



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Age: 30	<p>HOWARD UNDERWOOD, ROBERTA UNDERWOOD and BETH UNDERWOOD WILKINSON, parents and sister, current Limited Co-Conservators of the Person with medical consent powers are Petitioners and request appointment of COLIN WILKINSON, brother-in-law, as an additional Limited Co-Conservator of the Person with medical consent powers and the same limited powers as the current co-conservators have.</p> <p>Petitioners were previously granted medical consent powers.</p> <p>Voting rights affected.</p> <p>Petitioners state that the conservatee suffers from physical and developmental disabilities and a seizure disorder. He is unable to provide for his own needs and requires assistance from his conservators and is a client of CVRC.</p> <p>Court Investigator Charlotte Bien filed a report on 11/05/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 11/05/14.</p> <p>Voting rights affected, need minute order.</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
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<input type="checkbox"/> UCCJEA		
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		Reviewed by: JF
		Reviewed on: 11/13/14
		Updates:
		Recommendation:
		File 1 - Underwood

Atty **Teixeira, J. Stanley (for Karen E. Phillips-Wilkes – Petitioner – Executor)**

(1) First and Final Account and Report of Executor and Petition for its Settlement,
 (2) for Allowance of Statutory Commissions and (3) Final Distribution

DOD: 03/09/2005	KAREN E. PHILLIPS-WILKES , Executor, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
	Account Period: 03/09/2005 – 05/12/2014		
Cont. from 091714	Accounting	- \$135,500.00	
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH	- \$135,500.00	
<input checked="" type="checkbox"/> Verified	Ending POH	- \$135,000.00	
<input type="checkbox"/> Inventory	Executor – Waives		
<input type="checkbox"/> PTC	Attorney – Waives		
<input type="checkbox"/> Not.Cred.	Distribution, pursuant to decedent's Will, is to:		
<input checked="" type="checkbox"/> Notice of Hrg	Karen E. Phillips-Wilkes – 100% in real property		
<input checked="" type="checkbox"/> Aff.Mail	w/o		
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<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 11/13/2014
			Updates:
			Recommendation: Submitted
			File 2 – Phillips-Prosser

Age: 60 years	<p>BRYAN JENSEN was appointed conservator on 4/1/2009.</p> <p>Court Investigator JENNIFER DANIEL filed a Petition for Transfer on 6/25/14 requesting this proceeding be transferred to Los Angeles County because the conservatee has resided there since 11/12/2010, and it is presumed pursuant to Probate Code §2215 that transfer of the conservatorship case to the county of residence is in the best interests of the conservatee.</p> <p>Court Investigator further recommends that the fees and costs related to this transfer be waived.</p> <p>Objections to Transfer of Proceedings filed on 9/2/14. Bryan Jensen objects to the transfer of the proceedings to Los Angeles County. Mr. Jensen states he lives and works in Santa Barbara. He is required to file accountings every two years. Transfer of the proceedings to Santa Barbara County would have no detrimental effect on the conservatee.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/8/14. Minute order states no appearances. The Court directed that a copy of the minute order be sent to Jeff Shepard. – Minute order mailed on 10/10/14.</p> <p>A Petition for Transfer of Proceedings to Santa Barbara County was filed by Bryan Jensen and is on page 3B.</p> <p>Note: If the petition is granted a status hearing will be set on Wednesday, December 17, 2014 for the confirmation of receipt of transfer.</p>	
Cont. from 072914, 090314, 100814			
<input type="checkbox"/> Aff.Sub.Wit.			
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<input type="checkbox"/> PTC			
<input type="checkbox"/> Not.Cred.			
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<input type="checkbox"/> FTB Notice			
Reviewed by: KT			
Reviewed on: 11/13/14			
Updates:			
Recommendation:			
File 3A – Jensen			

Petition for Transfer of Proceedings to Santa Barbara County, California and
Objection to Transfer of Proceedings to Los Angeles County

Age: 60 years		BRYAN JENSEN, conservator of the person and estate, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 10/8/14. Minute order states no appearances. The Court directed that a copy of the minute order be sent to Jeff Shepard. – Minute order mailed on 10/10/14.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: <ol style="list-style-type: none"> a. Debra Jensen (conservatee) b. Darren Jensen (son) c. Bertha Sherbon (mother) d. Linda L. Silveira (sister) e. Virginia Hanson (sister) 3. Need Order. <p>Note: If Petition is granted petitioner will need to pay the transfer fee of \$50.00 to Fresno Superior Court and also provide a check for \$435.00 payable to Santa Barbara Superior Court or a fee waiver for their filing fee. Probate Code 2216(b).</p> <p>Note: If the petition is granted a status hearing will be set on Wednesday, December 17, 2014 for the confirmation of receipt of transfer.</p>
		BRYAN JENSEN was appointed conservator on 4/1/2009.	
Cont. from 100814		Petitioner states the Conservatee, a widow, resides in Clearview Alzheimer's Care Facility located in Los Angeles County.	
Aff.Sub.Wit.		The Conservator resides in Santa Barbara County.	
✓ Verified		Court Investigator, Jennifer Daniel, petitioned the court to transfer the proceedings to Los Angeles County.	
Inventory		Petitioner is petitioning to transfer the proceedings to Santa Barbara County for the following reasons:	
PTC		a. The conservatee has dementia and other related problems which means she is unaware of where she resides and has no knowledge of the court jurisdiction of her conservatorship.	
Not.Cred.		b. The conservator is employed as a Sargent for the Santa Barbara Police Department. Conservator is the person responsible for all conservatorship matters and for any necessary court appearances. In the event a court appearance in Los Angeles became necessary, there would be additional costs to the conservatorship in that the conservator would be required to take extra time off work.	
Notice of Hrg	X	c. Transfer of the conservatorship to Santa Barbara County would have no detrimental effect on the conservatee.	
Aff.Mail	X		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting			
Status Rpt		Wherefore, Petitioner prays that the petition for transfer of the conservatorship to Los Angeles County be denied and this conservatorship be transferred to the Superior Court of Santa Barbara.	
UCCJEA			
Citation			
FTB Notice			

Reviewed by: KT

Reviewed on: 11/13/14

Updates:

Recommendation:

File 3B - Jensen

4A Wanda H. Bingham (CONS/PE)

Case No. 11CEPR00949

Atty Krause, Stephanie J. (for Randy Grace – Petitioner and Co-Trustee of Trust)
Atty Roberts, David A. (for Joan St. Louis – Conservator)
Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham)
Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust)

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

	RANDALL “RANDY” GRACE , Step-grandson and Co-Trustee of the Byrum C. and Wanda H. Bingham Trust, is Petitioner and requests appointment as Successor Conservator of the Person with medical consent powers under Probate Code §2355 and dementia medication and placement powers pursuant to Probate Code §2356.5, and as Successor Conservator of the Estate with bond of \$485,578.45.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: Page B is the corresponding Petition for Removal of current conservator.</u></p> <p><u>Note: Page C is the continued hearing on</u></p> <p><u>Court Investigator advised rights on 10-31-14 and 11-5-14</u></p> <p><u>Voting right affected – Need minute order.</u></p> <p><u>SEE ADDITIONAL PAGES</u></p>
	Voting rights affected		
	Capacity Declaration filed 11-17-11.		
	Estimated Value of Estate:		
	Personal property: \$ 406,225.91		
	Annual income: \$ 93,985.27		
	Total: \$ 500,211.18		
	Petitioner states it was previously determined that Mrs. Bingham is unable to provide for her personal needs for physical health, food, clothing, or shelter. Accordingly, the Court appointed David St. Louis as Conservator of her person. Subsequently, Joan St. Louis was appointed as Successor Conservator. Attached are nominations of Petitioner to serve as successor conservator signed by all relatives. Petitioner's Declaration details events during conservatorship under the current conservator, Joan St. Louis. Petitioner is also a co-trustee of the conservatee's trust and provides details of his experience as a fiduciary and administrator. Petitioner states he is actively involved in learning about Alzheimer's care to arrange better care and quality of life for the Conservatee. Attached are various communications with Joan St. Louis.		
	Court Investigator Charlotte Bien filed a report on 11-7-14.		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: skc</p> <p>Reviewed on: 11-13-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4A - Bingham</p>

Page 2**NEEDS/PROBLEMS/COMMENTS:**

1. Notice was served on Deborah Boyett as Court appointed attorney for Conservatee Wanda Bingham, and on David Roberts as attorney for the current Conservator Joan St. Louis. The Court may require direct notice to the Conservatee and the current Conservator pursuant to Probate Code §§1460(b) and 1214 and Cal. Rules of Court 7.51 (c).
2. Need video receipt pursuant to Local Rule 7.15.8.A.
3. Petitioner requests bond be fixed at \$485,578.45; however, based on the estimated value of the estate, Examiner calculates that bond should be at least \$550,236.52, which includes cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207.

Note: The estimated value of the estate appear to be based on the accounting filed by the current conservator at Page C.

4. The Petition at #1k requests orders related to dementia medication and placement; however, the separate Attachment Requesting Special Orders Regarding Dementia (Mandatory Judicial Council Form GC-313) was not attached to the petition or served on interested parties, and the proposed order does not specify dementia medication and placement powers.

Examiner notes that the additional medical consent and dementia medication and placement powers requested herein were originally granted to the original conservator, David St. Louis; however, additional orders were made pursuant to agreement reached at Court Trial on 12-6-11 and Order After Hearing Regarding Placement filed 12-13-11.

The 12-13-11 Order specifies that care providers for Byrum Bingham (now deceased) and Wanda Bingham are to be present inside the main residence 24 hours per day; that Wanda Bingham is to abide by the dietary and nutrition guidelines recommended by her treating physician, and that the keys to the automobile are to be kept in the possession of the care providers or the conservator, David St. Louis.

Examiner is not aware without extensive further review of the file whether subsequent agreements or orders were made regarding Mrs. Bingham's care and placement after Mr. Bingham's death, or after Mr. St. Louis' death. The Court may require clarification.

4B Wanda H. Bingham (CONS/PE)

Case No. 11CEPR00949

Atty Krause, Stephanie J. (for Randy Grace – Petitioner and Co-Trustee of Trust)

Atty Roberts, David A. (for Joan St. Louis – Conservator)

Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham)

Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust)

Petition for Removal of Conservator of Person and Estate of Wanda H. Bingham, and for Costs, Expenses and Attorney Fees

	<p>RANDALL “RANDY” GRACE, Step-grandson and Co-Trustee of the Byrum C. and Wanda H. Bingham Trust, is Petitioner.</p>		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGES</u></p>
	<p>Petitioner states JOAN ST. LOUIS should be removed for cause as conservator for because she has failed to use ordinary care and diligence in the management of the Conservatee's person and estate and has continued to fail to perform her duties. See petition for details.</p>		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
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	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
	<p>Removal of the Conservator is in the best interest of the Conservatee. The Conservator has shown an unwillingness to pay attention to details resulting in continuous and long-term failures in performing her duties. The Conservator has not actively sought to improve the Conservatee's quality of life, whereas the proposed successor conservator has been and will continue to do so. The Conservator is seeking full compensation from the Conservatee's estate, whereas the proposed successor conservator is willing to waive compensation other than reimbursement of certain expenses upon Court approval. The Conservator has not acted in good faith in the best interests of the Conservatee. A petition for appointment of a successor conservator is filed concurrently with this petition.</p> <p>See also Memorandum of Points and Authorities in Support of Petition filed 10-10-14.</p> <p>Petitioner requests that:</p> <ol style="list-style-type: none"> 1. JOAN ST. LOUIS be removed as Conservator of the Person and Estate of Wanda H. Bingham, the Conservatee, and her Letters of Conservatorship be revoked; 2. The Court find that the Conservator has not acted in good faith in the best interests of the Conservatee and therefore order that Petitioner be awarded costs, expenses, and attorney fees from the Conservator, individually; and 3. The Court order other relief the Court may deem proper. <p style="text-align: center;">SEE ADDITIONAL PAGES</p>		<p>Reviewed by: skc</p> <p>Reviewed on: 11-13-14</p> <p>Updates:</p> <p>Recommendation: File 4B - Bingham</p>

Page 2

See also Declarations in Support of Petition for Removal by:

- Stefanie J. Krause, attorney for Petitioner Randy Grace herein
- Paul T. Chambers, attorney for Petitioner Randy Grace as Co-Trustee of the Byrum C. and Wanda H. Bingham Family Trust
- Leigh Burnside, attorney for Wells Fargo Bank, N.A., Co-Trustee of the Byrum C. and Wanda H. Bingham Family Trust
- Jeffrey Bingham, a grandson of the Conservatee
- Mark Lanier, property manager of Conservatee's home
- Tamie Arnold, professional caregiver
- Anthony C. Oxford, handyman

On 11-13-14, David A. Roberts, attorney for Conservator Joan St. Louis, filed an Objection and Demand for Evidentiary Hearing.

NEEDS/PROBLEMS/COMMENTS:

5. Notice was served on Deborah Boyett as Court appointed attorney for Conservatee Wanda Bingham, and on David Roberts as attorney for the current Conservator Joan St. Louis. The Court may require direct notice to the Conservatee and the current Conservator pursuant to Probate Code §§1460(b) and 1214 and Cal. Rules of Court 7.51(c).

4C Wanda H. Bingham (CONS/PE)

Case No. 11CEPR00949

Atty Roberts, David A. (for Joan St. Louis – Conservator – Petitioner)
 Atty Boyett, Deborah K. (Court appointed attorney for Conservatee Wanda H. Bingham – Objector)
 Atty Burnside, Leigh W. (for Wells Fargo Bank, N.A. – Co-Trustee of Trust – Objector)
 Atty Chambers, Paul (for Randy Grace – Co-Trustee of Trust – Objector)
 Atty Krause, Stephanie J. (for Randy Grace in Petitions set for 11-19-14)

First Amended First Account and Report of Conservator and Petition for Allowance of Compensation to Conservator and Attorneys' Fees and Costs

	<p>JOAN ST. LOUIS, Successor Conservator with bond of \$50,000.00, is Petitioner.</p> <p>Account period: 4-25-12 through 12-31-13 Accounting: \$500,211.18 Beginning POH: \$342,061.57 Ending POH: \$406,225.91 (\$372,316.83 is cash)</p> <p>Conservator: \$13,174.00 plus \$2,160.20 mileage (per attached declaration, to be paid by the Survivor's Trust)</p> <p>Petitioner requests that she be allowed to pay herself in the future a set sum of \$750/month plus mileage, annually upon court order for the accounting period, which will eliminate the need for writing down each and every telephone call and trip to the conservatee's residence.</p> <p>Attorney: \$12,636.00 plus costs of \$971.00, for a total of \$13,607.00 (for 42.4 attorney hours @ \$300/hr and 1.05 paralegal hours @ \$120/hr, per declaration. Costs include filing, appraisal, and certified copies.)</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Settling and allowing the account; 2. Approving and confirming the acts of petitioner as conservator of the person and estate; 3. Allowing \$13,174.00 plus \$2,160.20 mileage to be paid to the conservator from the Survivor's Trust; 4. Allowing \$12,636.00 plus \$971.00 to be paid to the attorney from the Survivor's Trust; 5. Allowing the Conservator to pay herself a set sum of \$750/month plus mileage, payable annually upon court order; and 6. For such other and further relief as may be just, equitable, and proper. <p>Additional declarations have been filed by Attorney Roberts and Mrs. St. Louis in support of the account.</p> <p>Objections have been filed by Deborah Boyett, Court appointed attorney for Conservatee Wanda H. Bingham, and by Wells Fargo Bank, N.A., Co-Trustee of the trust. See additional pages.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Nothing further has been filed in connection with this petition; however, on 10-10-14, Randy Grace, Step-grandson and Co-Trustee of the Byrum C. and Wanda H. Bingham Trust (11CEPR00918), filed a petition for removal of Mrs. St. Louis as Conservator and a petition for appointment of himself as Successor Conservator. See Pages A and B.</p> <p>Note: This is actually the <u>Second Amended First Account</u>. The First Account was filed 4-25-14. First Amended First Account was filed 5-16-14. This Second Amended First Account (labeled First Amended again) was filed 7-31-14.</p> <p>Reviewed by: skc Reviewed on: 11-13-14 Updates: Recommendation: File 1 - Bingham</p>
Cont. from 092314, 110414		
Aff.Sub.Wit.		
✓ Verified	x	
Inventory		
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✓ Notice of Hrg		
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Citation		
FTB Notice		

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Deborah K. Boyett, Court appointed attorney for Conservatee Wanda H. Bingham, filed an Objection on 8-7-14. Ms. Boyett objects to the request for compensation and the ongoing set sum. Please see Objection for specific details.

Wells Fargo Bank, N.A., Co-Trustee of the Byrum C. and Wanda H. Bingham Family Trust, filed Objection and Joinder of Objection of Deborah K. Boyett, and also filed a Declaration in support of objections by Lisa A. Lambert, CTFA. In addition to the compensation objections, Wells Fargo Bank, N.A., states the schedules supporting the First Account are incomplete and lack sufficient explanation for certain transactions; that the problems set forth in the previous objection have not been addressed; that the petition again fails to state the information required by Probate Code §1064; that the need for additional bond is not addressed; that the conservator failed to timely file estimated taxes resulting in penalties, etc., and should be individually surcharged; that the mileage reported is excessive, that additional entries on the Conservator's time and mileage sheet are questionable; that the Supplemental Inventory and Appraisal is unnecessary and in error; and that the revised accounting attached to the Roberts Declaration is hearsay.

Note: If granted, the Court will set a status hearing for the filing of the Second Account as appropriate.

5 Sharon Rutherford (Estate)

Case No. 12CEPR00101

Atty LeVan, Nancy J. (for Administrators Robert Jones and Denise Jones)

Report of Administrator and Petition for Final Distribution Upon Waiver of Accounting of the Estate of Sharon Rutherford, and Petition for Allowance of Statutory, Extraordinary Compensation and Reimbursement for Out-of-Pocket Expenses and Mileage for Co-Administrators, Statutory and Extraordinary Fees for Attorney [Prob. C. 10951(a)(1), (b)(7)]

DOD: 10-11-11	ROBERT JONES and DENISE JONES , Co-Administrators with Full IAEA without bond, are Petitioners.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Cont. from 8-13-14, 10-15-14.</p> <p>Need amended petition.</p> <p>As of 11-13-14, nothing further has been filed.</p> <p>See additional pages for issues.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>
	Petitioners are the sole heirs and waive accounting.	
	I&A: Petitioners state an I&A will be filed prior to the hearing reflecting that there were no assets marshaled in the estate. All assets were received after the date of death. Sharon and James Rutherford were both tragically killed in an automobile accident on 10-11-11.	
Cont. from 081314, 101514	POH: \$58,956.64 (cash)	
<input type="checkbox"/> Aff.Sub.Wit.	Co-Administrators (Statutory): Petitioners request statutory commissions of \$2,358.26 based on a fee base of \$58,956.64.	
<input checked="" type="checkbox"/> Verified	Co-Administrators (Reimburse): \$1,721.24 including \$1,335.00 for filing objections in related estate 12CEPR00016, regarding appointment of a personal representative in the case and to the establishment of the ownership of the family home, \$335.24 for vet bills for the decedent's cat and \$51.00 for securing the decedent's residence after her death (changing the locks).	
<input type="checkbox"/> Inventory	Co-Administrators (Extraordinary): \$1,150.00 (See Exhibit "A")	
<input type="checkbox"/> PTC	Co-Administrators (Mileage): \$2,055.20 for 3,670 miles @ \$.56/mile because Petitioners reside in Sacramento.)	
<input checked="" type="checkbox"/> Not.Cred.	Attorney (Statutory): \$2,358.26	
<input checked="" type="checkbox"/> Notice of Hrg	Attorney (Extraordinary): \$3,416.00 (declaration to be filed separately)	
<input checked="" type="checkbox"/> Aff.Mail	Petitioners state after payment of fees and expenses as prayed, the amount remaining is \$45,462.68 to be paid to John Albert Edie, Jeffrey Nass, and Tomassian, Pimentel & Shapazian for full consideration pursuant to the settlement agreement for Civil Case 12CECG03015. See receipt filed 7-9-14.	
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<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
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<input type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 9202		
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<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input checked="" type="checkbox"/> FTB Notice		

Reviewed by: skc
Reviewed on: 11-13-14
Updates:
Recommendation:
File 5 – Rutherford

Page 2 – NEEDS/PROBLEMS/COMMENTS:

Need amended petition based on the following:

1. Need I&A per Probate Code §8800. Note: Petitioner states the I&A, when filed, will reflect that no assets were marshaled; however, pursuant to the Settlement Agreement entered into between this estate and the Estate of James Rutherford and approved by the Court on 3-12-13 in 12CEPR00016, certain assets were deemed assets of this estate. Therefore, a no-asset inventory does not appear to be correct. The settlement agreement provided in relevant part that:
 - Each estate was to retain any and all life insurance proceeds payable to the respective decedent (Were there life insurance proceeds to inventory?)
 - Proceeds from the sale of the residence was deemed an asset of James' estate
 - Proceeds from the estate sale were to be divided between the two estates
 - Sharon's estate was to retain the insurance payoff for the vehicle involved in the collision, provided there was documentation establishing that she was the sole owner, or if they were both on title, proceeds to be split. (Was the vehicle Sharon's asset?)
 - Sharon's estate was to be responsible for payment of the creditor's claim filed by Ronald D. Jones in both estates, and in 12CESC01458
 - James' estate waived claim to two accounts at Union Bank (So were these accounts then assets of Sharon's estate?)

Therefore, pursuant to this agreement, it appears the I&A, when filed, should reflect the assets that were determined to belong to Sharon's estate.

Note: It appears that pursuant to this settlement agreement, Sharon's estate accepted \$46,505.42 from James' estate. Need clarification: Did this sum paid from James' estate represent some or all of the value of the assets mentioned above?

2. As noted above, pursuant to the Settlement Agreement, Sharon's Estate was to be responsible for payment of the creditor's claim filed by Ronald D. Jones in this estate on 7-10-12 and litigated in 12CESC01458 (later consolidated with James' estate 12CEPR00016). However, this petition does not address this claim at all other than to note that the claim was filed. Was this claim paid?

Need Allowance or Rejection of Creditor's Claim, and Notice of Hearing of this petition to the creditor if the claim remains unpaid per §11000, or receipt or withdrawal of the claim.

Note: Although the small claims case opened by the creditor was consolidated with James' estate, when James' estate was closed, the personal representative referred to the settlement agreement and noted that Sharon's estate was responsible for this claim.

3. Need detailed schedule of receipts and gains or losses with regard to the fee base of \$58,956.64 pursuant to Cal. Rules of Court 7.550(b)(6).
4. Need detailed schedule of costs of administration totaling \$1,721.24. Cal. Rules of Court 7.550(b)(7). (Exhibit "A" only states that the co-administrators each spent \$667.50 out of pocket, plus the vet and the locks, but there is no itemization of the \$1,335.00.)

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

5. Petitioners state they spent \$335.24 on vet bills in connection with the decedent's cat, but do not provide itemization, and do not state why it was necessary. However, also, the Creditor's Claim filed by Ronald Dean indicated that he also spent a total of \$563.02 in vet and other expenses in connection with the cat.

The Court may require clarification as to why it was necessary for numerous parties to spend almost \$900 on this cat. Where is the cat? Or was it more than one? If the cat was taken in by someone, why are these expenses of administration rather than new pet-owner expenses? (Please note: Examiner understands rehoming expenses associated with decedents' pets (shots, supplies); however, the amounts noted here in total appear excessive.)

6. The Creditor's Claim filed by Ronald Dean also includes \$8,258.84 in funeral expenses, with itemization. Petitioners are requesting payment for their time spent on funeral arrangements. Need clarification.
7. Need separate itemization of extraordinary compensation requested. Cal. Rules of Court 7.703. The request should include sufficient detail to determine if the time spent was extraordinary in nature and which co-administrator performed which task.

Note: The itemization should include clarification regarding the request for compensation for time spent by Petitioners in consultation with their attorney Nancy LeVan, as well as 2 hours to "visit local attorney Polly (original attorney)."

Note: The itemization should include more specific detail regarding the numerous dates and time listed under "emailed/US Mail correspondence to attorney Dates, scanning documents (various docs, draft trust...), certified mail."

Note: There are line items for opening a bank account and making various deposits; however, opening and managing an estate bank account is associated with general estate administration (statutory) rather than extraordinary administration. Therefore, need clarification on revised itemization.

Note: Exhibit "A" is very confusing. The petition refers to Exhibit "A" for itemization regarding the request for extraordinary compensation; however, the total of Exhibit "A" is \$1,721.24, which is the figure requested for reimbursement of expenses of administration only. However, it appears to include list only time spent, totaling that amount. actual time and expenses.

8. Need attorney's declaration re request for extraordinary compensation. Cal. Rules of Court 7.703.

SEE ADDITIONAL PAGES

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

9. Petitioners state that John Albert Edie and Jeffrey Nass filed Civil Case 12CECG03015 against the Estate of James Rutherford 12CEPR00016, which included the Estate of Sharon Rutherford. That settlement included the following terms:

- Farmers Insurance to pay plaintiffs \$100,000.00
- Estate of Sharon Rutherford – all remaining proceeds represented to be over \$44,000.00
- Estate of James Rutherford - \$25,000.00

Receipt filed 7-9-14 indicates that \$45,462.68 was paid to John Albert Edie, Jeffrey Nass, and Tomassian, Pimentel & Shapazian from the estate pursuant to the terms of the settlement agreement. However, there are a couple of issues that require clarification:

a. Petitioners state POH is \$58,956.64. Does that include the amount paid pursuant to the settlement agreement? If so, but the \$45,462.68 has already been paid per the receipt, then the POH would actually be \$13,493.96. Need clarification.

b. The receipt is signed by Mr. Pimentel's assistant. The Court may require a receipt signed by the intended recipients or the attorney himself.

c. Similar to the question regarding calculation of the fee base, it is unclear how this figure was calculated. If the POH is \$58,956.64, and all fees and costs are awarded as prayed, that would leave \$45,897.68 for distribution. Need clarification re the discrepancy.

Atty Kruthers, Heather H., of County Counsel's Office (for Public Administrator, Successor Trustee)

Status Hearing Re: Filing of the Final Account by the Successor Trustee

DOD: 3/12/2010	PUBLIC ADMINISTRATOR was court-appointed Successor Trustee of the JOHN R. PANZAK LIVING TRUST by <i>Minute Order</i> dated 4/29/2013.	NEEDS/PROBLEMS/COMMENTS:	
		<u>Continued from 9/17/2014.</u>	
Cont. from 091714		The following issue remains:	
<input type="checkbox"/> Aff.Sub.Wit.	<i>Minute Order</i> dated 7/9/2014 from the last status hearing set this Status Hearing on 9/17/2014 for the filing of the final account by the successor trustee.	1. Need final account, or current verified <i>Status Report</i> and proof of service pursuant to Local Rule 7.5(B).	
<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			<u>Notes Re Related Estate of John R. Panzak, Sr., Case 10CEPR00505:</u>
<input type="checkbox"/> Status Rpt			<ul style="list-style-type: none"> The Panzak, Sr. Estate is a related matter in which the PUBLIC ADMINISTRATOR was appointed Administrator of the Estate by <i>Minute Order</i> dated 4/29/2013. <i>Order Settling First and Final Account and Report of Deceased Personal Representative</i> was filed on 3/13/2014 in the Panzak, Sr. Estate, representing the final account of the deceased personal representative, JOHN R. PANZAK, JR. (DOD 2/15/2013.) Panzak, Sr. Estate is currently pending closure by the PUBLIC ADMINISTRATOR.
<input type="checkbox"/> UCCJEA			Reviewed by: LEG
<input type="checkbox"/> Citation		Reviewed on: 11/14/14	
<input type="checkbox"/> FTB Notice		Updates:	
		Recommendation:	
		File 6 – Panzak Living Trust	

DOD: 4-4-13	BETTY A. PATE , Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.	NEEDS/PROBLEMS/COMMENTS: Continued from 9-19-14. 1. Need first account or petition for final distribution.
Cont. from 091914	At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC	Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.	The first account or petition for final distribution is now due. Probate Code §12200.	
Pers.Serv.		
Conf. Screen	Status Report filed 9-16-14 (not verified) states the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close.	
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	Status Report filed 11-14-14 (not verified) states there have been continuing efforts by the estate representative to conclude this issue with the tax board. The attorney is informed and believes that once this issue of tax liability is resolved, the estate should be in a position to be closed.	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 11-13-14
		Updates: 11-14-14
		Recommendation:
		File 7 - Guidi

(1) First and Final Report of Executor on Waiver of Account; (2) for Allowance of Compensation to Attorneys for Ordinary Services; (3) and Petition for Final Distribution

DOD: 03/28/12	PHYLLIS NETHERTON , Executor, is Petitioner.		NEEDS/PROBLEMS/COMMENTS: 1. Petitioner proposes to distribute the assets of the estate directly to herself, however, decedent's will directs distribution of estate assets to the Trustee of The Centrone Family Trust. The Court may require authority supporting Petitioner's request to bypass distribution to the Trust.
	Accounting is waived.		
Cont. from	I & A	- \$193,091.00	
<input type="checkbox"/> Aff.Sub.Wit.	POH	- \$193,091.00	
<input checked="" type="checkbox"/> Verified	Executor	- waived	
<input checked="" type="checkbox"/> Inventory	Attorney	- \$6,792.72	
<input checked="" type="checkbox"/> PTC	(statutory)(to be paid by Petitioner outside of the estate)		
<input checked="" type="checkbox"/> Not.Cred.	Costs	- \$1,265.50 (filing fees, publication, certified copies)(to be paid by Petitioner outside of the estate)	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that the beneficiary of decedent's will is Phyllis Ann Netherton, Successor Trustee of The Centrone Family Trust dated July 10, 1991, and as amended. The Trust provides that any portion of the survivor's trust (assets owned by the decedent) shall be distributed to Phyllis Ann Netherton. In order to simplify the legal process in obtaining new stock certificates, Phyllis Ann Netherton elects to have the estate distributed to her directly.		
<input checked="" type="checkbox"/> Aff.Mail	Letters	03/13/14	
<input type="checkbox"/> Aff.Pub.	Duties/Supp		
<input type="checkbox"/> Sp.Ntc.	Objections		
<input type="checkbox"/> Pers.Serv.	Video Receipt		
<input type="checkbox"/> Conf. Screen	CI Report		
<input type="checkbox"/> Letters	<input checked="" type="checkbox"/> 9202		
<input type="checkbox"/> Duties/Supp	<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Objections	Aff. Posting		
<input type="checkbox"/> Video Receipt	Status Rpt		
<input type="checkbox"/> CI Report	UCCJEA		
<input checked="" type="checkbox"/> 9202	Citation		
<input checked="" type="checkbox"/> Order	<input checked="" type="checkbox"/> FTB Notice		
<input type="checkbox"/> Aff. Posting	Phyllis Ann Netherton – 100% interest in various securities valued at \$193,091.00		
<input type="checkbox"/> Status Rpt	Petitioner requests distribution as follows:		
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice			
			Reviewed by: JF
			Reviewed on: 11/13/14
			Updates: 11/17/14
			Recommendation:
			File 8 - Centrone

Second Amended Petition for Probate of Will and for Letters of Administration with Will Annexed; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 01/11/2009	RONALD D. MANLEY , petitioner, requests that CRYSTAL MANLEY MOBLEY , decedent's daughter, be appointed as Administrator with Will Annexed without bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>9B is the Contest of Will, Objection to Probate, Objection to Appointment filed by Leslie Smith, Guardian Ad Litem for Noah Manley, however a Notice of and Dismissal/Withdrawal of Objections was filed 11/06/2014.</p> <p>Minute Order of 10/01/2014 (Judge Cardoza): Counsel needs to file a Status Report regarding statements stated in Court.</p> <p>1. Petition lists the estimated value of the estate at \$0. Decedent's will lists specific assets such as a 401K and a boat. Need clarification.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Wednesday, 03/18/2015 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal and • Wednesday, 01/20/2016 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. <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>
Cont. from 100114	Named Executors Decline to Act	
<input checked="" type="checkbox"/> Aff.Sub.Wit.	Full IAEA- o.k.	
<input checked="" type="checkbox"/> Verified	Will dated: 09/14/2008	
Inventory	Residence: Clovis	
PTC	Publication: The Business Journal	
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail	Total - \$0	
<input checked="" type="checkbox"/> Aff.Pub.	Probate Referee: Rick Smith	
Sp.Ntc.	Status Report filed 11/13/2014 states the Court, through its Examiner, inquired about the fact that the petitioner lists the estimated value of the estate at \$0. The Examiner notes that the Will mentions a 401K plan and a boat, among other specific articles. The 401K plan is not an asset of the Decedent's estate. The 401K plan designated that Donald C. Manley's interest in the 401K plan would be distributed to the Trustee of the Noah Manley Trust, which trust is created by the Decedent's last Will. Thus, the proceeds of the 401k plan will pass by contractual designation outside of the probate to the testamentary trust and are not part of the Probate estate. The boat mentioned in the decedent's Will was repossessed. There are some items of personal property. November 2014, Leslie Smith, as Guardian Ad Litem for Noah Manley, filed a Dismissal of her Contest of Will and Objections. All objections to Petitioner's second Amended Petition have been removed. Petitioner requests that the Court grant the second Amended Petition for Probate of Will and for Letters of Administration with Will Annexed and appoint Crystal Manley Mobley as Executor of the Estate of Donald C. Manley.	
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 11/14/2014
		Updates:
		Recommendation:
		File 9B - Manley

Contest of Will, Objection to Probate, Objection to Appointment of Ronald Manley as Executor of Estate of Donald C. Manley

		<p>NOAH MANLEY, by and through Guardian Ad Litem, LESLIE SMITH, is petitioner.</p> <p>Petitioner states: contestant Noah Manley is the son of the decedent. The contestant objects to the probate of the purported will on the ground that the signature on the document purporting to be the last will of the decedent is not in the handwriting of the decedent; the purported will was thus not duly executed by the decedent as required by law.</p> <p>Contestant objects to the appointment of Ronald D. Manley as Executor of the Estate of Donald C. Manley, the following grounds:</p> <ol style="list-style-type: none"> Ronald D. Manley neglected, failed and or refused to deposit the purported last will of Donald C. Manley with this court in a timely manner. Ronald D. Manley represented to Contestant and other heirs of Donald C. Manley that the will was of Donald C. Manley was a holographic will and, over four years after the death of Donald C. Manley, submitted a purported typewritten will to this court for probate. Contestant is informed and believes and based on such information and belief alleges that Ronald D. Manley has breached his fiduciary duty in that <ol style="list-style-type: none"> Ronald D. Manley was employed as an administrator for the Don Manley 401(k) Profit Sharing Plan account with Gary Brown Construction. Pursuant to the Beneficiary Designation of that Plan, upon the Death of Donald C. Manley, 50% of that 401(k) Plan was to be paid to "the trustee of the trust for Noah Manley under my last will". At the time of the decedent's death, the sum of \$230,757.91 was in the 401(k) Plan. <p>Please see additional page</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Notice of and Dismissal/Withdrawal of Objections to Amended Petition for Probate of Will and for Letters Testamentary filed 11/06/2014 states Objector, Noah A. Manley, a minor, by and through Leslie Smith, acting in Propria Persona and as Guardian Ad Litem for Noah A. Manley pursuant to the Court's order on or about 04/04/2014, does hereby withdraw and dismiss without prejudice, all previously filed objections to the amended Petition for Probate of Will and for Letters Testamentary of Decedent Donald C. Manley.</p> <p>Minute Order of 06/04/2014: Efforts continue to be made to resolve this matter.</p> <p>Minute Order of 05/07/2014: Mr. Aguirre is also appearing specially for Attorney Jan Perkins. The Court is advised that efforts are being made to resolve this matter.</p>
Cont. from 050714, 060414, 070214, 100114			
Aff.Sub.Wit.			
Verified	X		
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	X		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LV	
		Reviewed on: 11/14/2014	
		Updates:	
		Recommendation:	
		File 9A - Manley	

- iv. Despite demands therefor, Ronald C. Manley has not provided Contestant with any accountings of the funds he received from this 401 (k).
- v. Some or all of Contestant's funds from the Plan were paid directly to Ronald C. Manley at Ronald C. Manley's direction.
- vi. Ronald C. Manley has converted some or all of these funds for his personal use and benefit.

Wherefore, the contestant requests

1. That the purported will be denied probate
2. That the Public Guardian be named Administrator of the Estate of Donald D. Manley;
3. For costs of suit; and
4. For such other relief as this court deems proper.

Needs/Problems/Comments

1. Opposition of will was not verified.
2. Need summons to be issued and served, with a copy of the objection. The Summons shall contain a direction that the persons summoned filed with the court a written pleading in response to the contest within 30 days of the summons.
3. Need proof of service of summons.
4. Need Order.

Due to some conflicts of interest that have arisen in the dispute between Richard and Bickel, Garabedian has declined to act as trustee.

Randy M. Aaronian, cousin to Richard, has offered to serve as successor trustee, however due to his appointment as Guardian Ad Litem for Richard in the dispute between Richard and Bickel, it was decided that this would result in a conflict of interest and Mr. Aaronian's wife, Petitioner herein, has offered to serve as successor trustee.

The Office of Successor Trustee will be vacant as of 10/15/14. Pursuant to the circumstances as provided in this petition, Petitioner seeks this Court's order appointing the Petitioner as Successor Trustee, without bond, with all the powers granted to Petitioner under the Trust Declaration to carry out the purpose of the Trust.

Petitioner prays that:

1. The Court finds that all notices required by law have been given;
2. The Court find that Bickel has resigned as trustee of the Trust;
3. The Court find that Garabedian has declined to serve as successor trustee;
4. The Court find that Petitioner, Penny Aaronian, is willing and able to perform the duties and responsibilities as successor trustee, and, accordingly, is appointed successor trustee of the RICHARD BOGHOSIAN TRUST, established July 29, 2004, without bond, and with all the powers under the Trust Declaration to carry out the purpose of the trust.

NEEDS/PROBLEMS/COMMENTS (Continued):

3. Probate Code § 15602 requires a bond for any individual not named in the trust instrument. The Court may not excuse the requirement of a bond except under compelling circumstances.
4. Petition does not include copies of the First Amended Trust Declaration or the Second Amended Trust Declaration.
5. The file contains a letter from Tracy S. Regli indicating that Bruce Bickel was providing notice of his intent to resign as trustee effective October 15, 2014. However an actual resignation signed by Bruce Bickel has not been provided to the Court.

Petition for Probate of Will and for Letters Testamentary (Prob. C. 8002, 10450)

DOD: 5/1/14		JACK DARRYL JOHNSON , named executor without bond, is petitioner. Full IAEA - ?? Will dated: 4/25/1996 Residence: Fresno Publication: Need <u>Estimated value of the Estate:</u> Personal property - \$ 53,517.91 Real property - \$140,000.00 Total - \$193,517.91 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need Affidavit of Publication. <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, April 15, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, January 13, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
Cont. from				
<input checked="" type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
	Aff.Pub.			X
	Sp.Ntc.			
	Pers.Serv.			
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
<input checked="" type="checkbox"/>	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 11/14/14		
		Updates:		
		Recommendation:		
		File 11 - Johnson		

Atty Wright, Judith A., of Wright & Wright (for Petitioner Charles B. Stephensen, Trustee)

Petition to Confirm Transfer of Assets to Revocable Trust
 [Probate Code § 17200 and § 850]

DOD: 7/27/2014	CHARLES B. STEPHENSEN , brother and Successor Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. <i>Petition states a copy of Schedule A of the JOHN BOLT STEPHENSEN LIVING TRUST is attached as Exhibit C; however, there is no copy of Schedule A attached. Need complete copy of the JOHN BOLT STEPHENSEN LIVING TRUST including Schedule A, pursuant to Probate Code § 15206.</i> 2. <i>Petition states a copy of the death certificate of JOHN BOLT STEPHENSEN is attached as Exhibit B; however, there is no copy of the death certificate attached. (Note: Exhibit B contains a copy of Decedent's Will.)</i>
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 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		

Petitioner states:

- Decedent created the **JOHN BOLT STEPHENSEN LIVING TRUST** on 7/24/2014 (copies of certain portions of Trust attached as Exhibit A);
- Although the Decedent intended to transfer all of his bank and individual investment accounts to his Trust, he was unable to complete the required paperwork during his lifetime;
- By his signature on Schedule A to the Trust, Decedent's intent is clear (copy of Schedule A is [not] attached as Exhibit C);
- Transfer to the Trust of the following assets was not completed [specific bank names and ending numbers omitted; list includes 4 bank accounts and shares of stock];
- Decedent's [original] Will was deposited with the Court on 8/7/2014 (copy attached as Exhibit [B]);
- The Decedent's Will provides a gift of all his estate to the **JOHN BOLT STEPHENSEN LIVING TRUST** to be held, managed, administered and distributed under the terms and provisions of the Trust;
- Petitioner, as Successor Trustee of the Trust, desires an order of the Court establishing that all of the bank and investment assets were part of the Trust as of 7/27/2014, the date of Decedent's death;
- Petitioner believes it was the Decedent's intent to complete the transfers.

Petitioner prays for an Order:

- The **JOHN BOLT STEPHENSEN LIVING TRUST** date 7/24/2014 is valid;
- The bank and investment accounts [listed in the Petition] are deemed to have been transferred to the **JOHN BOLT STEPHENSEN LIVING TRUST** prior to 7/27/2014, and the accounts are assets of the **JOHN BOLT STEPHENSEN LIVING TRUST**; and
- CHARLES B. STEPHENSEN** is the acting [Successor] Trustee of the **JOHN BOLT STEPHENSEN LIVING TRUST**.

Reviewed by: LEG
Reviewed on: 11/14/14
Updates:
Recommendation:
File 12 - Stephenson

13 Sharon Lee Booker aka Sharon L. Booker (Estate) Case No. 14CEPR00937
Atty Haught, Rex A. (for Robert Booker – step-son/Petitioner)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 07/13/14		<p>ROBERT BOOKER, step-son/named alternate Executor without bond, is Petitioner.</p> <p>Full IAEA – OK</p> <p>Will dated 02/24/10</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated Value of the Estate: Personal property - \$ 21,000.00 Real property - 260,000.00 Total - \$281,000.00</p> <p>Probate Referee: RICK SMITH</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, April 15, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, January 13, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit. s/p		
<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 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 checked="" 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		
		<p>Reviewed by: JF</p> <p>Reviewed on: 11/13/14</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 13 - Booker</p>	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 08/21/13	MILDRED THOMSEN , spouse/named Executor without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Item 8 of the Petition indicates that the decedent has a deceased son, Thomas Thomsen, Jr. but does not state the date of death. Pursuant to Local Rule 7.1.1D - If a beneficiary, heir, child, spouse, or registered domestic partner in any action before the Probate Court is deceased, that person's date of death shall be included in the petition.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> Wednesday, April 15, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, January 13, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from	Full IAEA – OK	
<input type="checkbox"/> Aff.Sub.Wit. s/p	Will dated 08/11/06	
<input checked="" type="checkbox"/> Verified	Residence: Kerman	
<input type="checkbox"/> Inventory	Publication: The Kerman News	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated Value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail w/	Personal property - \$1,085,844.00	
<input checked="" type="checkbox"/> Aff.Pub.	Annual income - 155,998.00	
<input type="checkbox"/> Sp.Ntc.	Real property - 360,000.00	
<input type="checkbox"/> Pers.Serv.	Total - \$1,601,842.00	
<input type="checkbox"/> Conf. Screen	Probate Referee: STEVEN DIEBERT	
<input checked="" type="checkbox"/> Letters		
<input checked="" 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: JF
		Reviewed on: 11/13/14
		Updates: 11/17/14
		Recommendation:
		File 14 - Thomsen

Status Hearing

Age:		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Calendared in error.
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: KT
		Reviewed on: 11/14/14
		Updates:
		Recommendation:
		File 16 - Nielsen

Petition for Visitation

Age: 8 years	BLANCA DE RAMIREZ , maternal grandmother, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the Notice of Hearing on: a. Edgar Agundez (father) b. Karla Alvarez (mother) c. Moise Agundez (paternal grandfather) 2. Notice of Hearing filed on 11/14/14 indicates that Maria Angelica Arroyo had filed the Petition for Visitation. The petitioner's name should have been listed as the filing party. 3. The name, address and telephone number of the person serving the Notice of Hearing was not included on the proof of service.
	BLANCA DE RAMIREZ , maternal grandmother, was appointed Guardian on 1/2/12.	
Cont. from	Father: Edgar Agundez	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: Karla Alvarez	
<input checked="" type="checkbox"/> Verified	Paternal Grandfather: Moises Agundez	
<input type="checkbox"/> Inventory	Paternal Grandmother: Angelica Agundez – <i>personally served on 10/30/14</i>	
<input type="checkbox"/> PTC	Maternal Grandfather: Not listed	
<input type="checkbox"/> Not.Cred.	History: Paternal Grandmother filed a petition for visitation on 10/18/13. At the hearing on 12/3/13, the parties were referred to mediation and the matter was continued. A copy of the mediation agreement was filed on 12/4/13. There were no appearances at the continued hearing date on 2/4/14 and the petition was dismissed.	
<input checked="" type="checkbox"/> Notice of Hrg	On 4-1-14, Guardian Blanca de Ramirez filed a declaration indicating that various parties were in violation of the agreement; however, no hearing was pending.	
<input type="checkbox"/> Aff.Mail	Paternal grandmother, Angelica Agundez, filed another petition on 5/1/14. On 6/10/14 the court denied the petition noting there was currently a visitation agreement in place. Parties were ordered to participate in mediation regarding visitation.	
<input type="checkbox"/> Aff.Pub.	On 10/10/14 Petitioner, maternal grandmother, Blanca de Ramirez filed this current visitation petition alleging violation of the visitation agreement of 12/3/13, 6/10/14 and 10/3/14.	
<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 checked="" 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: 11/14/14
Updates:
Recommendation:
File 17 - Agundez

Petition for Visitation

Age: 6 years	RACHEL SHEA, mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of service of the Notice of Hearing on: a. Sharon Kugelman (maternal grandmother/guardian)
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.	Father: JOSHUA GOMEZ	
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Petitioner states at the last hearing it was suggested to have visits with Jenna to re-establish a bond. Mom states she has since moved back to California to make it easier to set up weekly, consistent visits. Mom states she loves Jenna and wants her to know that the changes she made were to be a better mom to her. Mom states she is not trying to be in and out of her life and she has made many changes in her life to be a better parent for her.	
<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	Petitioner requests that her physical address be kept confidential from her parents (co-guardians). She has included Facebook messages where her dad has threatened her. Also if she is granted visitation she would like it not be at her parents' house. She is willing to compromise with her mom, another place or family's house.	
<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	Please see additional page for Objections to Visitation.	
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: KT
		Reviewed on: 11/14/14
		Updates:
		Recommendation:
		File 18 – Kugelman

Objections to Visitation filed by Guardians Ronald Kugelman and Sharon Kugelman on 11/14/14. Mr. and Mrs. Kugelman state they object to visitation solely on the well-being of Jenna and to the emotional effect it will have on her once the visit is over. For Jenna to see her mother for a couple of hours will be devastating to Jenna and quite possibly cause a set-back to her emotional state of mind. It has taken Jenna this entire year to adjust to her mother being gone. Jenna no longer cries at night for her mother which is just in the last few months.

Furthermore, Mr. and Mrs. Kugelman state they have no idea of Rachel's current lifestyle, they are not acquainted with anyone she associates with and have no proof that she is stable or a responsible parent.

Rachel has walked out on Jenna twice no, without any explanation to anyone. Mr. and Mrs. Kugelman have no assurances that she will not disappear again. For not only has she walked in and out of Jenna's life she has also done this with her 14 year old son throughout his life. For Rachel to believe that it is in Jenna's best interest to see her mom is inconsiderate and selfish on Rachel's part, for it will only cause more harm than good at the present time.

Therefore Mr. and Mrs. Kugelman request the court deny the Petition for Visitation.

Included in their Objection are copies Jenna's report cards, one page of a modification of child visitation (no date included), a copy of a PG&E bill where Mr. and Mrs. Kugelman are alleging Rachel used Jenna's name to obtain PG&E because she couldn't get it in her own name due to an outstanding bill, and print outs from court arrest and court records showing Rachel's arrest and conviction records.

Amended Petition for Appointment of Guardian of Minor of Estate [1510]

		TEMP DENIED 8-19-14	NEEDS/PROBLEMS/COMMENTS:
		MELINDA C. SIMENTAL , Mother, is Petitioner and requests appointment as Guardian of the Estate with funds placed into a blocked account, and with additional powers under Probate Code §2590.	1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on the minor Gabriella Simental pursuant to Probate Code §1511 or consent and waiver of notice. (Note: Petitioner states the minor has received notice and will attend the hearing; however, no proof of service has been filed.)
	Aff.Sub.Wit.	Father: FRANCISCO SIMENTAL - Deceased	2. Petitioner requests to place funds into a blocked account; however, if bond is required pursuant to Probate Code §2320(c)(4) and Cal. Rules of Court 7.207, bond including a reasonable amount for cost of recovery should be \$319,000.00.
✓	Verified	Paternal Grandfather: Louie Cortez - Deceased	If the Court orders funds placed into a blocked account pursuant to Local Rule 7.8, need MC-355 Order to Deposit Money Into Blocked Account.
	Inventory	Paternal Grandmother: Maria Cortez - Mailed service 10-31-14	3. Petitioner requests powers under Probate Code §2590, but does not explain why. Pursuant to Local Rule 7.15.2, it is the policy of the Court to only grant specific powers necessary to administer the guardianship estate. Need clarification.
	PTC	Maternal Grandfather: Joe H. Rodriguez - Deceased	Note: If granted, the Court will set status hearings as follows:
	Not.Cred.	Maternal Grandmother: Margaret E. Rodriguez - Deceased	<ul style="list-style-type: none"> • Wednesday 1-14-15 for filing the bond or receipt for blocked account (MC-356) • Wednesday 4-22-15 for filing the Inventory and Appraisal • Wednesday 4-20-16 for filing the first account
✓	Notice of Hrg	Siblings: David Vega, Jr., Erika Vallez, Thomas Vallez (All consent and waive notice)	If the proper items are on file prior to the status date, the hearing may be taken off calendar.
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		Reviewed by: skc
	Status Rpt		Reviewed on: 11-14-14
✓	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 18 - Simental

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

Age: 17 years		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>JAMIL AYESH, non-relative, is petitioner.</p> <p>Father: SHAMIH ELABED</p> <p>Mother: AMAL SULEIMAN</p> <p>Paternal grandparents: not listed Maternal grandparents: not listed</p> <p>Petitioner states a guardianship is needed to keep the child off the streets and get her back to school.</p> <p>DSS Social Worker Irma Rodriguez' Report filed on 11/14/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order dated 10/28/14 states parties are being assisted by an interpreter. The petition is granted subject to the parties completing the UCCJEA form.</p> <p>The Order dated 10/28/14 the court found that an investigation had not been completed in this matter as required by Probate Code §1513 and that the guardianship was granted in error. The Court therefore ordered the Petition for Appointment of Guardian reset for hearing. Petitioner is required to cause notice to be served on all interested parties as required by Probate Code §1511. The prior order granting the guardianship was vacated.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. 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: <ol style="list-style-type: none"> a. Eman Elabed (minor) b. Shamih Elabed (father) c. Amal Suleiman (mother) <p>Please see additional page</p>
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	<input checked="" type="checkbox"/>		
Aff.Mail	<input checked="" type="checkbox"/>		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
<input checked="" type="checkbox"/> CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 11/13/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21 – Elabed</p>	

3. 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. Paternal grandparents
 - b. Maternal grandparents
4. UCCJEA is incomplete. Need minor's residence information for the past 5 years.
5. Petition does not include the names and addresses of the paternal and maternal grandparents.

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

Kenzie, age 3 yrs DOB: 11-21-10	NO TEMP REQUESTED	NEEDS/PROBLEMS/COMMENTS: Note: The minors are currently wards of the Fresno County Juvenile Dependency Court; therefore, this Probate Court does not have jurisdiction at this time. Petitioner may wish to seek guardianship through the Juvenile Court. If this petition goes forward, the following issues exist: <ol style="list-style-type: none"> 1. Need Court Investigation report and clearances. 2. Need Notice of Hearing. 3. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Blanca Rene M. Hearld (Mother) - Antonio Hernandez, Jr. (Father of Kenzie) - Unknown Father of Luke 4. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing pursuant to Probate Code §1511 <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: - Antonio Hernandez (Paternal Grandfather of Kenzie) - Ms. Hernandez (Paternal Grandmother of Kenzie) - Unknown Paternal Grandparents of Luke - Douglas Hearld (Maternal Grandfather)
Luke, age 3 mo. DOB: 7-18-14	MARY HEARLD , Maternal Grandmother, is Petitioner.	
	Father (Kenzie): ANTONIO HERNANDEZ, JR.	
	Father (Luke): UNKNOWN	
<input type="checkbox"/> Aff.Sub.Wit.	Mother: BLANCA RENE M. HEARLD	
<input checked="" type="checkbox"/> Verified	Paternal Grandfather (Kenzie): Antonio Hernandez	
<input type="checkbox"/> Inventory	Paternal Grandmother (Kenzie): Ms. Hernandez	
<input type="checkbox"/> PTC	Paternal Grandfather (Luke): Unknown	
<input type="checkbox"/> Not.Cred.	Paternal Grandmother (Luke): Unknown	
<input type="checkbox"/> Notice of Hrg	Maternal Grandfather: Douglas Hearld	
<input type="checkbox"/> Aff.Mail	Petitioner states Kenzie has been in Petitioner's home because the mother left her in her care. Luke is currently in the hospital and CPS is trying to take him from them due to the fact that the mother missed several appointments.	
<input type="checkbox"/> Aff.Pub.	Court Investigator Jennifer Young filed a report on 11-10-14. The report states both minors are dependents of the Fresno County Juvenile Dependency Court. It is therefore recommended that the petition be denied and dismissed.	
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<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"/> Clearances		
<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		
		Reviewed by: skc
		Reviewed on: 11-14-14
		Updates:
		Recommendation:
		File 23 – Hernandez & Herald

24 Zenaida Clara Vargas, Joeleen Clarissa Munoz, Case No. 14CEPR01027 and Evangelina Sophie Pascual (GUARD/P)

Atty Minjarez, Paula Medrano (Pro Per Petitioner)

Petition for Appointment of Temporary Guardianship of the Person (Prob. C. 2250)

		GENERAL HEARING 1-15-15	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of personal service of Notice of Hearing with a copy of the temporary petition at least five Court days prior to the hearing pursuant to Probate Code §2250(e) or consent and waiver of notice or declaration of due diligence on:</p> <ul style="list-style-type: none"> - Clara Munoz (Mother) - Zenaida Vargas (Minor) - Joeleen Munoz (Minor)
		PAULA MEDRANO MINJAREZ , Paternal Aunt of Joeleen, is Petitioner.	
		Father (Zenaida): ARMANDO VARGAS	
		- Consents and waives notice	
		Father (Joeleen): JOE MANUEL MEJIA, JR. (Deceased)	
		Father (Evangelina): MAURILIO PASCUAL, JR.	
		- Consents and waives notice	
		Mother: CLARA MUNOZ	
		Paternal Grandfather (Zenaida): Unknown	
		Paternal Grandmother (Zenaida): Maria Del Rosario Melendez - Consents and waives notice	
		Paternal Grandfather (Joeleen): Jose Manuel Mejia	
		- Consents and waives notice	
		Paternal Grandmother (Joeleen): Federica Medrano Mejia - Consents and waives notice	
		Paternal Grandfather (Evangelina): Maurilio Pascual, Sr. - Consents and waives notice	
		Paternal Grandmother (Evangelina): Elsa Pascual	
		Maternal Grandfather: Rito Munoz	
		Maternal Grandmother: Belia Hernandez	
		- Consents and waives notice	
		Siblings: Andrea Theresa Ortiz, Elena Ortiz, April Ortiz	
		Petitioner states the minors have always been in and out of their home. The mother is mentally unstable and unable to care for her children. She was transported by ambulance on a 5150 after she was incoherent with a CPS worker. She was released shortly. Petitioner fears the mother may come for the children at any point and the girls refuse to go with their mother. The two youngest were not going to school consistently. Petitioner states they are looking for a child psychologist to help them. Petitioner requests temporary guardianship to avoid the mother taking them. Petitioner requests the Court excuse notice to Armando Vargas (father of Zenaida) and to Maurilio Pascual (father of Evangelina), as she has not seen these individuals for years.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	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: skc
			Reviewed on: 11-14-14
			Updates: 11-17-14
			Recommendation:
			File 24 – Vargas, Munoz, Pascual

(1) First and Final Report of Special Co-Administrators and Co-Administrators on Waiver of Account and (2) Petition for Allowance of Compensation to Co-Administrators and Attorney for Ordinary Services, (3) for Allowance of Compensation to Attorney for Extraordinary Services, and (4) for Final Distribution

DOD: 12-21-12		<p>ROBERT SHAW, GAYDEN L. SCHORLING, and DOUGLAS D. SCHORLING, First Cousins of the Decedent and Co-Administrators with Limited IAEA without bond, are Petitioners.</p> <p>Accounting is waived (?)</p> <p>I&A: \$655,522.13 POH: \$515,024.24 plus a 1995 Pontiac Monte Carlo</p> <p>Co-Administrators (Statutory): \$16,110.44 (to be divided equally between two of the Co-Administrators Robert Shaw and Gayden L. Schorling)</p> <p>Attorney (Statutory): \$16,110.44 (Note: Co-Administrator Douglas D. Schorling is the attorney for the three Co-Administrators.)</p> <p>Attorney (Extraordinary): \$13,970.00 (Declaration filed 11-12-14 indicates 91.9 hours at \$150/hour for legal services including Petition to Determine Entitlement and Petition for Payment of Family Allowance, Unlawful Detainer, and Small Claims, and Court confirmed sale of real property totaling \$13,970.00)</p> <p>Closing: \$10,000.00 (for anticipated expenses including estate income taxes and Decedent's personal income taxes)</p> <p>Distribution pursuant to intestate succession:</p> <p>Bobbi A. Schorling, Cheryl Reuben, Gayden L. Schorling, Robert Shaw, and Douglas D. Schorling: An undivided 20% interest in the estate, or \$103,004.84 less compensation and closing expenses.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11-12-14. The following issues remain noted:</p> <p><u>SEE ADDITIONAL PAGES</u></p>	
Cont. from 111214				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" 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 checked="" type="checkbox"/>	Letters			12-26-12
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice			
		<p>Reviewed by: skc</p> <p>Reviewed on: 11-13-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 25 – Marden</p>		

Page 2

NEEDS/PROBLEMS/COMMENTS (Continued):

1. Petitioners request that the Co-Administrators' statutory compensation be split between two of the Co-Administrators, Robert Shaw and Gayden D. Schorling, and that Attorney Douglas D. Schorling, who is the third Co-Administrator, but is also the attorney for the Co-Administrators, receive the entire amount of statutory compensation as attorney. The Court may require clarification or authority for this request with reference to Cal. Rules of Court 7.706(a), which states:

(a) Personal representative's compensation only

Notwithstanding the provisions of the decedent's will, a personal representative who is an attorney may receive the personal representative's compensation but may not receive compensation for legal services as the attorney for the personal representative unless the court approves the right to compensation for legal services in advance and finds the arrangement is to the advantage, benefit, and best interest of the decedent's estate.

Note: It does not appear that Mr. Schorling has requested approval in advance for compensation as an attorney pursuant to the above Rule of Court. As such, it appears that his statutory compensation may be limited to a one-third share of the Co-Administrators' statutory compensation, instead of the two other Co-Administrators splitting it half each.

2. Petitioners request a closing reserve of \$10,000.00 due to anticipated potential additional taxes and expenses, and request to distribute the balance of the reserve without further Court order.

However, consistent with the Court's recent practice, if Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:

Wednesday, May 13, 2015 at 9:00 am in Dept. 303 for an Informal Accounting of the \$10,000.00 Closing Reserve.

Pursuant to 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. The filing of the Informal Accounting of Closing Reserve will not generate a new hearing date.

3. The estate contains a 1995 Pontiac Monte Carlo that is considered to have no value as discussed at #17(i). If personal property is to be distributed in undivided interests, need written consent of all distributees pursuant to Local Rule 7.12.3. Alternatively, if the vehicle is to be distributed to one of the heirs, the Court may require consent of that heir.

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 8-1-03	<p>KENNETH A. NIINO, son was appointed Executor will full IAEA authority without bond on 11/14/2013.</p> <p>Letters issued on 11/14/2013.</p> <p>Minute Order of 11/14/2013 set this matter for hearing.</p> <p>Status Report re Filing of Inventory and Appraisal filed 11/12/2014 states the purpose of filing a probate petition was to secure the appointment of a personal representative of the Estate which was required by Stewart Title of California, 8355 N. Fresno, Fresno, Ca 93720 for execution of a reconveyance/closure documents pertaining to real property that was not the subject of probate proceedings.</p> <p>There are no assets in this Estate subject to probate distribution and, accordingly, the personal representative does not intend to file an Inventory and Appraisal. All matters with the exception of the need for appointment of a personal representative as herein declared do not require probate administration.</p> <p>As of the date of this declaration, pursuant to discussion with the personal representative, Kenneth Niino, it appears that he has signed a reconveyance document as the personal representative for decedent and that no further action is necessary. The personal representative has signed a Petition for Termination of Further Proceedings and Discharge of Personal Representative (Probate Code § 12251) for filing now that it appears that the need to keep this authority active is no longer required.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> <u>Petition for Termination filed 11/17/2014. Hearing set for 01/08/2015.</u></p> <p>Minute Order of 11/12/2014: Mr. Renge will file a Petition for Termination forthwith. If filed by 11/17/2014, then no appearance is necessary on 11/19/2014.</p> <ol style="list-style-type: none"> 1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. <p>Note: If the decedent owned the real property at the time of death it would appear that it would be an asset of the estate and should therefore be inventoried. The Court may require authority as to why the real property should not be required to be administrated.</p>
Cont. from 041114, 052314, 111214		
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: LV
		Reviewed on: 11/13/2014
		Updates: 11/17/2014
		Recommendation:
		File 26 – Niino

Status Hearing Re: Filing of the Bond and Receipt for the Blocked Account

DOD: 3-25-14	LANAE AREYANO, Daughter, was appointed Administrator with Limited IAEA with bond of \$13,500.00 and deposits of \$1,663.00 to be placed into a blocked account on 10-7-14.	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 11-12-14.</u>
Cont. from 111214		Minute Order 11-12-14: Bond was issued and filed. If receipts for the Blocked Account are filed by 11/17/14, then no appearance is necessary on 11/19/14.
Aff.Sub.Wit.	At the hearing on 10-7-14, the Court signed the Order for Probate and the Order to Deposit Money Into Blocked Account and set this status hearing for the filing of the bond and receipt for blocked account.	As of 11-13-14, nothing further has been filed.
Verified		
Inventory		1. Need Receipt and Acknowledgment of Order to Deposit Money Into Blocked Account.
PTC		
Not.Cred.		Note: The Order to Deposit Money Into Blocked Account appears to be based on the Declaration filed 10-6-14 that stated the decedent's checking and savings account balances totaled \$1,663.00. However, the Final I&A filed 11-4-14 does not include this amount.
Notice of Hrg	Bond was filed on 10-30-14 and Letters issued on 11-4-14.	
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Inventory and Appraisal filed 11-4-14 includes real property valued at \$145,000.00, a vehicle valued at \$9,500.00, and misc. furniture and personal effects valued at \$5,000.00, for a total of \$159,000.00.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		Reviewed by: skc
Order		Reviewed on: 11-13-14
Aff. Posting		Updates:
Status Rpt		Recommendation:
UCCJEA		File 27 – Areyano
Citation		
FTB Notice		

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 1 month		<p align="center">GENERAL HEARING 1/6/14</p> <p>WILLIE MAE JOHNSON, maternal aunt, is petitioner.</p> <p>Father: RICHARD CAMPBELL, SR. – <i>consents and waives notice.</i></p> <p>Mother: JAHADRAH JOHNSON – <i>consents and waives notice.</i></p> <p>Paternal grandfather: Narvel Boston Paternal grandmother: Selestine Campbell Maternal grandfather: Lodie Caldwell Maternal grandmother: Rosalind Caldwell</p> <p>Petitioner states she would like placement of the child as a safety plan in lieu of foster care until Jahadrah and Richard are found capable of caring for baby Richard.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11/12/14. Minute order states parties should obtain a minute order or court order from Dependency indicating that this Court may have jurisdiction before this matter can move forward.</p>	
Cont. from 110514, 111214				
<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			N/A
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<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 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			
		Reviewed by: KT		
		Reviewed on: 11/13/14		
		Updates:		
		Recommendation:		
		File 28 – Campbell		

Petitioner states, continued:

- The stipulated settlement included payment of Kenneth Alexander and Suzanne Alexander of **\$8,500.00** in exchange for release of their claims as stated in their objections and, in return, Kenneth Alexander and Suzanne Alexander agreed to withdraw their objection to the petition and to settle any and all remaining disputes;
- Kenneth Alexander and Suzanne Alexander were advised by their own legal counsel, Thomas Boyajian, throughout this proceeding and the settlement terms were entered in open Court before the Honorable Robert Oliver, and thereafter reduced to writing by Declarant [Attorney Michael Dowling] in the form of a *Stipulation on Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust – Survivor's Trust*;
- The Stipulation incorporated the *Order on Petition for Confirmation of Proposed Distribution of Alexander Family 1998 Revocable Trust – Survivor's Trust* dated 4/8/2014 as Exhibit A; the Order incorporated a withdrawal of the objections of Kenneth Alexander and Suzanne Alexander, and also incorporated a waiver of accounting, mutual general releases of the parties and their respective heirs, successors and assigns, and a Civil Code § 1542 waiver of all known or unknown claims against all parties, including the representative of the Estate of Arthur Alexander, the Survivor's Trust and the Alexander Disclaimer Trust;
- Kenneth Alexander and Suzanne Alexander were paid the settlement consideration of **\$8,500.00**;
- Kenneth Alexander and Suzanne Alexander were served by U.S. Mail with Notice of Entry of Order on 4/15/2014;
- At all times herein, Kenneth Alexander and Suzanne Alexander had the ability to comply with the foregoing Order and still have the ability to do so;
- At all times mentioned, the Order has remained in full force and effect;
- Kenneth Alexander has disobeyed the Order in that **~25 days** after receiving payment of **\$8,500.00** in settlement of his objections, he filed on 6/12/2014 a Small Claims Court lawsuit in Monterey County against his brother-in-law, **ROBERT DE MICHILLIE**, the spouse of **LINDA ALEXANDER DE MICHILLIE** [Successor Trustee of the **ALEXANDER DISCLAIMER TRUST**], seeking **\$10,000.00** for alleged non-payment of a promissory note owed to the Estate of Arthur Alexander;
- On 8/19/2014, Kenneth Alexander filed a Small Claims Court lawsuit against the spouse of the Successor Trustee [of the **ALEXANDER FAMILY 1998 REVOCABLE TRUST—SURVIVOR'S TRUST**], **JERRY GIMLIN**, in Sacramento County seeking **\$10,000.00** for alleged non-payment of a promissory note owed to the Estate of Arthur Alexander;
- **JERRY GIMLIN** and **ROBERT DE MICHILLIE** were intended third party beneficiaries to the settlement that resulted in the Order of this Court;
- These small claims actions filed by Kenneth Alexander constituted an attempt to circumvent the Order of this Court that directly violate the plain language of the Order and the intent of the parties; each small claims action is pending trial;
- Kenneth Alexander's disobedience has been willful and with the intent to frustrate the processes of this Court and to deprive the Successor Trustee and the other parties to the settlement of the benefits to which each of them is entitled under the Order;
- Given Kenneth Alexander's willful disobedience of the Order, it has been necessary for the Declarant to pursue this Order to Show Cause, to prepare and file this request and supporting Declaration, and to appear at the hearing on this matter; accordingly, the Declarant requests attorney's fees in this matter of **\$2,750.00**;

Declarant prays that this Court issue an Order requiring Kenneth Alexander to appear before this Court and show cause, if any, why he should not be adjudged in contempt of Court by reason of his violation of the Order of 4/8/2014.

~Please see additional page~

Dept. 303, 9:00 a.m. Wednesday, November 19, 2014

Notice of Related Case was filed 9/18/2014 by Attorney Dowling indicating the pending Monterey County Superior Court limited civil Small Claims case was filed 6/12/2014.

Declaration of CARA ALEXANDER GIMLIN in Support of Request for Ex Parte Hearing Re Contempt filed on 10/29/2014 states:

- She is the Successor Trustee of the **ALEXANDER FAMILY 1998 REVOCABLE TRUST – SURVIVOR’S TRUST**, and is also a beneficiary of the Survivor’s Trust;
- The administration of the Survivor’s Trust is substantially completed;
- Pursuant to the settlement entered into on 3/23/2014, she wrote Check No. 1095 drawn on the Survivor’s Trust checking account to Kenneth Alexander and Suzanne Alexander in the amount of **\$8,500.00** and forwarded that check to them; the check cleared the Survivor’s Trust check account on 5/16/2014;
- On 8/20/2014, her husband, Jerry Gimlin, was served at his place of business with a Small Claims Court lawsuit alleging non-payment of a promissory note held by my late father, Arthur Alexander, as well as an unrelated claim relating to her father’s garage being left unattended; the lawsuit was filed in Sacramento County by her brother, Kenneth Alexander (*copy of lawsuit attached as Exhibit A; [small claims Trial date set for 10/3/2014]*);
- Her brother-in-law, Robert De Michillie, has also been sued in Monterey County Small Claims Court by Kenneth Alexander alleging non-payment of a promissory note held by my late father (*copy of lawsuit attached as Exhibit B [small claims Trial date set for 9/29/2014]*).