

Attorney Jeffrey B. Pape (for Guardian Bruce D. Bickel)

Probate Status Hearing Re: Filing of the Fourth Account

	<p>BRUCE BICKEL, Guardian of the Estate, filed a <i>Third Account and Report of Guardian, Petition for its Settlement, (2) Petition for Allowance of Fees to Guardian of Estate, (3) for Attorney Fees and Reimbursement of Costs Advanced</i> on 4/28/2014.</p> <p>Minute Order dated 6/12/2014 from the hearing on the Third Account set this status hearing on 4/6/2016 for the filing of the Fourth Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p style="text-align: center;">Fourth Account and Report of Guardian filed 5/2/2016 is set for hearing on 6/14/2016.</p>
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Video Receipt		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/10/16
		Updates:
		Recommendation:
		File 1 - K. Ellis

Attorney Jeffrey B. Pape (for Guardian Bruce D. Bickel)

Probate Status Hearing Re: Filing of the Fourth Account

	<p>BRUCE BICKEL, Guardian of the Estate, filed a <i>Third Account and Report of Guardian, Petition for its Settlement, (2) Petition for Allowance of Fees to Guardian of Estate, (3) for Attorney Fees and Reimbursement of Costs Advanced</i> on 4/28/2014.</p> <p>Minute Order dated 6/12/2014 from the hearing on the Third Account set this status hearing on 4/6/2016 for the filing of the Fourth Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p style="text-align: center;">Fourth Account and Report of Guardian filed 5/2/2016 is set for hearing on 6/14/2016.</p>
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FTB Notice		
	<p>Reviewed by: LEG</p>	
	<p>Reviewed on: 5/10/16</p>	
	<p>Updates:</p>	
	<p>Recommendation:</p>	
	<p>File 2 - D. Ellis</p>	

3 Robert Luis Moreno (GUARD/P) Case No. 10CEPR00286

Guardian Hernandez, Estella (Pro Per – Non Relative)

Petitioner Facio, Kristie Lee (Pro Per – Mother)

Petition for Termination of Guardianship

		<p>KRISTIE LEE FACIO, mother, is petitioner.</p> <p>ESTELLA HERNANDEZ, non-relative, was appointed guardian on 06/07/2010.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> • Luis Moreno (Father) • Estella Hernandez (Guardian) • Paternal Grandparents (Not Listed) • Edna Mae McDonald (Maternal Grandmother) 																																																																				
<p>Cont. from</p> <table border="1"> <tr><td></td><td>Aff.Sub.Wit.</td><td></td></tr> <tr><td>✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td></td><td>Notice of Hrg</td><td>x</td></tr> <tr><td></td><td>Aff.Mail</td><td>x</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td></td></tr> <tr><td></td><td>Conf. Screen</td><td></td></tr> <tr><td></td><td>Letters</td><td></td></tr> <tr><td></td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td>✓</td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td>✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td></td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>					Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.			Notice of Hrg	x		Aff.Mail	x		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
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			<p>Reviewed by: LV</p> <p>Reviewed on: 05/06/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3- Moreno</p>																																																																				

4 Jose A Martinez (Estate)

Case No. 12CEPR00885

Attorney: Heather H. Kruthers (for Petitioner, Public Administrator)

Attorney: Richard E. Hemb (for former Administrator Michel Curley)

First and Final Account and Report of Successor Administrator and Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for Distribution

DOD: 9/7/12		PUBLIC ADMINISTRATOR , Successor Administrator, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Michele Curley, former Administrator, was removed on 9/2/14. On 2/26/15 the Court heard the First and Final Account of the former Administrator. Minute order states Mr. Hemb was to submit an order that has been approved by Ms. Kruthers as to form and content. The order has not been received. On 9/21/15 U.S. Specialty Insurance Company (the bonding company for the former Administrator, Michele Curley) filed a Notice of Non-Payment of Bond. Bond payments are paid until the bond principal is discharged. Petition proposes to reimburse the former Administrator \$8,914.80 and her attorney \$580.00 based on the schedule of costs advanced in the account filed on 1/21/15. However neither amount is included in the prayer of the petition or in the proposed order. In addition the order on that accounting was never filed (see note #1 above). Proof of service of the Notice of Hearing lists "address unknown" for beneficiary, Michael Martinez. Need Declaration of Due Diligence.
		Account period: 12/24/14 – 3/21/16	
Cont. from		Accounting - \$121,183.59	
<input type="checkbox"/>	Aff.Sub.Wit.	Beginning POH - \$110,367.38	
<input checked="" type="checkbox"/>	Verified	Ending POH - \$ 46,162.59	
<input checked="" type="checkbox"/>	Inventory	Administrator (statutory) - \$4,635.51	
<input checked="" type="checkbox"/>	PTC	Attorney (statutory payable \$3,200 to County Counsel and \$1435.51 to former attorney Richard Hemb) - \$4,635.51	
<input checked="" type="checkbox"/>	Not.Cred.	Attorney X/O - \$1,248.00	
<input checked="" type="checkbox"/>	Notice of Hrg	(payable to County Counsel for sale of real property and preparation of taxes.)	
<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	Court Fees - \$51.00	
<input checked="" type="checkbox"/>	Letters	(certified copies)	
<input type="checkbox"/>	Duties/Supp	Bond fee - \$378.75 (o.k.)	
<input type="checkbox"/>	Objections	Closing - \$2,000.00	
<input type="checkbox"/>	Video Receipt	Distribution, pursuant to intestate succession is to:	
<input type="checkbox"/>	CI Report	Margarita Martinez - \$7,928.01	
<input checked="" type="checkbox"/>	9202	Michele Curley - \$7,428.00	
<input checked="" type="checkbox"/>	Order	Michael Martinez - \$7,928.01	
<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: KT			
Reviewed on: 5/9/16			
Updates:			
Recommendation:			
File 4- Martinez			

		<p>CHRISTINA WILLIAMS-DITTO, mother, is petitioner.</p> <p style="text-align: center;"><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Joe Robles (Co-Guardian) • Sharon Robles (Co-Guardian) • Michael Robles, Sr. (Father) 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			x
<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: 05/09/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5- Robles</p>				

Second Account and Final Report of Conservator and Petition for Its Settlement and for Discharge of Assets and Discharge of Conservator

		VAL J. DORNAY , attorney for conservator, NOGI NGUYEN , is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service of the Notice of Hearing on: a. Lan Nguyen (conservatee)</p> <p>Note: Johnny Nguyen was appointed as successor Conservator on 4/13/16.</p> <hr/> <p>Reviewed by: KT</p> <p>Reviewed on: 5/9/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 -Nguyen</p>
		NOGI NGUYEN , conservator, died on 4/20/15.	
Cont. from 040616		Account period: 11/27/14 – 1/1/16	
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$7,025.00	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$7,025.00	
<input type="checkbox"/>	Inventory	Ending POH - \$7,025.00 (all funds are in a blocked account)	
<input type="checkbox"/>	PTC	Conservator - waives.	
<input type="checkbox"/>	Not.Cred.	Petitioner prays that the Court make an order:	
<input checked="" type="checkbox"/>	Notice of Hrg	1. Settling, allowing and approving the account of conservator;	
<input type="checkbox"/>	Aff.Mail	2. Approving and confirming all acts and proceedings of the Conservator;	
<input type="checkbox"/>	Aff.Pub.	3. Authorizing and directing the conservator to deliver the entire estate property in his possession to Johnny Nguyen, the successor conservator. When the Conservator delivers the estate property and files receipts, he shall be discharged and the surety bond, if any, shall be discharged.	
<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		

8 Cecil Tange (Estate) Case No. 14CEPR01142

Attorney Renge, Lawson K. (for Ted Tange – Petitioner – Executor)

**First and Final Account and Report of Administration and
Petition for Final Settlement and Distribution, Accounting Waived**

DOD: 07/19/2014	TED TANGE , Executor, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Declaration pursuant to Local Rule 7.12.5 regarding distribution to intervivos trust. 2. Petition states Executor waives statutory fees however is awarded \$10,000.00 pursuant to the trust agreement. The Court cannot make an order for these fees as the Trust is not before the Court. 3. Order states the Attorney is entitled to statutory fees of \$12,405.71 and he agrees to be to be paid for his services from the assets of the decedent's trust. The Court cannot make an order for the fees to be paid from the trust as the Trust is not before the Court. 4. Need new order.
	Accounting is waived		
	I&A	- \$470,205.10	
	POH	- \$470,205.10	
Cont. from	Executor - Waives		
<input type="checkbox"/> Aff.Sub.Wit.	See Examiner note #2		
<input checked="" type="checkbox"/> Verified	Attorney - \$12,405.71		
<input checked="" type="checkbox"/> Inventory	(Statutory) See Examiner note #3		
<input type="checkbox"/> PTC	Distribution pursuant to the decedent's will, is to:		
<input checked="" type="checkbox"/> Not.Cred.	Ted Tange, as Trustee of the Cecil Tange Revocable Living Trust – various shares totaling \$470,205.10.		
<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	2/11/15		
<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			
			Reviewed by: LV
			Reviewed on: 05/09/2016
			Updates:
			Recommendation:
			File 8- Tange

Petition for Withdrawal of Funds from Blocked Account

			<p>KAYSIA BARR, maternal grandmother, and KEITH BARR, maternal uncle, co-guardians of the estate, are petitioners.</p> <p>Petitioners state the minor lives with Kaysia Barr and David Barr, co-guardians of the person. Their total monthly income from Social Security is \$1,743 per month. They receive \$457.00 a month in Social Security Death Benefit for Allison. Kaysia Barr and David Barr have paid for all of the expenses of the guardianship from their personal funds.</p> <p>Petitioners state they agree to pay Kaysia Barr and David Barr reimbursement of \$2,467.00 for medical expenses not covered by insurance, ½ of the court ordered therapy in the amount of \$637.50 and a total of \$1,444.33 for court fees. In addition, petitioners request payment to Kubo Orthodontics \$2,720.00 for the balance due for the minor's braces.</p> <p>Balance in the blocked account totals \$65,731.13.</p> <p>Petitioners state the total amount requested for reimbursement is \$7,268.83.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 4/6/16. Minute order states Counsel is to file a verified declaration no later than 5/4/16 with regard to the issue raised on the examiner notes. As of 5/9/16 no additional documents have been filed.</p> <p>1. Petition requests \$2,720.00 for payment to the Orthodontist. Petition for withdrawal of fees from blocked account on page 16B requests authority to reimburse Petitioner \$320.00 for reimbursement for payments that appear to have been made after the filing of this petition. Therefore it appears that the payment to the orthodontist should be \$2,400.00 and not \$2,750.00 as requested.</p>
Cont. from 030216, 040616				
	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: KT</p> <p>Reviewed on: 5/9/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9A- Holt</p>	

10 Frank Cambio (Estate) Case No. 15CEPR00104

Attorney Boyajian, Thomas M. (for JoAnne M. Ling – Executor)

Probate Status Hearing RE: First or Final Account

DOD: 12/20/2014	JOANNE M. LING , was appointed Executor with full IAEA without bond on 03/11/2015.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account or Petition for Final Distribution.</p>
	Letters issued on 03/13/2016	
Cont. from		
Aff.Sub.Wit.	Final Inventory & Appraisal filed 0714/2015 shows an estate valued at \$702,352.62	
Verified Inventory		
PTC		
Not.Cred.	Minute Order of 03/11/2015 set this Status Hearing for the filing of the First or Final Account.	
Notice of Hrg		
Aff.Mail	Status Report filed 05/04/2016 states please be informed that the estate is progressing with the real property commonly addressed as 8236 Yearling Way, Jurupa Valley, California being sold in December 2015, for \$340,000.00. The real property commonly addressed as 5662 Greens Dr., Riverside, California, is presently in escrow pending repairs for termite damage and should be closing within two weeks. With the sale of the said property, Mr. Boyajian states he can turn their attention to the final accounting and distribution of the assets.	
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: 05/09/2016
		Updates:
		Recommendation:
		File 10- Cambio

First and Final Report of Administrator on Waiver of Account and Petition for Allowance of Compensation to Attorneys for Ordinary Services, for approval of Extraordinary Attorney's Fees, and for Final Distribution

DOD: 6/29/15	KRISTIN WALTON , Administrator with Full IAEA without bond, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner is the sole heir and waives account.	
	I&A: \$286,455.59	
	POH: \$180,534.25 (cash)	
<input type="checkbox"/> Aff.Sub.Wit.	Administrator (Statutory): Waives	
<input checked="" type="checkbox"/> Verified	Attorney (Statutory): \$8,729.11	
<input checked="" type="checkbox"/> Inventory	Attorney (Extraordinary): \$660.00 (for services in connection with the sale of the real property)	
<input checked="" type="checkbox"/> PTC	Costs: \$25.50	
<input checked="" type="checkbox"/> Not.Cred.	Closing: \$2,000.00	
<input checked="" type="checkbox"/> Notice of Hrg	Distribution pursuant to intestate succession:	
<input checked="" type="checkbox"/> Aff.Mail	Kristin Walton: \$169,119.64	
<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		
<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		
		Reviewed by: skc
		Reviewed on: 5/9/16
		Updates:
		Recommendation:
		File 11- Schelir

First and Final Report of Executrix on Waiver of Account and Petition for Settlement Thereof; for Allowance of Attorneys' Fees for Ordinary Services and Costs Advanced; for Final Distribution; and for Acceptance of Trust

DOD: 5/4/15		<p>SHIRLEY BO SIM FONG, Executor with Full IAEA without bond, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&A: \$159,433.25 POH: \$159,471.08 (cash)</p> <p>Executor (Statutory): Waives</p> <p>Attorney (Statutory): \$3,188.67</p> <p>Costs: \$1,371.50 (filing, publication, certified letters, CourtCall)</p> <p>Distribution pursuant to decedent's will and pursuant to Election by Surviving Spouse to Administer a Portion of Survivor's Community Property in Deceased Spouse's Estate (Prob. Code §13502):</p> <p>Shirley Bo Sim Fong, Surviving Spouse, as her community property administered in this estate: \$250.29 plus \$79,485.25 held in certain Union Bank accounts, as her one-half of the Transamerica Life Insurance Co. Accidental Death proceeds paid on the life of the decedent.</p> <p>Shirley Bo Sim Fong, as trustee of the Tommy W.H. Fong Family Living Trust: \$250.29 plus \$79,485.25 held in certain Union Bank accounts, as one-half of the Transamerica Life Insurance Co. Accidental Death proceeds paid on the life of the decedent</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Costs include \$86.00 for CourtCall, which is considered by the Court to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17. As such, the Order has been interlined to reflect costs of \$1,285.50 rather than \$1,371.50 as requested.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
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<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<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		
		Reviewed by: skc	
		Reviewed on: 5/9/16	
		Updates:	
		Recommendation: SUBMITTED, as modified per above.	
		File 12- Fong	

13A

Audrina Rivera (GUARD/P)

Case No. 15CEPR01033

Petitioner
Petitioner
Objector

Rivera, Tony (pro per – paternal grandfather)
Rivera, Lupe (pro per – paternal grandmother)
Botello, Josette (pro per – Mother – Objector)

Petition for Appointment of Guardian of the Person

See petition for details.		<p>NEEDS/PROBLEMS/ COMMENTS:</p> <p><u>Minute Order 3/23/16:</u> Valerie Aguilera has filed a competing petition that is set for 5/11/16. Josette Botello, mother, agrees to a hair follicle drug test and asks the Court to order one. The Court does so, ordering that Josette Botello and Tony and Lupe each pay one-half of the cost of the test. Josette Botello then states she will not take the test because she does not have the money to pay for her half. Continued to 5/11/16; Temp Letters extended to 5/11/16.</p> <p><u>Note:</u> Page B is the competing petition filed by Valerie Aguilera, Sister.</p> <p>Reviewed by: JF/skc Reviewed on: 5/6/16 Updates: Recommendation: File 13A – Rivera</p>	
Cont. from 121615, 021716, 032316			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		x
<input type="checkbox"/>	Aff.Pub.		
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<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

13A

Petition for Appointment of Guardian of the Person

	See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Petitioner Valerie Aguilera resides in Bakersfield.</p> <p>1. Need proof of personal service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Vincent Rivera (Father) - Josette Botello (Mother)</p>
		Reviewed by: skc
		Reviewed on: 5/6/16
		Updates:
		Recommendation:
		File 13B- Rivera

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
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✓	Notice of Hrg	
✓	Aff.Mail	w
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✓	CI Report	
✓	Clearances	
✓	Order	
	Aff. Posting	
	Status Rpt	
✓	UCCJEA	
	Citation	
	FTB Notice	

Petitioner: Courtney Nicole Hoover (Pro per – re: Ehli Chapel only)

Petitioner: Hopie Marie Varela (Pro per – re: Ehli Chapel only)

Petition for Appointment of Guardian of the Person (for Ehli Chapel only)

		NO TEMPORARY (not requested)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition is as to EHLI only.</p> <p>Minute order dated 4/6/2006 continues matter for service of the biological father, Robert Campos, and the paternal grandparents. Petitioners are directed to make no further efforts to serve Jason Chapel. Courtney Hoover (petitioner) is to bring paper proof to the 5/11/2016 hearing re: her two warrants being cleared.</p> <ol style="list-style-type: none"> 1. Need proof of personal service 15 days before hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consent and waiver of notice for: <ol style="list-style-type: none"> a. Robert Campos (biological father) 2. Need proof of mailed service 15 days before hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice for: <ol style="list-style-type: none"> a. Paternal grandfather b. Paternal grandmother
		<p>COURTNEY HOOVER and HOPIE VARELA, friends of mother, are petitioners and request appointment as co-guardians of the person of Ehli Chapel only</p> <p>DSS Social Worker report filed 3/22/2016.</p> <p>Declaration filed 4/14/2016 by Petitioner Courtney Hoover.</p> <p><i>See petition for details.</i></p>	
Cont. from 040616			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
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	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		Reviewed by: SEF	
		Reviewed on: 5/6/2016	
		Updates:	
		Recommendation:	
		File 14A- Chapel	

Petitioner: Christina Padilla (Pro per – re: Mikko Padilla only)

Petitioner: Courtney Nicole Hoover (Pro per – re: Ehli Chapel only)

Petition for Appointment of Guardian of the Person (for Mikko Padilla only)

		NO TEMPORARY (not requested)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition is as to MIKKO only.</p> <p>Minute order dated 4/6/2006 continues matter for service of the biological father, Robert Campos, and the paternal grandparents.</p> <p>3. Need proof of personal service 15 days before hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consent and waiver of notice for:</p> <ul style="list-style-type: none"> a. Robert Campos (biological father) <p>4. Need proof of mailed service 15 days before hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice for:</p> <ul style="list-style-type: none"> a. Paternal grandfather b. Paternal grandmother
		<p>CHRISTINA PADILLA, friend of mother, is petitioner and requests appointment as guardian of the person of Mikko Padilla only</p> <p>DSS Social Worker report filed 3/22/2016.</p> <p><i>See petition for details.</i></p>	
Cont. from 040616			
<input type="checkbox"/>	Aff.Sub.Wit.		
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<input type="checkbox"/>	Notice of Hrg	x	
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<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: SEF	
		Reviewed on: 5/6/2016	
		Updates:	
		Recommendation:	
		File 14B- Padilla	

Petitioner Mee Saephan (Pro Per, mother)

Petition for Appointment of Guardian of the Estate

		NO TEMPORARY REQUESTED	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 3/30/2016. Minute Order states examiner notes provided in open court. Petitioner is admonished that she is not allowed to take possession of any monies on behalf of the minor without an order from the Court.</p> <p>Note Re Value of the Guardianship Estate: In order to provide the Court with information regarding the amount of the life insurance deposits to be placed in a blocked account, Petitioner filed on 4/20/2016 a Declaration stating the life insurance company needs more time to investigate and they are unable to determine the amount of the insurance. Attached copy of Prudential Insurance Company letter dated 4/6/2016 states they (Prudential) are unable to render a determination because the entire claim file has been referred to their Special Investigation Unit (SIU) to conduct a contestable investigation five years back from the evidence of insurability application date of 10/23/2014. Prudential anticipates making a determination on this claim within 30 days; if they are unable to make a determination within this time period, they will advise the Petitioner in writing. <i>~Please see additional page~</i></p>
		<p>MEE SAEPHAN, mother, is Petitioner and requests appointment as Guardian of the Estate.</p> <p style="text-align: center;"><i>Please see Petition for details</i></p>	
Cont. from 033016			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
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✓	Pers.Serv.		
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✓	Duties/Supp		
	Objections		
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✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 5/10/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15- Nunez</p>	

15 Additional Page, Andrew King Nunez (GUARD/E) Case No. 16CEPR00194

NEEDS/PROBLEMS/COMMENTS, continued:

1. *Notice of Hearing* filed 5/4/2016 contains the **3/30/2016** hearing date, and includes a proof of service of the *Notice of Hearing* showing the following persons were personally served on **4/18/2016**, after the 3/30/16 hearing date, such that Court may require Petitioner to cure the notice defect:
 - Dion H. Nunez, Sr., paternal grandfather;
 - Yolanda Zavala, paternal grandfather;
 - Tonwa Saephan, maternal grandfather.
2. Local Rule 7.8.1 (l) provides that absent a showing of good cause, it is the policy of the Court to block all funds in guardianship estates. Need from the Petitioner the name and address of the financial institution at which the funds will be placed into a blocked account.

Notes Re Orders and Status Hearings:

- Proposed *Order Appointing Guardian of Minor* has been altered at Item 9(c) to specifically reflect that deposits of all life insurance funds will be placed in a blocked account at a financial institution to be identified and provided to the Court by the Petitioner.
- Proposed *Order to Deposit Money into Blocked Account* has been prepared and placed in the file for the Court's signature.
- Blank copy of a *Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account* (Judicial Council form MC-356) has been placed in the file for the Petitioner's use. Petitioner must file this receipt with the Court within 15 days of the deposit into the blocked account.
- If *Petition* is granted, the Court will set the following status hearings:
 - **Monday, June 13, 2016, at 9:00 a.m. in Dept. 303** for filing receipt of funds in blocked accounts; (The *Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account*, Judicial Council form MC-356, is required to be filed with the Court within 15 days after deposit.)
 - **Monday, September 12, 2016, at 9:00 a.m. in Dept. 303** for the filing of the inventory and appraisal; and
 - **Monday, July 17, 2017, at 9:00 a.m. in Dept. 303** for the filing of the first account of the guardianship estate.

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

Dept. 303, 9:00 a.m. Wednesday, May 11, 2016

16 Virginia A. Bakman Revocable Trust Case No. 16CEPR00207

Attorney Pape, Jeffrey B. (for Bruce D. Bickel – Petitioner – Trustee)

Petition for Instructions

DOD: 06/25/2014	BRUCE D. BICKEL , Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner is duly appointed and currently acting trustee of the Virginia A. Bakman Revocable Trust. On the death of Virginia A. Bakman, the trust declaration required in pertinent part as follows:	Minute Order of 04/06/2016: Mr. Fortune requests a continuance for appraisals to be completed.
	Special Cash Gifts	
	On the settlor's death, the trustee shall make the following distributions:	
Cont. from 040616	(a) to the trustee of the Balboa Island Residence Trust as provided for in Section 5.3 of this Instrument the sum of \$250,000.00. If Jane Ann Bakman does not survive the settlor, this gift shall lapse.	
<input type="checkbox"/> Aff.Sub.Wit.	(b) To the trustee of the Richard L. Bakman and Virginia A. Bakman Family Trust dated October 2, 1990, as amended on January 31, 2013, March 1, 2013, June 14, 2013 and August 26, 2013, Jane Anne Bakman Trust, that sum of money, if any, equal to that amount required to cause the principal balance of the Jane Ann Bakman QSST to hold assets with the fair market value determined at the settlor's date of death in the amount of \$2,500,000.00. If Jane Anne Bakman does not survive the settlor, this gift shall lapse.	
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<input type="checkbox"/> Inventory		
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<input type="checkbox"/> Not.Cred.		
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<input type="checkbox"/> Status Rpt		
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice	Richard L. Bakman and Virginia A. Bakman executed the Richard L. Bakman and Virginia A. Bakman Family Trust (hereinafter "The Family Trust") in their capacities as trustors on October 2, 1990. The Family Trust has been in existence since that date. The Family Trust was amended on March 26, 1991, June 22 1992, August 31, 1994 and April 9, 1997.	
	Please see additional page	Reviewed by: LV
		Reviewed on: 05/06/2016
		Updates:
		Recommendation:
		File 16- Bakman

Upon the death of Richard L. Bakman, the Family Trust called for the creation of three subtrusts- a Survivor's Trust, a Marital Trust and a Bypass Trust. Virginia A. Bakman revoked the Survivor's Trust on January 13, 2013. On Virginia A. Bakman's death, the trustee of the Family Trust, among other things, was required to fund from the Marital Trust and Bypass Trust on or both of two-subtrusts for Jane Ann Bakman's lifetime benefit: (i) the Jane Ann Bakman Trust and/or (ii) the Jane Ann Bakman QSST trust for Jane Ann Bakman as follows:

All the rest, residue and remainder of the Trust Estate, together with any property receivable by the Trustee as a result of the death of either Trustor, and including 35% of the stock of Sunnyside Investments, Inc. a California corporation, shall be retained, held and administered by Trustee, in Trust, upon the terms and conditions set forth below for the Jane Ann Bakman Trust.

Notwithstanding the foregoing, if at the time of the deceased Trustor's death, this trust owns stock (or acquires stock) in Sunnyside Investment Co., a California corporation, such stock shall be retained in a separate trust upon the terms and conditions set forth below applicable to the Jane Ann Bakman QSST.

Administration of Jane Ann Bakman Trust – The Trustee shall invest and reinvest the principal and assets of said trust, so as to general sufficient liquidity to make the “required monthly payment” to Jane Ann Bakman as described below.

1. Distributions:

- a. Minimum Monthly Amount. The Trustee shall distribute to or apply for the benefit of Jane Ann Bakman, each month the “required monthly payment, “ from income, or if income is insufficient, from principal...
- b. Emergency Medical Distributions. The Trustee shall pay to or apply for the benefit of Jane Ann Bakman such amounts out of the principal of the trust as may be necessary to pay for any emergency medical or hospital expenses to the extent they are not provided for from any other source...
- c. Computation of “required monthly payment.” The required monthly payment shall be \$6,000, reduced by the amounts described herein, and increased in the manner and by the amounts described...

There are three administrative challenges which require instruction:

- a. Amount of Supplementation to Jane Ann Bakman Trust and/or QSST. The Jane Ann Bakman Trust and/or QSST Trust does not have \$2,500,000.00 in trust assets, the Petition is to supplement the sums to cause the corpus to have a least \$2,500,000.00. The purpose of the supplementing language was to insure that there would be sufficient trust assets to fund the distributions required to Jane Bakman.

Please see additional page

In the present case, the Family Trust has one asset specifically allocable and available to fund the Jane Ann Bakman Trust and/or QSST Trust. This asset is a 34.52% interest in a closely held family business known as Sunnyside Investments, Inc. which has an appraised value of \$706,470. Thus, Petitioner is required to supplement these sub-trusts with an additional \$1,793,530 in assets from the Virginia A. Bakman Revocable Trust. While the Virginia A. Bakman Revocable Trust does have sufficient trust assets to make the required supplementation, including but not limited to its own 34.52% interest in Sunnyside Investment, Inc., the trust assets are almost all illiquid closely held family business interests.

- b. Lack of Assurance of Meeting Distribution Requirements. Directly related the above issue, the regular distribution requirements to Jane Bakman (\$6,500/month COLA) and irregular distribution requirements to Jane Bakman (health care and the like) will in all likelihood not be met by the income and/or dividends that are or may be spun out of the business interests. Indeed, there is no mechanism to insure that the business entities make any income distributions whatsoever nor required principle distributions short of liquidation or sale of the business interests. Moreover, and of great significance, is the fact that the Sunnyside Investment, Inc. interests qualify as QSSTs which, under the language of the Family Trust, preclude any principal distribution whatsoever.
- c. Amount of Supplementation to Balboa Island Residence Trust. There are not sufficient liquid assets to fund the \$250,000 cash portion of Balboa Island Trust for benefit of Jane Bakman.

As a reasonable solution to these challenges, Richard Timothy Bakman, who is also the trustee of the Family Trust, as well as the trustee of the Jane Ann Bakman Trust and QSST, and remainder beneficiary of all three trusts, is willing and able to provide the necessary liquidity to fund the Trusts in such a manner as to provide the necessary cash flows. As discussed, below, Richard Timothy Bakman, in his individual capacity, proposes to purchase certain of the Trust assets belonging to the Virginia A. Bakman Revocable Trust and the Family Trust at their appraised values. Thus, this petition is reasonably necessary for the protection of the interests of the current trustee as well as the beneficiaries.

Richard Timothy Bakman proposed to purchase the Virginia A. Bakman Revocable Trust's 34.52% interest in Sunnyside Investments, Inc. valued at \$706,470 and the Family Trust's 34.52% interest in Sunnyside Investments, Inc. valued at \$706,470. Payment of the purchase price for each note will be made by execution of a secured promissory note in the amount of the purchase price. The term of each promissory note will be 15 years bearing interest at 4.5%. The monthly payments on each note will be interest only in the amount of \$2,649.26. The entire principal will be due and payable at the end of year 15. Each note will contain language permitting the trustee to demand acceleration of payments of principal and interest that are reasonable and necessary as certified by the trustee to make regular distribution requirements to Jane Bakman as well as irregular distribution requirements to Jane Bakman as mandated by the Jane Ann Bakman Trust and/or QSST Trust.

Richard Timothy Bakman proposes to acquire the Virginia A. Bakman Revocable Trust's 16.67% interest in Bakman Ranch Partnership at its appraised value of \$531,321.

Please see additional page

Payment of the purchase price for the note will be made by execution of a secured promissory note in the amount of the purchase price. The term of each promissory note will be interest only in the amount of \$1,992.45. The entire principal will be due and payable at the end of year 15. The note will contain language permitting the trustee to demand acceleration of payments of principle and interest that are reasonably necessary as certified by the trustee to make regular distribution requirements to Jane Bakman as well as irregular distribution requirements to Jane Bakman as mandated by the Jane Ann Bakman Trust and/or QSST Trust.

Richard Timothy Bakman proposes to acquire the Virginia A Bakman Revocable Trust's 20% interest in Van Ness Investments Partnership at its appraised value of \$398,547.

Richard Timothy Bakman proposes to acquire the Virginia A. Bakman Revocable Trust and/or QSST Trust's entire interest in the residence located at 5082 E. Clay, Fresno, Ca., at its appraised valued of \$275,000 for cash.

In summary, the combined promissory notes will pay a minimum of \$8,785.53 monthly. This is in excess of the required \$6,500 monthly distribution to Jane Ann Bakman pursuant to the Jane Ann Bakman Trust and/or QSST Trust. The purchaser is providing \$275,000 in cash and installment notes totaling \$2,342,808 for a total purchase price of \$2,617,808 of which \$2,500,000 will be funded into the Jane Ann Bakman Trust and/or QSST Trust. The residue of \$117,808 will be funded into the Balboa Island Trust along with \$132,192 of cash assets owned by Virginia A. Bakman Trust.

Proposed purchases are in the best interest of the Virginia A. Bakman Revocable Trust as well as the beneficiaries because the purchase of the interests will be appraised value, there will be no capital gain to the various subtrust. Moreover, because the payment of the notes consist primarily of principal, there are little income tax consequences on payment to the subtrusts. On the other hand, if the entities are paying out income to meet the distribution requirements, the income would be substantially taxable. The intent of the totality of all of Bakman family estate planning was essentially two-fold. First, the settlors wanted to provide shelter, medical care, and an income stream to Jane Ann Bakman for life. Second, the settlors desired that Richard Timothy Bakman, or his issue would receive all the trust assets after death of Jane Ann Bakman as Richard Timothy Bakman, was to manage and has in fact managed and grown the settlors' business interests over the last 35 years. Thus, a sale to Richard Timothy Bakman of the Bakman family business interests is consonant with the settlors' intent. As a result of the proposed purchase, the Petitioner, as well as the trustee of the Family Trust, will have sufficient flexibility to make required distributions and the family business interests will continued to be held by the Bakman family.

Therefore, Petitioner prays for an Order that:

1. Instructing the trustee with regard to the proper administration of the Trust with respect to the matters;
2. Determining that the trustee has the right and power to sell to enter into the transactions under the terms set forth in this Petition;
3. Determining that Richard Timothy Bakman's purchase of the assets described in this Petition as set forth in this Petition satisfies trustee's duty to supplement the Jane Ann Bakman Trust and QSST Trust;
4. Approving Richard Timothy Bakman's purchase of the assets described in this Petition.
5. Such other and further orders be made by this Court may deem proper under the circumstances.

Attorney: Kevin Urbatsch (for Petitioner Nathaniel Leeds)

Petition to Establish Minors' Settlement Trust to Hold Litigation Proceeds and for Attorney's Fees

		<p>NATHANIEL LEEDS, attorney in the litigation matter, is petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>
		<p>Petitioner states a litigation settlement is being approved in the matter titled <i>Minors Ambria Mabrey et al v. Arie Ann Abbott et al</i>, case no. 14CECG01585. Petitioner is seeking to establish a minors' trust to hold all of the minors' net settlement proceeds received in the litigation matter and seeking attorneys' fees.</p>	<ol style="list-style-type: none"> Costs include \$85.00 for Court Call. Local Rule 7.17.B.5 states telephonic appearance costs are considered a cost of doing business and are not reimbursable. Need Rosalyn M. Bennett's consent to act as Trustee. The order does not state the amount of the settlement proceeds to be used to fund the trust. The order does not comply with Local Rule 7.6.1B – If the order contains riders or exhibits, the signature line provided for the judicial officer, shall appear after all such exhibits, at the end of the complete document. Need new order. Note: 7.6.1F states some portion of the content of the order must appear on the page upon which the judge's signature is affixed.
<p>Cont. from</p>			
<input type="checkbox"/>	Aff.Sub.Wit.	<p>The three minors in the litigation trust are Ambria Mabrey (age 9), Olivia Bennett (age 7) and Allena Mabrey (age 4). The children's portion of the Litigation settlement is to be placed into a minor's Settlement Trust.</p>	
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<p>Petitioner seeks approval under Probate Code 3611(g) to fund the Settlement Trust with proceed of the lawsuit for the minors. Under Probate Code §3611 the only way to hold the minors' settlement funds include a blocked account, uniform transfer to minor's account, establishing the minors' settlement trust, special needs trust or other options.</p>	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<p>The minors' settlement trust was selected as the most appropriate entity to hold the minors' settlement funds. It provides sufficient flexibility on investment so the funds can grow more than if held in a blocked account or uniform transfer to minor's account.</p>	
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		<p>Please see additional page</p>	
		<p>Reviewed by: KT</p>	
		<p>Reviewed on: 5/9/16</p>	
		<p>Updates:</p>	
		<p>Recommendation:</p>	
		<p>File 18- Bennett</p>	

The settlement trust costs less than establishing a guardianship of the estate with all of the same protections. Best of all, it can be established in such a way that if the minor is unable to competently manage the funds when they reach age 18, the trustee has the option of having the funds stay in trust to be managed until age 25.

One of the main advantages of a minor's settlement trust is that the trust is structured to balance sound financial management and flexible investment strategies. The trust further allows each minor to revoke their interest in the trust at age 18 if they should so choose. However, the minor's also have the option of leaving the assets in trust until they reach 25 and they gain maturity in financial matters. The minor's settlement trust that is being proposed puts all three minor's in the same trust. A subtrust is created for each minor's share and administered separately. This will allow the relatively modest portion of each minor's settlement to be managed by one document. This will save the minors paying three separate bonds on three separate trusts, and paying court accountings on all three trusts.

The Trusts are revocable by Ambria, Oliva and Allena when they each turn 18. The trust grants the beneficiary a 30-day period to revoke the Trust. In the event that there is no revocation, then the trust remain irrevocable and will continue until the beneficiary attains the age of 25. The trust shall remain irrevocable until the beneficiary makes a written request to revoke her portion of the trust after she attains 25.

Once the beneficiary reaches the age of 18 the trustee no longer has the responsibility to account to the court.

Once the beneficiary reaches the age of 18 the trustee is no longer required to furnish a bond for that beneficiary's subtrust.

Petitioner seeks bond in the amount of \$259,000. Presuming that the Medi-Cal lien of \$13,506.60 will be reduced by 1/3 for attorney fees (to \$9,049.42) bond is calculated on the principal amount of \$230,194.38.

The proposed trustee of the trust is ROSALYN M. BENNETT. Ms. Bennett is the beneficiaries' aunt.

JAMES BENNETT, the minors' grandfather will be named Trust Protector and shall have the right to appoint a new trustee (upon court approval), review trustee actions, make disbursement requests, and provide oversight over the trustee.

Please see additional page

The trust also complies with California Rules of Court, Rule 7.903.

- Does not contain a “no-contest” clause.
- Prohibits modification or revocation without court approval.
- Clearly identifies the trustee and any other person with authority to direct disbursements.
- Prohibits investments by the trustee other than those permitted under Probate Code §2574.
- Require trustee to post a bond.
- Require trustee to file accounts and reports for court approval in the manner and frequency required by the Probate Code.
- Requires court approval of changes in trustees and a court order appointing a successor.
- Require compensation of the trustee, the trust protector or the attorney for the trustee, to be just and reasonable amounts that must be fixed and allowed by the court. The instrument may provide for periodic payments of compensation on account, subject to the requirements of Probate Code § 2643 and rule 7.755.

Petitioner requests attorney fees in the sum of **\$4,625.00** (per itemization and declaration 8.10 hours at \$450 per hour for attorney time and 5.6 hours @ \$175 per hour for paralegal time.) and for costs of \$85.00 for court call.

Wherefore Petitioner prays for an Order:

1. That the Court establish the Mabrey Bennett Settlement Trust and order that the minor's net litigation proceeds from the lawsuit titled *Minors Ambria Mabrey et al v. Arie Ann Abbott et al*, case no. 14CECG01585 be funded into it.
2. That the Court order Nathaniel M. Lees as attorney and Petitioner to execute the Mabrey Bennett Settlement Trust as settlors on behalf of the minors/plaintiffs;
3. That Rosalyn M. Bennett shall serve as the initial Trustee of the Trust with bond in the amount of \$259,000;
4. That the Trustee of the Mabrey Bennett Settlement Trust provide the Court with Biennial account and report beginning with the period 1 year after the date the Court establishes the trust and every 2 years thereafter;
5. That he Trustee of the Mabrey Bennett Settlement Trust pay \$4,710.00 to Kevin Urbatsch for his legal services and costs rendered on behalf of Petitioner.

Please see additional page

Note: If the petition is granted, status hearings will be set as follows:

- **Wednesday, July 6, 2016** at 9:00 a.m. in Department 303, for the filing of the bond.
- **Wednesday, July 12, 2017** at 9:00 a.m. in Department 303, for the filing of the first account.

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

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. The Inventory and Appraisal is not verified by any of the petitioners.
2. This petition does not specifically state, but it appears from the information provided in related matter 16CEPR00353 that the decedent had a predeceased brother, Bobby Lee Woods, and the four children of Bobby Lee Woods, Ebonistarr Woods Floyd, Ickey Woods, Cameron Woods, and Erin Phillips, are claiming his 1/10 interest herein. Please verify in a declaration pursuant to Local Rule 7.1.1.D.
3. Attachment #11 does not state the decedent's interest in the real property pursuant to #11 of the petition.

Note: The I&A indicates a value for an undivided 1/11 interest in the property; however, both Attachment #13 and the proposed Order indicate division of a 1/10 interest.

- If the decedent owned a 1/11 interest, then need revised Order.

- If the decedent actually owned a 1/10 interest, then need amended I&A.

4. Petitioner did not use the mandatory Judicial Council Notice of Hearing (Form DE-120). The Court may require continuance for proper notice to all interested parties.
5. The Court may require verification that each petitioner did individually sign/ verify the petition and that the signatures are originals.
6. Petitioner requests that the Court determine that the four children of Bobby Lee Woods would each receive 1/4 of the decedent/s 1/10 (or 1/11, per above) interest in the property. However, it appears they should actually each receive 1/4 of 1/10 of the decedent/s 1/10 (or 1/11) interest in the property. Therefore, need revised order.

Please note: The revised order should comply with Local Rule 7.6.1.B, E, F, with a signature line at the end of the complete document.

Petition to Determine Succession to Real Property

DOD: 5/17/06		<p>Petitioners are:</p> <ul style="list-style-type: none"> • Ebonistarr Woods Floyd, Daughter • Ickey Woods, Son • Cameron Woods, Son • Erin Phillips, Son <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A: \$9,090.00 (a 1/11 interest in real property located at 41 E. Church in Fresno)</p> <p>Decedent died intestate</p> <p>Petitioners request Court determination that the decedent's 1/11 interest in the property passes to them in undivided 1/4 interests each.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED TO 7/7/11</u> Per attorney request</p> <ol style="list-style-type: none"> 1. Need date of death of deceased spouse per Local Rule 7.1.1.D, Probate Code §6401. 2. The Inventory and Appraisal is not verified by any of the petitioners. 3. Attachment #11 does not state the decedent's interest in the real property pursuant to #11 of the petition. 4. Petitioner did not use the mandatory Judicial Council Notice of Hearing (Form DE-120). The Court may require continuance for proper notice to all interested parties. 5. The Court may require verification that each petitioner did individually sign/ verify the petition and that the signatures are originals. 6. If granted, need revised order in compliance with Local Rule 7.6.1.B, E, F, with a signature line at the end of the complete document.
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		Reviewed by: skc	
		Reviewed on: 5/9/16	
		Updates:	
		Recommendation:	
		File 20- Woods	

Petitioner: Nadine Rena Gonzalez (Pro per – Step-grandmother)

Petitioner: Mario Gonzalez, JR (Pro per – Paternal grandfather)

Petition for Appointment of Temporary Guardian of the Person

		<u>TEMPORARY EXPIRES 6/1/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		GENERAL HEARING 6/1/2016	
		NADINE RENA GONZALEZ and MARIO GONZALEZ JR , step-grandmother and paternal grandfather, are petitioners	<u>Minute order dated 4/13/2016</u> ordered the minor returned to Nadine and Mario Gonzalez at noon to preserve the status quo. Mr. and Mrs. Gonzalez were to pick the minor up. The Court ordered supervised visitation for Daisy Banda, mother, every Saturday from 11 am to 3 pm at a public place. Nadine or Mario Gonzalez must supervise at all times without interfering with the visits. The Court ordered there is to be no discussion of this matter nor any disparaging comments about the other parties made to, or in front of the minor. Ms. Banda advises that she has filed for a TRO against Nadine Gonzalez. Therefore, the Court continued this matter to 5/11/2016 to determine if new visitation orders will be necessary.
Cont. from 041316		<i>See petition for details.</i>	
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	Citation		
	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 5/6/2016
			Updates:
			Recommendation:
			File 21- Gonzalez

DOD: 05/05/2007		<p>ROSE MARY LITTON, surviving spouse, is petitioner and requests appointment as administrator without bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p>Estimated value of the Estate: Real property - \$185,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Waiver of Bond from William Michael Litton, son, or bond in the amount of \$185,000.00.</p> <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, 06/13/2016 at 9:00a.m. in Dept. 303 for the filing of the bond <u>and</u> • Monday, 10/17/2016 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Monday, 07/17/2017 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>	
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<p>Reviewed by: LV</p> <p>Reviewed on: 05/09/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22- Litton</p>				

Petition for Letters of Administration: Authorization to Administer Under the IAEA

DOD: 3/21/16		<p>TATUM A. TOSTE, daughter, is petitioner and requests appointment as Administrator without bond.</p> <p>Petitioner is sole heir and waives bond.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate.</p> <p>Residence: Fresno Publication: Fresno Business Journal</p> <p>Estimated value of the estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 10,000.00</td> </tr> <tr> <td>Income</td> <td>-</td> <td>\$ 30,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$855,000.00</td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$895,000.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$ 10,000.00	Income	-	\$ 30,000.00	Real property	-	\$855,000.00	Total	-	\$895,000.00	<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, October 12, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Wednesday, July 19, 2017 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>
Personal property	-		\$ 10,000.00												
Income	-		\$ 30,000.00												
Real property	-		\$855,000.00												
Total	-		\$895,000.00												
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		<p>Reviewed by: KT</p> <p>Reviewed on: 5/9/16</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 24- Tavares</p>													

Petitioner Ramirez, Anissa (Pro Per – Half Sister)

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 06/29/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		ANISSA RAMIREZ , half-sister, is petitioner.	
		<u>Please see petition for details</u>	
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			Reviewed by: 05/10/2016
			Reviewed on:
			Updates:
			Recommendation:
			File 25- Ozuna & Salazar

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of Notice of Hearing with a copy of the petition at least five court days prior to the hearing per Probate Code §2250(e) <u>or</u> consent and waiver of notice <u>or</u> declaration of due diligence on: <ul style="list-style-type: none"> - Brianna Ysais (Minor) - Ronnie Sharp (Father) - Tawnia Mendez (Mother) 	
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	Pers.Serv.			X
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	Video Receipt			
	CI Report			
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	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 5/9/16	
			Updates:	
			Recommendation:	
			File 26- Ysais	

27 Alyssa Mendez and Jasmine Mendez (GUARD/P) Case No. 16CEPR00424

Attorney Marcus A. Torigian (for Petitioners Amy Mendez and Peggy Mendez-Martinez)
 Petitioner Danielle Cecilia Zarate Juarez (Pro Per, paternal grandmother)
 Petitioner Henry Juarez, Jr. (Pro Per, paternal grandfather)

Petition for Appointment of Temporary Guardian of the Person

		<u>General Hearing set for 6/20/2016</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: Minute Order dated 5/2/2016 from the hearing on the Temporary Petition filed by DANIELLE ZARATE and HENRY JUAREZ, JR. states: The Court orders that the minor have no contact with FRANK HENRY JUAREZ, father, until he appears before the Court. The Court orders visitation for Danielle and Henry Juarez every other Saturday from 11am to 1pm starting on 5/7/2016. Parties may mutually agree to a different 2 hour block of time, but not increase or decrease the time. Each receiving party shall pick the minor up. The temporary petition of Mr. Torigian's clients for 5/11/2016 remains, as well as the general hearings set for 6/20/2016.</p> <p style="text-align: center;">~Please see additional page~</p>
		<p>AMY MENDEZ, maternal grandmother, and PEGGY MENDEZ-MARTINEZ, maternal great-grandmother, are Petitioners.</p> <p style="text-align: center;">~Please see Petition for details~</p>	
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			<p>Reviewed by: LEG</p> <p>Reviewed on: 5/10/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 27- Mendez</p>

27 Additional Page, Alyssa Mendez and Jasmine Mendez (GUARD/P)
Case No. 16CEPR00424

Petitioners state, continued:

- During the child's first year of life, the father beat the mother several times and put her in the hospital more than once; the father also physically abused the child and threatened to kill her (*copy of Temporary Restraining Order filed 7/6/2011 attached as Exhibit B; expired 7/28/2011.*)
- The mother had sole legal and physical custody of Alyssa since 2011, granted in Family Law Case 14CEFL02663 (*copy of Judgement filed 8/5/2015 attached as Exhibit C*);
- Both of the children share a bond with Petitioners and each other and should not be separated;
- Both girls have suffered a great loss, and being separated is not in the best interests of either child;
- The guardian for both girls should be the same people; the girls have been together daily, they have both resided with their grandmother and great-grandmother all of their lives, and they have an extended family that they love and who love them;
- Petitioners request the Court grant guardianship of both girls to them.

Petitioners request to be excused from giving notice to the father of Jasmine as he is an unknown person, and the mother never told Petitioners who Jasmine's father was or where he was from; the mother never gave anyone this information.

NEEDS/PROBLEMS/COMMENTS, continued:

1. Need *Notice of Hearing*.
2. Need proof of five (5) court days' notice by personal service of the *Notice of Hearing* with a copy of the *Petition for Appointment of Temporary Guardian*, or *Consent to Appointment of Guardian and Waiver of Notice*, or a *Declaration of Due Diligence* for:
 - Frank Henry Juarez, father of Alyssa.
 - Father of Jasmine, if Court does not excuse notice as Petitioners request.

