

Atty **Martinez, Philip A. (for Walter M. Lorenz – Father – Conservator – Petitioner)**
Petition for Appointment of Successor Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 53		WALTER M. LORENZ , Father and Successor Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states that Co-Conservator Sunshine Prendergast passed away on 10-7-12 and requests that ROSE AMANDA Z. SANCHEZ be appointed as Co-Conservator with Petitioner.	<u>Court Investigator to file report.</u> Note: Petitioner requests bond of \$250,000.00; however, Examiner notes that this is a conservatorship of the person only at this time. Conservatorship of the estate was previously terminated in 1999. Therefore, bond is not required.
<input type="checkbox"/>	Aff.Sub.Wit.	Ms. Sanchez is the primary caregiver for the Conservatee, having taken care of him for over 30 years, and is Petitioner's life partner.	<ol style="list-style-type: none"> 1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on Conservatee Walter William Lorenz. 2. Need Duties of Conservator and Acknowledgment of Receipt of Handbook for Conservators (Mandatory Judicial Council Form GC-348) signed by Rose Amanda Z. Sanchez. 3. Need video receipt from Rose Amanda Z. Sanchez per Local Rule. 4. Need revised order and Letters indicating <u>both</u> Walter M. Lorenz and Rose Amanda Z. Sanchez as Co-Conservators.
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	Court Investigator Jennifer Young to file report.	<p>Reviewed by: skc</p> <p>Reviewed on: 11-19-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Lorenz</p>
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**Petition to Determine Administration Expenses Allocable to Encumbered Property
Prior to Satisfaction of Lien, and for Deposit of Purchase Money with Court in
Satisfaction of Lien and Expenses [Prob. C. 10361.5, 10362]**

DOD: 11-23-06	<p>TRO restraining Trustee's Sale and further Proceedings Regarding Premises at 4086 W. San Jose, Fresno, CA extended to 12-2-13.</p> <p>Petitioner states one of the assets of the estate is real property located at 4086 W. San Jose in Fresno, originally appraised at \$275,000.00 at Decedent's date of death. Due to the decline in the real estate market, and based on Internet valuation website, Petitioner believes the house is valued at this time at approx. \$133,000.00.</p> <p>Decedent's spouse Maria Raquel Petrogonas ("Raquel") has continued to reside in the residence and on 8-24-10 was granted a probate homestead.</p> <p>At the date of death, the house was encumbered in the initial amount of \$91,751.00, with the mortgage payable at a rate of \$848.26/month. During the initial period of estate administration, the Administrator made payments from estate funds, and later, Raquel made payments to the Administrator for the mortgage. Raquel's sole source of income is Social Security Disability payments of only \$850/month.</p> <p>The property subsequently went into default. Anticipating funds from the sale of properties in Argentinia and/or Greece, Petitioner advanced \$7,650 to cure the default on the loan. When the estate was unable to pay property taxes and/or insurance, the bank subsequently raised the monthly payment to more than \$1,600.00. Petitioner tried on numerous occasions to negotiate a loan modification with Bank of America, who steadfastly refused to consider it.</p> <p>The current arrearages are \$19,327.00 and the present balance due is \$47,565.64 (Exhibit C). A Trustee's (foreclosure) sale was set for 11-29-12.</p> <p>Petitioner states the estate has incurred substantial administrative expenses with respect to the administration of this property and brings this petition pursuant to Probate Code §10361.5 to determine the amount of expenses of administration reasonably associated with the administration of the encumbered property, and to determine the expenses of the sale payable from the sales proceeds.</p> <p>In the event the property is sold, whether at Trustee's sale or otherwise, the estate lacks assets to pay administration expenses and seeks an order determining same.</p> <p style="text-align: center;">SEE PAGE 2</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1-17-13: The Court directs Mr. Knudson to submit a declaration specifically outlining what is happening in the other jurisdictions that would preclude further inventory and appraisals. Matter continued to 3/21/13. Mr. Knudson is directed to provide Mr. Lucich notice of the next hearing. The temporary restraining order restraining the trustee's sale is extended to 3/21/13. Continued to 3/21/13.</p> <p>Minute Order 3-21-13: Ms. Hubbell is appearing specially for Thomas Agawa. Joint request for continuance. Matter continued to 4-25-13. TRO remains in full force and effect and is extended to 4-25-13.</p> <p>Minute Order 6-20-13: Mr. Knudson is also appearing specially for Edward Tredler. Mr. Knudson advises the Court that they are still working on settling this matter. Mr. Knudson requests a continuance. Matter continued to 7/18/13. The TRO is extended to 7/18/13. Continued to 7-18-13</p> <p>Note: Points and Authorities in Support of Petition were filed 3-19-13 by Attorney Knudson. See file.</p>	
Cont. from 011713, 032113, 042513, 050913, 062013, 071813, 101713			
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Reviewed by: skc			
Reviewed on: 11-18-13			
Updates:			
Recommendation:			
File 2A - Petrogonas			

Page 2

Petitioner states the expenses of administration reasonably related to the administration of the encumbered property are \$46,167.18, computed at Exhibit E, which includes:

- Estimated statutory fees allocable to the property, based on the estimated current value;
- Extraordinary fees payable to Petitioner and his attorney for the sale of the property at a minimal rate pursuant to Local Rule 7.18;
- Filing fees;
- Additional attorney's fees incurred in bringing this petition, together with costs advanced; and
- Expenses paid for the care preservation and maintenance of said property during the course of administration, including mortgage payments, homeowner's insurance and property taxes.

No additional expenses of sale are requested at this time. If the property is ultimately sold pursuant to the power of sale under the deed of trust, said expenses will be borne by the Bank. However, if Petitioner is successful in negotiating a short sale or otherwise reaching accommodation with the lender, this petition will be amended accordingly.

Petitioner will incur additional charges in serving notice of hearing on this petition and may incur additional attorney's fees for appearing at the hearing(s) on this petition. Said additional fees will be presented in a supplement to this petition prior to the hearing date.

Petitioner requests the Court order that following the hearing and approval of this petition, any proceeds of sale be paid to the clerk of the court to be disbursed as provided in Probate Code § 10362 as follows:

- First in payment of costs of administration attributable to this property;
- Second towards payment of the lien held by Bank of America, and thereafter
- To lenders with secured interests in the property, including Paul A. Dictos (\$7,650.00) and Atkinson, Andelson, Loya, Ruud and Romo (\$106,767.00)

Petitioner requests:

1. That the Court determine the amount of expenses of administration reasonably related to the administration of the encumbered property;
2. That the Court determine the expenses of sale of said property, if any there be;
3. That the Court order the proceeds from the sale to be paid to the Clerk of the Court to be disbursed as provided in Probate Code § 10362
4. For an order that upon such payment the lien on the property be discharged; and
5. For such further orders that the Court may deem proper.

Bank of America, N.A., Respondent/Secured Party filed:

- **Memorandum of Points & Authorities in Response to Petition to Determine Administrative Expenses Pursuant to Cal. Prob. Code §§ 10361.5, 10362**
Respondent requests the Court deny any order compelling Respondent to accept less than the entire amount due under its security interest and/or deny any order requiring a Reconveyance of its lien, and further deny Petitioner any fees and costs claimed to be related to the sale and administration of the property, particularly any fees and costs derived from proceeds from the sale of Respondent's secured property. See pleading for details.
- **Request for Judicial Notice in Support of its Response to Petition to Determine Administrative Expenses Pursuant to Cal. Evid. Code §§ 452(c), (g), 453 & Appendix of Exhibits**
12 exhibits provided. See pleading for details.

Report of Sale and Petition for Order Confirming Sale of Real Property

	PAUL A. DICTOS , Administrator with Limited IAEA with bond of \$100,000.00, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need proposed vesting of buyer. 2. Need proposed commissions amount(s). 3. Timothy L. Thompson filed a Request for Special Notice on 5-30-07. It does not appear that Mr. Thompson was served with Notice of Hearing. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1252 or waiver of notice from Mr. Thompson. 4. The Court may require increased bond or proceeds blocked. 5. Need order.
	Sale price: \$165,000.00 Overbid: \$173,750.00	
	Reappraisal: \$165,000.00	
	Property: 4086 W. San Jose, Fresno, CA 93722	
	Publication: Fresno Business Journal	
	Buyer: Nelam Nagra (vesting not provided)	
	Broker: 50% each to Briggs Realty and Rod Aluisi Real Estate. (Amount/percentage not provided)	
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		Reviewed by: skc
		Reviewed on: 11-18-13
		Updates:
		Recommendation:
		File 2B – Petrogonas

DOD: 4-17-13	<p>KATINA SAPIEN LOZANO PAULEY, Conservator with bond of \$60,000.00, is Petitioner.</p> <p>Account period: 9-19-11 through 8-12-13 Accounting: \$ 102,960.95 Beginning POH: \$ 37,268.63 Ending POH: \$ 17,668.83</p> <p>Conservator: Waives</p> <p>Attorney: \$7,295.00 (per declaration) (Note: \$8,874.83 has already been paid pursuant to court order 6-4-12.)</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 1. Settling and allowing this account and approving and confirming the acts of Petitioner as conservator; 2. Authorizing payment of \$7,295.00 to Joanne Sanoian for her services to the petitioner and the conservatorship estate during this account period, and authorizing withdrawal of \$4,609.97 from Chase blocked account xxx5483 and \$2,685.03 from Chase account xxx6758 (total \$7,295.00) in certified funds payable to Joanne Sanoian; 3. After payment of the above sums, authorizing petitioner to close Chase blocked account xxx5483 and deposit the remaining balance into Chase xxx 6758; 4. That any other property of the estate not now known or discovered that may belong to or in which the decedent or estate may have any interest should be distributed to Petitioner as Trustee of the Angelina S. Lozano Living Trust; 5. Authorizing and directing Petitioner be discharged and the surety on her bond be discharged; and 6. Such other orders as the Court deems proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <hr/> <p>Reviewed by: skc</p> <hr/> <p>Reviewed on: 11-21-13</p> <hr/> <p>Updates:</p> <hr/> <p>Recommendation: File 3B – Lozano</p>																																														
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Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Petitioner did not use the mandatory Judicial Council forms for summary, schedules. Mandatory forms are mandatory. See Cal. Rules of Court 7.575(e)(1).
2. This amended accounting covers the period 9-19-11 through 8-12-13. Probate Code §2620(b) requires a separate accounting for the period after the date of death.
3. Petitioner requests that the Court approve and confirm her acts. As previously noted on the prior petitions filed, and as described in this amended petition, Petitioner both mistakenly used the conservatorship account for personal use (now paid back), and made various transfers between the conservatorship estate account and the account used for trust purposes. The Court may require clarification regarding this request or may strike this language from the order.
4. Petitioner requests distribution of the remaining funds pursuant to Probate Code §13100 to Petitioner as Trustee of the Angelina S. Lozano Living Trust. Examiner notes that although the Court did address the existence of a trust at the hearing on appointment of Petitioner as Conservator, the trust itself was not properly before the Court pursuant to applicable law and it does not appear that Petitioner was ever formally appointed as trustee under proper authority with proper notice. See Minute Order of 10-26-11 and related Amended Order Appointing Probate Conservator of the Person and Estate filed 10-28-11 (*language re trust appointment stricken by hand by Judge*).
 - a) The Court may require formal confirmation of Petitioner as Trustee, via separate proceeding with proper notice under applicable law, prior to authorizing further distribution.
 - b) If this petition goes forward, the attached Declaration pursuant to Local Rule 7.12.5 does not contain the verified statement that *the trust is in full force and effect*. See Local Rule 7.12.5. Need revised Declaration containing that verified statement.
5. Petitioner requests that any other property of the estate not now known or discovered that may belong to or in which the decedent or estate may have any interest should be distributed to Petitioner as Trustee of the Angelina S. Lozano Living Trust. Need authority. This is not a probate estate; it is a conservatorship estate being closed and distributed pursuant to Probate Code §13100. Need authority to address later discovered property in such conservatorship estate rather than a future separate probate estate, if necessary.
6. Petitioner requests discharge of bond. For discharge, need Ex Parte Petition for Final Discharge and Order (mandatory Judicial Council form GC-395).
7. Need order.

(1) First Account and Report of Guardian; (2) Petition for Allowance of Fees and Costs to the Attorney [Prob. C. 2620]

Age: 10	CHRISTINA CASTILLO , Guardian of the estate without bond, funds blocked, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 8-20-12 through 9-12-13	Note: The Court will set a status hearing for the next accounting for:
<input type="checkbox"/> Aff.Sub.Wit.	Accounting: \$69,296.80	• Friday 11-6-15
<input checked="" type="checkbox"/> Verified	Beginning POH: \$69,228.42	If filed pursuant to local rules, this status hearing may be taken off calendar.
<input type="checkbox"/> Inventory	Ending POH: \$69,296.80	
<input type="checkbox"/> PTC	Guardian: Waived	
<input type="checkbox"/> Not.Cred.	Attorney: \$2,750.00 (per declaration, for 6.9 hours @ \$225/hr.)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs: \$787.50 (filing fees, process service, certified letters, accounting services)	
<input checked="" type="checkbox"/> Aff.Mail	Petitioner prays for an order:	
<input type="checkbox"/> Aff.Pub.	1. Approving, allowing, and settling the account; and	
<input type="checkbox"/> Sp.Ntc.	2. Authorizing payment of the attorney fees and costs.	
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(1) First Account and Report of Guardian; (2) Petition for Allowance of Fees and Costs to the Attorney [Prob. C. 2620]

Age: 7	<p>CHRISTINA CASTILLO, Guardian of the estate without bond, funds blocked, is Petitioner.</p> <p>Account period: 8-20-12 through 9-12-13</p> <p>Accounting: \$69,296.80 Beginning POH: \$69,228.42 Ending POH: \$69,296.80</p> <p>Guardian: Waived</p> <p>Attorney: \$2,750.00 (per declaration, for 6.9 hours @ \$225/hr.)</p> <p>Costs: \$787.50 (filing fees, process service, certified letters, accounting services)</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> 3. Approving, allowing, and settling the account; and 4. Authorizing payment of the attorney fees and costs. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set a status hearing for the next accounting for:</p> <ul style="list-style-type: none"> • Friday 11-6-15 <p>If filed pursuant to local rules, this status hearing may be taken off calendar.</p>
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		<p>Reviewed by: skc</p> <p>Reviewed on: 11-19-13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4 – Galvan</p>

Atty Esraelian, Robyn L., of Richardson, Jones & Esraelian (for Petitioner Aram Garabedian)

Petition for Order Confirming That Property is a Trust Asset
[Prob. C. 17200 & 850]

DOD: 4/26/2012		<p>ARAM GARABEDIAN, named Executor in Decedent's Will and current Successor Trustee, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The Trust was established by MARTIN GARABEDIAN as Trustor and as initial Trustee (<i>copy of Trust attached as Exhibit A</i>), and acted as Trustee until his death; In Article Two of the Trust, the Trustor declared that all property subject to the Trust is listed in <i>Schedule A</i>, is referred to as the trust estate, and shall be held, administered and distributed according to the Trust; <i>Schedule A</i> lists, among other items, real property on Heaton in Fresno (<i>copy of Schedule A is attached to the Trust, see Exhibit A</i>); On 1/7/1993, the real property was transferred by deed to the Trust (<i>copy of Deed attached as Exhibit C</i>), Due to other financing matters, including crop financing for farming purposes, the Decedent elected not to record the deed at the time it was executed; he maintained the original of the executed deed, and the deed was not recorded prior to the Decedent's death; Petitioner asserts that it was the intention of the Decedent, as Trustor and Trustee, that the property be owned by the MARTIN GARABEDIAN DECLARATION OF TRUST dated 11/1/1992; The original executed deed cannot now be located; the Trustee has exercised his best efforts to locate the original deed without success; A declaration by the owner of the real property that she holds the property in trust is sufficient to create a trust that holds the property [<i>citations omitted</i>]; the Courts have held that a written declaration of trust by the owner of real property is sufficient to create a trust in that property, and a transfer of title is unnecessary when a Trustor declares herself to be trustee of her own property; The Decedent, as Trustor and Trustee, declared in the Trust instrument that [he] transferred and assigned to the Trustee all of [his] interest in the real property listed on Schedule A; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p>1. <i>Petition does not but should contain a statement pursuant to Probate Code §§ 851 and 17203 regarding persons entitled to notice of this Petition, distinct from persons who are Trust beneficiaries entitled to notice (stated in Paragraph 8 of the Petition.) Petition does not but should include Petitioner's address and any relationship to the Decedent.</i></p> <p>~Please see additional page~</p> <p>Reviewed by: LEG</p> <p>Reviewed on: 11/20/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 7 – Garabedian</p>	
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Additional Page 7, Martin Garabedian Declaration of Trust Case No. 13CEPR00910

Petitioner states, continued:

- Petitioner believes that it was the Trustor's intention and understanding that all of the property was to be held in the Trust under *Schedule A* of the Trust Agreement; therefore, Petitioner believes that all of the property is subject to his control as Successor Trustee;
- The Last Will and Testament of the Decedent, a copy of which is attached as *Exhibit [B]*, provides that [his] entire estate shall go to the Trustee of the Trust.

Petitioner requests that this Court confirm all of the property described in the *Petition* is an asset held in the Trust, and is under the control of the Petitioner, Aram Garabedian, as Successor Trustee of the Trust.

NEEDS/PROBLEMS/COMMENTS, continued:

2. Paragraph 3 of the *Petition* states that *Schedule A* lists, among other items, the real property description that is the subject of this *Petition*. However, the attached *Schedule A* submitted with the copy of the *Declaration of Trust of Martin Garabedian* does not contain items other than the real property description, thus the *Petition* is inconsistent with *Schedule A*. Further, it appears upon inspection of the copy of *Schedule A* submitted with the copy of the *Declaration of Trust of Martin Garabedian* that the *Schedule A* may have been recreated and attached at a later date, due to tangible inconsistencies within the Trust document pages and the *Schedule A*, such as the lack of a footer containing the law firm letterhead information on *Schedule A*, and the apparent difference in font type of the footer on *Schedule A*. Court may require clarification regarding the *Schedule A* submitted with the copy of the Trust as to whether it was a schedule originally created as part of the Trust to designate the property to be transferred to the Trust, given that the *Schedule A* containing a description of the subject real property to be confirmed as a Trust asset is the main document upon which the assertions in the *Petition* are largely based. Notwithstanding the inconsistencies noted with the *Petition* and with the Trust and *Schedule A*, the assertions in the *Petition* are bolstered by the copy of the *Grant Deed* dated 1/7/1993 submitted as *Exhibit C*, which clearly shows title to the subject real property was granted in the name of the Decedent as Trustee of the *Martin Garabedian Trust dated 11/1/1992* and provides further indicia of Decedent's intent to transfer the property to the Trust, despite that Decedent elected not to record the Deed at the time it was executed nor prior to Decedent's death. The other issue the Court must take into consideration is the fact that the original *Grant Deed* cannot be located by Petitioner, raising the question of whether the Decedent changed his intent with regard to the subject real property or potentially transferred the real property to a third party at some point during his lifetime.

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

Age: 84 years		<p>SANDRA J. CLINE, step-daughter, is petitioner and requests appointment as conservator of the estate without bond and with \$700,000 to be placed into a blocked account.</p> <p>Estimated value of the estate: Personal property- \$ 2,000.00 IRA - \$700,000.00 Total - \$702,000.00</p> <p>Petitioner states she is the appointed successor agent under a durable power of attorney. The proposed conservatee is the beneficiary of her deceased husband's IRA account. The representative of UBS Financial Services, the administrator of the IRA suggested to Sandra Cline that the only way to transfer the IRA was for Sandra to be appointed as Conservator of Ms. Lynch.</p> <p>Voting rights affected.</p> <p>Court Investigator Jennifer Young's Report filed on 11/21/13.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 11/15/13</p> <p>Voting rights affected need minute order</p> <ol style="list-style-type: none"> 1. Proof of service indicates that the Citation was mailed to the proposed conservatee on 10/16/2013. Probate Code 1824 requires the Citation to be personally served. 2. Order allows for the Conservator to withdraw the minimum distribution required by law for 2013 from the IRA and place the funds into the conservatee's checking account to apply for the conservatee's care. Petition should state the estimated amount of the distribution in order to calculate the bond. Probate Code §2320 required bond to be posted on all assets of the conservatorship that are not in a blocked account. <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Friday, January 3, 2014 at 9:00 a.m. in Department 303, for the filing of the receipt for blocked account. • Friday, April 4, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Friday, February 6, 2015 at 9:00 a.m. in Department 303, for the filing of the first account. <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>
DOB: 9/16/1929			
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Reviewed by: KT			
Reviewed on: 11/21/13			
Updates:			
Recommendation:			
File 8 – Lynch			

Atty Simonian, Jeffrey D., of Penner, Bradley & Simonian (for Petitioner Karnie H. Tutunjian)

Petition for Termination of Irrevocable Trust [Prob. C. 15403; 17200]

DOD: 11/3/2009	<p>KARNIE H. TUTUNJIAN, surviving Settlor, acting Trustee, and current sole Beneficiary of the MARILYN TUTUNJIAN BYPASS TRUST, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> On 5/20/2004, the Petitioner and MARILYN TUTUNJIAN executed the KARNIE H. TUTUNJIAN AND MARILYN TUTUNJIAN FAMILY TRUST ("Tutunjian Family Trust") as Settlers and initial Trustees (<i>copy attached as Exhibit A</i>); Marilyn died on 11/3/2009 and as a result, the Trust estate of the Tutunjian Family Trust was divided and allocated pursuant to Trust terms to separate sub-trusts known as the MARILYN TUTUNJIAN BYPASS TRUST ("Tutunjian Bypass Trust") and the KARNIE TUTUNJIAN SURVIVOR'S TRUST ("Tutunjian Survivor's Trust"); Pursuant to Tutunjian Family Trust terms, the Tutunjian Bypass Trust was funded with the separate property and undivided ½ community property interests of Marilyn Tutunjian in the assets that form the trust estate of the Tutunjian Family Trust; Pursuant to Tutunjian Family Trust terms, the Tutunjian Survivor's Trust was funded with the separate property and undivided ½ community property interests of Karnie H. Tutunjian (Petitioner) in the assets that form the trust estate of the Tutunjian Family Trust; the Tutunjian Survivor's Trust is not part of these proceedings; The Tutunjian Bypass Trust is not revocable; Pursuant to Tutunjian Family Trust terms, Karnie H. Tutunjian (Petitioner) is the sole income beneficiary of and is entitled to distributions from the Tutunjian Bypass Trust during his lifetime; Pursuant to Tutunjian Family Trust terms, JULIE KHANZADIAN, formerly known as JULIE MARIE MONGE, is the current remainder beneficiary of the Tutunjian Bypass Trust and entitled to the distribution of the remaining principal of the Tutunjian Bypass Trust following the death of Karnie H. Tutunjian (Petitioner); JULIE KHANZADIAN presently has no issue; 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Need Notice of Hearing and proof of mailed service of 30 days' notice prior to hearing pursuant to Probate Code § 17203 for all of the following persons named in Paragraph 21 of the Petition: <ul style="list-style-type: none"> Julie (Monge) Khanzadian; Raymond Mosesian; Carol Karabian. Need proposed order pursuant to Local Rule 7.1 which provides a proposed order shall be submitted with all pleadings that request relief.
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<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order X		
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<input type="checkbox"/> Citation		
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		Reviewed by: LEG
		Reviewed on: 11/20/13
		Updates:
		Recommendation:
		File 9 – Tutunjian

Petitioner states, continued:

- Pursuant to Tutunjian Family Trust terms, **RAYMOND MOSESIAN** and **CAROL KARABIAN** are contingent remainder beneficiaries of the Tutunjian Bypass Trust in the event Julie Khanzadian fails to survive until termination;
- Certain disputes and controversies have arisen between Petitioner and Julie Khanzadian regarding various matters, including but not limited to, matters involving the present and continuing administration of the Tutunjian Bypass Trust;
- To resolve these disputes and controversies, Petitioner and Julie Khanzadian have agreed to the termination of the Tutunjian Bypass Trust subject to an order of this Court authorizing and directing the termination of the Tutunjian Bypass Trust;
- On termination of Tutunjian Bypass Trust, Petitioner and Julie Khanzadian have agreed to an equal division of the then-existing principal of the Tutunjian Bypass Trust subject to certain offsets and adjustments;
- This division is fair and equitable and approximates their respective interests in the Tutunjian Bypass Trust; accordingly, continuance of the Tutunjian Bypass Trust is not necessary in order to accomplish the purpose of the trust;
- Petitioner and Julie Khanzadian have also agreed that the costs and expenses incurred in connection with these proceedings shall be charged to the principal of the Tutunjian Bypass Trust;
- Every beneficiary in being of the Tutunjian Bypass Trust, including the contingent remainder beneficiaries, consents to the proposed termination of the Tutunjian Bypass Trust (*Consent of Beneficiary to Termination of Irrevocable Trust attached as Exhibit B; also filed on 10/15/2013*);
- Continuance of the Tutunjian Bypass Trust in accordance with its terms is impractical due to irreconcilable differences existing between Petition and Julie Khanzadian; these irreconcilable differences have resulted in circumstances that were not known to or anticipated by the Settlor, Marilyn Tutunjian;
- Termination of the Tutunjian Bypass Trust by order of this Court is in the best interests of the trust and its beneficiaries;
- As of 2/28/2013, the assets of the Tutunjian Bypass Trust consist of the assets described on *Exhibit C* attached [totaling **\$1,106,130.27**].

Petitioner prays for an Order:

1. Terminating the **MARILYN TUTUNJIAN BYPASS TRUST**; and
2. Charging the costs and expenses incurred in connection with these proceedings to the principal of the **MARILYN TUTUNJIAN BYPASS TRUST**.

Atty Tomassian, Gerald M., of Tomassian, Pimentel & Shapazian (for Petitioner Randall Meyer)

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 8/10/2013		<p>RANDALL W. MEYER, surviving spouse and Trustee of the RANDALL W. MEYER and DEBORAH C. MEYER REVOCALBE TRUST dated 7/18/2013, is Petitioner.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$119,200.00</p> <p>Will dated 7/18/2013 devises personal effects to Decedent's husband, and entire estate residue to the Trustee of the RANDALL W. MEYER and DEBORAH C. MEYER REVOCALBE TRUST dated 7/18/2013.</p> <p>Petitioner requests Court determination that Decedent's 50% interest in real property located at 7840 E. Bullard, Clovis, passes to the Petitioner as Trustee of the RANDALL W. MEYER and DEBORAH C. MEYER REVOCALBE TRUST, pursuant to Decedent's Will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 11/20/13</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 10 – Meyer</p>		

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

Age: 2	<u>TEMPORARY GRANTED EX PARTE;</u> <u>EXPIRES 12/02/13</u>	NEEDS/PROBLEMS/COMMENTS:
	REGINA CLARK , paternal step-grandmother, is Petitioner.	Note: The maternal grandfather, Billy Arbaugh, was appointed guardian of Selena's siblings, Anthony Arbaugh, Trevar Bolech, and Jaiden Bolech, on 01/18/11.
Cont. from	Father: DANIEL CLARK – Personally served on 11/11/13	<ol style="list-style-type: none"> Need proof of service by mail at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person or Consent & Waiver of Notice or Declaration of Due Diligence for: - Sherrie Lee (maternal grandmother)
<input type="checkbox"/> Aff.Sub.Wit.	Mother: SHERRIE BOLECH – Personally served on 11/11/13	
<input checked="" type="checkbox"/> Verified	Paternal grandfather: DANIEL W. CLARK – Consent & Waiver of Notice filed 09/19/13	
<input type="checkbox"/> Inventory	Paternal grandmother: SHIRLEY STAIRS – Personally served on 11/11/13	
<input type="checkbox"/> PTC	Maternal grandfather: BILLY ARBAUGH – Personally served on 11/11/13	
<input type="checkbox"/> Not.Cred.	Maternal grandmother: SHERRIE LEE	
<input checked="" type="checkbox"/> Notice of Hrg	Siblings: ANTHONY ARBAUGH (6), TREVAR BOLECH (5), JAIDEN (4)	
<input type="checkbox"/> Aff.Mail	Petitioner alleges that the parents are both on drugs and are homeless. Selena is moved frequently from home to home, is not bathed regularly, and has no stability in her life.	
<input type="checkbox"/> Aff.Pub.	Court Investigator JoAnn Morris filed a report on – NEED REPORT.	
<input type="checkbox"/> Sp.Ntc.		
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		Reviewed by: JF
		Reviewed on: 11/20/13
		Updates:
		Recommendation:
		File 11A – Bolech & Abraugh

Age: 2		<p align="center">TEMPORARY GRANTED EX PARTE; EXPIRES 12/02/13</p> <p>REGINA CLARK, paternal step-grandmother, is Petitioner.</p> <p>Father: DANIEL CLARK – Personally served on 11/11/13 Mother: SHERRIE BOLECH – Personally served on 11/11/13</p> <p>Paternal grandfather: DANIEL W. CLARK – Consent & Waiver of Notice filed 09/19/13 Paternal grandmother: SHIRLEY STAIRS – Personally served on 11/11/13</p> <p>Maternal grandfather: BILLY ARBAUGH – Personally served on 11/11/13 Maternal grandmother: SHERRIE LEE</p> <p>Siblings: ANTHONY ARBAUGH (6), TREVAR BOLECH (5), JAIDEN (4)</p> <p>Petitioner alleges that the parents are both on drugs and are homeless. Selena is moved frequently from home to home, is not bathed regularly, and has no stability in her life. She has had lice on numerous occasions. The parents also use drugs in front of the minor. Petitioner believes Selena is not safe in the care of her parents and believes temporary guardianship is necessary for her safety.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>2. Need proof of personal service at least 5 court days before the hearing of Notice of Hearing with a copy of the Temporary Guardianship Petition or Consent & Waiver of Notice or Declaration of Due Diligence for:</p> <ul style="list-style-type: none"> - Daniel Clark (father) - Sherrie Bolech (mother) 	
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<input type="checkbox"/>	Status Rpt			
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<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 11/20/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 11B – Bolech & Abraugh</p>		

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

Age: 16	<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:
	<p>KAREN GETTY-HOPKINS and EDWIN K. HOPKINS, maternal grandmother and step-grandfather, are Petitioners and request that KAREN GETTY-HOPKINS be appointed Guardian of the Person and EDWIN K. HOPKINS be appointed Guardian of the Estate.</p> <p>Father: ROBERT W. ELLIS – <i>deceased</i> Mother: KATHRYN ELLIS – <i>Consent & Waiver of Notice filed 09/24/13</i></p> <p>Paternal grandfather: WAYNE ELLIS – <i>deceased</i> Paternal grandmother: LAURA ELLIS – <i>deceased</i></p> <p>Maternal grandfather: <i>deceased</i></p> <p>Petitioners state that the minor's father is deceased and his mother is incarcerated. He is entitled to his father's life insurance policy.</p> <p>Estimated Value of the Estate: Personal property - \$100,000.00</p> <p>Court Investigator Charlotte Bien filed a report on 11/14/13.</p>		
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<input type="checkbox"/> Notice of Hrg	n/a		
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<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.	n/a		
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<input checked="" type="checkbox"/> Letters			
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			<p>Reviewed by: JF</p> <p>Reviewed on: 11/21/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Ellis</p>

Pro Per Mancini, Carol (Pro Per Petitioner, sister)

Petition to Determine Succession to Real Property and Personal Property (Prob. C. 13151)

DOD: 6/10/2013	CAROL MANCINI, sister, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner filed on 10/2/2013 an <i>Assignment of Interest in Estate</i> , stating she assigns her interest or title to any and all property accruing to her as a result of being an heir to this estate as follows: 50% to her daughter, BETTE EBERHARDT , and 50% to her nephew, ROBERT L. SMITH . Based upon Petitioner's assignment of her interest in this estate, <u>Petitioner does not have standing to bring the instant <i>Petition</i></u> . Therefore, it appears that this summary proceeding to distribute the property must be filed by the assignees, BETTE EBERHARDT and ROBERT L. SMITH . 2. Item 9 of the <i>Petition</i> states decedent's spouse is deceased. Item 14 of the <i>Petition</i> does not include on Attachment 14 the name and date of death of the deceased spouse pursuant to Local Rule 7.1.1(D) which provides that 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 <i>Petition</i> . 3. Item 14 of the <i>Petition</i> does not include on Attachment 14 the names, ages, mailing addresses, and relationships to Decedent of the following persons: <ul style="list-style-type: none"> • Bette Eberhardt; • Robert L. Smith. ~Please see additional page~
	40 days since DOD.	
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<input checked="" type="checkbox"/> Notice of Hrg		
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<input type="checkbox"/> Sp.Ntc.		
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<input type="checkbox"/> Conf. Screen	Petitioner requests Court determination	
<input type="checkbox"/> Letters	that Decedent's 100% interest in real	
<input type="checkbox"/> Duties/Supp	property located at 723 West Dayton	
<input type="checkbox"/> Objections	Ave., Fresno, and 100% interest in	
<input type="checkbox"/> Video Receipt	personal property, passes to the	
<input type="checkbox"/> CI Report	transferees under the <i>Assignment of</i>	
<input type="checkbox"/> 9202	<i>Interest in Estate</i> filed 10/2/2013, as	
<input type="checkbox"/> Order	follows: <ul style="list-style-type: none"> • BETTE EBERHARDT – 50% of Petitioner's 100% interest; • ROBERT L. SMITH – 50% of Petitioner's 100% interest. 	
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		Reviewed by: LEG
		Reviewed on: 11/21/13
		Updates:
		Recommendation:
		File 13 – Smith

NEEDS/PROBLEMS/COMMENTS, continued:

4. *Attachment 11* to the *Petition* does not contain the legal description of the real property and its Assessor's Parcel Number (APN) pursuant to Probate Code § 13152(a)(3).
5. Need proposed *Order Determining Succession to Real Property* (Judicial Council form DE-315) containing the legal description of the real property and specifying the percentage of the property interest that is to be distributed to the assignees of the interest.

Petition to Establish Fact of Marriage

		<p>PHILLIP EDWARDS and UMA SWAMY are petitioners.</p> <p>Petitioners state they were married on 8/30/2013 in Alameda or Costra Contra County (they are unclear as to what county the property they were married is located). There is no record of their marriage.</p> <p>Unverified declaration Ananth Sivachariar states he performed the marriage on 8/30/13 and that the wedding was observed by approximated 100 family and guests. The wedding was conducting in accordance with the tradition and customs of a Hindu wedding.</p> <p>Statements of several persons who attended the wedding are attached to the petition.</p> <p>Photographs of the wedding are attached to the petition.</p> <p>Petitioners request the court make an order determining that the marriage did in fact occur on August 30, 2013 at Costra Contra County California.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioners do not indicate if a marriage license was obtained prior to the marriage ceremony. Unless a marriage license is first obtained the marriage would not be valid pursuant to California Family Code 306. (Pursuant to H&S 103450, the purpose of obtaining an order establishing fact of marriage is to obtain a certificate to replace one which was never registered or to obtain a certified copy of the registration when the original records were lost or destroyed. Thus, the procedure is designed to cure a failure to register the marriage, not the failure to obtain a license.) If a marriage license was obtained then a copy should be filed into the court's file.</p>
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	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: KT</p> <p>Reviewed on: 11/21/13</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 – Edwards</p>

Petition for Appointment of Temporary Conservatorship of the Person

Age: 63		<p><u>TEMPORARY GRANTED EX PARTE EXPIRES</u> <u>12/02/2013</u></p> <p><u>GENERAL HEARING 12/30/2013</u></p> <p>PUBLIC GUARDIAN, is petitioner and requests appointment as temporary conservator of the person.</p> <p>PUBLIC GUARDIAN was appointed conservator of the estate on 07/31/2012.</p> <p>Petitioner states: Mark Lee has shown through his actions that he is not capable of caring for himself. The Public Guardian is the conservator of Mr. Lee's estate, so she is familiar with his living conditions. Two places he has lived refused to renew his six month lease. The current one will be evicting him soon. Mr. Lee is being evicted from his second apartment since petitioner dismissed her original petition for conservatorship of the person. He has not arranged for anywhere else to live.</p> <p>The Public Guardian originally petitioned to become conservator of Mr. Lee's person and estate, but it was determined at that time that he could take care of his personal needs. That appears to no longer be the case. Therefore, the Public Guardian seeks her appointment as conservator of the Mr. Lee's person, which will allow her to find an appropriate place for him to live.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing and a copy of the Petition on the proposed conservatee. 3. Need Order. 4. Need Letters. <p>Court Investigator Charlotte Bien to provide:</p> <ul style="list-style-type: none"> • CI Report • Advisement of Rights.
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<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report	x		
<input type="checkbox"/> 9202 Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		<p>Reviewed by: LV</p> <p>Reviewed on: 11/21/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Lee</p>	