

1 Lillian Salwasser (Estate)

Case No. 07CEPR00104

Atty Matthai, Edith (for Craig A. Houghton – Objector)

Atty Manock, Charles K. (for George Salwasser/Executor of the Estate of Lillian Salwasser)

Atty Chielpegian, Michael S (for Marvin Salwasser/Administratoor with Will Annexed of Walter Salwasser Respondent)

Atty Wright, Janet L. (for George Salwasser/Executor)

Atty Farley, Michael L. (of Visalia, for Gary E. Salwasser - Beneficiary)

Status Hearing

	George Salwasser is Executor.	NEEDS/PROBLEMS/COMMENTS:
	An Amended and Restated First Account was filed on 1-13-10 and has been continued with reference to additional ongoing matters in this and other related cases.	Minute Order 6-7-13: Ms. Wright advises the Court that she has a petition drafted. Continued to 8-9-13.
Cont. from 060713,080913	This status hearing was set on 4-26-13.	Minute Order 8-9-13: Counsel requests continuance. Continued to 10-4-13.
Aff.Sub.Wit.	Status report filed 6-6-13 by Attorney Janet Wright states counsel met and conferred on 5-16-13 with attorneys Craig Houghton and Mark Poochigian of Baker Manock & Jensen, who represented the Executor in his initial appointment through December 2008, and in various extraordinary matters, and with Executor, to review the proposed Petition for Final Distribution on Waiver of Account.	Status Report filed 8-7-13 states an amended tax return is being prepared and will be submitted to the IRS upon completion by Craig Houghton of Baker Manock & Jensen. At this time, Mr. Houghton is still not in possession of sufficient information in regards to the amended tax matters to provide Ms. Wright with the information needed to close the estate. It is requested that the status hearing be continued to 10-4-13.
Verified	It was determined that in order to close the estate pursuant to the Memorandum of Settlement Agreement entered into by beneficiaries Gary Salwasser and George Salwasser after mediation, certain matters would need to be addressed:	1. Need amended account / petition for final distribution.
Inventory	1. Amendment to estate tax return	
PTC	2. Inventory and Appraisal for promissory notes (preliminary payment history attached)	
Not.Cred.	Once the amendment to the estate tax return is completed, it should be possible to create a formula taking into account the allocation of fees and costs pursuant to the agreement and any credits due beneficiaries which would allow the petition to be filed and estate to be closed.	Reviewed by: skc
Notice of Hrg	Counsel is developing a draft formula and will meet and confirm with counsel for Gary Salwasser as well as Baker Manock & Jensen. If a formula cannot be agreed upon, the Petition will be filed specifying the areas of dispute.	Reviewed on: 9-30-13
Aff.Mail		Updates:
Aff.Pub.		Recommendation:
Sp.Ntc.		File 1 – Salwasser
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

	<p>CHRISTINE ADAMS is the current Trustee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>		
Cont. from	<p>Order dated 8/13/13 allowed Christine Adams to add \$603,639.16 to the trust from the estate of Barbara Scharton estate.</p>	<p>OFF CALENDAR. First account filed and set for hearing on 11/18/13.</p>		
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Probate Status Hearing Re: Filing First Account or Final Distribution

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> Order for Final Distribution signed on 9/20/13.</p>
Cont. from		
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Inventory		
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Not.Cred.		
Notice of Hrg		
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Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/30/13
		Updates:
		Recommendation:
		File 3 - Barnes

4 Edward Uribe Medina (Estate)

Case No. 12CEPR00470

Atty Perez, Holley H (For Executor Susan K. Medina)

Probate Status Hearing Re: First Accounting or Petition for Final Distribution

DOD: 2/25/2011	<p>SUSAN K. MEDINA was appointed executor with full IAEA authority and without bond on 7/31/12.</p> <p>Letters issued 8/14/13.</p> <p>Inventory and appraisal, partial no. 1 filed on 1/9/13 showing a value of \$173,000.00</p> <p>Verified Status Report filed on 9/25/13 states the 2012 income taxes are in the process of being prepared. It is anticipated that the petition for final distribution will be filed within the next 2 to 3 months.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Inventory and Appraisal filed on 1/9/13 states it is a partial inventory. Need final inventory. Inventory and Appraisal filed on 1/9/13 includes 3 parcels of vacant land that were not appraised. 	
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Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 9/30/13
			Updates:
	Recommendation:		
	File 4 - Medina		

Probate Status Hearing Re: First Accounting or Petition for Final Distribution

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Order for Final Distribution signed on 4/29/13.</p>
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Video Receipt		
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FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/30/13
		Updates:
		Recommendation:
		File 5 - Lee

DOD: 10/3/1994	ROBERT L. JOHNSON was appointed Administrator without bond and with Limited IAEA authority on 7/31/12.	NEEDS/PROBLEMS/COMMENTS:
	Letters issued 7/31/12.	Need first account, 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.
	I & A filed on 9/11/12 shows an estate valued at \$40,000.00	
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Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 9/30/13
		Updates:
		Recommendation:
		File 6 - Johnson

Atty Sanoian, Joanne

Atty Sharbaugh, Catherine

Status Hearing Re: Confirmation of Receipt of Transfer

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>Receipt of transfer by Tulare County Superior Court was filed 8-15-13.</p>
DOD:		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-30-13
		Updates:
		Recommendation:
		File 7 – Bideaux

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

DOD: 6-9-11	JANETTE COURTNEY , was appointed Executor with Full IAEA without bond and Letters issued on 9-15-11.	NEEDS/PROBLEMS/COMMENTS: Minute Order 4-8-13: Mr. Keeler and Mr. Ivy are appearing via conference call. Mr. Ivy is directed to file a fully executed agreement with the court. Matter is set for Status Hearing on 5/24/13 regarding the settlement agreement and the dismissal. If the agreement and dismissal are filed by 5/24/13, no appearance will be necessary. The status hearing regarding the inventory and appraisal is continued to 6/28/13 for appearance by Mr. Neilson only. Set on 5/24/13 @ 9:00 a.m. Dept. 303 for: Status Hearing Re: Settlement Agreement and Dismissal Note: Full and Complete Settlement Agreement and Mutual Release of All Claims filed 4-11-13, and dismissal of petition filed by Dennis L. Thomas on 12-19-11 was entered on 5-1-13. 1. Need Final I&A. 2. Need First Account or Petition for Final Distribution pursuant to Probate Code §12200.
	Inventory and Appraisal Partial No. 1 filed 2-13-13 included commercial real property valued at \$250,000.00, which was sold pursuant to Order Confirming Sale of Real Property.	
Cont. from 040813, 062813, 072613	At hearing on 2-25-13, the Court set status hearing for 4-8-13 for the filing of the Final Inventory and Appraisal, filing of the first account, and/or petition for final distribution.	
Aff.Sub.Wit.	The status hearing for filing of the final Inventory and Appraisal has been continued to 6-28-13 and now 7-26-13.	
Verified	Status Report filed 7-19-13 states:	
Inventory	<ul style="list-style-type: none"> Petitioner has performed all required duties as personal representative All known debts have been paid except for mortgage on real property which has a market value below the mortgage amount All administration costs to date except for compensation to the personal representative and attorney have been paid The estate is solvent A creditor's claim filed by Steven Drummond has been rejected There is currently no pending litigation involving the estate; however, there is a potential claim against beneficiaries for recovery of a vehicle and reimbursement for sales tax paid The status of a business being operated by a beneficiary, and the estate's current interest therein, has yet to be determined/negotiated. It is estimated that an additional three (3) months will be needed to complete administration of the estate, unless litigation is needed to recover the vehicle. Petitioner requests authority to continue administration until 10-1-13. 	
PTC		
Not.Cred.		
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Duties/Supp		
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Video Receipt		
CI Report		
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✓ Status Rpt		
UCCJEA		
Citation		
FTB Notice	Status Report filed 10/03/13 states: Since the prior status hearing the executor has been able to locate the Chevrolet Suburban, however it is damaged and towing and storage may be equal or more than the value. A compromise with the storage facility is being negotiated. Additionally, no paperwork has been located regarding the horse that a beneficiary claims belonged to the decedent and for which he is making a claim for care and feeding. The estate has rejected the claim. As to the real property in Mariposa, CA, it was thought that the bank was foreclosing on the property, but they have not. Time is requested to appraise and inventory this property and the Suburban as well as resolve the disposition of the horse.	
	Reviewed by: skc	
	Reviewed on: 9-30-13	
	Updates:	
	Recommendation:	
	File 8 - Drummond	

Atty Pimentel, Paul J.

Atty Kruthers, Heather H

Status Hearing Re: Filing of the First Account

Age:		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>First account was settled on 7-2-13.</p>
DOD:		
Cont. from		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-30-13
		Updates:
		Recommendation:
		File 9 - Soto

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Order for Final Distribution was entered 8-13-13.
DOD:		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-30-13
		Updates:
		Recommendation:
		File 11 - Govier

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Order Settling First and Final Account was entered 2-20-13.
DOD:		
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Video Receipt		
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Aff. Posting		
Status Rpt		
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Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 9-30-13
		Updates:
		Recommendation:
		File 12 - Pawlik

Probate Status Hearing Re: Filing of Receipt for Blocked Account

Age: 74	TEMP (ESTATE ONLY) EXPIRES 10-4-13	NEEDS/PROBLEMS/ COMMENTS:
	VANCE SEVERIN and TERRI SEVERIN , Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.	Continued from 3-22-13, 4-26-13
	At a hearing on 11-5-12, the Court set this status hearing for the filing of the I&A.	Status Report (unverified) filed 4-23-13 by Attorney Motsenbocker states there were issues with repairs and other matters that have delayed sale, but the parties are hopeful that the house will be sold in the next 30-60 days. The inventory is in process and will be filed shortly, the only asset being the Conservatee's joint tenancy interest in the house. The only new occurrence is that the Conservatee recently had "another" stroke for which he was hospitalized for a short time. He was returned home and is now an "outpatient only." The Co-Conservators request that the Court extend the temp letters to the next hearing date and such other and further orders that the Court considers just and proper.
Cont. from 032213,042613,061 413	On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.	Note: Post-Move Notice of Change of Residence of Conservatee filed 5-22-13 indicates that Mr. Salzman was moved to Leisure Village in Camarillo, CA, as of 3-4-13.
Aff.Sub.Wit.	At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.	1. Need receipt for blocked account (sale proceeds).
Verified	Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.	Reviewed by: skc
Inventory	Status Report filed 3-21-13 by Attorney Motsenbocker (unverified) states that at this time due to unforeseen circumstances and complications the house has not sold. There have been issues with repairs and other matters which have delayed sale. The parties are hopeful that in the next 30 days the house will sell. There are no funds to deposit to blocked account since the house has not sold. I&A has not been filed as the Co-Conservators were under the impression that this matter would be terminated by now. Since that has not happened, the only asset to be inventoried is the Conservatee's joint tenancy interest in the house. The Co-Conservators request a short extension to file I&A.	Reviewed on: 9-30-13
PTC	Inventory and Appraisal filed 5-22-13 reflects Mr. Salzman's 50% interest in the real property valued at \$75,000.00.	Updates: 10/03/13 - JF
Not.Cred.	Status Report filed 6-12-13 states the house has been on the market for 20 days listed at \$417,000.00. It has been completely rehabilitated and looks terrific. There are some issues with the contractor who did the rehabilitation that will need to be worked out once a solid offer is received. The Co-Conservators and spouse are hopeful that an offer will be made soon and are considering adjusting the listing price downward.	Recommendation:
Notice of Hrg	The Co-Conservators request temporary conservatorship be extended 60-90 days to complete their limited powers to sell the house, place the money in a blocked account, and file their first and final account.	File 13A - Salzman
Aff.Mail		
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Continued on Page 2

Status Report and Request for Extension of Temporary Letters of Conservatorship filed 10/02/13 states: There is currently an offer of \$260,000.00 pending on the residence. They had anticipated offers in the \$400,000.00 range. The "contractor" for the work to improve the property has turned out to be a complete and total fraud. Apparently she is not a contractor and the contractor's license used on the initial agreement was bogus; she apparently used the license on the contract without the consent or knowledge of the true owner. After she made numerous improvements to the property and it became apparent that something was amiss, she was asked to supply her contractor's license number; at that point she became enraged and accused the attorney of playing "hard ball". Thereafter, she went to the residence and ripped out a number of appliances and some of the permanent fixtures which left the residence in a total mess. Thereafter, she recorded a mechanic's lien for \$150,000.00 against the property. The Co-Conservators have filed a complaint with the Fresno County District Attorney's Office. They are also working with the title company to bond around the mechanic's lien so that escrow can close.

The Co-Conservator's request that the Court extend their limited temporary letters for an additional 90 days so they can complete the sale of the residence. The Conservatee and his attorney have been notified of this request. It is anticipated that a lawsuit will have to be filed to clear up the mechanic's lien issue and that may take 6 months. It is anticipated that Mr. and Mrs. Salzman may have to handle and complete the matter on their own.

Applicant requests an Order:

1. That the court continue this matter for 90 days;
2. The Court order the re-issuance of the limited Temporary Letters of Conservatorship in order to complete the sale of the real property. The powers set forth in the limited letters shall be as follows:
 - a. To negotiate and settle with the Conservatee's creditors including, but not limited to, the California Franchise Tax Board (FTB) and the Internal Revenue Service (IRS);
 - b. To handle all matters related to the sale of the Conservatee's residence located in Fresno, CA, including but not limited to, executing all deeds, escrow instructions, and other necessary documents;
 - c. To deposit the Conservatee's share of the proceeds from the sale of the residence into a blocked conservatorship account, to be withdrawn only upon further order of this Court; and
 - d. To negotiate and sign leases or rental contracts for the purpose of obtaining a residence for the Conservatee.

Status Hearing Re: Filing of First and Final Account of Temporary Conservator

Age: 74	<p>TEMP (ESTATE ONLY) EXPIRES 10-4-13</p> <p>VANCE SEVERIN and TERRI SEVERIN, Brother and Sister of Mr. Salzman's wife, Stacy Salzman, were appointed as Temporary Co-Conservators of the Person and Estate without bond (bond upon permanent appointment) on 9-25-12.</p> <p>At a hearing on 11-5-12, the Court set status hearing for the filing of the I&A for 3-22-13.</p> <p>On 12-10-12, The Temporary Co-Conservators were authorized to sell the Conservatee's real property, with proceeds to be deposited into a blocked account.</p> <p>At hearing on 1-7-13, the petition for conservatorship of the <u>person</u> was withdrawn, and the conservatorship of the <u>estate</u> was extended to 3-29-13, but limited to the sale of the property and negotiate and settle with the Conservatee's creditors, including California Franchise Tax Board and IRS.</p> <p>Also on 1-7-13, the Court set this status hearing for filing of the First or Final Account of Temporary Conservator.</p> <p>Note: I&A filed 5-22-13 indicates the Conservatee's 50% real property interest valued at \$75,000.00.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3-29-13, 4-26-13</u></p> <p>Minute Order 3-22-13: Mr. Motsenbocker requests a continuance to file the inventory. Matter continued to 4/26/13. At the request of both counsel, the hearing scheduled for 3/29/13 is vacated and rescheduled for 4/26/13.</p> <p>Status Report (unverified) filed 4-23-13 by Attorney Motsenbocker states there were issues with repairs and other matters that have delayed sale, but the parties are hopeful that the house will be sold in the next 30-60 days. The inventory is in process and will be filed shortly, the only asset being the Conservatee's joint tenancy interest in the house. The only new occurrence is that the Conservatee recently had "another" stroke for which he was hospitalized for a short time. He was returned home and is now an "outpatient only." The Co-Conservators request that the Court extend the temp letters to the next hearing date and such other and further orders that the Court considers just and proper.</p> <p>Note: Post-Move Notice of Change of Residence of Conservatee filed 5-22-13 indicates that Mr. Salzman was moved to Leisure Village in Camarillo, CA, as of 3-4-13.</p> <ol style="list-style-type: none"> 2. Need receipt for blocked account (sale proceeds) 3. Need account.
Cont. from 032913, 042613, 061413		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
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Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Reviewed by: skc</p> <p>Reviewed on: 9-30-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14B - Salzman</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 01/12/2013		<p>WANDA JUNE TIMMONS, mother, was appointed Executor with full IAEA authority without bond on 03/19/2013.</p> <p>Letters issued on 03/21/2013.</p> <p>Inventory & Appraisal Partial No. 1 filed 04/10/2013 - \$577,500.00</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR FINAL INVENTORY AND APPRAISAL FILED 09/18/2013</u></p>
Cont. from 081613			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
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<input type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/02/2013
			Updates:
			Recommendation:
			File 14 – Bier

DOD:11-26-11		<p>JOCELYN ALSDORF, Daughter, was appointed as Administrator with Will Annexed with Full IAEA without bond on 5-1-13.</p> <p>On 5-1-13, the Court set this status hearing for filing the Inventory and Appraisal.</p> <p>Inventory and Appraisal Partial No. 1 was filed 5-22-13.</p> <p>Report of Counsel filed 10-1-13 states the administrator has identified several financial accounts to be appraised; however, statements had to be requested. Some financial institutions required updated certified Letters, so obtaining and transmitting those have caused delay. It is anticipated that the final I&A will be filed within 60 days.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Final I&A or verified written status report.</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			
		<p>Reviewed by: skc</p> <p>Reviewed on: 9-30-13</p> <p>Updates: 10-2-13</p> <p>Recommendation:</p> <p>File 15 - Alsdorf</p>	

Status Hearing Re: Filing of the Inventory and Appraisal

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		
		OFF CALENDAR
		I&A filed 7-30-13
		Reviewed by: skc
		Reviewed on: 9-30-13
		Updates:
		Recommendation:
		File 16 - Gross

Status Hearing Re: Confirmation of Receipt of Transfer

Age:		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Receipt of transfer by Tulare County Superior Court was filed 8-26-13.	
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
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Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: skc
			Reviewed on: 9-30-13
		Updates:	
		Recommendation:	
		File 18 - Bernal	

Status Hearing Re: Filing of Petition for Distribution

DOD: 10/11/10		KARLA DEAN , daughter, was appointed Administrator with Limited IAEA Authority, without bond on 12/13/12. Letters of Administration were issued on 01/15/13.	NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Public Administrator was appointed successor administrator by the Court on 06/18/13. Minute Order from hearing on 09/06/13 continued a status hearing for the filing of the Public Administrator's Final Account to 01/10/14</p>
Cont. from 040513			
Aff.Sub.Wit.		Minute Order from Status Hearing on 01/25/13 set this matter for status re filing of the Petition for Distribution on 04/05/13.	
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: 10/01/13
			Updates:
			Recommendation:
			File 19 - Johnson

Probate Status Hearing Re: First Accounting or Petition for Final Distributio

DOD: 12-3-11		<p>JAMES RAY WATKINS, Son, was appointed as Executor with Full IAEA without bond on 7-31-12.</p> <p>On 7-31-12, the Court set this status hearing for filing the first account or petition for final distribution.</p> <p>Inventory and Appraisal filed 3-19-13 indicated a total estate value of \$60,500.00 consisting of real and personal property.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution or verified written status report.</p>	
Aff.Sub.Wit.				
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Letters				
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Status Rpt				
UCCJEA				
Citation				
FTB Notice				
				Reviewed by: skc
				Reviewed on: 9-30-13
				Updates:
				Recommendation:
		File 20 - Watkins		

DOD: 5-18-12	<p>HENRY T. PEREA, Son, was appointed Executor with Full EAEA without bond on 8-2-12.</p> <p>On 8-2-12, the Court set this status hearing for filing of the first account or petition for final distribution.</p> <p>Final Inventory and Appraisal filed 11-13-12 reflected a total estate value of \$142,500.00 consisting of real property and a vehicle.</p> <p>Verified Status Report filed 9-25-13 states the encumbrance on the residence exceeds its value. Executor proposes to sell the home via short sale. The estate also has numerous creditor's claims including claims by the IRS and California Franchise Tax Board. Upon the sale of the residence, Executor will prepare his final report and petition.</p> <p>Executor requests an additional six months to complete the sale and file.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need first account or petition for final distribution.</p>
Aff.Sub.Wit.		
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Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: skc</p> <p>Reviewed on: 9-30-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 – Trevino</p>

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

DOD: 12/22/1997	<p>LISA BOWIE was appointed as Executor with Full IAEA authority and without bond on 9/11/01.</p> <p>Letters issued on 9/11/01.</p> <p>Inventory and appraisal was due on 1/11/02.</p> <p>First account or petition for final distribution was due on 9/11/02.</p> <p>Notice of Status Hearing was mailed to attorney David Knudson on July 31, 2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need inventory and appraisal and 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>
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Objections		
Video Receipt		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 10/1/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File</p>

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

DOD: 3/16/2001	<p>ARTHUR ROTH and HOWARD ROTH were appointed co-executors with full IAEA authority and without bond on 10/23/2001.</p> <p>Letters issued on 10/23/2001.</p> <p>Inventory and appraisal was due 2/23/2001.</p> <p>First account or petition for final distribution was due 10/23/2002.</p> <p>Notice of Status Hearing was mailed to Attorney Eliot Nahigian on 7/31/2013.</p> <p>Status Report filed on 9/23/2013 states Arthur Roth is the sole surviving co-executor. Howard Roth died on 9/10/2010. No inventory and appraisal has been filed in this estate.</p> <p>Decedent's assets were held in a living trust and no probate administration of Decedent's assets was necessary. Prior to Decedent's death a lawsuit was filed for breach of contract, open book account and quantum meruit against the Decedent. The primary purpose of opening the estate was to defend the lawsuit. The lawsuit was settled and a dismissal of the action was entered on 4/9/2013. Through inadvertence the estate was left open. Petitioner requests additional time to file the final report and petition to close the estate. The time requested in 6 months from the filing of this status report. Petitioner, Arthur Roth lives in New York. It would be extremely costly, time consuming and difficult for him to appear at the status hearing. For these reasons, Petitioner requests that he be excused from personally attending the status conference as ordered by the Notice of Status Hearing.</p>	NEEDS/PROBLEMS/COMMENTS:						
Cont. from								
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Inventory								
PTC								
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Notice of Hrg								
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Aff. Posting								
Status Rpt								
UCCJEA								
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<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 10/1/2013</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 23 - Roth</td> </tr> </table>			Reviewed by: KT	Reviewed on: 10/1/2013	Updates:	Recommendation:	File 23 - Roth	
Reviewed by: KT								
Reviewed on: 10/1/2013								
Updates:								
Recommendation:								
File 23 - Roth								

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

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
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<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input 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		
<input type="checkbox"/> 9202 Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
	OFF CALENDAR. Inventory and appraisal filed on 9/17/13. Petition for Final Distribution filed and set for hearing on 10/23/2013.	
	Reviewed by: KT	
	Reviewed on: 10/1/2013	
	Updates:	
	Recommendation:	
	File 24 - Pardini	

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

DOD: 7/2/2001	<p>VERNETTE A. FRIESEN was appointed Special Administrator on 12/28/2001 for the sole purpose of disclaiming the decedent's interest in the Trust created under the Will of John Hild.</p> <p>Letters issued on 12/28/2001 and had no expiration date.</p> <p>Notice of Status Hearing was mailed to attorney Michael Buettner on 7/31/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition to close the estate 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>
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Inventory		
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Letters		
Duties/Supp		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/1/2013
		Updates:
		Recommendation:
		File 25 - Hild

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

DOD: 6-7-01		<p>RICHARD HICKMAN was appointed Executor with Full IAEA without bond and Letters issued on 3-19-02.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>According to file documents, the sole asset of the estate was an account containing approx. \$65,000.00; however, no Inventory and Appraisal was filed, and no account or petition for final distribution was filed.</p>	<p>Note: Attorney Carrillo is still the attorney of record in this case, as the Substitution of Attorney was never filed.</p>
Aff.Sub.Wit.			
Verified		<p>On 7-31-13, the Court set this status hearing for failure to file an Inventory and Appraisal and failure to file an account or petition for final distribution. Notice was mailed to Attorney Patricia Carrillo.</p>	<p>Note: Pursuant to Decedent's Will, there are eight (8) heirs to the estate.</p>
Inventory			
PTC		<p>On 9-24-13, Attorney Carrillo filed a status report stating that in 2003, he office received a letter from Attorney Thom Snyder (attached) indicating that his office was substituting in as attorney for Executor and demanding a copy of the file. Ms. Carrillo replied with copies as well as a billing statement. Mr. Snyder's reply demanded that she sign the Substitution of Attorney (attached, last signature dated 4-15-03, but not filed). Since her last communication with Attorney Thom Snyder on 4-15-03, Ms. Carrillo has not had any written or verbal communication with Executor or Mr. Snyder or any of the beneficiaries. Ms. Carrillo has not made any formal demands for payment of attorney fees or reimbursement of costs.</p>	<p>Note: A Request for Special Notice was filed by two of the heirs, James R. Elerick, Ph.D., and Debra Jean Elerick, c/o Law Office of Rodney C. Haron, on 3-19-02.</p>
Not.Cred.			
Notice of Hrg		<p>Attorney Carrillo states that upon receipt of the Notice of Status Hearing, she emailed Attorney Snyder, but received a response that states his practice is closed as he is now with the Kings County District Attorney's Office, and he has not had contact with any of the parties in many years. Ms. Carrillo then mailed a copy of the Notice of Status Hearing to the Executor, Richard Hickman, and to date have not received any response. She has made several attempts via internet and telephone to contact him and the other parties, but has not been able to reach anyone.</p>	<p>1. Need Inventory and Appraisal. Probate Code §8900.</p>
Aff.Mail			
Aff.Pub.		<p>Attorney Carrillo states that it is her belief that the bank account was liquidated outside of the probate proceeding and the beneficiaries were given their fair distributions. Prior to filing the petition for probate, interfamily disputes had prohibited the beneficiaries from liquidating the account and had caused the initial filing of the probate case. The disputes continued the year after the petition for probate was granted, making it impossible to proceed with the filing of the required court documents. There is no evidence that there are any outstanding costs or expenses.</p>	<p>2. Need petition for final distribution. Probate Code §12200.</p>
Sp.Ntc.			
Pers.Serv.		<p>3. File documents reference an "embezzlement issue." The Court may require clarification.</p>	
Conf. Screen			
Letters		<p>Reviewed by: skc</p>	
Duties/Supp			
Objections		<p>Reviewed on: 10-1-13</p>	
Video Receipt			
CI Report		<p>Updates:</p>	
9202 Order			
Aff. Posting		<p>Recommendation:</p>	
Status Rpt			
UCCJEA		<p>File 26 - Elerick</p>	
Citation			
FTB Notice			

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

DOD: 11/6/2001	<p>MARIAN A. WELLS, CAROLYN E. VART and DAVID C. VART, were appointed successor Executors with full IAEA and without bond on 5/26/2009.</p> <p>Letters issued on 5/26/2009.</p> <p>Notice of Status Hearing was mailed to Eliot Nahigian on 7/31/2013.</p> <p>Verified Status Report filed on 9/25/2013 states Bill Vart was appointed executor on 1/22/2002. Bill Vart died on 1/28/2008, after Letters issued. Marian A. Wells, Carolyn E. Vart and David C. Vart were appointed successor co-executors on 5/26/2009.</p> <p>At the time of their appointment as successor co-executors, it was believed that there was a brokerage account at Morgan Stanley Dean Witter that had not yet been distributed.</p> <p>Subsequent to their appointment it was determined that a mutual fund account with Franklin Templeton Investments was the account that had not been transferred and that the securities in the brokerage account at Morgan Stanley Dean Witter had been distributed.</p> <p>Additionally, the Fresno County Assessor's Office has informed the attorney that there was an error in the legal description of some of the real property in the decedent's estate. The co-executors, through their attorney, are in the process of preparing an ex parte petition to correct clerical errors in the real property.</p> <p>Executors request that a status hearing be set in approximately four months to allow time to liquidate and transfer the mutual funds, obtain a nunc pro tunc order to correct the clerical error in the real property and to re-record the deeds to properly transfer the interest in the real properties.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
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Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202 Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 10/1/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 27 - Vart</p>

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

DOD: 1/6/1997	<p>VALERIE YOUNGER, was appointed as Administrator with full IAEA authority and without bond on 2/5/2002.</p> <p>Letters issued on 2/5/2002.</p> <p>Inventory and appraisal was due 6/5/2002.</p> <p>First account or petition for final distribution was due 2/5/2003.</p> <p>Notice of Status Hearing was mailed to Valerie Younger on 7/31/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need inventory and appraisal, 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>
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/1/2013
		Updates:
		Recommendation:
		File 28 - Applewhite

Probate Status Hearing for failure to file the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution.

DOD: 4/29/2001	<p>DANIEL IRISSARRI was appointed Executor with full IAEA authority and without bond on 3/5/2002.</p> <p>Letters issues 3/5/2002</p> <p>I & A filed on 3/22/2004 showing an estate valued at \$160,773.11.</p> <p>First account or petition for final distribution was due 3/5/2003.</p> <p>Notice of Status Hearing was mailed to attorney Jeff Shepard on 7/31/2013.</p> <p>Status Report filed on 7/26/2013 states the Executor informed Mr. Shepard that he will appear at the hearing pursuant to the Notice of Status Hearing sent to him.</p> <p>The Executor has informed Mr. Shepard that he will provide him with the information necessary to close the estate.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
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Notice of Hrg		
Aff.Mail		
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UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 10/1/2013
		Updates:
		Recommendation:
		File 29 – Irissarri

Probate Status Hearing for failure to file the Inventory and Appraisal and for Failure to File a First Account or Petition for Final Distribution

DOD: 12/17/1999	MARK COPPEDGE was appointed as Executor with full IAEA authority and without bond on 4/10/2002.	NEEDS/PROBLEMS/COMMENTS:	
	Letters issued on 4/11/2002.		
Cont. from	Inventory and Appraisal was due on 8/11/2002.		
<input type="checkbox"/> Aff.Sub.Wit.	First account or petition for final distribution was due 4/11/2003.		
<input type="checkbox"/> Verified	Notice of Status Hearing was mailed to David Silva on 7/31/13.		
<input type="checkbox"/> Inventory	Verified Status Report of David Silva filed on 9/27/2013 states he was the attorney representing Mr. Coppedge. Mr. Silva states after his inability to connect with Mr. Coppedge to wrap up this matter in the latter part of 2002, he learned of his deteriorating physical condition was due to an illness he battled for the next three years. When he learn of his situation he wrote to Mr. Coppedge explaining that he would assist him in obtaining new counsel. Mr. Silva states he received no response from him.		
<input type="checkbox"/> PTC	When the State Bar declared Mr. Silva ineligible to practice law, Mr. Silva states he sent him his original documents along with a letter informing him of his declared inability to practice law. Mr. Silva states he did not receive a response.		
<input type="checkbox"/> Not.Cred.	Through the Fresno County Bar Association's Attorney Referral Service, Mr. Silva states he attempted to secure the names of probate lawyers to transition this matter. Mr. Silva was informed they no longer provide names of attorneys.		
<input type="checkbox"/> Notice of Hrg	Mr. Silva hopes to have made progress in securing an attorney for Mr. Coppedge by the date of the status hearing.		
<input 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			
<input type="checkbox"/> 9202 Order			
<input type="checkbox"/> Aff. Posting Status Rpt			
<input type="checkbox"/> UCCJEA Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: KT
			Reviewed on: 10/1/2013
		Updates:	
		Recommendation:	
		File 30 - Coppedge	

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

DOD: 06/22/07	<p>LARRY A. DONALDSON, friend, was appointed as Executor without bond on 05/27/08 and Letters were issued on 06/18/08.</p> <p>Notice of Status Hearing filed 11/28/12 set this matter for status. Clerk's Certificate of Mailing states that the Notice of Status Hearing was mailed to Larry A. Donaldson on 10/19/12.</p> <p>Declaration of Beneficiary Laura Leonard re Probate Status Hearing – Failure to File First Account or Petition for Final Distribution filed 01/13/11 states: she and her brother (both beneficiaries of the estate) have made many written and verbal requests to Mr. Donaldson requesting an accounting and for their father's estate be brought to a close. Ms. Leonard states that Mr. Donaldson has ignored their requests and repeatedly failed to communicate with them regarding the estate. Ms. Leonard and her brother had an attorney, Frederick Borges, contact Mr. Donaldson on their behalf to request that he move forward with the estate. Mr. Donaldson responded that he would move forward, but has failed to do so. Ms. Leonard states that she and her brother have also made a complaint to the state bar of California regarding Mr. Donaldson's failure to act. Ms. Leonard states that after all of these efforts, Mr. Donaldson recently provided them with a sloppy, incomplete "accounting", however several years' worth of information is absent and many of the transactions are questionable. Declarant further states that she and her brother were supposed to receive a distribution in early January, but have not received anything.</p> <p>Inventory & Appraisal, partial no. 1 filed 07/24/13 - \$1,619,273.76</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 07/26/13 Minute order from 07/26/13 states: Mr. Donaldson advises the Court that he filed a status statement yesterday. He further advises that the accounting is being done however he may have a conflict which may require another attorney to complete the work in this matter. The Court on its own motion accepts Mr. Donaldson's withdrawal as Executor in this matter and appoints the Public Administrator. Mr. Donaldson is directed to contact Ms. Kruthers.</p> <p>Note: Letters of Administration were issued to the Public Administrator on 08/01/13.</p> <p>As of 10/01/13, the following remains outstanding:</p> <ol style="list-style-type: none"> 1. Need Final Inventory & Appraisal. 2. Need Accounting and/or Petition for Final Distribution. 																																																				
<table border="1" style="width: 100%;"> <tr> <td style="width: 10%;"></td> <td style="width: 90%;">Cont. from 012513, 032913, 042613, 072613</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Sub.Wit.</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Verified</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Inventory</td> </tr> <tr> <td><input type="checkbox"/></td> <td>PTC</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Not.Cred.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Notice of Hrg</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Mail</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff.Pub.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Sp.Ntc.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Pers.Serv.</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Conf. Screen</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Letters</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Duties/Supp</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Objections</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Video Receipt</td> </tr> <tr> <td><input type="checkbox"/></td> <td>CI Report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>9202</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Order</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Aff. Posting</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Status Rpt</td> </tr> <tr> <td><input type="checkbox"/></td> <td>UCCJEA</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Citation</td> </tr> <tr> <td><input type="checkbox"/></td> <td>FTB Notice</td> </tr> </table>		Cont. from 012513, 032913, 042613, 072613	<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 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	<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	<table border="1" style="width: 100%;"> <tr> <td>Reviewed by: JF</td> </tr> <tr> <td>Reviewed on: 10/01/13</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 31 - Wallace</td> </tr> </table>	Reviewed by: JF	Reviewed on: 10/01/13	Updates:	Recommendation:	File 31 - Wallace
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