></td></tr> <tr><td>✓ UCCJEA</td><td></td></tr> <tr><td>Citation</td><td></td></tr> <tr><td>FTB Notice</td><td></td></tr> </table>			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	w/ blocking order	Aff. Posting		Status Rpt		✓ UCCJEA		Citation		FTB Notice			<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>Reviewed by: LEG</td></tr> <tr><td>Reviewed on: 9/10/15</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation:</td></tr> <tr><td>File 9 – Katigbak</td></tr> </table>	Reviewed by: LEG	Reviewed on: 9/10/15	Updates:
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Recommendation:																																																							
File 9 – Katigbak																																																							

**Petitioner requests** additional orders for payment for legal services rendered to the estate of the minor, such that the Court order that the estate shall pay to Attorney Melinda Bell the sum of **\$5,217.50**, and payment of reimbursement of costs advanced by Melinda Bell for filing fees, attorney service fees, Courtcall fees, and postage fees in the amount of **\$1,157.33** (*Declaration in Support of Fee Request filed 8/5/2015.*)

**Notes Re Attorney Fee Request in Declaration of Melinda S. Bell in Support of Fee Request filed 8/5/2015:**

- *Declaration* includes charges of **\$3,502.50** for **9.95** hours of services rendered at **\$350.00** per hour, stating that the **9.95** hours includes work in connection with the [*Petition for Order to Dispose of Minor's Money* filed on 1/16/2015 in Case15CEPR00062], the points and authorities in support, as well as all documents in connection with establishment of a Guardianship of the Estate, all for the benefit of Aiyanna Katigbak.
- *Declaration* includes charges for anticipated time to complete this matter, consisting of **4.9** hours at **\$350.00** per hour for emailing, filing fees check and documents, reviewing and responding to probate notes, preparing and serving notice of hearing, preparing for and attending hearing, etc., for a total of **\$1,715.00**.
- *Declaration* includes request for reimbursement of costs advanced (costs are not itemized by date), some of which are non-reimbursable costs pursuant to Local Rule 7.17(B), as follows: **\$202.00** for CourtCall appearances (Local Rule 7.17(B)(5); **\$35.00** for Attorney Service Fees (Local Rule 7.17(B)(7); and **\$17.50** for email to probate examiner (Local Rule 7.17(B)(6)), for a total of **\$254.50** in non-reimbursable costs.
- Local Rule 7.16(B)(1) provides the Court will allow a flat fee of **\$2,500.00** without itemization for attorney services for the establishment of a guardianship and preparation of the first account, payable upon settling the account.

**Note Re Future Hearings:** If *Petition* is granted, the Court will set the following status hearings:

- **Thursday, October 15, 2015 at 9:00 a.m. in Dept. 303** for filing receipt of funds in blocked account;
- **Thursday, February 18, 2016 at 9:00 a.m. in Dept. 303** for the filing of the final inventory and appraisal;  
and
- **Thursday, November 17, 2016 at 9:00 a.m. in Dept. 303** for the filing of the first account of the guardianship estate.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

**10 Morgan Elizabeth Pasley (CONS/PE) Case No. 12CEPR00938**

Attorney Erlach, Mara M. (for Debra Pasley – Conservator – Petitioner)

**Second Amended Account Current and Report of Conservator; Petition of Conservator  
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination**

		<p><b>DEBRA PASLEY</b>, Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i></p> <p><b>Account period: 3/28/13 – 10/17/14</b>  <b>Accounting: <u>Not provided</u></b>                  Beginning POH: \$13,438.31                  Ending POH: \$70,195.61                  (\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)</p> <p><b>Petitioner states:</b> Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. <i>(See #1.)</i></p> <p>As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.</p> <p>Petitioner does not request compensation for her services.</p> <p>Petitioner requests attorney's compensation as set forth in Exhibit "C." <i>(See #3.)</i></p> <p><b>Petitioner prays:</b></p> <ol style="list-style-type: none"> <li>1. That this account and report be approved and settled;</li> <li>2. That the acts of the Conservator shown in the account and report be approved;</li> <li>3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid;</li> <li>4. That the Conservatorship in California be terminated; and</li> <li>5. That the Court grant such other and further relief as it deems just and proper.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 6/2/15: Counsel (John Hastrup) advises that previous counsel, Ms. Erlach, has resigned from their practice. Counsel is directed to obtain the signature of the Conservator for the account, with all additional documents being filed no later than 8/4/15.</b></p> <p><b>Minute Order 8/18/15: Mr. Sullivan is in court regarding another matter this morning and reports that he has personal knowledge that Mr. Hastrup's wife might be in labor.</b></p> <p><b>As of 9/10/15, nothing further has been filed.</b></p> <p><b>Note: A Substitution of Attorney has not been filed; therefore, Mara M. Erlach remains attorney of record.</b></p> <p><b><u>SEE ADDITIONAL PAGES</u></b></p> <p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 9/10/15</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 10 – Pasley</b></p>
Cont. from 042315, 060215, 081815			
Aff.Sub.Wit.			
Verified	x		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	3/28/13		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

## 10 Morgan Elizabeth Pasley (CONS/PE) Case No. 12CEPR00938

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.

Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

The only schedule provided at Exhibit B is a statement of property on hand, labeled as "receipts," but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.

Note: The Conservatee's interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023.  
(Note: §1023 provides that an attorney may sign or verify on a client's behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney's compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
  - Morgan Elizabeth Pasley (Conservatee)
  - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
  - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*

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

<p><b>DOD: 05/23/2013</b></p>	<p><b>DONALD J. GRANZ</b>, son, was appointed Executor with full IAEA authority without bond, on 09/03/2013.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>
<p><b>Cont. from 110714, 051215</b></p>	<p>Letters issued 09/03/2013</p>	<p><b>Continued from 05/12/2015.</b></p>
<p><b>Aff.Sub.Wit.</b></p>	<p>Partial No. 1 Inventory and Appraisal filed 01/29/2014 shows an estate valued at \$361,346.16.</p>	<p>1. Need First Account or Petition for Final Distribution.</p>
<p><b>Verified</b></p>	<p>Final Inventory and Appraisal filed 01/29/2014 shows an estate valued at \$200,000.00.</p>	
<p><b>Inventory</b></p>	<p>Minute Order of 09/03/2013 set this Status Hearing for the filing of the First Account and/or Final Distribution.</p>	
<p><b>PTC</b></p>	<p><b>Status Report of Counsel filed 08/27/2015</b> states as reported in the prior Status Report in early 2015, the Executor discovered a large number of original stock certificates in the Decedent's name for shares or stock in multiple companies. When the Executor's attempts to sort and liquidate the certificates became onerous, he retained the services of Patrick Howell of RBC Wealth Management to assist him. The Executor is currently working with Mr. Howell to marshal all of the Decedent's shares in Decedent's name into an Estate account at RBC Wealth Management to facilitate administration and distribution.</p>	
<p><b>Not.Cred.</b></p>		
<p><b>Notice of Hrg</b></p>		
<p><b>Aff.Mail</b></p>		
<p><b>Aff.Pub.</b></p>		
<p><b>Sp.Ntc.</b></p>		
<p><b>Pers.Serv.</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><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>		

**Reviewed by:** LV

**Reviewed on:** 09/10/2015

**Updates:**

**Recommendation:**

**File 11 - Granz**

Attorney Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Attorney Barkinskaya, Jennie (for Conservatee)  
 Objector Loeffler, Mick (pro per – son)  
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)  
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Probate Status Hearing RE: Temporary Orders/Letters

	<b>The Current Letters of Temporary Conservatorship expire on 09/15/15.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b><u>CONTINUED FROM 06/16/15</u></b>
	On 07/26/13, <b>DIANE HUERTA</b> , daughter, filed a Petition to appoint Diane Huerta and Linda Plitt as temporary and permanent co-conservators of the Person and Estate.	
<b>Cont. from 061615</b>	Temporary Conservatorship was granted on 07/29/13 and Temporary Letters were issued on 07/30/13. At a hearing on 08/19/13, the temporary Conservatorship was denied and Temporary Letters were not extended. On 09/25/13, Judge Black appointed Bruce Bickel as Temporary Conservator of the Estates of Fred and Kathleen Loeffler.	
<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>	Since 09/25/13, the parties have engaged in numerous settlement talks, mediation, and several hearings have been heard before this court in this matter and the Temporary Letters of Conservatorship have been extended numerous times.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>	<b>Status Report of Petitioner Dianne Huerta</b>	
<b>Order</b>	filed 09/11/15 states: she has been researching appropriate parties to act as personal healthcare representative for both Kathleen and Fred Loeffler. She has also contacted the Loeffler's attorney to determine what progress they have made on their side towards finding an appropriate person to serve in that capacity.	
<b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<b>Status Rpt</b>		<b>Reviewed on:</b> 09/10/15
<b>UCCJEA</b>		<b>Updates:</b> 09/14/15
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 12 - Loeffler</b>

Attorney Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Attorney Barkinskaya, Jennie (for Conservatee)  
 Objector Loeffler, Mick (pro per – son)  
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)  
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

Probate Status Hearing RE: Temporary Orders/Letters

	<b>The Current Letters of Temporary Conservatorship expire on 09/15/15.</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>CONTINUED FROM 06/16/15</u>
	On 07/26/13, <b>DIANE HUERTA</b> , daughter, filed a Petition to appoint Diane Huerta and Linda Plitt as temporary and permanent co-conservators of the Person and Estate.	
<b>Cont. from 061615</b>	Temporary Conservatorship was granted on 07/29/13 and Temporary Letters were issued on 07/30/13. At a hearing on 08/19/13, the temporary Conservatorship was denied and Temporary Letters were not extended. On 09/25/13, Judge Black appointed Bruce Bickel as Temporary Conservator of the Estates of Fred and Kathleen Loeffler.	
<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>	Since 09/25/13, the parties have engaged in numerous settlement talks, mediation, and several hearings have been heard before this court in this matter and the Temporary Letters of Conservatorship have been extended numerous times.	
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202 Order</b>	<b>Status Report of Petitioner Dianne Huerta</b> filed 09/11/15 states: she has been researching appropriate parties to act as personal healthcare representative for both Kathleen and Fred Loeffler. She has also contacted the Loeffler's attorney to determine what progress they have made on their side towards finding an appropriate person to serve in that capacity.	
<b>Aff. Posting</b>		<b>Reviewed by:</b> JF
<b>Status Rpt</b>		<b>Reviewed on:</b> 09/10/15
<b>UCCJEA</b>		<b>Updates:</b> 09/14/15
<b>Citation</b>		<b>Recommendation:</b>
<b>FTB Notice</b>		<b>File 13 - Loeffler</b>

Attorney Bagdasarian, Gary G. (for Linda Plitt – daughter)  
 Attorney Barkinskaya, Jennie (for Conservatee)  
 Attorney Jenkins, Shani D (for Mick Loeffler – son)  
 Attorney Downing, Marcella and McLaughlin, William T. (for Diane Huerta – daughter/Petitioner)  
 Attorney Johnson, Summer A (for Bruce Bickel – temporary conservator of the estate/trustee)

**Probate Status Hearing**

	On 08/19/13, <b>DIANE HUERTA</b> , daughter of Trustor's Fred and Kathleen Loeffler, filed a Petition to Determine the Validity of the Trust Modifying the Trust, Removing Trustees, Appointing Trustees, Instructing the Trustee, Compelling Redress of Breach of Trust, and Preliminary Injunction and Prohibition of Further Distributions to Mick Loeffler.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>CONTINUED FROM 06/16/15</b></u></p> <p><b>Note: Ex Parte Petition for Order Authorizing Payment of Trustors' Attorney's Fees from Trust Brokerage Account at RBC</b> is set for hearing on 10/08/15.</p> <p><b>Status Report of Petitioner Dianne Huerta</b> filed 09/11/15 states: she has been researching appropriate parties to act as personal healthcare representative for both Kathleen and Fred Loeffler. She has also contacted the Loeffler's attorney to determine what progress they have made on their side towards finding an appropriate person to serve in that capacity.</p>
<b>Cont. from 061615</b>	Since 08/19/13, the parties have engaged in numerous settlement talks, mediation, and several hearings have been heard before this court.	
<b>Aff.Sub.Wit.</b>	On 04/28/15, Diane Huerta, filed a Notice of Motion and Motion to Disqualify Conservatees' Attorneys of Record. The matter was heard on 06/10/15 and the Court has taken the matter under submission.	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 09/10/15</p> <p><b>Updates:</b> 09/14/15</p> <p><b>Recommendation:</b></p> <p><b>File 14 - Loeffler</b></p>
<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>Status Report</b> filed 06/11/15 by Jennie Barkinskaya, attorney for Fred and Kathleen Loeffler, states: The Loefflers do not object to Petitioner Diane Huerta's request to not vacate the trial and hearing dates in this matter and the related conservatorship matters. The parties are awaiting the Court's ruling on Diane Huerta's Motion to Disqualify Conservatees' Attorneys of Record.	
<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>Order After Hearing on Petition to Disqualify Conservatee's Counsel of Record</b> denying the motion was filed 09/04/15.	

<b>Age: 88</b>	<p><b>PUBLIC GUARDIAN</b> was appointed Conservator of the Person on 2/10/2014; Letters issued on 2/20/2014.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b><u>OFF CALENDAR.</u></b></p> <p><b><u>First Account filed 09/11/2015. Hearing is set for 10/22/2015.</u></b></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>
<b>Cont. from</b>	<p><b>PUBLIC GUARDIAN</b> was appointed Conservator of the Estate on 8/26/2014; First Amended Letters reflecting appointment as Conservator of the Person and Estate issued on 9/2/2014.</p>	
<b>Aff.Sub.Wit.</b>	<p>Final Inventory and Appraisal filed 03/25/2015 shows an estate valued at \$1,191,306.58.</p> <p><b>Minute Order dated 8/26/2014</b> from the hearing on the Public Guardian's <i>Petition for Appointment of Probate Conservator of the Estate</i> set this hearing on 09/15/2015 for filing of the <i>First Account</i>.</p>	
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
		<p><b>Reviewed by:</b> LV</p> <p><b>Reviewed on:</b> 09/10/2015</p> <p><b>Updates:</b> 09/11/2015</p> <p><b>Recommendation:</b></p> <p><b>File 15 – Rousseau</b></p>

Probate Status Hearing Re: Inventory & Appraisal

<b>DOD: 10/3/2013</b>	<p><b>RYAN MISSAKIAN</b> was appointed as Administrator with full IAEA and without bond on 7/21/2014. <b>Letters issued on 7/22/14.</b></p> <p><b>I &amp; A partial no. 1 was filed on 9/15/14</b> showing a value of <b>\$375,000.00.</b></p> <p><b>I &amp; A partial no. 2 was filed on 3/12/15</b> showing a value of <b>\$370,000.00.</b></p> <p><b>Minute Order dated 3/17/2015</b> continued the status hearing for the filing of the inventory and appraisal to 7/28/2015, and states if the final inventory and appraisal is filed at least two court days prior, then no appearance is necessary on 7/28/2015.</p> <p><b>Status Report Re Closure of Estate filed on 7/24/2015 for the former status hearing states:</b></p> <ul style="list-style-type: none"> <li>• A reason for non-closure of the estate has been the avoidance of foreclosure of Decedent's residential property on Columbia Drive;</li> <li>• One of the beneficiaries of the estate, Ryan Missakian, has acquired the property from the other beneficiary, Harold A. Missakian;</li> <li>• The only remaining issue affecting estate closure is the alleged "partnership interest" of Decedent in agricultural property on Golden State Blvd. in Selma;</li> <li>• The property shall be distributed to the two estate beneficiaries in equal shares, becoming co-owners with two other persons who already own an interest in the property;</li> <li>• Beneficiaries propose that the partnership issue be resolved after probate distribution of the agricultural property to them from probate; no resolution of this issue has occurred.</li> </ul>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 7/28/2015.</b> Minute Order states Mr. Renge represents that the two partial inventories and appraisals constitute the final; the Court directs him to submit a filing with regard to that issue.</p> <p>1. Need declaration regarding two partial inventories constituting the <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b).—<i>Status Report Re: Closure of Estate filed 9/14/2015 states the two partial inventories and appraisals shall constitute the final inventories and appraisals for purposes of estate closure and no other properties are subject to appraisal.</i></p> <p><b>Note:</b> Partial Inventory No. 1 and Partial Inventory No. 2 do not satisfy the requirement for a final inventory and appraisal, and if no additional assets will comprise the estate, Petitioner should so indicate that to the Court.</p> <p><b>Note:</b> Status Hearing is not currently set for filing of the petition for final distribution. Court will set status hearing as follows:</p> <ul style="list-style-type: none"> <li>• <b>Monday, November 16, 2015 at 9:00 a.m. in Dept. 303</b> for filing of the final account and petition for final distribution.</li> </ul> <p>Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.</p>
<b>Cont. from 121714, 031715, 072815</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>		
		<b>Reviewed by: LEG</b>
		<b>Reviewed on: 9/9/15</b>
		<b>Updates: 9/14/15</b>
		<b>Recommendation:</b>
		<b>File 17 - Missakian</b>

**18 Sylvia Valencia (Estate) Case No. 14CEPR00857**

**Attorney Rodriguez, Frankie (for Primavera Damme – Administrator)**

**Probate Status Hearing RE: Filing of the Inventory and Appraisal**

<b>DOD: 08/01/2013</b>	<p><b>PRIMAVERA DAMME</b>, daughter, was appointed Executor with Full IAEA with bond of <b>\$175,000.00</b> on 4/14/2015.</p> <p>Receipt of Bond filed in the amount of \$175,000.00.</p> <p>Letters issued on 09/08/2015.</p> <p><b>Minute Order dated 4/14/2015</b> from the hearing on the petition for letters of administration set the matter for a Status Hearing on 09/15/2015 for filing of the Inventory and Appraisal.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need Inventory and Appraisal 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>
<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: LV</b>
		<b>Reviewed on: 09/10/2015</b>
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 18 – Valencia</b>

Petitioner Jeanette Galleto Lao (Pro Per Petitioner, daughter)

**First Amended Petition for Letters of Administration; Authorization to Administer Under the IAEA (Prob. C. 8002)**

<b>DOD: 9/21/2014</b>	<p><b>JEANETTE GALLETTO LAO</b>, daughter, is Petitioner and requests appointment as Administrator with Full IAEA Authority without bond.</p> <p>Full IAEA — O.K.</p> <p>Decedent died intestate.</p> <p>Residence — Fresno Publication — Business Journal</p> <p><b>Estimated value of the Estate:</b>                  Personal property - \$ 47,000.00                  Real property - \$135,000.00  <hr/>                 Total - \$182,000.00</p> <p>Probate Referee: <b>Rick Smith</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Continued from 8/11/2015.</b> Minute Order states the Court indicates that it will be ordering bond in the amount of <b>\$182,000.00</b>. The matter is continued to allow Ms. Lao time to contact bonding companies.</p>
<b>Cont. from 042315, 081115</b>		
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>		
<input checked="" type="checkbox"/> <b>Aff.Mail</b> W/		
<input checked="" 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 checked="" type="checkbox"/> <b>Letters</b>		
<input checked="" type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed by:</b> LEG
		<b>Reviewed on:</b> 9/10/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 19 – Galleto</b>

**In the Matter of the Patricia J. Schmidt Trust FBO Dwayne Frosch  
Case No. 15CEPR00572**

Attorney **Schmidt, William L. (attorney for Petitioner and Respondent Proposed Trustee)**

**Notice of Petition and Amended Petition for Transfer of Administration from Another Jurisdiction Pursuant to California Probate Code (Probate Code 17451, 17452)**

<b>DOD: 9/19/13</b>	<b>DWAYNE R. FROSCH</b> , beneficiary of the <b>Patricia J. Schmidt Trust FBO Dwayne Frosch (the Schmidt Trust)</b> , age 45, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<u><b>SEE ADDITIONAL PAGES</b></u>
	<b>Petitioner states</b> he is currently a resident of the Federal Correctional Institution Florence located in Florence, Fremont County, Colorado. Petitioner anticipates residing in the State of California upon his release. The terms of the trust require continued trust administration for beneficiaries for life. This petition is an attempt to accomplish transfer of administration of the Schmidt Trust to the home state of Dwayne R. Frosch and appoint a replacement trustee familiar with the money management challenges faced by inmates.	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/> <b>Verified</b>		
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>		
<input type="checkbox"/> <b>Not.Cred.</b>		
<input type="checkbox"/> <b>Notice of Hrg</b>		x
<input type="checkbox"/> <b>Aff.Mail</b>		x
<input type="checkbox"/> <b>Aff.Pub.</b>		
<input type="checkbox"/> <b>Sp.Ntc.</b>		
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>		
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>		
<input type="checkbox"/> <b>CI Report</b>		
<input type="checkbox"/> <b>9202</b>		
<input checked="" type="checkbox"/> <b>Order</b>		
<input type="checkbox"/> <b>Aff. Posting</b>		
<input type="checkbox"/> <b>Status Rpt</b>		
<input type="checkbox"/> <b>UCCJEA</b>		
<input type="checkbox"/> <b>Citation</b>		
<input type="checkbox"/> <b>FTB Notice</b>		
	<b>Respondent WILLIAM L. SCHMIDT</b> , age 57, is a resident of Fresno, CA and has been appointed conditional trustee by the District Court in and for the County of Cerro Gordo, Iowa to accomplish a transfer of jurisdiction to the State of California. Respondent has no familial relationship with the settlor or her kin.	
	Petitioner states Respondent shall become the sole trustee of the Schmidt Trust once the administration of the trust and assets mentioned below are transferred to this jurisdiction.	
	The Schmidt Trust is a written voluntary express trust created 8/19/13 by Patricia J. Schmidt in Mason City, IA. Petitioner is the sole existing beneficiary. The Schmidt Trust has been subject to the supervision of the District Court in and for the County of Cerro Gordo, IA. A request for transfer of place of administration was filed there on 2/19/15 and approved 2/23/13. See Exhibit C.	
	<u><b>SEE ADDITIONAL PAGES</b></u>	
		<b>Reviewed by:</b> skc
		<b>Reviewed on:</b> 9/11/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 20A - Schmidt</b>

**Petitioner states** the Schmidt Trust is not closed. The Schmidt Trust has retained assets. Respondent William L. Schmidt, the proposed trustee, has agreed to accept the trust in this state. The present petition is a necessary requirement of the Iowa district Court, Chief Judge James M. Drew, to confirm California will allow Respondent William L. Schmidt to serve as trustee and accept jurisdiction. William L. Schmidt is an attorney duly licensed to practice law in all federal and state courts in California. Since admittance his practice has focused on serving the legal needs of incarcerated persons, including handling money as a trustee. Bond is not requested.

**Petitioner states the assets do not include real property and are comprised of liquid capital and negotiable securities (e.g. stocks and mutual funds) as follows:**

- i. First Citizens Trust Acct, Market Value \$46,050.47
- ii. Attorney Trust Acct, Market Value \$5,000.00
- iii. Patricia J. Schmidt Estate, Market Value \$77,236.07

Asset (i) is presently held by First Citizens National Bank in trust for the Patricia J. Schmidt Trust FBO Dwayne R. Frosch. The resignation as trustee pertaining to First Citizens National Bank is attached as Exhibit D.

Asset (ii) is presently held by the law firm of Heiny, McManigal, Duffy, Stambaugh & Anderson, P.L.C., of Mason City, IA.

Asset (iii) is presently held by Steve Schroeder, Executor of the Patricia J. Schmidt Estate.

**Examiner notes that the following documents are attached to the petition:**

**Exhibit A:** Last Will and Testament of Patricia J. Schmidt, which appears to contain the terms of the instant trust, and various related documents related to the Estate of Patricia J. Schmidt in the Iowa District Court for Cerro Gordo County.

**Exhibit B:** Application Regarding Appointment of New Trustee and Transfer of Jurisdiction to California;

**Exhibit C:** Order Approving Application Regarding Appointment of New Trustee and Transfer of Jurisdiction to California

**Exhibit D:** Resignation to Serve as Trustee by First Citizens National Bank.

**Petitioner prays as follows:**

1. That the Court issue an order accepting transfer of the place of administration of the Schmidt Trust as well as all Schmidt Trust assets;
2. That the Court appoint Respondent William L. Schmidt as trustee to administer the trust in this state; and
3. For any other relief that the Court may deem just and proper.

**SEE ADDITIONAL PAGES**

## Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. Examiner notes previously noted that the original petition does not state the names and addresses of each person entitled to notice of this petition pursuant to Probate Code §§ 17201, 17203. This amended petition still does not contain a complete list of each person entitled to notice. Need comprehensive list stating each person entitled to notice and his or her address.

*Note: Petitioner states he is the “sole existing beneficiary” of the trust; however, the testamentary trust in the will names an alternate trustee, Jesse Henderson, who is not included, as well as residual beneficiaries who appear to be entitled to notice including McKenzie Schumate, Desirae Bayliff, and Andrew Bayliff.*

2. Need Notice of Hearing (Mandatory Judicial Council Form DE-120 required for all probate proceedings.) See Probate Code §1211, Cal Rule of Court 1.31 re mandatory forms.
3. Need proof of service of Notice of Hearing at least 30 days prior to the hearing on all persons entitled thereto pursuant to Probate Code §17203. Note: This amended petition, although re-titled as “Notice of Petition and Amended Petition,” is still not consistent with the requirement for use of mandatory Judicial Council notice form which includes mandatory language regarding the hearing date.
4. Need points and authorities regarding this petition. The Decedent’s will was admitted to Probate in Iowa in 2013. The Iowa probate estate administration appears to be ongoing. The will provides for distribution of the decedent’s estate to a testamentary trust, the “Patricia J. Schmidt Trust.” (*Note that this is not the instant trust.*)

The Testamentary Trust then provides for its own separate administration and distribution in two shares, one share for Petitioner Dwayne R. Frosch, and one share for Derrick Shawn Bayliff, which shares are to be retained in trust and administered pursuant to the terms set forth therein. It appears that Dwayne and Derrick are income beneficiaries of their respective trusts only, and others (their issue?) are the ultimate beneficiaries of each trust share. (*Dwayne’s subtrust is the instant trust.*)

Petitioner requests that this Court accept transfer of the place of administration the “Patricia J. Schmidt Trust FBO Dwayne Frosch” and that this Court appoint William L. Schmidt, a resident of Fresno, CA, as trustee to administer the trust in this state.

However, under the circumstances described, it is unclear:

- a) whether the testamentary trust and subtrust have been created in accordance with applicable law and procedures; and
- b) why acceptance of jurisdiction by this California Probate Court is necessary.

SEE ADDITIONAL PAGES

Page 4 – NEEDS/PROBLEMS/COMMENTs (Cont'd):

Discussion:

- Need clarification as to how the probate estate process works in Iowa in order to understand what is being requested here.

Article VI, Section B of the will states: “On distribution of my estate from probate the Patricia J. Schmidt Trust, together with property received from any other source, shall be administered as follows...”

The above language infers a similar process to California's, whereby an estate, upon closing administration, distributes to the testamentary trust, and the estate's final distribution order is the order that creates the testamentary trust. The testamentary trust does not exist as an entity until estate administration is completed, nor would a subtrust of the testamentary trust exist yet.

This petition indicates, by reference to funds held in both the estate and in the estate executor's attorney's trust account, that the estate has not yet closed and distributed to the Patricia J. Schmidt Trust, while at the same time indicating that the subtrust is currently in existence, with reference to the First Citizens account and the trustee's resignation. How is this subtrust in existence? Is there an Iowa Court order that created the testamentary trust and/or its subtrusts that is not included for this Court's reference?

- The attached Iowa Court Order filed 2/23/15 requires a final accounting by the apparently resigned former trustee, First Citizens National Bank. Has this occurred? Will this affect the value of the assets provided?
- Pursuant to Probate Code §15602(a)(3), bond is required for a trustee not named in the trust instrument. If granted, need bond of \$94,915.19, which includes cost of recovery, based on the below figures.

**Need clarification regarding the three assets identified in this petition as assets of this subtrust:**

- i. First Citizens Trust Acct, Market Value \$46,050.47
- ii. Attorney Trust Acct, Market Value \$5,000.00
- iii. Patricia J. Schmidt Estate, Market Value \$77,236.07

Are these three accounts entirely assets that are allocated to Dwayne's subtrust, or do these amounts have yet to be split up? Why would funds still held in the estate be identified as assets of Dwayne's subtrust? How/when was the First Citizen's account created? Was there a preliminary distribution order that established the subtrust ahead of time and allocated only those funds? Was First Citizens trustee of only those funds, or trustee of the funds still contained in the estate as well? What assets will their final account cover? Are these figures current for calculation of bond?

SEE ADDITIONAL PAGES

## Page 5 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

- Petitioner states at Paragraph 6 on Page 3 of the Petition: “The Schmidt Trust has been subject to the supervision of the District Court in and for the County of Cerro Gordo, Iowa.” Is Petitioner requesting this Court accept supervision of this trust, or simply jurisdiction in the event it becomes necessary?

A testamentary trust or its subtrusts would not necessarily require Court supervision, regardless of the income beneficiary’s incarceration status. Why is this subtrust being supervised currently? (The requirement that First Citizens, as the resigned trustee, is required to account, and of course, the instant petition are both evidence that the subtrust is currently being supervised.)

A trust will typically either specify a preferred jurisdiction, or applicable law provides that the place of administration would be the proper place to initiate proceedings, if necessary. Acceptance of jurisdiction is not typically required of a trust that is not supervised. Here, the Decedent’s will at Article XVI states “...the Trustee or any beneficiary may invoke the jurisdiction of any proper court at any time it is deemed advisable.” This language does not imply the necessity of Court supervision aside from in the event of disputes, or instruction requested.

If appointment of a successor trustee is necessary, why wouldn’t the Court that currently has jurisdiction simply review the petition to appoint the successor trustee in accordance with applicable trust law, and in doing so, take into consideration the fact that appointing him may change the place of administration for purposes of jurisdiction?

Examiner notes also that Petitioner appears to be the sole income beneficiary, but is not necessarily the sole beneficiary. *The residual beneficiaries named in the will have not been given notice of this petition.* They may be entitled to information, accountings, etc. Would California jurisdiction affect them?

Note: If supervision is required, and this petition is granted, the Court will set status hearings for applicable events such as accountings, etc.

- Petitioner is currently incarcerated in Colorado, but plans to reside in California upon his release. California Probate Code §9202(b) provides for certain notice requirements for incarcerated estate beneficiaries in California probate estates. The Court may require clarification as to whether any such similar provisions exist in connection with Iowa Probate Code under which the estate/trust(?) is currently being administered and the result of such notice, if required.

Note: Upon further clarification, the Court may have additional questions or issues.

**21 Benjamin Hinojosa (GUARD/P)**

**Case No. 15CEPR00679**

Attorney Hemb, Susan A. (for Petitioners Rita and Walter Segal)  
 Attorney McCracken, Terri L. (for Nicole Hinojosa – Mother – Objector)  
 Petition for Appointment of Guardian of the Person

<b>Age: 2</b>	<p style="text-align: center;"><b><u>TEMPORARY DENIED ON 08/10/2015</u></b>  <b><u>GENERAL HEARING 9/15/15</u></b></p> <p>RITA and WALTER SEGAL, Maternal Grandmother and Step-Grandfather, are Petitioners.</p> <p style="text-align: center;"><b><u>Please see petition for details</u></b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Notice of hearing filed 07/27/2015 shows the mother, Nicole Hinojosa, was served by mail on 07/16/2015 however personal service is required.</p>
<b>Cont. from</b>		
<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.      x		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input checked="" 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		
		<b>Reviewed by:</b> lv
		<b>Reviewed on:</b> 09/10/2015
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 21 – Hinojosa</b>

**22 Levell Armstrong, Ja'shawna Ellsberry (GUARD/P) Case No. 15CEPR00688**

Petitioner Beard, Johnnese Renee (pro per – sister)

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

Levell, 15	<b><u>TEMPORARY EXPIRES 09/15/15</u></b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need Notice of Hearing.</li> <li>2. Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent &amp; Waiver of Notice <u>or</u> Declaration of Due Diligence for:                     <ol style="list-style-type: none"> <li>a. Marquis Levell Armstrong (Levell's father) – service by mail ok per 07/28/15 Minute Order</li> <li>b. Ja'Shawna's father – personal service required</li> <li>c. Ronnie Armstrong (Levell's paternal grandfather) – service by mail ok</li> <li>d. Rosemary Woods (Levell's paternal grandfather) – service by mail ok</li> <li>e. Ja'Shawna's paternal grandparents – service by mail ok</li> <li>f. Walter Ellsberry (maternal grandfather) – service by mail ok</li> </ol> </li> </ol>
Ja'Shawna, 3	<b>JOHNESE RENEE BEARD</b> , sister, is Petitioner.	
	Father (Levell): <b>MARQUIS LEVELL ARMSTRONG</b> – currently incarcerated	
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Father (Ja'Shawna): <b>UNKNOWN</b>	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Mother: <b>DASHA ELLSBERRY</b> - deceased.	
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg	<input checked="" type="checkbox"/> Paternal grandfather (Levell): <b>RONNIE ARMSTRONG</b>	
<input type="checkbox"/> Aff.Mail	<input checked="" type="checkbox"/> Paternal grandmother (Levell): <b>ROSEMARY WOODS</b>	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	<input checked="" type="checkbox"/> Paternal grandparents (Ja'Shawna): <b>UNKNOWN</b>	
<input checked="" type="checkbox"/> Conf. Screen	Maternal grandfather: <b>WALTER ELLSBERRY</b>	
<input checked="" type="checkbox"/> Letters	Maternal grandmother: <b>MARY CATO</b> - consents and waives notice.	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt	<b>Petitioner states</b> [see petition for details].	
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	<b>Court Investigator Jennifer Young filed a report on 09/08/15.</b>	
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/10/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 22 – Armstrong/Ellsberry</b>

Petition for Appointment of Guardian of the Person

Age: 14	<b>TEMPORARY EXPIRES 09/15/15</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Declarations of Due Diligence outline efforts to locate and serve mother, Amy Ramage, however, her whereabouts remain unknown. If diligence is not found, need proof of personal service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian of the Person</i> <u>or</u> <i>Consent &amp; Waiver of Notice</i> for Amy Ramage (mother).
	<b>ARYNN SMITH</b> , paternal aunt, is Petitioner.	
	Father: <b>TAHOMA RAMAGE</b> – <i>Consent &amp; Waiver of Notice filed 08/13/15</i>	
Cont. from	Mother: <b>AMY RAMAGE</b> – <i>Declarations of Due Diligence filed 08/10/15, 08/17/15 &amp; 08/26/15</i>	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: JEFF RAMAGE – <i>served by mail on 08/27/15</i>	
<input checked="" type="checkbox"/> Verified	Paternal grandmother: SYN WILSON – <i>served by mail on 08/27/15</i>	
<input type="checkbox"/> Inventory	Maternal grandfather: BILL ABBOTT – <i>served by mail on 08/27/15</i>	
<input type="checkbox"/> PTC	Maternal grandmother: CONNIE ABBOTT – <i>served by mail on 08/27/15</i>	
<input type="checkbox"/> Not.Cred.	Sibling: TYLER RAMAGE – <i>served by mail on 08/27/15; Consent &amp; Waiver of Notice filed 08/17/15</i>	
<input checked="" type="checkbox"/> Notice of Hrg	<b>Petitioner states</b> [see Petition for details].	
<input checked="" type="checkbox"/> Aff.Mail w/	<b>Court Investigator Samantha Henson filed a report on 09/09/15.</b>	
<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 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		
		<b>Reviewed by:</b> JF
		<b>Reviewed on:</b> 09/10/15
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 23 – Ramage</b>

**Petition by Successor Co-Trustee/Beneficiary for Removal of Successor Co-Trustee and Appointment of Sole Successor Trustee**

		<b>STEVEN SEAGRAVES</b> , Successor Trustee of the Trust, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner alleges:</b>	
Cont. from		The <b>SEAGRAVES FAMILY TRUST</b> was established by declaration of Trust dated 6/13/12 by settlors <b>ELMER LEON SEAGRAVES</b> and <b>RUBY T. SEAGRAVES</b> .	
<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 checked="" type="checkbox"/>	Pers.Serv.	W/	
<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		
		Elmer L. Seagraves was the initial trustee.	
		Elmer L. Seagraves died on 6/16/15.	
		Pursuant to the terms of the trust, upon death of Elmer L. Seagraves, Steven Seagraves and Darrell Seagraves, children of the settlors, were appointed successor Co-Trustees. In addition, pursuant to the terms of the Trust, Steven Seagraves and Darrell Seagraves, were beneficiaries of equal shares of the Trust estate upon the passing of Ruby T. Seagraves.	
		Darrell Seagraves is currently incarcerated in the Fresno County Jail.	
		The Trust provides that if an individual Trustee cannot participate in the activities because of physical or mental incapacity, or otherwise cannot act, during any period of incapacity, the Co-Trustee, or if there is no Co-Trustee, then the Successor Trustee shall act as Trustee, having all rights and powers granted to the Trustee by instrument. Petitioner alleges that the incarceration of Darrell Seagraves prevents him from participating in the Trust activities and is otherwise unfit to administer the Trust pursuant to Probate Code §15642(b)(2).	
		<b>Please see additional page</b>	
		<b>Reviewed by: KT</b>	
		<b>Reviewed on: 9/10/15</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 24 - Seagraves</b>	

The trust provides that no bond shall be required of any person named in the instrument as Trustee.

**Petitioner requests that:**

1. The Court appoint Steven Seagraves as sole successor Trustee of the Seagraves Family Trust dated June 13, 2012;
2. Steven Seagraves be granted full authority as sol Successor Trustee of the real property assets of the Trust including but not limited to property located at 5078 E. Weathermaker, Fresno;
3. The Court determine that no bond be required of the sol Successor Trustee.

**Petition of Beneficiary to Appoint Successor Trustee**

		<b>EVELYN SANOIAN</b> , beneficiary, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W/	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Petitioner alleges:</b>	
		The Al Sanoian Irrevocable Trust dated 1/30/1980 was created by the Al Sanoian Irrevocable Trust Agreement.	
		Joanne Sanoian was the initial Trustee.	
		Joanne Sanoian died on 3/22/14, creating a vacancy in the office of Trustee.	
		The Trust instrument does not provide for the appointment of a successor Trustee.	
		Evelyn Sanoian, as income beneficiary, requests the Court appoint Bruce Bickel as successor Trustee, pursuant to the consents of all income beneficiaries. All income beneficiaries also waive bond.	
		Bruce Bickel consents to the appointment.	
		<b>Wherefore, the Petitioner requests that:</b>	
		1. The Court appoint Bruce Bickel as successor Trustee;	
		2. The Court waive the requirement of bond for the successor Trustee.	
			<b>Reviewed by:</b> KT
			<b>Reviewed on:</b> 9/10/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 25 – Sanoian</b>

Petition for Appointment of Probate Conservator

		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/COMMENTS:
		ANDREA CANTU, daughter, is petitioner.	Court Investigator Advised Rights on 9/1/15.
Cont. from		Please see petition for details.	Voting rights affected need minute order.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator Report filed on 9/10/15	<ol style="list-style-type: none"> <li>1. Need Citation. (Note: A proof of service of the Citation was filed however the actual Citation was not.)</li> <li>2. Need Capacity Declaration that supports medical consent and dementia requests.</li> </ol>
<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 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 type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	X	
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 9/10/15
			Updates:
			Recommendation:
			File 26 – Rios

**27 Evelyn Sanoian Irrevocable Trust dated Jan. 14, 1981**

**Case No. 15CEPR00741**

**Attorney: Gary G. Bagdasarian (for Petitioner Eveyln Sanoian)**

**Petition by Interested Party to Appoint Successor Trustee**

		<b>EVELYN SANOIAN</b> , interested party, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b>Petitioner alleges:</b>	
<b>Cont. from</b>		The Evelyn Sanoian Irrevocable Trust dated 1/14/1981 was created by the Evelyn Sanoian Irrevocable Trust Agreement.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>	Joanne Sanoian was the initial Trustee.	
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>	Joanne Sanoian died on 3/22/14, creating a vacancy in the office of Trustee.	
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>	The Trust instrument does not provide for the appointment of a successor Trustee.	
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Evelyn Sanoian, as Grantor, requests the Court appoint Bruce Bickel as successor Trustee, pursuant to the consents of all income beneficiaries. All income beneficiaries also waive bond.	
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>	Bruce Bickel consents to the appointment.	
	<b>9202</b>		
✓	<b>Order</b>	<b>Wherefore, the Petitioner requests that:</b>	
	<b>Aff. Posting</b>	3. The Court appoint Bruce Bickel as successor Trustee;	
	<b>Status Rpt</b>	4. The Court waive the requirement of bond for the successor Trustee.	
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
			<b>Reviewed on:</b> 9/10/15
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 27 – Sanoian</b>

Petitioner Rivera, Norma (pro per – maternal grandmother)

Petition for Appointment of Temporary Guardian of the Person

Julio, 7	<b><u>GENERAL HEARING: 11/03/15</u></b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
Kimberly, 5	NORMA RIVERA, maternal grandmother, is Petitioner.			
Kayla, 2	Father: <b>JULIO ZANUDO</b> – Personally served on 09/07/15			
Kaylee, 1	Mother: <b>FLOR RIVERA</b> – Consent & Waiver of Notice filed 09/11/15			
<b>Cont. from</b>				
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	<input type="checkbox"/>		Paternal grandfather: CESAR ZANUDO
<input checked="" type="checkbox"/>	<b>Verified</b>	<input type="checkbox"/>		Paternal grandmother: GUADALUPE ZANUDO
<input type="checkbox"/>	<b>Inventory</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>PTC</b>	<input type="checkbox"/>		Maternal grandfather: FLORENCIO RIVERA
<input type="checkbox"/>	<b>Not.Cred.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Notice of Hrg</b>	<input checked="" type="checkbox"/>		<b>Petitioner states</b> [see Petition for details].
<input type="checkbox"/>	<b>Aff.Mail</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff.Pub.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>Letters</b>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Objections</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Video Receipt</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>CI Report</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>9202</b>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>Order</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Aff. Posting</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Status Rpt</b>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>Citation</b>	<input type="checkbox"/>		
<input type="checkbox"/>	<b>FTB Notice</b>	<input type="checkbox"/>		
			<b>Reviewed by:</b> JF	
			<b>Reviewed on:</b> 09/11/15	
			<b>Updates:</b> 09/14/15	
			<b>Recommendation:</b>	
			<b>File 28 – Zanudo</b>	