



Monday, August 8, 2016

The Probate Examiner's Office recommends approval of the following Probate matters:

12	15CEPR01251	Estate of Lucille F. Zumstein
24	16CEPR00680	Estate of Irvan Whitaker

The following cases have been taken off calendar:

2	0609019	Estate of Wilma Ruth Manuel
5	10CEPR01097	Conservatorship of Jacqueline Jean Johnson
7	13CEPR00848	Estate of Regina Ann Connelly
8	14CEPR00538	Estate of Stella L. Lowe
19	16CEPR00573	David Cruz (Det. Succ.)

Appearance of counsel is recommended for all remaining matters set for hearing.

Thank you.

Dept. 303, 9:00 a.m. Monday, August 8, 2016

Status RE: Filing of Final Account

DOD: 12/15/15	BRUCE BICKEL is Trustee.	NEEDS/PROBLEMS/COMMENTS: 1. Need final account or written status report per Local Rule 7.5.
	The Trustee's 11 th Account was settled on 11/12/15, and the Court set a status hearing for 5/19/16 re a promissory note.	
	On 5/5/16, Attorney Roberts filed a declaration stating that the trust beneficiary died on 12/15/15 and provided information that allowed the status hearing to come off calendar.	
Aff.Sub.Wit.	Thereafter, on 6/16/16, the Court set this status hearing for the filing of the conservator's final account. Notice was mailed to Mr. Roberts on 6/17/16.	
Verified		
Inventory		
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Notice of Hrg		
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Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
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Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/2/16
		Updates:
		Recommendation:
		File 1- Duran

2 Wilma Ruth Manuel (Estate)

Case No. 0609019

Attorney David N. Knudson (for Cynthia Blackstock, Executor)

Second and Final Account and Report of Executor, for Statutory and Extraordinary Fees, and Final Distribution

DOD: 10/8/1997	CYNTHIA BLACKSTOCK , daughter and Executor appointed on 8/26/1998, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;">OFF CALENDAR</p> <p>First Amended Second and Final Account and Report of Executor filed 8/5/2016 is set for hearing on 9/15/2016.</p> <p>Continued from 6/6/2016. Minute Order states counsel will be filing a revised petition. The Court will not be granting another continuance.</p> <p>The following issues from the last hearing remain:</p> <ol style="list-style-type: none"> 1. Court records show the following fees previously waived totaling \$632.00 are due from Petitioner prior to distribution: <ul style="list-style-type: none"> • Fees for 3 certified copies of ex parte order on 10/29/2012 of \$76.50; • Fee for 1 copy of the Minute Order dated 10/5/2012 of \$.50; • Fee for filing Probate Code § 850 petition on 10/25/2012 of \$435.00; • Fee for filing an ex parte Motion to Consolidate of \$60.00; • Fee for filing an ex parte Motion to Quash of \$60.00. 2. Need declaration in support of attorney's extraordinary fee request. 3. Petitioner states ANGELA MANUEL is deceased. Decedent's Will devises the real property on Pleasant to CYNTHIA BLACKSTOCK and ANGELA MANUEL as tenants in common, if they survive her, to be divided in equal shares. It appears based upon the Declaration Regarding Notice to Angela Manuel filed 5/20/1998 that ANGELA MANUEL survived the Decedent. Need confirmation of the date of death of ANGELA MANUEL by filing of a copy of her death certificate and an amended petition for final distribution. 4. Need proposed order.
Conf. from 022916, 041116, 060616, 071116	Account period: 10/1/2013 – 12/31/2015 Accounting - \$190,000.00 Beginning POH- \$190,000.00 Ending POH - \$190,000.00 (real property)	
Aff.Sub.Wit.	Executor - waives	
<input checked="" type="checkbox"/> Verified	Attorney - \$6,700.00 (statutory; attorney agrees statutory compensation is to be a lien against the real property distributed to Petitioner;)	
<input checked="" type="checkbox"/> Inventory	Attorney XO - Need declaration (for services listed on Pages 5 to 7 of Petition, including will and trust contest; petition to revoke probate; complaint for ejectment/confirm title; Washington State proceedings; preliminary injunction against foreclosure; unlawful detainer; recovery of funds from Edward Kent; to be a lien against the real property distributed to Petitioner;)	
PTC		
<input checked="" type="checkbox"/> Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	Costs - \$304.00 (filing fees, certified copies, transcripts)	
<input checked="" type="checkbox"/> 9202		
Order	~Please see additional page~	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
	Reviewed by: LEG	
	Reviewed on: 8/4/16	
	Updates: 8/5/16	
	Recommendation:	
	File 2- Manuel	

Petitioner states:

- With the exception of rejecting two creditor's claims, Petitioner has taken no action on the others (*Exhibit A lists the creditor's claims filed*); during the full course of administration of the estate, the estate has lacked sufficient funds to pay creditors claims;
- Franchise Tax Board claim filed 8/28/1998 for **\$348,196.00** was withdrawn; claim of **MICKEY MANUEL, SR.**, for **\$4,000,000.00** was rejected on 1/6/1999, and no action was brought on the rejected claim;
- The claim of **MICKEY MANUEL, SR.**, for **\$29,000.00** was filed 8/23/2012 after the claim filing period, the claim was rejected, an action was brought on the rejected claim [12CECL05667], and the action was consolidated into the probate action;
- After giving notice to beneficiaries and receiving no objections, Petitioner entered into an agreement encumbering the estate's real property on Pleasant in Fresno, which loan was necessary to cure back property taxes; the estates real property will be distributed subject to said encumbrance;
- *Partial Inventory No. 1* is the final inventory for the estate and shows all of the assets of the estate; no other assets have come into Petitioner's possession;
- The assets remaining for distribution consist of a residence with an appraised value of **\$190,000.00**; the estate consists of the Decedent's separate property;
- The estate has debts and expenses of administration which have not been paid; Petitioner proposes to distribute the residence subject to the recorded lien [*loan noted above*] and subject to a lien for expenses of administration, including statutory attorney fees and extraordinary fees approved by the Court;
- Decedent's will devises the real property on Pleasant to Petitioner and **ANGELA MANUEL**, Decedent's daughter, who subsequently died, resulting in the real property on Pleasant as distributable to Petitioner; Decedent's Will devises the residence in Kent, Washington to her grandchildren, **ALISHA WATTS**, **TSION MULUGETA**, and **LEONARD WILLIAMS**; that residence was misappropriated and stolen by Decedent's son, **MICKEY MANUEL, JR.**, and despite initiating ancillary proceedings in Washington State, no part of it was recovered, and the gift has lapsed;
- Decedent's Will devises tangible personal property to Petitioner, which she took possession of and declares the property had no significant value, for which she waives an accounting;
- Decedent's Will gives **\$1.00** to **MICKEY MANUEL, JR.**, with the intent that he be disinherited; Petitioner is unaware of his residence, save that she believes he is out of the state of California under threat of prosecution for criminal activity;
- Special Notice requested by the Franchise Tax Board was withdrawn; special notice was requested by **MICKEY MANUEL, SR.**, and Petitioner believes he died in the summer of 2015.
- **Distribution pursuant to Decedent's Will is to: CYNTHIA BLACKSTOCK** – residence on Pleasant in Fresno, subject to specified liens, as follows:
 - (a) The existing note and deed of trust of **~\$42,000.00**;
 - (b) Statutory fees payable to Attorney Knudson of **\$6,700.00**;
 - (c) Extraordinary fees payable to Attorney Knudson in an amount as approved by the Court **[Need amount]**;
 - (d) Costs advanced of **\$304.00**.

3 Samantha Saenz, Samuel White and Sieth White (GUARD/P) Case No. 09CEPR00901

Petitioner Ortega, Susan L. (Pro Per – Guardian)

Petition to Fix Residence Outside the State of California

		<p>SUSAN L. ORTEGA, maternal grandmother/guardian, is petitioner.</p> <p><u>Please see petition for details</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Notice of Hearing.</p> <p>2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition to Fix Residence Outside the State of California:</p> <ul style="list-style-type: none"> Nicole S. Saenz (Mother) – Unless the Court dispenses with notice. <p>Note: Affidavit of Unsuccessful Service with Declaration of Diligence filed 07/06/2016</p> <ul style="list-style-type: none"> Darell White (Paternal Grandfather) Carlos Saenz (Maternal Grandfather) <p>Note: Pursuant to Probate Code 2352 the guardian must serve a <i>Pre-Move Notice of Proposed Change of Personal Residence of the Ward</i> (Judicial Council form #GC-079) on the minors' parents at least 15 days prior to the proposed move and then file the original with the court. After the move the guardian must serve the a <i>Post-Move Notice of Change of Residence of the Ward</i> (Judicial Council form #GC-080) on the minors' parents within 30 days of the move and then file the original with the court. Copies of said forms are in the file to give to petitioner.</p> <p>Note: Pursuant to Probate Code §2352(d), Petitioners shall cause a guardianship or equivalent proceeding to be commenced in the new state of residence, if longer than four months. Therefore, if granted, the Court will set a status hearing as follows for proof of establishment of a guardianship there:</p> <ul style="list-style-type: none"> Monday, December 5, 2016 <p>If proof of establishment of guardianship is filed prior to the status hearing date, the status hearing may be taken off calendar.</p>
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Reviewed by: LV	
		Reviewed on: 08/03/2016	
		Updates:	
		Recommendation:	
		File 3- Saenz/ White	

Attorney Jennifer L. Walters; Lisa M. Horton (for Petitioner Maria Alvarez-Garcia, Trustee)

Fourth Account Current and Report of Trustee; Petition for Its Settlement; for Allowance of Attorneys Fees and Costs Advanced; and for Reimbursement of Costs Advanced by Trustee

	MARIA ALVAREZ-GARCIA , Trustee, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/11/2016. Minute Order states Ms. Walters contacted the clerk's office and will not be able to make it due to her being ill.</p>
	Account period: 11/19/2014 – 12/15/2015	
	Accounting - \$192,797.19	
	Beginning POH - \$177,818.06	
	Ending POH - \$186,766.68 <i>(\$154,943.10 is cash in blocked account)</i>	
Cont. from 052316, 071116	Trustee - waives	
✓ Aff.Sub.Wit.	Trustee Expenses - \$2,370.56 <i>(see below; for van maintenance and repairs; receipts attached at Exhibit C;)</i>	
✓ Verified	Attorney - \$2,961.50 <i>(for services from 12/23/2014 to 3/31/2016; for .70 hours @ \$245/hour totaling \$171.50; and 12.4 hours @ \$225/hour totaling \$2,790.00;)</i>	
Inventory	Attorney Costs - \$435.00 <i>(filing fee)</i>	
PTC	Petitioner requests reimbursement of expenses for van maintenance and repair, and for additional funds from the trust for further repair, based upon the following:	
Not.Cred.	<ul style="list-style-type: none"> • She is the Beneficiary's grandmother and receives no financial help or assistance from the Beneficiary's father or his mother; • She pays the majority of the Beneficiary's food, hygiene necessities, clothing, entertainment, school supplies, etc., from her own personal funds; • Petitioner also paid for a majority of the regular maintenance and repairs on the van, which is a Trust asset (shown on <i>Schedule E</i>); • Between 8/2013 and 11/2015, Petitioner paid a total of \$2,370.56 in maintenance and repairs on the van as shown in <i>Exhibit C</i>, and she requests reimbursement of that sum; • Petitioner received an invoice of \$3,005.55 for further van repairs needed, including new tires (\$952.31) (copy attached as <i>Exhibit D</i>), and requests a total of \$3,957.86 for the necessary repairs and new tires on the van. 	
✓ Notice of Hrg	~Please see additional page~	
✓ Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
✓ 2620		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: LEG</p> <p>Reviewed on: 8/4/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4- Carbajal</p>

4 First Additional Page, Adam Carbajal Special Needs Trust Case No. 10CEPR00612

Petitioner prays for an Order:

1. Approving, allowing and settling the Fourth Account and Report of the Trustee;
2. Authorizing payment of the attorney fees and cost reimbursement;
3. Authorizing reimbursement to Petitioner for the **\$2,370.56** she paid for necessary repairs and maintenance for the Trust; and
4. Authorizing Petitioner to withdraw the sum of **\$3,957.86** from the blocked account for the necessary repairs and new tires on the van.

Note: Court will set a status hearing in one of the following alternatives:

- **Thursday, February 16, 2017 at 9:00 a.m. in Dept. 303** (1-year account) for filing of the 5th account;
OR
- **Thursday, February 22, 2018 at 9:00 a.m. in Dept. 303** (2-year account) for filing of the 5th account.

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

Dept. 303, 9:00 a.m. Monday, August 8, 2016

Probate Status Hearing RE: Filing Third Account

Age:			NEEDS/PROBLEMS/COMMENTS:
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p style="text-align: center;"><u>OFF CALENDAR</u></p> <p>Third Account Current filed 8/2/16 is set for hearing on 9/13/16.</p>	
		Reviewed by: skc	
		Reviewed on: 8/2/16	
		Updates:	
		Recommendation:	
		File 5- Johnson	

Petition for Termination of Guardianship

		TALINISHA (BUFORD) THOMPSON, maternal aunt/guardian, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		TALINISHA BUFORD was appointed guardian of the minor on 3/28/2011.	
Conf. from 062716		Court Investigator report filed 6/20/2016.	Minute order dated 6/27/2016 continued this matter to 8/8/2016, stating examiner notes were given in Court. The following issues still exist:
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> 1. <i>Notice of Hearing</i> filed 7/25/2016 lists the correct hearing date, but item 1 does not indicate that the hearing is for a <i>Petition for Termination of Guardianship</i>. The Court may require additional proof of service of a <i>Notice of Hearing of Petition for Termination of Guardianship</i> on the following: <ol style="list-style-type: none"> a. Jessie Thurman (mother) b. Marlene Mack (maternal grandmother) 2. Need proof of service of <i>Notice of Hearing</i> <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> a. Bobby Bradley – <i>unless the Court excuses notice</i> b. Paternal grandfather c. Paternal grandmother - <i>unless the Court excuses notice</i> d. Janey Grave (sibling - <i>if 12 years or older</i>)
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	<i>See petition for details.</i>	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
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<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 8/1/2016
			Updates:
			Recommendation:
			File 6- Thurman

Petition for Visitation (as to JASEAN BESS only)

	<p>COURTNEY BESS, maternal aunt/guardian, is petitioner and requests to revoke prior visitation orders.</p> <p>COURTNEY BESS was appointed guardian of <u>Jasean Bess</u> on 12/3/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Petition is as to <u>JASEAN</u> only.</p> <p>Minute order dated 6/20/2016 continued matter to 8/8/2016 and states petition needs to be noticed to all parties. Replies need to be filed and served by 8/1/2016. Everyone in court has been advised that any and all paperwork filed must be served to anyone who is legally required to be noticed at least 15 days before hearing. The Court orders visitation with mother on 6/22/2016 from 12-4 at In-n-Out on Blackstone & Ashlan. If parties mutually agree, the place can change.</p> <p>The following issues still exist:</p> <ol style="list-style-type: none"> 1. Need proof of service of declaration of Jezell Bess re: visitation filed 6/8/2016 on: <ol style="list-style-type: none"> a. Courtney Bess (guardian), with 15 days notice.
Cont. from 050916, 062016	<p><i>See petition for details.</i></p>	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		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		
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<input type="checkbox"/> CI Report		
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<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: SEF</p> <p>Reviewed on: 8/1/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9- Bess & Sumlin</p>

10A In Re: The Ostergaard Family Trust

Case No. 15CEPR00449

Attorney: Michael M. Buettner (for Trustee Michael Mehling)
 Attorney: C. Russell Georgeson (co-counsel for Michael Mehling)
 Attorney: Mark E. Chielpegian (for Petitioner Karlene L. Stefani)

Petition to Modify First Amendment

		<p>KARLENE L. STEFANI is petitioner.</p> <p>Please see petition for details.</p> <p>Trustee Michael Mehling's Opposition to Petition to Modify First Amendment filed on 1/25/16.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/11/16.</p>	
<p>Cont. from 012616, 051716, 061416, 071116</p>				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
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<input checked="" type="checkbox"/>	Notice of Hrg			<input type="checkbox"/> W/
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
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<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: KT</p>		
		<p>Reviewed on: 8/3/16</p>		
		<p>Updates:</p>		
		<p>Recommendation:</p>		
		<p>File 10A- Ostergaard</p>		

Status Report of Michael Mehling, Trustee of the Ostergaard Family Trust was filed on 5/6/16. Trustee states Discovery has been propounded in the Petition Instructing Trustee. Petition Instructing Trustee is currently set for trial on 9/13/16.

Petitions to be set for trial on 5/17/16 include:

1. Petition to Modify Trust Amendment.
2. Petition to Compel Trustee to Account, Remove Trustee and Appoint Successor Trustee and Surcharge Trustee for Breach of Trust.

Time for trial is estimated as follows:

2 days for the Petition Instructing Trustee.

1 day for the Petition to Modify First Amendment.

4 days for the Petition to Compel Trustee to Account, Remove Trustee and Appoint successor Trustee and Surcharge for breach of Trust.

Settlement and Mediation:

An all-day medication was held with Retired Justice Steven M. Vartabedian on 4/7/16. No settlement was reached that day. He however did agree to make himself available for further mediation.

Settlement potential: Because of recent and continued discussions between counsel, Trustee, Michael Mehling, is optimistic a negotiated resolution can be reached between the Trustee and all beneficiaries on outstanding matters.

Requested Action:

1. Order all the parties, Trustee and Beneficiaries to engage in further settlement discussions and to utilize the services of Retired Justice Steven M. Vartabedian to assist in settlement negotiations of all issues.
2. Set the hearing (trial) on all Petitions presently pending for September 13, 2016, setting aside 5 days for trial of all pending petitions.

10C In Re: The Ostergaard Family Trust

Case No. 15CEPR00449

Attorney: Michael M. Buettner (for Trustee Michael Mehling)

Attorney: C. Russell Georgeson (co-counsel for Michael Mehling)

Attorney: Mark E. Chielpegian (for Petitioner Karlene L. Stefani)

Petition to 1) Compel Trustee to Account, 2) Remove Trustee and Appoint Successor, and 3) Surcharge Trustee for Breaches of Trust

		<p>KARLENE L. STEFANI is petitioner.</p> <p>Please see petition for details.</p> <p>Trustee Michael Mehling's Opposition to Petition to 1) Compel Trustee to Account, 2) Remove Trustee and Appoint Successor, and 3) Surcharge Trustee for Breaches of Trust filed on 1/25/16.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/11/16.</p> <p>Petition does not name a proposed successor trustee. Order contains a place to insert a date for a hearing for the purpose of nominating and appointing a successor trustee. Order also contains a place to insert a date for a hearing for the purpose of surcharging Trustee, Michael Mehling.</p>	
Cont. from 012616, 051716, 061416, 071116				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
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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			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 8/3/16		
		Updates:		
		Recommendation:		
		File 10C- Ostergaard		

11 Jasmine Sandoval, Vincent Rodriguez (GUARD/P) Case No. 15CEPR01224

Guardian: Ray Ramos, II (pro per)

Father: Monty Villegas (pro per)

Probate Status Hearing re: Visitation

	RAY ANTHONY RAMOS, II , step-father, was appointed as guardian on 4/4/16.	NEEDS/PROBLEMS/COMMENTS:
	Father: MONTY VILLEGAS	
Cont. from	Minute order dated 4/4/16 from the hearing on the appointment of the guardian set up a visitation schedule and set this status hearing.	
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.	RAY ANTHONY RAMOS, II , filed a Petition to Modify the Visitation which was heard on 6/28/16. At that hearing the visitation was modified.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.	Current visitation order per minute order dated 6/28/16 is as follows:	
Sp.Ntc.		
Pers.Serv.	The Court orders no phone calls or text messages unless the minor initiates. Parties are not to discuss this matter with the minor. Visitation with the father is every other Sunday from 9 – 1 at the park on Ashlan and Fowler. Parties can mutually agree to change the place or the 4 hour time slot. Visits start on 7/3/16.	
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: KT
		Reviewed on: 8/3/16
		Updates:
		Recommendation:
		File 11- Sandoval/ Rodriguez

12 Lucille F. Zumstein (Estate)

Case No. 15CEPR01251

Attorney French, G Dana (for Petitioner Shirley Emrick)

**Final Report and Petition for Settlement Thereof; For Allowance of Attorney's Compensation;
For Allowance of Cost Advanced; and Petition for Final Distribution**

DOD: 11/03/2015	SHIRLEY EMRICK , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
	Accounting is waived		
Cont. from	I&A - \$156,815.81		
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$135,967.25		
<input checked="" type="checkbox"/> Verified	Administrator - Waives		
<input checked="" type="checkbox"/> Inventory	Attorney - \$4,500.00 (less Statutory)		
<input checked="" type="checkbox"/> PTC	Costs - \$1,462.32 (filing fees, publication, certified copies, probate referee)		
<input checked="" type="checkbox"/> Not.Cred.	Distribution, pursuant to intestate succession, is to:		
<input checked="" type="checkbox"/> Notice of Hrg	Shirley Emrick – 100% Wells Fargo Advisers Investment Account		
<input checked="" type="checkbox"/> Aff.Mail			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters 02/05/16			
<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: 08/04/2016
		Updates:	
		Recommendation: Submitted	
		File 12- Zumstein	

13A Ledgic Frye (GUARD/P)

Case No. 16CEPR00078

Petitioner: Joy Rene Frye (Pro Per – Paternal Grandmother)

Petitioner: John Michael Frye (Pro Per – Paternal Grandfather)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRED 5/9/2016	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Please see related page 13B for competing petition filed by maternal great-aunt and great uncle, Laura Gladis and Sam Gladis, Jr.</p>
		JOHN FRYE and JOY FRYE, paternal grandparents, are petitioners	
		See petition for details.	
Cont. from 032816, 050916, 052316, 071116			
<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 checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: SEF
			Reviewed on: 8/2/2016
			Updates:
			Recommendation:
			File 13A- Frye

13B Ledgic Frye (GUARD/P)

Case No. 16CEPR00078

Petitioner: Sam Paul Gladis, JR (Pro per – Maternal great uncle)

Petitioner: Laura Ann Gladis (Pro per – Maternal great aunt)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service 15 days prior to hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice on: <ol style="list-style-type: none"> a. Ashley Mikel Akers (mother) – <i>unless court dispenses with notice</i> b. Steven Frye (father) 3. Need proof of service 15 days prior to hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence on: <ol style="list-style-type: none"> a. John Frye (paternal grandfather) b. Joy Frye (paternal grandmother) c. Cathie Tilley (maternal grandmother) 4. Item 8f of child information attachment to petition is incomplete re: if the minor has Indian ancestry. 	
		<p>LAURA GLADIS and SAM GLADIS, JR, maternal great-aunt and great uncle, are petitioners. (Note: Petitioners are residents of Wisconsin.)</p>		
Cont. from 052316, 071116		<p><i>See petition for details.</i></p>		
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			x
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		<p>Reviewed by: SEF</p>		
		<p>Reviewed on: 8/2/2016</p>		
		<p>Updates:</p>		
		<p>Recommendation:</p>		
		<p>File 13B- Frye</p>		

Petitioner: Lucille Allison Barbo (Pro per – Cousin)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 8/8/2016</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Proof of personal service of <i>Notice of Hearing</i> filed 7/14/2016 for Pete Aguayo (paternal grandfather) is incomplete at item 6 re: name, address and phone number of person who served the documents. 2. Proof of mailed service of <i>Notice of Hearing</i> filed 7/14/2016 for Doris Pecor (maternal grandmother) is incomplete at item 2 re: residence of person who served the documents. 	
		<p>LUCILLE ALLISON BARBO, cousin, is petitioner.</p>		
		<p>Court Investigator report filed 4/29/2016.</p>		
Cont. from 051616, 062716		<p><i>See petition for details.</i></p>		
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input checked="" type="checkbox"/>	Pers.Serv.			w/
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: SEF</p>	
		<p>Reviewed on: 8/1/2016</p>		
		<p>Updates:</p>		
		<p>Recommendation:</p>		
		<p>File 14- Aguayo</p>		

Petitioner: Tina Sharp (pro per)

Petitioner: Johnny Sharp (pro per)

Petition to Establish Fact of Marriage

		<p>JOHNNY SHARP and TINA SHARP are petitioners.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 6/20/16. Minute order states continued for petitioners to do further research on license.</p> <ol style="list-style-type: none"> Petitioners did not obtain a marriage license. A marriage license is required for a valid marriage in California. Family Code §300 et seq. Pursuant to Health & Safety Code §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. Petition lists Tina under the name of Tina Sharp. Order lists her as Tina Marie Smith. The petition should include Tina under her maiden name at #2.
		<p>Petitioners request the court establish the fact, date, and place of their marriage.</p>	
<p>Cont. from 032816, 050216, 062016</p>		<p>Petition states Johnny Sharp and Tina Sharp were married on August 30, 1980 in Ontario, San Bernardino County, California.</p>	
	<p>Aff.Sub.Wit.</p>	<p>There is no official record of the marriage.</p>	
✓	<p>Verified</p>	<p>A certified copy of the original record cannot be obtained because the paperwork for the marriage license did not get filed.</p>	
	<p>Inventory</p>	<p>Declaration of Tina Sharp filed on 4/19/16 states she was 17 years old and her mother and her did not know how to get a license and she doesn't think her mother was aware that she had to get a license. She includes pictures of the wedding as proof she did get married. The declaration also includes a statement from Esther Randle stating she was at the wedding and another from Tina's sister Tina and Johnny got married at the suggestion of their mother because Tina was pregnant. They have been happily married ever since.</p>	
	<p>PTC</p>		
	<p>Not.Cred.</p>		
	<p>Notice of Hrg</p>	<p>N/A</p>	
	<p>Aff.Mail</p>		
	<p>Aff.Pub.</p>		
	<p>Sp.Ntc.</p>		
	<p>Pers.Serv.</p>		
	<p>Conf. Screen</p>		
	<p>Letters</p>		
	<p>Duties/Supp</p>		
	<p>Objections</p>		
	<p>Video Receipt</p>		
	<p>CI Report</p>		
	<p>9202</p>		
✓	<p>Order</p>		
	<p>Aff. Posting</p>		
	<p>Status Rpt</p>		
	<p>UCCJEA</p>		
	<p>Citation</p>		
	<p>FTB Notice</p>	<p>Petitioners request the court make an order determining that the marriage of Johnny Sharp and Tina Sharp did in fact occur on August 30, 1980 in Ontario, San Bernardino County, California.</p> <p>Declaration of Tina Sharp filed on 6/17/16 includes a letter from a witness to the wedding and copy of their tax return from 1999 showing their filing status as married.</p>	
			<p>Reviewed by: KT</p>
			<p>Reviewed on: 8/3/16</p>
			<p>Updates:</p>
			<p>Recommendation:</p>
			<p>File 15- Sharp</p>

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

Attorney **Marcus A. Torigian (for Petitioners Amy Mendez and Peggy Mendez-Martinez)**

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 6/27/2016; extended to 8/8/2016	NEEDS/PROBLEMS/COMMENTS: Note Re Visitation: Minute Order dated 6/27/2016 from the previous hearing states: The Court denies the petition filed by DANIELLE JUAREZ and HENRY JUAREZ, JR. The following issues from the last hearing remain: 1. Need proof of personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice</i> , for: <ul style="list-style-type: none"> FRANK HENRY JUAREZ, father of Alyssa. (Note: <i>Proof of Service by Mail</i> of the <i>Notice of Hearing</i> filed 5/17/2016 shows the father was served by mail (without a copy of the petition to appoint guardian) on 5/16/2016, which is insufficient as personal service is required.) 2. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian, or Consent to Appointment of Guardian and Waiver of Notice</i> , or a <i>Declaration of Due Diligence</i> , for: <ul style="list-style-type: none"> Danielle Heminez, sibling (if age 12 or over); Aubrey Orosco, sibling (if age 12 or over).
		AMY MENDEZ , maternal grandmother, and PEGGY MENDEZ-MARTINEZ , maternal great-grandmother, are Petitioners. ~Please see additional page~ Court Investigator's Report filed 6/21/2016.	
Cont. from 062716			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: LEG			
Reviewed on: 8/4/16			
Updates:			
Recommendation:			
File 16- Mendez			

DOD: 03/19/2016		<p>SHAMEKA DAY, granddaughter, 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: Personal property - \$2,000.00 Real property - \$75,000.00 Total - \$77,000.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 07/11/2016: Counsel will cure defects on examiner notes.</p> <ol style="list-style-type: none"> The filing fee was initially waived for this petition; however, the fee will be due prior to distribution pursuant to Government Code §68637. (Filing fee is \$435.00) Need waiver of bond on mandatory Judicial Council Form or bond in the amount of \$77,000.00. Need date of death of Wanda Brown Atchison, deceased daughter, pursuant to Local Rule 7.1.1D. Need Letters. <p>Note: If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> Monday, 09/12/2016 at 9:00a.m. in Dept. 303 for the filing of the Bond <u>and</u> Monday, 01/9/2017 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> Monday, 10/02/2017 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>	
Cont. from 071116				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/o
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters	X		
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: LV				
Reviewed on: 08/03/2016				
Updates:				
Recommendation:				
File 17- Wilson				

18 Akashdeep Singh (GUARD/P) Case No. 16CEPR00550

Attorney Howard, Kyle (for Jarnail Singh – Petitioner – Non-Relative)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice for: <ul style="list-style-type: none">• Akashdeep Singh (minor)
		JARNAIL SINGH, non-relative, is petitioner.	
		<u>Please see petition for details</u>	
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	w/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	w/	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 08/03/2016
			Updates:
			Recommendation:
			File 18- Singh

Petitioner Cruz, Siegfried (Pro Per Petitioner)

Petitioner Cruz, Elsa (Pro Per Petitioner)

Petition to Determine Succession to Real Property

DOD: 4/7/16		<p>SIEGFRIED CRUZ and ELSA CRUZ, brother and mother, are Petitioners.</p> <p>40 days since DOD</p> <p>I&A: Need</p> <p>Decedent died intestate</p> <p>Petitioners request that the decedent's real and personal property (not described) pass to them and additional people as follows: Siegfried Cruz Elsa Cruz Ruth Cruz Georgiana Cruz Eubanks</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR – Amended Petition filed 8/4/16 is set for hearing on 9/15/16.</p> <p>Minute Order 7/11/16: Petitioners are the brother and mother of the decedent. This matter continued to the same date as Case 16CEPR00607. Examiner notes given. (See Page 22.)</p> <p>NEED AMENDED PETITION due to, but not limited to, the following issues:</p> <ol style="list-style-type: none"> Petitioners did not include Attachment 14 indicating all relatives and their relationship to the decedent. <u>Note:</u> All heirs entitled to succeed to the real property and personal property must petition together. Probate Code § 13152(a). Petition is blank at #9a(2) re spouse – divorced or never married, or deceased. If deceased, need date of death per Local Rule 7.1.1.D. Need Inventory and Appraisal. Probate Code § 13152(a)(2). Need Attachment 11 describing the real (and personal, if included) property and stating the decedent's interest in all assets. #13 is incomplete – it indicates that assets should pass to five people, but does not indicate in what interests. Also, per #1, it is unclear who everyone is. As stated in #1, need Attachment 14. The petition is blank at #5 re intestate or testate, but at #12 indicates no will, and at #15 states Siegfried Cruz is named as executor in the decedent's will. Need clarification: Did the decedent have a will? If so, the original should be deposited per §8200 and a copy should be attached to the petition per §13152(c). Need order. Local Rule 7.1.1.F. <p><u>Note:</u> Upon further review of amended petition, additional issues may be identified.</p>
Cont. from 071116			
Aff.Sub.Wit.			
✓ Verified	x		
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	x		
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
Reviewed by: skc			
Reviewed on: 8/2/16			
Updates: 8/4/16			
Recommendation:			
File 19- Cruz			

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		ESTHER ESQUIBEL, maternal grandmother, is petitioner.	
		<u>Please see petition for details</u>	<p>1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice for:</p> <ul style="list-style-type: none"> • Jaime Diaz (Father) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 06/13/2016.</p> <p>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:</p> <ul style="list-style-type: none"> • Paternal Grandparents (Unknown) • Felipe Maldonado (Maternal Grandfather)
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
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<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 08/04/2016
			Updates:
			Recommendation:
			File 20- Esquibel

Attorney: Sheri R. Mount (for Petitioner Eleanor Mora Mejia, biological maternal grandmother)

Petition for Appointment of Guardian of the Person

		TEMPORARY EXPIRES 8/8/2016	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for:</p> <ul style="list-style-type: none"> • Any paternal grandparents; • Adoptive maternal grandparents; • All siblings of the proposed ward age 12 or over (<i>the 14 siblings listed in the petition are not identified as to age.</i>)
		<p>ELEANOR MORA MEJIA, biological maternal grandmother of adopted proposed ward, is Petitioner.</p> <p style="text-align: center;">~Please see Petition for details~</p>	
Cont. from 062016			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 8/5/2016
			Updates:
			Recommendation:
			File 21 - Lopez

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Pursuant to Probate Code §15205, a trust is created only if there is a beneficiary. The trust instrument does not appear to name any beneficiaries; only grantors and trustees. Sections 4 and 15 contain blanks where names of beneficiaries should apparently be filled in. Therefore, need clarification and authority regarding the validity of this trust instrument.

Note: If the trust is determined to be valid, it would nevertheless appear pursuant to Section 8b that it is irrevocable as to the decedent's contribution (the real property), so it does not appear amendment to name beneficiaries would be an option at this point.

2. The Court may require additional information regarding the decedent's acquisition of the subject property, its subsequent transfer to the trust, and/or the preparation of the trust and the relationship between the decedent and Petitioner. When was the property acquired? When was title designated in the decedent's name individually? Were any other documents, such as deeds or wills, prepared concurrently with the trust? Was the trust recorded per Probate Code §15210?

3. Petitioner states the decedent died intestate leaving no spouse, children, or issue of children; therefore, his intestate heir would be his mother, Elsa Cruz. However, Petitioner does not allege that the decedent's father is deceased. If he is living, he would also be an intestate heir and entitled to notice of this petition. Need clarification regarding the decedent's father. If deceased, need date of death per Local Rule 7.1.1.D.

4. Section 3 of the Trust states: "Upon the death or during the incapacity of both of the Grantors, then Daisy Garcia of Fresno, California (the "successor trustee") will serve as the acting Trustee of this Living Trust." Need clarification: If Grantor Daisy Garcia is deceased, is this section naming a different Daisy Garcia as successor? If so, the other Daisy Garcia is entitled to notice. If not, then there does not appear to be any provision for succession upon Grantor Daisy Garcia's death.

5. The trust instrument is dated January 23, 2015, not February 23, 2015 as alleged in the petition. See pages 12 (date) and 14 (notary acknowledgment). Therefore, Examiner has interlined the proposed order with the correct date.

Petition to Determine Succession to Real Property

DOD: 1/10/16		<p>DONALD EARLE FISCHER, Beneficiary, is Petitioner.</p> <p>40 days since DOD</p> <p>No other proceedings.</p> <p>I&A: \$134,362.14 (a 100% interest in real property located at 607 Gaxiola Street in Mendota, CA, plus a vehicle and account containing \$862.14)</p> <p>Will dated 9/2/15 devises the entire estate to Petitioner.</p> <p>Petitioner requests Court determination that the decedent's real property, vehicle, and account pass to Petitioner pursuant to the decedent's will.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> The California Dept. of Health Care Services Estate Recovery Branch (DHCS) filed a Creditor's Claim for \$111,821.95 in this matter on 7/25/16, along with a Request for Special Notice. However, there is no provision for Creditor's Claims in this type of summary proceeding. Special Notice is also not required until issuance of Letters, which is not applicable in a summary proceeding, although it appears notice of this hearing was served on DCHS.</p> <p>1. Need original will pursuant to Probate Code §8200.</p>	
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 8/3/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23- Martin</p>	

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under the IAEA

DOD: 5/7/16		<p>RHONA G. MCNEW, Daughter and Named Executor without bond, is Petitioner.</p> <p>Full IAEA – ok</p> <p>Will dated 8/21/12</p> <p>Residence: Fresno Publication: Business Journal</p> <p>Estimated value of estate: Personal property: \$125,000.00 Annual income: \$ 100.00 Real property: \$100,000.00 Total: \$225,100.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: The Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, January 9, 2017 for filing the Inventory and Appraisal Monday, October 16, 2017 for filing the first or final account. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
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<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 8/3/16</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 24- Whitaker</p>	

**25 Savanna Makai McJamerson, Niahlee Lowe, Case No. 09CEPR00559
and Russell Lee Lowe, Jr., IV (GUARD/P)**

Petitioner Ramos, Frances (Pro Per – Maternal Great-Grandmother – Petitioner)
 Petitioner Hernandez, Jo-Ann – Maternal Great-Aunt – Petitioner)

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note: This petition pertains to Russell only.</u></p> <ol style="list-style-type: none"> Mother's consent and waiver of notice is not dated. The Court may require clarification or personal service of Notice of Hearing pursuant to Probate Code §2250(e). Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing per Probate Code §2250(e) or consent and waiver of notice or declaration of due diligence on: - Russell Lee Lowe, Jr., III (Father) 	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 8/4/16	
			Updates:	
			Recommendation:	
			File 25- McJamerson/ Lowe	

Petition for Appointment of Guardian of the Person (Petitioner Ge Her)

<u>NO TEMPORARY REQUESTED</u>			NEEDS/PROBLEMS/COMMENTS:
<p>GE HER, maternal grandmother, is petitioner. Please see petition for details. Court Investigator report filed 7/26/2016</p>			
Cont. from 080216			<p>Continued from 8/2/16. Minute order states the Court order supervised visitation for Her Ge on 8/6/16 at the McDonalds on Chestnut and McKinley from 11 am to 1 pm. Robert Yang, paternal uncle, will supervise said visit from a nearby table, but shall not sit at the same table as Ms. Her, and no other parties shall attend the visit.</p> <p>1. Proof of service of <i>Notice of Hearing</i> filed 6/1/2016 is incomplete at item 4 re: the mailing date and the proof is not dated at the signature line.</p> <p>2. Need proof of service 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 (unknown) – <i>unless the Court excuses notice</i> b. Mao Vue (paternal grandmother) c. Vang Koua Vang (maternal grandfather)
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
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✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			<p>Reviewed by: SEF</p> <p>Reviewed on: KT - 8/4/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 26A- Yang</p>

26B Brendan Yang, Jennie Yang, Jackson Yang (GUARD/P)

Case No. 16CEPR00572

Attorney: Jamie K Xiong-Vang (for Ge Her – maternal grandmother)

Attorney: Pahoua C. Lor (for Petitioner Surapol Vue – Paternal uncle)

Petition for Appointment of Temporary Guardian of the Person (Petitioner Vue Surapol)

		GENERAL HEARING 9/29/16	NEEDS/PROBLEMS/COMMENTS:
		SURAPOL VUE , paternal uncle, is petitioner.	
		Please see petition for details.	
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	N/A	
<input type="checkbox"/>	Aff.Mail		
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<input type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
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<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
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			Reviewed by: KT
			Reviewed on: 8/4/16
			Updates:
			Recommendation:
			File 26B- Yang

26B

Attorney Susan L. Pascuzzi (for Petitioners Mark Mitzel and Scott La Plante)

Petition for Probate of Will and for Letters Testamentary with IAEA

DOD: 3/10/2016	<p>MARK MITZEL, son, and SCOTT LaPLANTE, step-son, and named Co-Executors without bond, are Petitioners. <i>(Note: Proposed order and letters specify the co-executors are authorized to act independently.)</i></p> <p>Full IAEA: OK</p> <p>Will Dated: 7/23/2007</p> <p>Residence: Fresno</p> <p>Publication: Business Journal</p> <p>Estimated value of the Estate:</p> <table> <tr> <td>Personal property</td> <td>-</td> <td><u>\$290,000.00</u></td> </tr> <tr> <td>Total</td> <td>-</td> <td>\$290,000.00</td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	<u>\$290,000.00</u>	Total	-	\$290,000.00	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/27/2016 at the request of the attorney.</p> <p>1. The sole beneficiary of the estate is the LaPLANTE FAMILY TRUST. Item 8 of the <i>Petition</i> does not list the trustee and the beneficiaries of the Trust, thus it cannot be determined whether the trustee and trust beneficiaries were sent notice of this <i>Petition</i> pursuant to Probate Code § 1208(b).</p> <p>Note: If <i>Petition</i> is granted, Court will set Status Hearings as follows:</p> <ul style="list-style-type: none"> Monday, January 9, 2017 at 9:00 a.m. in Dept. 303 for the filing of the final inventory and appraisal; and Tuesday, October 10, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account and/or petition for final distribution. <p>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.</p>
Personal property		-	<u>\$290,000.00</u>					
Total		-	\$290,000.00					
Cont. from 072716								
<input type="checkbox"/> Aff.Sub.Wit. S/P								
<input checked="" type="checkbox"/> Verified								
<input type="checkbox"/> Inventory								
<input type="checkbox"/> PTC								
<input type="checkbox"/> Not.Cred.								
<input checked="" type="checkbox"/> Notice of Hrg								
<input checked="" type="checkbox"/> Aff.Mail W/								
<input checked="" type="checkbox"/> Aff.Pub.								
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<input type="checkbox"/> Pers.Serv.								
<input type="checkbox"/> Conf. Screen								
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<input type="checkbox"/> Objections								
<input type="checkbox"/> Video Receipt								
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<input type="checkbox"/> 9202								
<input checked="" type="checkbox"/> Order								
<input type="checkbox"/> Aff. Posting								
<input type="checkbox"/> Status Rpt								
<input type="checkbox"/> UCCJEA								
<input type="checkbox"/> Citation								
<input type="checkbox"/> FTB Notice								
		Reviewed by: LEG						
		Reviewed on: 8/4/16						
		Updates:						
		Recommendation:						
		File 27- LaPlante						

Petitioner Ibanez, Yolanda (Pro Per – Mother – Petitioner)
 Petitioner Madrigal, Merrissa (Pro Per – Sister – Petitioner)

Petition for Appointment of Temporary Conservator of the Person

		See petition for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator advised rights on 8/2/16</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 temp petition at least five court days prior to the hearing on Proposed Conservatee Anthony Jacob Ibanez. 3. #11 of the petition should list all relatives within the second degree, which includes grandparents, grandchildren. Petitioners list only parents and siblings. <p>Therefore, need updated list and proof of service of Notice of Hearing with a copy of the Temp Petition at least five court days prior to the hearing pursuant to Probate Code §2250(e) on all relatives:</p> <ul style="list-style-type: none"> - Patricio Ibanez, Jr. (Father) - Paternal Grandfather - Paternal Grandmother - Maternal Grandfather - Maternal Grandmother - Grandchildren, if any <p><u>Note:</u> If any of the second-degree relatives are deceased, please so state. Otherwise, they are entitled to notice.</p>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	X	
	Aff.Mail	X	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 8/4/16
			Updates:
			Recommendation:
			File 28- Ibanez

Attorney
Attorney

Aguirre, L. Kim (for Petitioner Mai Doua Thao)
Rich Mount, Sheri (for Parents Lee Seng Thao and Xee Moua – Objectors)

Petition for Appointment of Temporary Guardian of the Person

		See petition, objections for details.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>As of 8/3/16, nothing further has been filed by Petitioner or Objectors. The following issues remain:</p> <p><u>Petitioner:</u></p> <ol style="list-style-type: none"> 1. Need mandatory Judicial Council Form GC-210(CA) Child Information Attachment, which provides specific mandatory information to the Court regarding the minor, including list of relatives entitled to notice, information re ICWA, etc. <p><u>Petitioner and Objectors:</u></p> <ol style="list-style-type: none"> 1. Need information re proof of the child's residence pursuant to the Court's minute order of 8/1/16. 	
Cont. from 080116				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
<p>Reviewed by: skc</p> <p>Reviewed on: 8/3/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 29- Thao</p>				

Mr. Knudson was advised by Mr. Fanucchi that a Spanish language interpreter would be necessary, and made arrangements for one; however, Mr. Knudson could not get confirmation from the agency that one would actually be available for the deposition that afternoon.

At the morning of the deposition, in an effort to be accommodating, Mr. Fanucchi suggested, and Mr. Knudson agreed that a meeting be held between Mr. Knudson and Mr. Fanucchi's client to have her tell her version of the facts, and walk him through the documents she had in support of her claim that the residence was not an asset of the estate, but of her and her husband. It was suggested that this would save costs for a court reporter and interpreter.

Mr. Knudson states he knew then that Mr. Fanucchi would be unavailable the first two weeks of July; he indicated that he would be open to have a meeting after he returned, and that he had no problem with extending the discovery cut off for a deposition to be taken, if need be.

A meeting was set for July 19th; however, Mr. Knudson states he miscalendared it by an hour and by the time Mr. Knudson contacted Mr. Fanucchi's office shortly after his client had left, so the meeting did not take place until July 27th. Mr. Knudson states they met for an hour, and Ms. Gonzalez responded to his questions; however, she did not have any documentation with her because she had come from work. As of this date Mr. Knudson still has not been presented with the documentation she referred to. Mr. Knudson states his ability to prepare for the case has been impaired by not having the information or documents.

On August 2, 2016, at 4 o'clock in the afternoon Mr. Knudson was notified by his client, Irene Sanchez-Mayoral, that she would be unable to be present for the scheduled trial date. Ms. Sanchez-Mayoral lives in Colima, Mexico; she is somewhat handicapped (walks with a cane) and has limited mobility. She has a medical condition that makes it impossible for her to fly, so a trip to Fresno requires three days of a travel by bus, a hardship.

She advised that she was ill; while Mr. Knudson does not have documentation in his possession presently, he has been advised and she promised to provide a declaration from a medical practitioner confirming that she is ill and not able to travel. Mr. Knudson will present it to the court and opposing counsel as soon as it is received.

Ms. Sanchez-Mayoral is a party to this action; her presence is necessary to present the case and refute and defend the allegations raised in the petition filed by Ines.

Ms. Sanchez-Mayoral has three children, two of which Mr. Knudson intends to call as witnesses. They also live in Colima, Mexico, and would be traveling with their mother. Their testimony is crucial to the case concerning the decedent's statements made concerning his intent with respect to the ownership of the real property at issue.

Mr. Knudson believes the interests of justice will be further served if the trial is continued and a settlement conference set prior to the trial date. There have been no settlement conferences, though both parties have discussed one. The court set a settlement conference for July 5, 2016. Mr. Fanucchi was not present – Mr. Knudson did not discuss the settlement conference at the deposition, but anticipated that someone from his office would attend in his absence.

Please see additional page

He had filed a settlement conference statement the week before – however, Mr. Knudson notes now that it indicated a settlement conference date of July 26, 2016 – leading him to believe that he had mis-calendared it. From recent discussions with Mr. Knudson's client, he believes the matter may settle, thus avoiding a need for trial.

Mr. Fanucchi had proposed a settlement conference prior the trial date, but Mr. Knudson was advised by the clerk that Judge Kazanjian is unavailable for a settlement conference on August 4th, 5th, or 8th. Accordingly, any settlement conference will have to be some time after the presently scheduled trial date.

Mr. Knudson's client will be severely prejudiced if the trial goes forward without her. In addition, requested documents need to be reviewed in order to properly prepare for trial, to defend against the claims asserted by Maria Ines Gonzalez. Mr. Knudson's client advises and he is informed and believes that due to her work schedule as a criminal defense attorney in Mexico, she is not able to be present in Fresno until the month of December 2016, or later.

Mr. Knudson is informed and believes that no prejudice will be suffered by Maria Ines Gonzalez if the trial is continued. No experts have been designated by the parties; the witnesses which Mr. Knudson believes will be called by Ms. Gonzalez' counsel are in the Fresno area. Ms. Gonzalez and her spouse continue to occupy the property on King Street which is the subject of her petition; they are doing so with the consent of the administrator, and making payments equal to the monthly mortgage payment, in lieu of rent. The property is being maintained; Ms. Gonzalez and her family have not been displaced, and there will be no prejudice for a continuance.

Accordingly, Mr. Knudson believes the interest of justice requires that the trial be continued, to permit the appearance of significant witnesses, and the completion of necessary discovery and for the parties to hold a judicially supervised settlement conference.

Ex Parte Application to Continue Trial; Memorandum of Points and Authorities and Declaration of David N. Knudson in Support Thereof filed 08/03/2016.

Declaration of Edward L. Fanucchi in Opposition of Ex Parte Application to Continue Trial Date filed 08/04/2016 states on June 3, 2016, Mr. Fannucchi's office served a Notice of Taking Deposition of Guadalupe Rocha with Request for Production of Documents on the Respondent's attorney that was to be held on June 29, 2016. Subsequently, a Notice of Taking Deposition of Maria Inez Gonzalez with Production of Documents, was hand delivered to Mr. Fanucchi's office on June 16th. It was indicated that the deposition was to take place on July 7, 2016. Mr. Fannucchi states he was going to be out of the country during that time. On June 21, 2016, Mr. Knudson sent a confirming letter regarding the rescheduling of the deposition of Mr. Fanucchi's client, and confirmed that they had informed him that an interpreter would be needed at the deposition of their client. Mr. Fanucchi received an amended Notice of Taking Deposition of Maria Ines Gonzalez via facsimile on June 22, 2016, showing that the deposition would be taken on June 29, 2016.

On June 29, 2016, after taking the deposition of Guadalupe Rocha, instead of proceeding with the deposition of Mr. Fanucchi's client, Mr. Knudson and Mr. Fanucchi agreed that in lieu of taking a formal deposition of Maria Ines Gonzalez, it would be more productive to hold an informal meeting with Ms. Gonzalez to go over her version of the facts.

Please see additional page

Dept. 303, 9:00 a.m. Monday, August 8, 2016

The discovery cut-off was quickly approaching and with Mr. Fanucchi's absence from the country for two weeks, Mr. Knudson and Mr. Fanucchi mutually agreed to extend the discovery cut off should a formal deposition need to be taken.

The informal meeting with Mr. Fanucchi, Ms. Gonzalez and Mr. Knudson was set for July 19, 2016. The date and time was confirmed with Mr. Knudson on July 13, 2016. On July 19, 2016, Mr. Knudson was not there at 2pm. On or around 2:15pm, Mr. Fanucchi's office contacted Mr. Knudson's office to see if he was on his way; a message was left on his voicemail. Around 2:50pm, his secretary contacted Mr. Fanucchi's office to say that he was on his way, and he had the meeting scheduled for 3:00pm. Mr. Fanucchi's staff informed his secretary that their client had already left, and that a meeting would need to be rescheduled. The next week the meeting was scheduled and took place on July 27, 2016. At no time during the days following, up and until yesterday, was there any mention from Mr. Knudson that he wished to formally schedule the deposition of Mr. Fanucchi's client.

Almost all of the documentation Mr. Knudson has requested in his request for production of documents from Mr. Fanucchi's client are either on file with the Court, or have been procured from Chicago Title Company and Resource Lenders by formal subpoena by Mr. Knudson and said documents are in his possession; the only documents that he may not have are bank statements of Ms. Gonzalez and income information which will be served upon Mr. Knudson on August 4, 2016; it is doubtful that those documents would provide any significant information which would change the courts of the outcome of this trial.

An email from Mr. Knudson was received at 5:05 on Tuesday August 2, 2016, which Mr. Fanucchi saw on Wednesday August 3, 2016, and when Mr. Knudson called on August 3, 2016, to ask if Mr. Fanucchi would agree to delay the trial, Mr. Fanucchi said "No" because:

- a. Mr. Fanucchi does not believe that Mr. Knudson's client is too ill to travel and her job keeps her from coming here to trial until December 2016. And, Mr. Fanucchi does not understand why her adult children could not come to testify. This is a case brought by Mr. Knudson's client who was at work last week and at work on August 3, 2016, in a law office in a building called Defensoria De Oficio de Gobierno Del Estado de Colima in the City of Colima, Mexico. Today, August 4, 2016, Mr. Fanucchi is informed by phone call to the office of Irene Mayoral that she on vacation through August 15, 2016.
- b. Excuses to delay a trial at this late date are suspect for motivation of fear of the costs and outcome of trial. There is no evidence the trip for trial her was even booked at any time.
- c. Mr. Fanucchi states his client had already subpoenaed three witnesses, and she has made plans to take time off work for the trial.
- d. Mr. Fanucchi has prepared the trial binder, all exhibits, and is in the midst of preparing the trial brief. This has been a costly case for Mr. Fanucchi's client and her family to manage financially. They cannot now lose the value of that effort.

Probate Status Hearing RE: Filing of the First Account

DOD: 11/23/06	<p>PAUL A. DICTOS was appointed Administrator with Limited IAEA with bond of \$100,000.00 on 1/30/07.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: This matter will be heard at 8:30 a.m. in Dept. 54.</p> <ol style="list-style-type: none"> 1. Although this case has been open since 2007, it does not appear there has ever been a Final Inventory and Appraisal filed pursuant to Probate Code §8800. Need Final I&A or written status report pursuant to Local Rule 7.5. 2. Although there has been various activity in this case during the past 10 years, it does not appear there has ever been an account or report or administration filed and served on interested parties pursuant to Probate Code §12200. Therefore, need first account or petition for final distribution or written status report pursuant to Local Rule 7.5.
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 8/2/16
		Updates:
		Recommendation:
		File 1- Petrogonas

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 9/28/16</u>	NEEDS/PROBLEMS/COMMENTS:	
		<p>YVONNE CASTILLO, step-mother, is petitioner. Please see petition for details.</p>	<p>This matter will be heard in Department 54.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service, 5 court days prior to the hearing, of the Notice of Hearing along with a copy of the temporary petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Lisa M. Flores (parent) b. Sylvia Salas (parent) 	
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
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<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 8/3/16		
		Updates:		
		Recommendation:		
		File 2- Flores		