

Probate Status Hearing re: Failure to File a First Account or Petition for Final Distribution.

DOD: 7/3/2005	<p>KEVIN SMITH was appointed Administrator with full IAEA authority and without bond on 10/11/05.</p> <p>Letters issues on 10/24/05.</p> <p>Inventory and appraisal filed on 12/27/05 shows an estate valued at \$110,062.39.</p> <p>On 5/8/08 Kevin Smith's attorney, Judith Wright's Motion to Be Relieved as Counsel was granted.</p> <p>Minute Order dated 6/5/08 states the Court found good cause to remove Kevin Smith as Administrator and appoint the PUBLIC ADMINISTRATOR as successor Administrator.</p> <p>Order appointing Successor Administrator was signed on 6/13/08</p> <p>Letters issued to the Public Administrator as Successor Administrator on 6/13/08.</p> <p>Notice of Status Hearing was mailed to Heather Kruthers, attorney for the Public Administrator on 7/16/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need 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>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 1 – Swanson

Probate Status Hearing RE: Filing of a Petition for Termination

Age: 17	<p>SANDRA ROMERO CRANE, maternal grandmother, was appointed guardian on 11/16/1999.</p> <p>On 9/16/14 the Court granted SANDRA ROMERO CRANE'S Petition to Fix Residence Outside the State of California.</p>	NEEDS/PROBLEMS/COMMENTS:
		As of 09/21/15, nothing further has been filed.
Cont. from		1. Need proof of school enrollment.
Aff.Sub.Wit.	Minute order dated 6/25/14 (on Mom's Petition to Terminate the Guardianship) indicated Sandra Crane Romero informed the Court that she was living in Nevada. The Court directed Ms. Crane to seek a guardianship in Nevada. A status hearing was set regarding the establishment of a guardianship in Nevada.	
Verified		2. Need Petition for Termination of Guardianship.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail	Minute Order dated 11/5/14 states Ms. Crane is ordered to file the petition in Nevada as soon as the 6 months residency requirement is met and appear via Court Call on 4/8/15.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen	Minute Order dated 4/8/15 indicates there were no appearances. An Order to Show Cause was issued and set for 05/20/15.	
Letters		
Duties/Supp		
Objections	Declaration filed 05/19/15 attaches a copy of a Nevada Order Appointing Temporary Guardian.	
Video Receipt		
CI Report	Minute Order from 05/20/15 set this hearing for Status and states: The Court Vacates the OSC. Parties represent that temporary orders have been issued in Nevada, but they have been directed to make publication prior to another hearing being set with that court. The Court orders Sandra and Jeff Crane to be personally present or appear via CourtCall on 08/05/15. Parties recite their understanding with regard to the next court date in this court and the order to be present.	
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Minute Order from 08/05/15 set this matter for status regarding a Petition for Termination of the Guardianship and states: The Cranes report that they requested dismissal of the Nevada matter and that the minor has refused to return to Nevada from California, where she is currently residing with Ms. Rivas. The Court orders Ms. Rivas to bring paper-proof of school enrollment on 09/23/15.	
		Reviewed by: JF
		Reviewed on: 09/21/15
		Updates:
		Recommendation:
		File 2 – Rivas

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

DOD: 12/3/2005	<p>ALICE SILVAS was appointed Administrator with full IAEA authority and without bond on 5/19/06.</p> <p>Ms. Silva was not allowed to take possession of any estate money without a court order.</p> <p>Letters issued on 5/19/06.</p> <p>Minute Order dated 6/21/07 removed Alice Silvas as Administrator and appointed the PUBLIC ADMINISTRATOR as successor Administrator.</p> <p>Notice of Status Hearing was mailed to Heather Kruthers, attorney for the Public Administrator, on 7/16/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need inventory and appraisal, 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>
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 3 – Silvas

Petition for Visitation

		<p>CHRISTINA RODRIGUEZ, mother, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition is for JUSTIN, MATTHEW and JAZLIN ONLY.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on Guardian, Mary Johnston. 	
Cont. from				
<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			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<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: 9/21/15	
			Updates:	
			Recommendation:	
			File 4A – Levato & Quintero	

Petition for Visitation Modification

		<p>MARY JOHNSTON, paternal grandmother/guardian of Justin, Matthew and Jazlin, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition is for JUSTIN, MATTHEW and JAZLIN ONLY.</p> <p>3. Need Notice of Hearing.</p> <p>4. Need proof of service of the Notice of Hearing on mother, Christina Rodriguez.</p>	
Cont. from				
<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 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: 9/21/15				
Updates:				
Recommendation:				
File 4B – Levato & Quintero				

Petition for Visitation Modification

		<p>MARY JOHNSTON, paternal grandmother/guardian of Justin, Matthew and Jazlin, is petitioner.</p> <p>Please see petition for details.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This Petition is for JUSTIN, MATTHEW and JAZLIN ONLY.</p> <p>5. Need Notice of Hearing.</p> <p>6. Need proof of service of the Notice of Hearing on father, Jose Quintero.</p>	
Cont. from				
<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 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: 9/21/15				
Updates:				
Recommendation:				
File 4C – Levato & Quintero				

5 William Cooley, Sr. (CONS/PE)

Case No. 08CEPR00059

Atty Farmer, C. Michael (for Ruby Jones deceased conservator)

Atty LeVan, Nancy J. (for I'Sha Cooley, conservator of the person)

Atty Kruthers, Heather H (for Public Guardian, conservator of the estate)

Probate Status Hearing for the Filing of the Final Account of Deceased Conservator (Prob.C §2632)

	RUBY JONES , sister, was conservator of the person and estate from 3/25/08 until her death on 6/5/14.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Third and Final Account set for hearing on 10/28/15.</p>
	I'SHA JONES , daughter, was appointed successor conservator of the person and the PUBLIC GUARDIAN successor conservator of the estate on 9/25/14.	
Cont. from 011415, 072215	2 nd account of RUBY JONES as conservator for the account period ending 10/31/12 was approved on 4/11/13. Cash assets at the end of the accounting was \$144,267.59.	
Aff.Sub.Wit.	This status hearing was set for the filing of the final accounting of the Deceased Conservator Ruby Jones.	
Verified	Notice of Status Hearing was sent to Attorney Michael Farmer on 10/17/14.	
Inventory	Minute Order dated 1/14/15 states Mr. Farmer represents that he has no original records that have occurred since the last accounting. The Court excuses him from filing another accounting in this matter since he has no documentation to prepare one. Ms. Kruthers will prepare the next account for 11/1/12 through the date of their appointment.	
PTC	Status Report filed on 7/14/15 states the person at the Public Guardian's office who prepares the schedules and other documents necessary for the preparation of conservatee accounts is currently carrying a double workload. As a result, the preparation of account documents has been delayed. Therefore, it is respectfully requested that this matter be set out for another 60 days to allow the Public Guardian to prepare the documents in this matter.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 5 – Cooley

Age:		NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Petition for Final Distribution filed 1/5/15 has been continued to 4/18/16.</p> <p>See Minute Order 9/14/15 for details.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 7 - Connelly

Probate Status Hearing RE: First and Final Account

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<u>OFF CALENDAR</u>
		First Amended First and Final Account filed 9/18/15 is set for hearing on 10/27/15.
		Reviewed by: skc
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 8 – Miller

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

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>First and Final Account filed 9/18/15 is set for hearing on 10/27/15.</p>
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9/21/15
		Updates:
		Recommendation:
		File 10 – Morgan

First and Final Report of Status of Administration on Account and Petition for (1) Compensation to Attorney for Ordinary and Extraordinary Services (2) Compensation to Administrator for Ordinary Services (3) Reimbursement of Costs and (4) Final Distribution

DOD: 4/15/14		JOSEPH W. HAYES, JR., Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 4/16/14 – 7/9/15	
Cont. from 082615		Accounting - \$308,168.12	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$293,696.92	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 56,293.93	
<input checked="" type="checkbox"/>	Inventory	Attorney - \$8,895.99	
<input type="checkbox"/>	PTC	(statutory)	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney x/o - \$3,106.00 (for sale of real property. 2 hrs. of paralegal time at \$110/hr., 10.20 attorney hours @ \$275-285/hr.)	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.	Attorney costs - \$734.00 (filing fee, certified copies, probate referee)	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Administrator - \$8,895.99	
<input type="checkbox"/>	Conf. Screen	(statutory)	
<input checked="" type="checkbox"/>	Letters	10/17/14 Administrator costs - \$10,184.43 (for upkeep on the real property prior to sale.)	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt	Holographic Will states, "I Joseph W. Hayes III want my son Garrett to go to my parents Joseph Hayes Jr and Shirly Hayes. Also my assets that I have house, truck, bank accounts and retirement from Caltrans."	
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Petitioner proposes that distribution should be to Petitioner, Joseph W. Hayes, Jr. and Shirly Hayes.	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation	Proposed distribution is to:	
<input checked="" type="checkbox"/>	FTB Notice	Joseph W. Hayes, Jr. - \$9,988.76	
		Shirly Hayes - \$9,988.76	
			Reviewed by: 9/21/15
			Reviewed on: KT
			Updates:
			Recommendation:
			File 11 - Hayes

13 Wayne Lee Bandy (Estate)

Case No. 14CEPR00884

Attorney Pape, Jeffrey B. (for Mark Bandy – Petitioner)
 Attorney Kruthers, Heather H (for Public Administrator – Special Administrator)
 Attorney Standard, Donna M (for Terry Novack – Proposed Executor)
 Attorney Jenkins, Greta (for Jill and Shon Treanor – Contestants)

Petition for Approval of Settlement of Contest

DOD: 09/21/2014	MARK BANDY , son, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. It appears this Court cannot make any orders regarding distribution of the Cheryl Gortemiller's 401 (k) as Cheryl's estate is not before this court. 2. It appears this Court cannot make order in Wayne's estate regarding Mary Louise Bandy's estate and vice versa otherwise the statements regarding distribution of residue are o.k. 3. In regards to paragraph (vi) if the property was already been given to Terry Novack as a gift or pay on death account then this statement would be o.k. however if the property has not been distributed then the it should be passed through the estate. It is unclear at this point in the case who all of the creditors are and the property that has been agreed to pass to Terry Novack could in fact be used to pay any creditors should there be any. 4. In regards to paragraph (viii) it does not appear this Court can make determinations as to standing in another Court.
	Petition states: on 09/25/2014, Terry Novack filed a Petition for Probate of an Instrument entitled Last Will and Testament of Wayne Lee Bandy dated 09/09/2014.	
Cont. from	On 10/31/2014, Jill Treanor and Shon Treanor filed a Contest and Grounds of Objection to Probate of Purported Will, as a creditor. On December 3, 2014, Petitioner joined in Contest and Grounds of Objection to Probate of Purported Will. Following discussion and negotiations of their respective positions, Petitioner and Terry Novack (hereinafter Parties) pursuant to the negotiations conducted by the Parties with the assistance of the mediator, the Honorable Patrick O'Hara, retired Superior Court Judge, have reached a settlement of their dispute herein, the terms of which settlement are set forth as follows:	
<input type="checkbox"/> Aff.Sub.Wit.	i. This agreement and compliance with this agreement shall not be construed as an admission by any Party of any liability whatsoever, or as an admission by any Party of any violation of the rights of any person, violation of any order, law, statute, duty or contract whatsoever.	
<input checked="" type="checkbox"/> Verified	ii. This agreement will be deemed to have been drafted jointly by the Parties and, in the event of a dispute, shall not be construed in favor or against any party by reason or such Party's contribution to the drafting of this agreement.	
<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		
<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 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		
	<u>Please see additional page</u>	
		<p>Reviewed by: LV</p> <p>Reviewed on: 09/21/2015</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13 – Bandy</p>

- iii. Cheryl Gortemiller's 401 (k) which contains \$303,000 will be distributed 2/3 to Mark Bandy and 1/3 to Terry Novack.
- iv. The residue of the Estates of Mary Bandy and Wayne Lee Bandy shall be distributed in equal shares to Mark Bandy and Terry Novack available for distribution after payment of a creditor claims and administrative expenses as approved by the Court.
- v. Fresno County Public Administrator shall be appointed administrator of the Estate of Mary Bandy.
- vi. All property received by Terry Novack, i.e., furniture and investment accounts received from Wayne Bandy in her possession is not subject to a split and shall remain in her possession. Both parties to sign the stipulation releasing the Ameritrade account number 926-910332-1 to Terry Novack, and the Ameritrade account is not in her possession.
- vii. Mark Bandy withdraws his Contest to the will of Wayne Lee Bandy. To the extent the decedent's will is inconsistent with the terms of this Settlement Agreement governing distribution of the residue of the decedent's estate, the terms of this Settlement Agreement shall govern distribution then otherwise applicable terms of decedent's will.
- viii. Each Party has standing to contest the estate plan of Cheryl Gortemiller, including but not limited to standing in the matters of the Estate of Cheryl Gortemiller, Solano County Superior Court case number P046872 and the Cheryl Gortemiller Living Trust U/TA March 12,2014, Solano County Superior Court case number FPR046489.
- ix. This settlement is subject to court approval.
- x. The parties waive the provisions of California Evidence Code relating to mediation confidentiality as so far as is necessary to enforce this Agreement; thereby rendering this Agreement enforceable. Also, the parties agree that a portion of this case is now settled pursuant to the provisions of Code of Civil Procedure Section 664.6.

Petitioner believes that it is to the advantage and in the best interest of the estate that the settlement be approved in light of the substantial conflict in evidence and costs of litigation.

Petitioner prays as follows:

1. For an order approving the settlement enforceable under the provisions of section 664.6 of the California Code of Civil Procedure on the terms set forth in the petition; and
2. All other relief the Court considers proper.

Needs/Problems/Comments continued:

5. Settlement was signed by Mark Bandy only and consented to by Terry Novack. All interested parties however were noticed properly.

Attorney Rindlisbacher, Curtis (for Brittney Pinson, granddaughter)

Petition to Determine Succession to Real Property

DOD: 12/1/2006		<p>BRITTANY PINSON, granddaughter, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$65,000.00</p> <p>Will dated 2/24/1992 devises the entire estate to Decedent's daughter, RUBY GIBBS PINSON.</p> <p>Petitioner requests Court determination that Decedent's 100% interest in real property located at 2489 S. Holly, Fresno, passes to the Petitioner pursuant to Decedent's Will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Page 16 is the related case of the <i>Petition to Determine Succession</i> in the <i>Estate of Ruby Gibbs Pinson</i> (deceased daughter of this Decedent.)</p> <p>Continued from 6/3/2015. Minute Order states Mr. Rindlisbacher has just come into this matter and requests 45 days.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Need the original Will of the Decedent LOUISE GIBBS to be deposited with the Court pursuant to Probate Code § 8200. Deposit fee of \$50.00 will be due from Petitioner prior to any order for distribution being processed for Petitioner. 2. <i>Supplemental Declaration</i> filed 3/11/2015 states Petitioner is the granddaughter of Decedent and the representative of the Estate of RUBY GIBBS PINSON. However, Petitioner does not provide a copy of <i>Letters Testamentary</i> demonstrating that she is in fact the personal representative of the Estate of Ruby Gibbs Pinson, and Court records do not show such an estate is pending. <p align="center">~Please see additional page~</p>	
Cont. from 121014, 031115, 042215, 060315, 080515				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: LEG		
		Reviewed on: 9/21/15		
		Updates:		
		Recommendation:		
		File 14 - Gibbs		

NEEDS/PROBLEMS/COMMENTS, continued:

3. *Supplemental Declaration* filed 3/11/2015 states that the Decedent's Will gifted all of Decedent's estate, both real and personal, to Decedent's daughter, **RUBY GIBBS PINSON** (the Petitioner's mother), and that Ruby Gibbs Pinson is now deceased [DOD 6/27/2013], and the property should succeed to the Ruby Gibbs Pinson Estate. However, Court records do not show a proceeding for the **ESTATE OF RUBY GIBBS PINSON** is pending such that distribution to the Petitioner of the assets contained in the **ESTATE OF LOUISE GIBBS** is proper. **RUBY GIBBS PINSON** is in fact named in Decedent's Will as the Decedent's daughter who is devised Decedent's entire estate. Therefore, the personal representative of the **ESTATE OF RUBY GIBBS PINSON** must petition to receive the Decedent's property, which would then be distributed to the heirs of **RUBY GIBBS PINSON**.
4. Need revised proposed order.

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

Age: 9	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:
	CRESCENCIO HERNANDEZ, uncle, is petitioner.		
	<u>Please see petition for details</u>		Minute Order of 08/19/2015: Mr. Hernandez reports that the father has been served by him, by mail. The Court orders Mr. Hernandez to bring the neighbor who is assisting him with his paperwork to court on 09/23/2015 so the defects can be explained.
Cont. from 030415 , 042215, 060315, 070815, 081915			
Aff.Sub.Wit.			The following issues remain:
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg		x	
Aff.Mail		x	
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.		x	
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
			1. UCCJEA filed 07/09/2015 is incomplete. Need minor's residence information for the past 5 years.
			2. Need Notice of Hearing.
			3. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
			<ul style="list-style-type: none"> • Ciriaco Hernandez (Father) – Unless the Court dispenses with Notice.
			Note: Declaration of Due Diligence filed 04/24/2015 states petitioner spoke by phone with the father, he is living in Mexico. Petitioner states he provided all the information to the father.
			Declaration of Due Diligence filed 07/06/2015 states petitioner spoke to the father, Ciriaco Hernandez, and he is in the hospital right now.
			<u>Please see additional page</u>
			Reviewed by: LV
			Reviewed on: 09/21/2015
			Updates:
			Recommendation:
			File 15 - Hernandez

4. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:

- Maria Hernandez (Paternal Grandfather) – Unless the Court dispenses with notice

Note: Declaration of Due Diligence filed 04/24/2015 states petitioner spoke with her but she lives on a ranch and it is a little difficult to talk with her. He states that she said it is ok to keep the child with him.

- Guadalupe Martinez (Paternal Grandmother) - Unless the Court dispenses with notice.

Note: Declaration of Due Diligence filed 04/24/2015 states petitioner was talking with her and she asked about the child. Petitioner states the grandmother is ok with him keeping the child.

Maternal Grandparents (Not Listed)

Minute Order of 06/03/2015: Examiner notes provided in open court. The Court Interpreter reports that Mr. Hernandez states he is unable to understand everything being said because he speaks a different dialect; he is directed to bring his own interpreter to future hearings.

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 5/9/14	<p>MARIA ARZATE, Spouse, was appointed Administrator with Full IAEA without bond and Letters issued on 4/21/15.</p> <p>At the hearing on 4/21/15, the Court set this status hearing for the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.</p>
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	Reviewed by: skc	
	Reviewed on: 9/21/15	
	Updates:	
	Recommendation:	
	File 16 – Arzate	

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 12/11/14		<p>EDDIE DURAN, Son, was appointed Administrator with Full IAEA without bond and Letters issued on 4/22/15.</p> <p>At the hearing on 4/22/15, the Court set this status hearing for the filing of the Inventory and Appraisal.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Inventory and Appraisal pursuant to Probate Code §8800 or written status report pursuant to Local Rule 7.5.</p>	
Cont. from				
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
Reviewed by: skc				
Reviewed on: 9/21/15				
Updates:				
Recommendation:				
File 17 – Duran				

Petitioner Roseman, Jonathan Perry (pro per – non-relative)

Petitioner Roseman, Bethany (pro per – non-relative)

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

Sophie, 12	<u>TEMPORARY EXPIRES 09/23/15</u>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 08/25/15</u> Minute Order from 08/25/15 states: The Court grants one last opportunity to Jarod DePastene to have the oppositions filed on 06/12/15 and 08/10/15 properly served at least 15 days before the 09/23/15 hearing, or the Court will consider striking all oppositions and move forward without considering oral or written opposition. The Court orders supervised visitation for Jarod DePastene today from 4pm-6pm at the Red Robin in Riverpark, on 08/26/15 from 4:30pm-6:60pm at his brother's home in Oakhurst, or El Cid in Oakhurst, and on 08/27/15 from 4pm-6pm at his mother's home if he is still in Fresno on that date. He is to notify the Rosemans by noon on Thursday if he will be leaving town before the scheduled visit on that day. Mr. DePastene is to attend the visits alone.</p> <p style="text-align: center;">Continued on Page 2</p> <p style="text-align: center;">Continued on Page 2</p>
Savanna, 10	<p>JONATHAN ROSEMAN and BETHANY ROSEMAN, non-relatives, are Petitioners.</p> <p>Father: JAROD DePASTENE – personally served on 04/29/15</p> <p>Mother: HEATHER DePASTENE – Consent & Waiver of Notice filed 05/14/15</p> <p>Paternal grandfather: PAUL DePASTENE – Declaration of Due Diligence filed 05/14/15</p> <p>Paternal grandmother: KERRI MAXWELL – served by mail on 04/28/15</p> <p>Maternal grandfather: KURT MYERS – served by mail on 04/28/15</p> <p>Maternal grandmother: BEVERLY MYERS – served by mail on 04/28/15</p> <p>Petitioners state [see Petition for details]</p> <p>Court Investigator Jennifer Daniel filed a report on 05/11/15.</p>		
Cont. from 051915, 062315, 082515			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	w/		
Aff.Pub.			
Sp.Ntc.			
✓ Pers.Serv.	w/		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
Reviewed by: JF			
Reviewed on: 09/21/15			
Updates:			
Recommendation:			
File 18 - DePastene			

Page 2

Declaration in Opposition to Appointment of Permanent Guardian filed 06/12/15 by Jarod DePastene (father) states: [see file for details].

DSS Social Worker Maria Holguin filed a report on 06/15/15.

Declaration filed 08/10/15 by Jonathan and Bethany Roseman (Petitioners) attach several character reference letters from friends and family of the Petitioners.

Declaration in Opposition to Appointment of Guardian filed 08/10/15 by Jarod DePastene (father) states: [see file for details].

Declaration Re Guardianship of Sophie and Savanna DePastene filed 08/13 by Patricia Buckner, paternal great-grandmother, states: [see file for details].

Declarations Re Guardianship of Sophie and Savanna De Pastene filed 08/21/15 by Janel Davis and Carole Merlin, support father Jarod DePastene. [see declarations for details].

Needs/Problems/Comments (Continued):

As of 09/21/15, nothing further has been filed.

1. Need proof of service at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or *Consent & Waiver of Notice* for:
 - a. Paul DePastene (paternal grandfather) – *service by mail ok; unless diligence is found, Declaration of Due Diligence filed 05/14/15 state that he is long estranged from the family and has never had contact with the minors, he is believed to be living somewhere in Oregon*

19A Mary Louise Bandy (Estate) Case No. 15CEPR00287

Attorney Kruthers, Heather H (for Public Administrator – Petitioner)

Attorney Pape, Jeffrey B. (for Mark Bandy – Son)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/08/2014		PUBLIC ADMINISTRATOR , is petitioner and requests appointment as Administrator without bond.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 050615, 052015, 062415, 081715		Full IAEA – o.k.	Page 19B is the Petition for Approval of Settlement filed by Mark Bandy.
<input type="checkbox"/>	Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/>	Verified	Residence: Squaw Valley Publication: The Business Journal	Note: If the petition is granted status hearings will be set as follows:
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Estimated value of the Estate:	<ul style="list-style-type: none"> • Wednesday, 02/24/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Wednesday, 11/30/2016 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution.
<input type="checkbox"/>	Not.Cred.	Personal property - \$303,204.27	
<input checked="" type="checkbox"/>	Notice of Hrg	Probate Referee: Rick Smith	<p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input checked="" type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp	n/a	
<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: LV
			Reviewed on: 09/22/2015
			Updates:
			Recommendation:
			File 19A - Bandy

19B Mary Louise Bandy (Estate) Case No. 15CEPR00287

Attorney Pape, Jeffrey B. (for Petitioner –Mark Bandy)
 Attorney Kruthers, Heather H (for Public Administrator)

Petition Petition for Approval of Settlement

DOD: 06/08/2014	MARK BANDY , son, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petition states: on 03/20/2015 the Fresno County Public Administrator filed its Petition for Letters of Administration and Authorization to Administer IAEA the estate of Decedent.	5. It appears this Court cannot make any orders regarding distribution of the Cheryl Gortemiller's 401(k) as Cheryl's estate is not before this court.
Cont. from	On 05/20/2015, the hearing was set on the Petition for Letters of Administration and Authorization to Administer IAEA in the estate of Decedent at which time Terry Novack made an oral objection to the relief requested contending that Decedent had a Will. However, no such original Will has been produced. On 07/29/2015, the following discussion and negotiations of their respective positions, Petitioner and Terry Novack pursuant to the negotiations conducted by the parties with the assistance of the mediator, the Honorable Patrick O'Hara, retired Superior Court Judge, have reached a settlement of their dispute herein, the terms of which settlement are set forth as follows:	6. It appears this Court cannot make order in Wayne's estate regarding Mary Louise Bandy's estate and vice versa otherwise the statements regarding distribution of residue are o.k.
<input type="checkbox"/> Aff.Sub.Wit.		7. In regards to paragraph (vi) if the property was already been given to Terry Novack as a gift or pay on death account then this statement would be o.k. however if the property has not been distributed then the it should be passed through the estate. It is unclear at this point in the case who all of the creditors are and the property that has been agreed to pass to Terry Novack could in fact be used to pay any creditors should there be any.
<input checked="" type="checkbox"/> Verified		8. In regards to paragraph (viii) it does not appear this Court can make determinations as to standing in another Court.
<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/o	
<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		
	xi. This agreement and compliance with this agreement shall not be construed as an admission by any Party of any liability whatsoever, or as an admission by any Party of any violation of the rights of any person, violation of any order, law, statute, duty or contract whatsoever. xii. This agreement will be deemed to have been drafted jointly by the Parties and, in the event of a dispute, shall not be construed in favor or against any party by reason or such Party's contribution to the drafting of this agreement. xiii. Cheryl Gortemiller's 401 (k) which contains \$303,000 will be distributed 2/3 to Mark Bandy and 1/3 to Terry Novack. xiv. The residue of the Estates of Mary Bandy and Wayne Lee Bandy shall be distributed in equal shares to Mark Bandy and Terry Novack available for distribution after payment of a creditor claims and administrative expenses as approved by the Court.	
	<u>Please see additional page</u>	
		Reviewed by: LV
		Reviewed on: 09/21/2015
		Updates:
		Recommendation:
		File 19B – Bandy

- xv. Fresno County Public Administrator shall be appointed administrator of the Estate of Mary Bandy.
- xvi. All property received by Terry Novack, i.e., furniture and investment accounts received from Wayne Bandy in her possession is not subject to a split and shall remain in her possession. Both parties to sign the stipulation releasing the Ameritrade account number 926-910332-1 to Terry Novack, and the Ameritrade account is not in her possession.
- xvii. Terry Novack withdraws her objection to the Petition for Letters of Administration and Authorization to Administer IAEA the estate of Mary Louise Bandy. To the extent the laws of intestate succession are inconsistent with the terms of this Settlement Agreement governing distribution of the residue of the decedent's estate, the terms of this Settlement Agreement shall govern distribution then otherwise applicable under the laws of intestate succession.
- xviii. Each Party has standing to contest the estate plan of Cheryl Gortemiller, including but not limited to standing in the matters of the Estate of Cheryl Gortemiller, Solano County Superior Court case number P046872 and the Cheryl Gortemiller Living Trust U/TA March 12,2014, Solano County Superior Court case number FPR046489.
- xix. This settlement is subject to court approval.
- xx. The parties waive the provisions of California Evidence Code relating to mediation confidentiality as so far as is necessary to enforce this Agreement; thereby rendering this Agreement enforceable. Also, the parties agree that a portion of this case is now settled pursuant to the provisions of Code of Civil Procedure Section 664.6.

Petitioner believes that it is to the advantage and in the best interest of the estate that the settlement be approved in light of the substantial conflict in evidence and costs of litigation.

Petitioner prays as follows:

- 3. For an order approving the settlement enforceable under the provisions of section 664.6 of the California Code of Civil Procedure on the terms set forth in the petition; and
- 4. All other relief the Court considers proper.

Needs/Problems/Comments continued:

- 6. Settlement was signed by Mark Bandy only and consented to by Terry Novack. All interested parties however were noticed properly.

Attorney Gleason, Mark J., Larson, Timothy J. and Dowling, Michael D. (for Petitioner Dale L. Anderson, Trustee)
 Attorney Joseph, William R. (of Portland, OR for Mary P. Naman, Respondent)
 Attorney Flores, June Wyrick (of Portland, OR for Malia Naman, Beneficiary)

Petition for Instructions

	On 04/01/15, DALE ANDERSON , sole Trustee of the LESLIE R. NAMAN TRUST filed a Petition for Instructions.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Notice of First Appearance of Mary P. Naman, Personal Representative of the Estate of Leslie R. Naman and Response to Petition for Instructions filed 05/22/15.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	Notice of Appearance of Counsel on Behalf of Malia Naman, a Beneficiary of the Leslie R. Naman Trust filed 06/01/15.	
Not.Cred.		
Notice of Hrg	At the hearing on 06/08/15, the Court took the matter under submission.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	Order Vacating Submission of Petition for Instructions and Providing for Resubmission filed 9/4/2015 set the Petition for Instructions back on calendar on 9/23/2015 for the limited purpose of allowing the Trustee or Mrs. Naman to file evidence that the Will and Codicils have been admitted to probate in a court of competent jurisdiction, at which time the Court will resubmit the matter in order to render its decision.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Petitioner's Request for Judicial Notice Regarding Petition for Instructions filed 09/21/15 attaches copies of the following documents and requests that the court take judicial notice of them:	
9202	1. Limited Judgment Admitting Will to Probate and Appointing Personal Representative, entered May 10, 2014 in the Circuit Court of the State of Oregon, Multnomah County, Case No. 14PB00616;	
Order	2. Last Will and Testament of Leslie R. Naman, dated 02/24/94;	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
Continued on Page 2		Reviewed by: JF
		Reviewed on: 09/21/15
		Updates:
		Recommendation:
		File 20 - Naman

3. Codicil to Last Will and Testament of Leslie R. Naman, dated 09/17/02;
4. Second Codicil to Last Will and Testament of Leslie R. Naman, dated 06/20/05;
5. Original Letters Testamentary issued 09/18/15 by the Circuit Court of the State of Oregon, Multnomah County in Case No. 14PB00616

This request for Judicial notice is filed in response to the Court's Order Vacating Submission of Petition for Instructions and Providing for Resubmission entered 09/04/15. The Probate Order establishes the fact that the Will, the First Codicil and the Second Codicil were admitted to probate in Oregon, where decedent resided. The Probate Order and Letters further establish that Mary P. Naman was appointed as personal representative of the will and estate of Leslie R. Naman. Therefore, the documents requested to be judicially noticed will aid in the Court's resolution of the Petition for Instructions filed in this matter on 04/01/15.

A copy of the Examiner's notes for the 06/08/15 hearing on the Petition for Instructions is attached.

Attorney
Attorney
Attorney

Gleason, Mark J., Larson, Timothy J. and Dowling, Michael D. (for Dale L. Anderson – Trustee/Petitioner)
Joseph, William R. (of Portland, OR for Mary P. Naman – Respondent)
Flores, June Wiyrick (of Portland, OR for Malia Naman – beneficiary)

Petition for Instructions

		<p>DALE L. ANDERSON, sole trustee of the LESLIE R. NAMAN TRUST, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Order.</p> <p>Note: Pursuant to Order on Petitioner’s Ex Parte Application for Order for Publication of Notice of Hearing on Petition for Instructions filed 04/13/15, Larry Naman was provided notice by Publication. Proof of Publication was filed 05/28/15.</p>	
		<p>Petitioner states:</p>		
Cont. from 051815		<ol style="list-style-type: none"> Evins and Dorothy Naman established the NAMAN FAMILY TRUST (the “Trust”) on 05/07/87. Mr. and Mrs. Naman were the initial co-trustees and lifetime beneficiaries of Trust. Mr. and Mrs. Naman had two children, Leslie Naman and Larry Naman; and four grandchildren, Seth, Monica, Willow and Malia. Evins Naman died on 10/05/96. After his death and payment of certain cash gifts, the Trust was divided into three separate subtrusts: a Survivor’s Trust, Marital Trust, and Bypass Trust. The Survivor’s Trust was funded with the entirety of Dorothy’s interest in the community property and all of her separate property. The Bypass Trust was funded with the largest amount of the Trust estate that could be allocated to it without increasing the federal income tax due on Evins estate. The Marital Trust consisted of the balance of the Trust estate not otherwise allocated to the Survivor’s Trust or Bypass Trust. Dorothy retained the power to amend the Survivor’s Trust and was granted a power of appointment over the assets in the Marital and Bypass Trusts. In the absence of amendment to the Survivor’s Trust or the exercise of her power of appointment, the assets of all three subtrusts were to pass pursuant to the terms of the Bypass Trust following Dorothy’s death. However, Dorothy did amend the Survivor’s Trust and exercised her power of appointment. 		
<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/o
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			x
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Continued on Page 2			<p>Reviewed by: JF</p> <p>Reviewed on: 06/05/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 20 - Naman</p>	

6. Dorothy amended the Survivor's Trust on 02/04/2000 and again on 03/20/01. The Amended Survivor's Trust modified the disposition of the Survivor's Trust upon Dorothy's death. It provided for the disposition of certain personal effects and for certain cash bequests and also provided that after Dorothy's death, the residue of the Survivor's Trust was to be divided into two trusts for the benefit of Leslie Naman: the LESLIE NAMAN EXEMPT TRUST and LESLIE NAMAN NON-EXEMPT TRUST. Dorothy's amendment of the Survivor's Trust was motivated by a desire to minimize estate tax and generation-skipping transfer ("GST") tax liability.
7. The Exempt Trust was to consist of (i) all the property of the Survivor's Trust which is (or can be made) exempt from GST tax, and (ii) any property which is exempt from GST tax that may be allocated to the Exempt Trust pursuant to Dorothy's exercise of a special power of appointment over GST tax exempt assets (any GST tax exempt assets held by the Bypass Trust). The Amended Survivor's Trust provided that Leslie was to be the sole income beneficiary of the Exempt Trust during his lifetime and also granted him a testamentary limited power of appointment over the assets of the Exempt Trust, allowing him to appoint such assets to one or more of the group consisting of Dorothy's issue. Upon Leslie's death, any property of the Exempt Trust not appointed by him was to be allocated to Dorothy's then living issue by right of representation and held or distributed as further provided in the Amended Survivor's Trust.
8. The Amended Survivor's Trust provided that the Non-Exempt Trust was to consist of (i) the balance of the Survivor's Trust that remains after the funding of the Exempt Trust, and (ii) any property allocated to the Non-Exempt Trust pursuant to Dorothy's exercise of a special power of appointment (any GST tax non-exempt assets held by the Marital Trust). The Amended Survivor's Trust provided that Leslie was to be the sole income beneficiary of the Non-Exempt Trust during his lifetime and also granted him a testamentary limited power of appointment over the assets of the Non-Exempt Trust. Upon Leslie's death, any property of the Non-Exempt Trust not appointed by him was to be allocated to the settlor's then living issue by right of representation and held or distributed as further provided in the Amended Survivor's Trust.
9. Dorothy died on 05/21/02 and her will dated 03/20/01 was lodged with Fresno Superior Court on 07/11/02, but no probate proceeding was required. In her will, Dorothy exercised her testamentary special power of appointment over the assets of the Bypass Trust, including all of the assets that were to otherwise pour over from the Marital Trust into the Bypass Trust. The dispositive provisions of Dorothy's will related the exercise of her special power of appointment provide one share equal to \$25,000.00 worth of exempt property from the Bypass Trust to each of her grandchildren. Dorothy's will further provided that the balance of the property was to be appointed such that any property that was exempt from GST tax would be allocated to the Exempt Trust and any property that was not exempt from GST tax would be allocated to the Non-Exempt Trust.
10. While Dorothy's estate tax return was filed in 2003, various complexities prevented timely distribution from the subtrusts to the Exempt Trust and Non-Exempt Trust. Eleven years after Dorothy's death, Leslie Naman still had not completed the distributions and the complexities of the administration had only increased over time. Additionally, due to changes in the law and the anticipated size of Leslie Naman's taxable estate, the complex transfer tax planning that motivated Dorothy's division of the assets to the Exempt Trust and Non-Exempt Trust had become unnecessary.

Continued on Page 3

11. On 11/19/13, Leslie Naman filed a Petition for Order Approving Modification of Trust Terms and Instructing Trustee in Fresno Superior Court Case no. 13CEPR01018. The 2013 petition sought to amend the Amended Survivor's Trust to, among other things, eliminate the need to fund the Exempt Trust and the Non-Exempt Trust. Unfortunately, Leslie Naman died unexpectedly on 01/09/14 with the 2013 petition still pending. Following Leslie' Naman's death, Petitioner, Dale Anderson, became the acting successor trustee of the Trust and subtrusts.
12. The Court granted the 2013 petition on 01/16/14, subject to waiver of Notice and consent by Petitioner, in his capacity as successor trustee. The required waiver and consent were subsequently filed with the Court and on 01/23/14 the Court issued its Order Approving Modification of Trust Terms and Instructing Trustee (the "Order").
13. The Order amended the Amended Survivor's Trust by, among other things, eliminating the Exempt Trust and Non-Exempt Trust. The amendment instead provides that following Dorothy's death, the Trust estate (including property that otherwise would have been allocated to the Exempt Trust or the Non-Exempt Trust) is to be held in a trust referred to as the Leslie R. Naman Trust. The amendment also provides that Dr. Naman was to be the sole income beneficiary of the Leslie R. Naman Trust during his life. Upon the death of Leslie Naman, the amendment provides that:

the Leslie R. Naman Trust as then constituted (including both principal and any accrued or undistributed income) shall be distributed in two shares as follows: (i) forty percent (40%) of the Leslie R. Naman Trust (the "Unrestricted Share") shall be distributed by the Trustee to such one (1) or more individuals, and on such terms and conditions, either outright, in trust or by creating further powers of appointment, as Leslie R. Naman shall appoint by a Will or a Codicil thereto specifically, referring to and exercising this general power of appointment, including his creditors and estate, and (ii) sixty percent (60%) of the Leslie R. Naman Trust (the "Restricted Share") shall be distributed by the Trustee to one (1) or more of the group consisting of the Settlor's issue and creditors of Leslie R. Naman on such terms and conditions, either outright, in trust, or by creating further powers of appointment, as Leslie R. Naman shall appoint by Will or Codicil thereto specifically referring to and exercising this power of appointment. If any of the property subject to the foregoing powers of appointment held by Leslie R. Naman is not effectively appointed by him, the property shall be allocated to the Settlor's then living issue by right of representation, and shall be held, administered and distributed as provided in Article Fifth C. below.

14. As stated above, the Unrestricted Share of the Leslie R. Naman Trust is equal to 40% of the assets and the Restricted Share is equal to 60% of the assets. Based on the contents of the 2013 petition, Petitioner is informed and believes that Leslie Naman's general power of appointment over the Unrestricted Share was intended to carry out Dorothy's intent in granting Leslie a general power of appointment over the Non-Exempt Trust. Similarly, Petitioner believes that Leslie Naman's power of appointment over the Restricted Share was intended to carry out Dorothy's intent in granting Leslie a limited power of appointment over the Exempt Trust.
15. Following Leslie Naman's death, his executor provided Petitioner with copies of his will dated 02/24/94 and two codicils thereto, dated 09/17/02 and 06/20/05.

Continued on Page 4

Article I of the First Codicil provides:

I hereby exercise my general power of appointment over the Leslie Naman Non-Exempt Trust created in Article Fifth B.2. of the Second Amended and Restated Declaration of Trust of the Dorothy J. Naman Amended Survivor's Trust dated March 30 [20], 2001 as follows:

"I appoint all my interest in the Leslie Naman Non-Exempt Trust to the Trustee of the Residuary Marital Trust established under Article VII, Residue, paragraph C. for the benefit of my wife, to be administered according to its terms. If the Leslie Naman Non-Exempt Trust owns San Luis Obispo property as the time of my death, the Trustee of the Leslie Naman Non-Exempt Trust may continue to hold such property as a sub-trust of the Trustee of the Leslie Naman Residuary Marital Trust to be administered according to the terms thereof or may convey such property to the Trustee of the Residuary Marital Trust and held as part of the whole; subject, however, to the restriction regarding distribution to the ultimate grandchild/great-grandchild beneficiaries of consultation with and approval of the Independent Trustee named in the Dorothy J. Naman Trust Article THIRTEENTH insofar as such Independent Trustee named therein is available and able to make such determination."

16. After becoming aware of the First Codicil, there were discussions between interested parties as to its effect. Petitioner believes that if the First Codicil effectively appoints the Unrestricted Share, it will pass to Mary P. Naman as trustee of the Residuary Marital Trust, established under Article VII of Leslie Naman's will, to be held for the benefit of his surviving spouse, Mary. However, petitioner believes that if the First Codicil does not effectively appoint the Unrestricted Share, the Unrestricted Share will pass to Dorothy's living issue, by right of representation, which would be the grandchildren. **Note:** It is believed that Dorothy's other son, Larry Naman, is still living; however, the Amended Survivor's Trust provides that he is to be treated as having predeceased Dorothy, without issue other than Willow.
17. Additionally, there was discussion about the effect of language contained in the First Codicil stating that the appointment was: "subject, however, to the restriction regarding distribution to the ultimate grandchild/great-grandchild beneficiaries of consultation with and approval of the Independent Trustee named in the Dorothy J. Naman Trust in Article THIRTEENTH insofar as such Independent Trustee named therein is available and able to make such determination" (the "Restriction"). The effect of the Restriction is unclear and Petitioner does not know who drafted the First Codicil. It is also unclear who the Restriction is referring to by the "ultimate grandchild/great-grandchild beneficiaries" or what rights those individuals have pursuant to the First Codicil. Because he was uncertain whether the First Codicil effectively appointed the Unrestricted Share, Petitioner sought the consent of the Leslie R. Naman Trust beneficiaries to treat the First Codicil as effectively appointing the Unrestricted Share in lieu of the Non-Exempt Trust. However, certain beneficiaries declined to provide consent.

Continued on Page 5

18. As a result of the foregoing, Petitioner is uncertain of his rights and duties regarding distribution of the Unrestricted Share. Specifically, Petitioner is uncertain whether Dr. Naman's exercise of his general power of appointment over the Non-Exempt Trust in the First Codicil has the effect of appointing the Unrestricted Share of the Leslie R. Naman Trust. Petitioner believes that resolution of this issue will determine the disposition of the assets valued at approximately \$2,000,000.00.
19. There are potentially valid arguments that the First Codicil fails to effectively exercise Leslie Naman's power of appointment over the Unrestricted Share. For example, the appointment may fail based on a strict interpretation of the documents involved. As amended by the Order, the Amended Survivor's Trust permits Leslie Naman to appoint the Unrestricted Share "by a Will or a Codicil thereto specifically referring to and exercising this general power of appointment." Technically, the First Codicil does not comply with this provision, as it instead refers to Leslie Naman's power of appointment over the "Leslie Naman Non-Exempt Trust", which is also referred to in the First Codicil as the "Leslie Naman Non-Exempt Trust created in Article Fifth B.2. of the Second Amended and Restated Declaration of Trust of the Dorothy J. Naman Amended Survivor's Trust dated March 30, 2001"
20. However, there are potentially valid arguments that the First Codicil should have the effect of appointing the Unrestricted Share. Based on the contents of the 2013 Petition, Petitioner believes that Leslie Naman's general power of appointment over the Unrestricted Share was intended to carry out Dorothy's intent in granting Leslie Naman a general power of appointment over the Non-Exempt Trust. Leslie Naman attempted to exercise his general power of appointment over the Non-Exempt Trust in the First Codicil. However, he died 14 days before this Court issued the Order, which amended the Amended Survivor's Trust to establish the Unrestricted Share. Therefore, it appears that Leslie Naman's exercise of his general power of appointment was properly documented as of the date of his death and that he had no opportunity to update the exercise to address the Order's amendment of the Amended Survivor's Trust. Under the circumstances, failing to treat the First Codicil as effectively appointing the Unrestricted Share would arguably defeat Dorothy's intent as Settlor of the Amended Survivor's Trust, as well as Leslie Naman's intent with respect to his power of appointment.
21. Additionally, the effect of the Restriction is unclear, leaving Petitioner uncertain of his rights and duties regarding distribution of the Unrestricted Share.
22. Petitioner is likely to face legal challenges and will be exposed to liability unless he receives instructions from the Court regarding distribution of the Unrestricted Share. Therefore, Petitioner seeks instruction regarding whether the First Codicil effectively exercises Leslie Naman's general power of appointment over the Unrestricted Share.
23. Specifically, Petitioner requests that the Court instruct Petitioner to take on of the following actions or to take such other actions as the Court may determine:
- Treat the First Codicil as failing to effectively appoint the Unrestricted Share and distribute the Unrestricted Share pursuant to the terms of the Amended Survivor's Trust as if the Unrestricted Share had not been appointed by Leslie Naman; or
 - Treat the First Codicil as an effective exercise of Leslie Naman's general power of appointment over the Unrestricted Share and distribute the Unrestricted Share to the trustee of the Residuary Marital Trust, pursuant to the terms of the First Codicil, as if the Unrestricted Share was the Non-Exempt Trust.
24. Additionally, if the Court instructs Petitioner to treat the First Codicil as an effective exercise of Leslie Naman's general power of appointment over the Unrestricted Share, petitioner requests that the Court either: (a) interpret the Restriction, or (b) find that the Restriction does not affect Petitioner's obligation to distribute the Unrestricted Share to the trustee of the Residuary Marital Trust, pursuant to the terms of the First Codicil.

Continued on Page 6

25. The identity and rights of the "ultimate grandchild/great-grandchild beneficiaries" described in the Restriction are unclear. Out of an abundance of caution, Petitioner is providing notice of this Petition to Dorothy's great-grandchildren in addition to her grandchildren. Petitioner believes that Dorothy's living great-grandchildren consist of Seth's minor sons, Everett and Travis, and Monica's minor daughter, Quinn. While Dorothy's great-grandchildren were all born after her death, Petitioner believes she was aware that Seth was expecting the birth of his first child. Petitioner also alleges that Mary's relationship with Seth and Monica (Leslie Naman's children from a previous marriage) is highly strained.
26. Petitioner requests that the Court determine whether appointment of a guardian ad litem is necessary to represent the interest of the great-grandchildren.

Petitioner prays for an Order:

1. Instructing Petitioner to take one of the following actions, or to take such other action as the Court may determine:
 - a. Treat the First Codicil as failing to effectively appoint the Unrestricted Share and distribute the Unrestricted Share pursuant to the terms of the Amended Survivor's Trust as if the Unrestricted Share had not been appointed by Leslie Naman; or
 - b. Treat the First Codicil as an effective exercise of Leslie Naman's general power of appointment over the Unrestricted Share and distribute the Unrestricted Share to the trustee of the Residuary Marital Trust, pursuant to the terms of the First Codicil, as if the Unrestricted Share was the Non-Exempt Trust.
2. If the event the Court instructs Petitioner to treat the First Codicil as an effective exercise of Leslie Naman's general power of appointment over the Unrestricted Share, either: (a) interpreting the Restriction, or (b) find that the Restriction does not affect Petitioner's obligation to distribute the Unrestricted Share to the trustee of the Residuary Marital Trust, pursuant to the terms of the First Codicil.
3. Determining whether appointment of a guardian ad litem is necessary to represent the interests of Dorothy's great-grandchildren.

Notice of First Appearance of Mary P. Naman, Personal Representative of the Estate of Leslie R. Naman and Response to Petition for Instructions filed 05/22/15 states: Respondent respectfully requests that the Court find that Leslie Naman properly manifested his intention to exercise his power of appointment granted to him by the Amended Survivor's Trust in the manner required by the instrument creating the power on the grounds that Leslie Naman's express intent to so exercise his powers of appointment should not be disregarded because Petitioner chose to continue to pursue the 2013 Petition following Leslie Naman's death. [Argument and Points & Authorities included in Response, see Response for details].

Notice of Appearance of Counsel on Behalf of Malia Naman, a Beneficiary of the Leslie R. Naman Trust filed 06/01/15.

DOD: 12/28/14	DEBORAH A. HARPER , Spouse, was appointed Administrator with Full IAEA with bond of \$185,000.00 on 5/13/15.	NEEDS/PROBLEMS/COMMENTS:
Cont. From: 062415, 072915, 082615	At the hearing on 5/13/15, the Court set status hearing for the filing of bond.	1. <u>Need order, letters reflecting the revised authority.</u> The Court granted Limited IAEA without bond on 8/26/15; however, a revised order and letters have not been submitted; therefore, Letters have not yet issued.
Aff.Sub.Wit.		
Verified	A status report filed 7/8/15 indicated that Ms. Harper did not qualify for bond, and requested the Court reduce her authority from Full IAEA to Limited IAEA.	Note: A "Notice of Hearing" was filed 8/28/15 that attached a proposed revised order; however, it does not appear that this document has been presented to the Court.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg	Minute Order 8/26/15: The Court orders that limited authority is now granted, and that any proceeds are to go into a blocked account within seven days of receipt, with a receipt for the blocked account then being filed. The Court reserves the issue of bond. Continued to 9/23/15.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	As of 9/21/15, Letters have still not issued.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 9/21/15
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 21 - Harper

Probate Status Hearing RE: Visitation

	On 04/20/15, PENNY SABANOVICH , maternal grandmother, filed a Petition to be Appointed Guardian of the Person of Alisha Clark.	NEEDS/PROBLEMS/COMMENTS: 1. Need status update regarding visitation and/or written agreement regarding visitation. Note: An Order After Hearing was submitted by Ms. Childs regarding setting forth the Order of the Court made 07/24/15. However, the Order was not approved as to form and content by Mr. Hunt. A message was left with Ms. Childs office on 09/21/15 requesting that a new order be submitted with Mr. Hunt's approval.
	CARL CLARK , father, filed an Objection to the Guardianship on 06/01/15.	
	A Trial in the matter was held on 07/17/15 and concluded on 07/24/15. Minute Order from 07/24/15 states, in relevant part: The Court cannot find clear and convincing evidence that it would be detrimental for the minor to return to her father and denies/dismisses the petition without prejudice....The Court orders visitation for Ms. Sabanovich for at least one-half of every Christmas break and every spring break, and for at least 30 days of every summer break....There shall be no visitation for Karen Clark, mother, until she presents herself to the Court.....Matter is set on 09/23/15 at 9:00am in Dept. 303 for status regarding visitation. If the parties reach an agreement and submit it in writing to the Court, then the status hearing may come off calendar.	
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 09/21/15
		Updates:
		Recommendation:
		File 22 – Clark

DOD: 06/27/13		<p>BRITNEY PINSON, daughter, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$65,000.00</p> <p>Decedent died intestate</p> <p>Petitioner requests Court determination that decedent's 100% interest in real property located at 2489 S. Holly, Fresno pass to her pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>See page 14 for a related matter.</p> <p>CONTINUED FROM 08/05/15</p> <p>Minute Order from 08/05/15 states: Mr. Rindlisbacher has just come into this matter and requests 45 days.</p> <p>As of 09/21/15, nothing further has been filed.</p> <ol style="list-style-type: none"> 1. It appears this matter may be premature. The property seeking to be passed with this Petition is the same property that is to be passed in the matter of Louise Gibbs (14CEPR01008) (Page 7). It appears that the beneficiary of the property, according to the will of Louise Gibbs, is the decedent named herein (Ruby Pinson) and that the property has not yet been passed to the Estate of Ruby Pinson. 2. The Petition indicates that Ruby Pinson died intestate and that she is survived by 8 children, including Petitioner. Therefore, the Petition must be joined in by all those who have succeeded to the real property by intestate succession. Need amended Petition. 3. Need Order.
Cont. from 060315, 080515			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	w/		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 09/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Pinson</p>	

Petitioner: Mary E. Jones (pro per)

Petitioner: Wardell Jones (pro per)

Petition to Appoint the Guardian of the Person

		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Victor Manuel Sanchez (father) b. Vivian Duran Estrada (mother) - Proof of service shows mom was personally served on 9/7/15 at 1:57 in Fresno and dad was personally served on 9/7/15 at 2:02 in Corcoran. It's unclear how the same person could personally serve both mom and dad 5 minutes apart in two different cities. 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Unknown paternal grandfather. 3. UCCJEA is incomplete. Need minor's residence information from 2/5/10 – 2011
		MARY JONES and WARDELL JONES , maternal great aunt and uncle, are petitioners.	
Cont. from 081915		<p>Please see petition for details.</p> <p>Court Investigator Report filed on 8/11/15.</p>	
✓	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		X
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		X
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	9202		
	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: KT	
		Reviewed on: 9/21/15	
		Updates:	
		Recommendation:	
		File 24 – Sanchez	

Petitioner: Esperanza Ruiz-Morris (pro per)

Mother/Objector: Jessica Ruiz (pro per)

Father/Objector: Nicholas Ruiz (pro per)

Petition for Appointment of Guardian of the Person

		<p>There is no temporary. Temporary was denied.</p> <p>ESPERANZA RUIZ-MORRIS, paternal grandmother, is petitioner.</p> <p>Please see petition for details.</p> <p>Objections of Father to the Guardianship filed on 7/30/15</p> <p>Objections of Mother to the Guardianship filed on 7/30/15</p> <p>Court Investigator Report filed on 9/17/15</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Petition does not list the names and current addresses for the paternal grandfather and the maternal grandfather. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: <ol style="list-style-type: none"> Paternal grandfather Maternal grandfather
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv. W/		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/21/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 25 – Ruiz</p>	

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>The Court Investigator's report states Petitioner does not wish to pursue this petition. If this petition goes forward, the following issues exist:</p> <ol style="list-style-type: none"> 1. Need continuance for Court Investigation, clearances. 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Jayden Buckner (Minor) - Christiana Aceves (Mother) 4. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather Melvin Williams - Maternal Grandmother Anna Aceves 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	Clearances	X		
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 9/21/15	
			Updates:	
			Recommendation:	
			File 26 - Buckner	

Attorney Petty, Teresa B. (for Petitioner Linda L. Inman, daughter)
 Petitioner Diana Inman (Pro Per Objector/Competing Petitioner)
 Petitioner Bruce Bickel (Pro Per Proposed Administrator)

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 1/23/2015	LINDA L. INMAN , daughter, is Petitioner and requests appointment as Administrator with bond set at \$215,000.00 .	NEEDS/PROBLEMS/COMMENTS: Continued from 9/16/2015. Minute Order states Ms. Petty is to ensure that the stipulation is signed by all those entitled to notice. Ray Inman does not agree to the appointment of Mr. Bickel at this time and requests time to meet him. Diana Inman is now self-represented and agrees to Mr. Bickel being appointed. ~Please see additional page~
	Full IAEA — OK	
	Decedent died intestate.	
	Residence — Fresno	
	Publication — Business Journal	
Cont. from 042915, 061015, 080515, 091615	Estimated value of the Estate:	
<input type="checkbox"/> Aff.Sub.Wit.	Real property - \$215,000.00	
<input checked="" type="checkbox"/> Verified	Total - \$215,000.00	
<input type="checkbox"/> Inventory	Probate Referee: Rick Smith	
<input type="checkbox"/> PTC	Declaration of Teresa B. Petty-Jones Re: Declaration of Carol Lynne Inman in Support of Bruce Bickel filed on 9/21/2015 states:	
<input type="checkbox"/> Not.Cred.	<ul style="list-style-type: none"> She received on 9/21/2015 a scanned copy of a Declaration from Carol Lynne Inman regarding her agreement to appointment of Bruce Bickel, a professional fiduciary, as the Administrator of the Estate (copy attached as Exhibit A); the original document will be produced upon request from the Court. 	
<input checked="" type="checkbox"/> Notice of Hrg	Declaration of Carol Lynne Inman in Support of Bruce Bickel attached as Exhibit A states:	
<input checked="" type="checkbox"/> Aff.Mail W/	<ul style="list-style-type: none"> She served as the Co-Conservator of her mother along with her sister, Linda Inman, prior to her mother's death; She has 3 siblings: Linda Inman, Diana Inman, and Raymond Inman; She is in full support of Bruce Bickel's appointment and of his serving as Administrator of the Estate; She understands that if Bruce Bickel is appointed, the competing petitions for appointment of her sisters will be withdrawn or denied, allowing Bruce Bickel to serve alone and unchallenged in this matter; It is her desire that this matter move forward in the quickest and most efficient manner possible. 	
<input checked="" type="checkbox"/> Aff.Pub.	~Please see additional page~	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input 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 type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Reviewed by: LEG
Reviewed on: 9/22/15
Updates:
Recommendation:
File 27 – Inman

NEEDS/PROBLEMS/COMMENTS, continued:

1. If **BRUCE BICKEL** is appointed as Administrator, Mr. Bickel must file the following documents (in addition to filing proof of bond) prior to *Letters* being issued to him, pursuant to Local Rule 7.10.1 and Probate Code § 8404:
 - a. *Duties and Liabilities of Personal Representative* form;
 - b. *Confidential Supplement to Duties and Liabilities of Personal Representative* form.
2. Decedent was under Conservatorship of the Person and Estate, with Linda Inman (formerly Hansen) and Carol Lynne Inman as Co-Conservators appointed on 4/19/1991 in Case #237515. Accountings have been waived for the Conservatorship Estate since 5/26/1982, when only Linda Inman was Conservator. Need final account and petition to close the Conservatorship Estate to be filed **in Case #237515**, from Linda Inman and Carol Lynne Inman as Co-Conservators of the Estate.

Note: Status Hearings for the administration of this estate shall be set by the Court as follows:

- **Thursday, October 22, 2015 at 9:00 a.m. in Dept. 303 for filing proof of bond;**
- **Thursday, February 25, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and**
- **Thursday, November 17, 2016 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.**

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.

Note: Court will set a Status Hearing **in Case #237515** for the filing of the final account and petition to close the *Conservatorship of the Person and Estate of Charlotte Inman* Estate by Co-Conservators of the Estate, **LINDA L. INMAN** and **CAROL LYNNE INMAN** to be filed **in Case #237515:**

- **Thursday, October 22, 2015, at 9:00 a.m. in Dept. 303** for filing of the final account and petition to close the Conservatorship Estate.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.