



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/20/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

9/14/18lc

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS0700530

CASE NAME: MTR OF DONALD JOHANSEN

HEARING:

Accounting Review by ***

COUNSEL:

DONALD JOHANSEN	(BEN)...
DONALD JOHANSEN	(DEC)...
INLAND COUNTIES REGIONAL CENTE	(PET)...BRUNICK, MCELHANEY,
INLAND COUNTIES REGIONAL CENTE	(PET)...STEVEN K BECKETT
INLAND COUNTIES REGIONAL CENTE	(TEE)...STEVEN K BECKETT
SPECIAL NEEDS TRUST OF DONALD	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 6th SNT Account for IRC Master Trust, approved on 11/03/16.
2. **Need** 7th Account beginning with 07/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500530
CASE NAME: RICHARD ERIK GAVARRETE

SEE ALSO 3

HEARING: Hearing Re: OSC RE SURCHARGE ON GIOVANA GAVARETTE OF \$3,500

COUNSEL:

DONNA J THAYER	(PRO/PER
GIOVANA V GAVARETTE	(PET)...RONALD Z BERKI
RICHARD ERIK GAVARETTE	(DEC)...
ROBERTA E. MARTINEZ	(OBJ)...PRO/PER

GENERAL INFORMATION

Continued from 01/19/17. Attorney Ronald Berki to personally appear.

OSC set on 03/30/17 when there was no appearance. Telephonic message received from Counsel Berki indicating he was ill.

Continued from 05/11/17. OSC re contempt taken off calendar. Giovana Gavarette to be present at next hearing.

OSC set on 06/15/17. Court ordered Giovana Gavarette and Counsel Berki to personally appear. Court set re surcharge of \$1,750.

OSC continued from 08/03/17. Ronald Berki and his client ordered to appear. Sanctions will be imposed of \$1,750 each if no appearance.

OSC Continued from 11/02/17 and 01/04/18. OSC re Surcharge off and reset for \$3,500. If Giovana fails to appear, surcharge will be imposed. Accounting and Inventory and Appraisal to be filed by 04/05/18. Accounting to be set same day if filed timely.

OSC Continued from 05/03/18. Administrator, counsel Berki and Roberta Martinez to appear at next hearing. Ability to appear by court call revoked.

OSC continued from 06/21/18 and 08/09/18. Roberta Martinez objects to Inventory and Appraisal. Written objections to be filed by 09/06/18, if not then objections will be waived permanently. Counsel to file supplement on Inventory and Appraisal by 09/06/18.

THIS CASE SET FOR HEARING ON **OSC re Surcharge of \$3,500 on G. Gavarette/Accounting review/Status.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration issued to Giovana Gavarette, mother, on 01/12/16; full authority, \$200,000 bond.

2. Partial Inventory and Appraisal filed 04/20/18.
3. Final Inventory and Appraisal filed 06/21/18.
 - a. Proceeds from sale of real property are generally receipts in an accounting. Court to inquire if real property was sold prior to death. ***If not, then need corrected Inventory and Appraisal.***
 - b. **Need** bank statements to support date of death cash balances per local rule 20-908.
 - c. **Objections filed to Inventory and Appraisal on 08/16/18 by Roberta Martinez, paternal grandmother.**
4. **Need** accounting or status report.

RECOMMENDATION

Court's discretion re OSC. Need to clear note 3-4. Clerk to notice bonding company.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500530

CASE NAME: RICHARD ERIK GAVARRETE

SEE ALSO 2

HEARING:

Accounting Review by ***

COUNSEL:

DONNA J THAYER	(PRO/PER
GIOVANA V GAVARETTE	(PET)...RONALD Z BERKI
RICHARD ERIK GAVARETTE	(DEC)...
ROBERTA E. MARTINEZ	(OBJ)...PRO/PER

See notes on matter 2.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600382

CASE NAME: ALICE A PAT

HEARING:

Accounting Review by ***

COUNSEL:

ALICE A PAT (DEC)...
KIMBERLY WHITE (PET)...DAVID D L HORTON

GENERAL INFORMATION

Continued from 03/22/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration WWA issued to Kimberly White, daughter, on 04/13/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700972

CASE NAME: MTR OF GAYLE ELAINE CRAMPTON

HEARING: Petition for approval and waiver of Account and Report of BRYAN CRAMPTON and Petition for allowance of fees filed.

COUNSEL:

BRYAN CRAMPTON	(PET)...VOORHEES & RATZLAFF
DEPT OF CHILD SUPPORT SVCS LOM	(TP)...ELIZABETH LAWRENCE
GAYLE ELAINE CRAMPTON	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Bryan Crampton, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$185,014 in cash.
2. Both heirs waive accounting.
3. Administrator and attorney seek statutory fees of \$10,742.16 each. Ok.
4. Administrator seeks extraordinary fees of \$159 for 5.3 hours at \$30 per hour re sale of real property. [Acct.07/26LFpg16].
5. Attorney seeks extraordinary fees of \$2,275 for 10.9 hours at \$50/250 per hour for paralegal and attorney time re sale of real property. [Acct.07/26LFpg13-14].
6. Administrator/heir's share of distribution will be paid to Dept. of Child Support services that appears to have a lien against the estate.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion re extraordinary fees. If approved, set hearing on the filing of receipts and final discharge for **10/03/19**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800012

CASE NAME: AMANDA CALDERON
HEARING: First Account and Report of PETRA AVENDANIO and Petition for allowance of fees filed.

COUNSEL:

AMANDA CALDERON (DEC)...
PETRA AVENDANIO (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Petra Avendanio, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand real property and 2012 Nissan Sentra.
2. Administrator waives statutory compensation.
3. Caption of petition does not indicate final account; however, body of report indicates final account.
4. Administrator appears to propose to distribute to herself and decedent's siblings Jovita and Juan Calderon; however, siblings are not intestate heirs. It appears administrator is sole heir per Pr.C. § 6402. **Need** verified supplement explaining how siblings inherit and actual distribution.
5. **Need** final Inventory and Appraisal with property appraised by probate referee Pr.C. § 8800.
6. **Need** verification per Pr.C. § 1021.
7. **Need** notice of hearing and proof of service
8. **Need** statement of compliance with Pr.C. § 9202(b) re notice to the California Victim Compensation Board.
9. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing on the filing of receipts and final discharge for **10/03/19**
(lc)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800501

CASE NAME: WILLY S COX

SEE ALSO 8

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

BRENT COX
RONALD L COX
WILLY S COX

(OBJ)...PRO/PER
(PET)...CHRISTOPHER B JOHNSON
(DEC)...

T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800501

CASE NAME: WILLY S COX

SEE ALSO 7

HEARING: Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:

BRENT COX	(OBJ)...PRO/PER
RONALD L COX	(PET)...CHRISTOPHER B JOHNSON
WILLY S COX	(DEC)...

GENERAL INFORMATION

Continued from 06/28/18. Matter is contested. Written objections to be filed by 07/26/18. If not filed/served, then per Cal Rules of Ct 7.801, they will be waived permanently.

Continued from 08/09/18. Order signed precluding electronic service. Any filing that has electronic service will be vacated. Objections to be in writing by 09/13/18 or they will be waived permanently. Court Call permitted on 09/20/18.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Ronald Cox, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is nominated by 1 of the 4 siblings.
2. Petitioner seeks bond of \$35,800. Gross and net estate value is \$35,800 in real property. Petitioner is resident of Utah. Ok.
3. Due diligence filed as to Michael Cox, son, on 05/22/18. **JTD**
4. **Objections filed on 07/26/18 by Brent Cox, son. Need** verification under penalty and perjury.
5. ~Proposed Form Order: 05/22/18.

RECOMMENDATION

Matter is contested. Need to clear note 4. Court's discretion re \$35,800 bond. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800761

CASE NAME: MTR OF KAREN N DISMORE

HEARING:

Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

KAREN N DISMORE (DEC)...
RENEE NORMAN (PET)...THOMPSON & COLEGATE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Renee Norman, daughter/Trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges the decedent's name was inadvertently typed as Dismore, but is actually "Dinsmore". Court may wish to correct on the record.
2. Will waives bond; however, petitioner seeks bond of \$30,000. Net estate value is \$525,000; however, *section 3 is not clear* if property is income from real property or the value is of actual real property. **JTD**
3. Petition appears to be for an ancillary probate as decedent was domiciled in Washington. Exemplified copy of order admitting the will to probate in sister state per Pr.C. § 12521 filed 09/12/18.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication.
6. **Need** petitioner's phone number listed on duties form.
7. ~Proposed Form Order: 08/13/18.

RECOMMENDATION

Need to clear notes 4-6, Court's discretion re bond. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800781

CASE NAME: MTR OF RICHARD W WAGNER

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

JANICE A STILLWELL (PET)...ROGER VON KAESBORG
RICHARD W WAGNER (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Janice Stillwell, friend.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Net estate value is \$419,500 of which \$19,500 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication
3. ~Proposed Form Order: 08/17/18.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 11, 12, 15, 16

HEARING:

Hearing Re: OSC RE SUBSTITUTION OF ATTORNEY FOR ROBERT KILBORN

COUNSEL:

BRYAN C HARTNELL	(HARTNELL LAW GROUP
DENNIS SHOGREN	(JAMES B CHURCH & ASSOCIATES
RALPH C. KILBORN	(DEC)...
REBECCA KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(OBJ)...BRIAN J SIMPSON
RONALD KILBORN	(PET)...BROWN WHITE & OSBORN

XREF: SCSS03169 (*Patricia Ann Kilborn*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Substitution of Attorney for Robert Kilborn.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. OSC set on 07/24/18 when court reset other hearings after receipt of continuance request.
2. It appears court is seeking a substitution of attorney for Robert Kilborn.

RECOMMENDATION

Inquire status of substitution of attorney.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 10, 12, 15, 16

HEARING: Hearing Re: STATUS REPORT BY DENNIS SHOGREN

COUNSEL:

BRYAN C HARTNELL	(HARTNELL LAW GROUP
DENNIS SHOGREN	(JAMES B CHURCH & ASSOCIATES
RALPH C. KILBORN	(DEC)...
REBECCA KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(OBJ)...BRIAN J SIMPSON
RONALD KILBORN	(PET)...BROWN WHITE & OSBORN

XREF: SCSS03169 (*Patricia Ann Kilborn*)

GENERAL INFORMATION:

Continued from **9/15/15, 12/9/15** and **3/2/16** as matter is on appeal.

Continued from **4/20/16, 05/25/16, 7/7/16** and **08/22/16**. Parties stated they are having a settlement before the appellate court on 09/09/16.

Continued from **10/26/16** and **01/18/17**. Court set briefing schedule. Brief to be filed and served by 2/22/17; opposition by 02/22/17, reply 04/12/17.

Continued from **06/28/17** by Court to 01/31/18. Court set briefing schedule.

Continued from **01/31/18**. Counsel to meet and confer on which agreements can be reached. Brief to be filed by 03/28/18 as to which remaining issues to be discussed.

Continued from 04/26/18. Oral Report given by James Church. Court accepted oral status. Status report of Dennis Shogren to be filed by 07/12/18.

Matter reset from 07/26/18.

THIS CASE IS SET FOR HEARING ON Status Report by Successor Trustee Dennis Shogren.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set at 03/10/15 hearing. No appearances. Notice by Judicial Assistant.
2. Trustee seeks court compel Robert Kilborn to turn over assets, allow access to real property, provide bank statements/records, list of assets, copies of all tax returns since 2012, transfer title of stock to Trustee, void certain trust transfer deeds and for Robert to provide accounting.

3. Declaration filed by Counsel Simpson stating court has no authority to require an accounting as the trust waives accounting unless proper allegations and competent factual proof is held per Pr.C. § 16064. Declaration is not verified.
4. **Declaration filed by Counsel Simpson on 07/16/18 indicating he is unable to attend the hearing due to medical issues; therefore, requests a 60 day continuance.**

RECOMMENDATION:

Court's discretion.

(nb/sa/lc/sa/lc/lh/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 10, 11, 15, 16

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

BRYAN C HARTNELL	(HARTNELL LAW GROUP
DENNIS SHOGREN	(JAMES B CHURCH & ASSOCIATES
RALPH C. KILBORN	(DEC)...
REBECCA KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(OBJ)...BRIAN J SIMPSON
RONALD KILBORN	(PET)...BROWN WHITE & OSBORN

XREF: SCSS03169 (*Patricia Ann Kilborn*)

T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **TRUSTS AND MOTIONS**

DATE: 09/20/18 TIME: 8:30 DEPT: S35P

CASE#: TRU PS1800151

CASE NAME: MTR OF JOHN RAY CORDER

HEARING:

Petition for TO INSTRUCT TRUSTEE

COUNSEL:

BRIAN RAY CORDER

(PET)...HORSPPOOL & HORSPPOOL

JOHN RAY CORDER

(DEC)...

Currently under review by legal research.

30 days' notice appears sufficient.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1100353
CASE NAME: MACKENZIE JEFFERY REYNOLDS
HEARING: Arthur Reynolds' second Account and Report of ARTHUR REYNOLDS
and Petition for allowance of fees filed.

COUNSEL:

ARTHUR REYNOLDS	(PET)...JENNIFER L FIELD
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
MACKENZIE JEFFERY REYNOLDS S.N	(TRU)...
SUMIYO REYNOLDS	(PET)...JENNIFER L FIELD
SUMIYO REYNOLDS	(TEE)...JENNIFER L FIELD

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Arthur Reynolds, Successor Trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Accounting period covers 01/01/16 – 05/31/18.
2. Assets on hand \$92,626.70 consisting of cash and a mutual fund account.
3. Trustee waives compensation.
4. Trustee seeks reimbursement of \$465.00 for filing fees.
5. Attorney seeks fees of \$2,910 for 9.7 hours at \$300 per hour. **JTD**
6. Petitioner requests an order to unblock funds for the purpose of paying the above fee requests.
7. ~Proposed order: 07/27/18.

RECOMMENDATION:

Court's discretion. If approved, Court may wish to set the next hearing re Accounting Review for **08/22/19**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:35 DEPT: S35P

CASE#: SPR SS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 10, 11, 12, 16

HEARING:

Hearing Re: PETITION FOR INSTRUCTION, ETC

COUNSEL:

BRYAN C HARTNELL	(HARTNELL LAW GROUP
DENNIS SHOGREN	(JAMES B CHURCH & ASSOCIATES
RALPH C. KILBORN	(DEC)...
REBECCA KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(APP)...BRIAN J SIMPSON
ROBERT C KILBORN	(OBJ)...BRIAN J SIMPSON
RONALD KILBORN	(PET)...BROWN WHITE & OSBORN

XREF: SCSS03169 (*Patricia Ann Kilborn*)

Currently under review by legal research.

Notice filed 06/04/18; however, does not comply with amended code.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a **new subdivision (c)** which requires the Notice of Hearing to include:

- (1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
- (2) a description of relief sought pursuant to Section 859 if applicable; and
- (3) a statement advising any interested person that he or she may file a response.

Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 8:35 DEPT: S35P

CASE#: SPR SS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 10, 11, 12, 15

HEARING:

Hearing Re: OPPOSITION TO MOTION RE PETITION FOR INSTRUCTION

COUNSEL:

BRYAN C HARTNELL

(HARTNELL LAW GROUP

DENNIS SHOGREN

(JAMES B CHURCH & ASSOCIATES

RALPH C. KILBORN

(DEC)...

REBECCA KILBORN

(APP)...BRIAN J SIMPSON

ROBERT C KILBORN

(APP)...BRIAN J SIMPSON

ROBERT C KILBORN

(OBJ)...BRIAN J SIMPSON

RONALD KILBORN

(PET)...BROWN WHITE & OSBORN

XREF: SCSS03169 (*Patricia Ann Kilborn*)

Currently under review by legal research.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900032

CASE NAME: FRANCES PARMINTER

HEARING:

Accounting Review by ***

COUNSEL:

CARRIE VANDENBERG	(CPE)...DENNIS M ASSURAS
CARRIE VANDENBERG	(CPE)...JAMES B CHURCH
DAVID CLARK	(CPE)...DENNIS M ASSURAS
DAVID CLARK	(CPE)...MARK J. ANDREW FLORY
DENNIS M ASSURAS	(PET)...DENNIS M ASSURAS
ELDON PARMINTER	(TP)...PATTERSON HANNA & ASSOC
FRANCES PARMINTER	(CEP)...NOREEN FONTAINE
NOREEN T FONTAINE	(PET)...NOREEN FONTAINE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 4th Account for Carrie Vandenberg, daughter, approved on 02/16/17.
2. **Need** 5th Account beginning with 07/08/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400153

CASE NAME: CHRISTOPHER WILEY COX

HEARING:

Hearing Re: TRANSFER TO KERN COUNTY

COUNSEL:

CHRISTOPHER WILEY COX	(CEE)...CHRISTOPHER A POULOS
GREGG MOORE	(CP)...PRO/PER
SHIRLEY COX	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Transfer to Kern County.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Gregory Moore and Shirley Cox, brother and mother, are co-guardians of limited conservatorship, person only.
2. Matter set on when court was advised conservatee relocated to Kern County.

RECOMMENDATION

Court's discretion. If approved for transfer, set hearing re proof of transfer for **11/29/18**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600230
CASE NAME: MARIA SOCORRO CEBALLOS
HEARING: First Account and Report of ARTURO CEBALLOS and Petition for allowance of fees filed.

COUNSEL:

ARTURO CEBALLOS	(CPE)...BUXBAUM & CHAKMAK
ARTURO CEBALLOS	(CPE)...JOHN P HOWLAND
LUIS P CEBALLOS	(CPE)...BUXBAUM & CHAKMAK
MARIA SOCORRO CEBALLOS	(CEP)...

GENERAL INFORMATION

Continued from 06/14/18 and 08/16/18. Court cleared verification of Arturo Ceballos.

THIS CASE SET FOR HEARING ON **Amended [08/08/18]** 1st Account Current and Petition for Allowance of Fees by Arturo Ceballos, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 04/07/17 – 07/09/18. Accounting should begin at date of appointment [03/21/17]; however, letters did not issue until 04/07/17. **JTD**
2. Assets on hand \$71,024.90 in cash.
3. Conservator waives compensation. However, conservator appears to be seeking reimbursement of costs totaling \$56,745.59 for living expenses for conservatee prior to conservatorship and after [Acct8/8LFpgs19-28. Question authority to pay for part expenses of \$24,017.45 that was acquired prior to conservatorship? **Supp 08/16:** Petitioner alleges these funds were loans for living expenses. Court to determine if this falls under Pr.C. §§ 2430(a)(2), 2431 and whether a petition for instructions should be filed. **Supp 08/22:** further clarifying the same. First Supplement is not verified; however, second supplement is verified.
4. Conservator seeks approval to pay Nevada Law Firm Goldsmith & Guymon for fees related to sale of real property totaling \$5,955.34. Itemized [8/8LFpg36-40]. **JTD**
5. Counsel seeks fees of \$13,970 for 42.2 hours at \$330 per hour. Itemized [8/8LFpg43-46]. **JTD**
6. Disbursements indicate NSF fees of \$140.
7. Conservatee owned 50% interest in Nevada property with her son Luis. The property was ordered sold 04/11/18 for \$168,000 [50% \$84,000] under Nevada case number G-18-019318-A [LFpg55-57]. See next note as there is no bond and court order funds to be placed into blocked account.

8. **Need** receipt and acknowledgment for Money in Blocked Account MC-356. Conservator states they are unaware of requirement for blocked account; however original order section 20 states such requirement. Conservator now states that the funds were just received 05/10/18 and funds will go to fees/costs.
9. **Need** actual detailed itemization of disbursements in Schedule C.
10. Financial statements provided; however, are in Spanish. **Need** translation.
11. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 8-10. If approved, set hearing on the next accounting review for **07/18/19** (if one year) or **07/16/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700102
CASE NAME: HORTENCIA M. DE LA CRUZ
HEARING: First and Final Account and Report of RUDY DE LA CRUZ and
Petition for allowance of fees filed.

COUNSEL:

HORTENCIA M DE LA CRUZ (CEP)...PRO/PER
RUDY DE LA CRUZ (CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st and Final Account and Petition for Termination by
Rudy De La Cruz, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 08/29/17 – 12/31/17; post-death 01/01/18 – 05/31/18.
2. Assets on hand \$166,667.00 in real property interest.
3. Conservator does not appear to seek fees.
4. There were allegedly no receipts or disbursements. Court to inquire.
5. Conservator seeks to distribute property through a petition to Determine Succession to Real property to Nikole De La Cruz and Eric Ontiveros [grandchildren]; however, the assets appear to exceed that limit as the limit is \$150,000. **Need** supplement.
 - a. Question if petitioner is seeking to open a full probate administration as there does not appear to be joint tenancy?
 - b. Question why Conservator is not an intestate heir per Pr.C. § 6402, yet the grandchildren are?
6. **Need** notice of hearing and proof of service.
7. Conservator seeks discharge and bond exonerated; however, as property remains, receipts and discharge must be filed after final account is approved in order to be discharged.
8. Proposed Order submitted 08/06/18; however, assets are over \$150,000; therefore, cannot be distributed as such.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing on the filing of receipts and final discharge for **10/03/19**.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800222

CASE NAME: OMAR CASTRO JR
HEARING: Petition for Appointment of Conservator

COUNSEL:

OMAR CASTRO (CP)...PRO/PER
OMAR CASTRO JR (CTP)...PRO/PER

GENERAL INFORMATION

No appearance on 08/07/18 temporary hearing; dismissed.

Omar Castro appointed temporary Conservator on 08/14/16, person only. Court noted notarized letter signed by licensed clinical social worker Oscar Collins dated 08/02/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Omar Castro, father.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks Pr.C. § 2590 powers; however, is not seeking estate powers or gives a description of powers sought. Court may wish to deny.
2. Petitioner alleges he is nominated by proposed conservatee; however, does not appear to be nomination.
3. Citation returned served.
4. Petitioner seeks medical powers. **Need** Capacity Declaration.
5. Petitioner seeks dementia powers. **Need** appointment of counsel for report.
6. **Need** dementia attachment GC-313 if petitioner still seeks dementia powers.
7. List of required contacts (Local form SB-12224) only lists proposed conservatee. **Need** updated list with all of proposed conservatee's second degree relatives.
8. **Need** Certificate of Completion of the Conservatorship Training Class.
9. **Need** notice of hearing and proof of service.
10. Court Investigator report filed 08/27/18.
11. ~Proposed Form Order: 07/30/18.

RECOMMENDATION

Need to clear notes 3-9. If approved, set hearing for Compliance Review for **04/25/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/20/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS01451

CASE NAME: IN THE MATTER OF MARSHA ROSE

HEARING:
Hearing re Final Discharge

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV	(PRO/PER
INLAND COUNTIES REGIONAL CENTE	(PET)...STEVEN K BECKETT
INLAND COUNTIES REGIONAL CENTE	(TEE)...STEVEN K BECKETT
LAURA ROSE PUMFORD	(CPE)...BRUNICK MCELHANEY &
LAURA ROSE PUMFORD	(CPE)...PRO/PER
MARSHA M ROSE	(CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Distribution of trust for IRC approved on 09/14/17.
2. Receipts filed.
3. Ex Parte Petition for Final Discharge and Order sent to department for review. ///

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 09/20/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1700611

CASE NAME: MTR OF FREDERICK HAYS

HEARING:

Hearing Re: COURT TRIAL (FOURTH SESSION)

COUNSEL:

FREDERICK HAYS

(DEC)...

JAMES B JENSEN

(PET)...JEREMIAH RAXTER

LISA CARLSON

(PET)...GAUDY LAW, INC

Trial – No notes – JTD

(lc)

Future Hearing:

09/21/18 *Court Trial*

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1100146

CASE NAME: SPECIAL NEEDS TRUST OF MITZI MICHELLE PAUL

HEARING:

Accounting Review by ***

COUNSEL:

CARI PAUL KNOWLES	(PET)...DAVID M GROSSMAN
CARI PAUL KNOWLES	(PET)...JOHN J STANTON
CARI PAUL KNOWLES	(STE)...
KAREN PAUL	(PET)...DAVID M GROSSMAN
MITZI MICHELLE PAUL	(BEN)...
SPECIAL NEEDS TRUST OF MITZI M	(TRU)...

GENERAL INFORMATION

Continued from 07/19/18.

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. 3rd SNT Account for Cari Paul Knowles, Trustee, approved on 01/12/17.
2. **Need** 4th Account beginning with 05/06/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300206

CASE NAME: MTR OF KENNETH P BURRES

HEARING:

Accounting Review by ***

COUNSEL:

JEFFREY BURRES	(PET)...PHILIP K FIFE
KENNETH P BURRES	(DEC)...
PHILLIP K. FIFE	(PET)...PHILLIP K FIFE
STEVEN BURRES	(PET)...

GENERAL INFORMATION

Continued from **05/17/17, 08/02/17, 09/27/17, 12/14/17 and 01/25/18**. Jerry Morgan relieved as counsel for Steven Burres. No appearance by administrator on 01/25/18. Steven Burres ordered to appear and file an accounting or Pr.C. § 12251 petition.

Continued from 03/22/18, 05/10/18 and 07/26/18 No appearances or accounting filed. Steven Burres will be cited again to appear.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of **Successor** Administration issued to Steven Burres, brother, on 04/05/16; limited authority, bond issue deferred.
2. Final Inventory and Appraisal indicating \$0 assets.
3. **Need** accounting/status report or Pr.C. § 12251 petition.
4. Service of citation **unsuccessful. Need** proof of service of subsequent citation issued.

RECOMMENDATION

Inquire status of accounting and issuance of further citation.

(lc/ww/lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400355
CASE NAME: THE 2014 ADRIAN HALL SPECIAL NEEDS TRUST
HEARING: FOURTH Account and Report of AMERIPRISE NATIONAL TRUST BANK
and Petition for allowance of fees filed.

COUNSEL:

ADRIAN HALL	(PET)...BRIERTON, JONES & JONES
AMANDA MILLER	(PET)...BRIERTON, JONES & JONES
AMERIPRISE NATIONAL TRUST BANK	(PET)...BRIERTON, JONES & JONES
AMERIPRISE NATIONAL TRUST BANK	(TEE)...BRIERTON, JONES & JONES
DONNASUE SMITH-ORTIZ	(PET)...DONNASUE ORTIZ
THE 2014 ADRIAN HALL SPECIAL N	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Ameriprise National Trust Bank, Trustee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 07/01/17 – 06/30/18.
2. Assets on hand \$2,916,008.37 of which \$291,111.76 is cash.
3. No bond- corporate fiduciary.
4. Petitioner seeks fees of \$18,996.05 of which \$18,100.74 has been paid, leaving a balance of \$895.31. Figures based on a percentage of assets, .75% up to \$1M, .60% for next \$2M and .50% over \$2M. Declaration re fees filed 08/06/18 **JTD**.
5. Attorney seeks fees of \$5,526.50 for 30.9 hours at \$125/335 for attorney and paralegal services. Declaration re fees filed 08/06/18 **JTD**.
6. Court may wish to direct petitioner to file financial statements separately for future accountings.
7. No proposed order – submit Order after Hearing.

RECOMMENDATION

Court's discretion re fees. If approved, set Accounting/Status Review for **09/19/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600198

CASE NAME: MTR OF MAUD I HARRIS

HEARING:

Hearing Re: Status on Mediation/Settlement/Trial dates

COUNSEL:

DEBORAH DEXTER-MENDEZ	(PET)...HARTNELL LAW GROUP
DEBORAH DEXTER-MENDEZ	(PET)...RYAN J GALLANT
JOSEPH J FONDY	(TP)...PRO/PER
MAUD I HARRIS	(DEC)...

XREF: SPRSS06988 (Madeline M Dexter) 7/26/18 Status report.

GENERAL INFORMATION

Continued from 07/19/18. Pro Tem Mitchell Roth recused himself and parties do not agreed to continue matter.

THIS CASE SET FOR HEARING ON Status on Mediation/Settlement/Trial Dates.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set at 04/26/18 M.S.C. Court and counsel confer off the record. Parties still working on settlement.
2. Last status report for administrator Deborah Mendez, niece, approved on 09/11/17.

RECOMMENDATION

Inquire status. Court may wish to set Accounting review back on calendar.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601225

CASE NAME: WILLIAM CARROLL WHITE

HEARING:

Accounting Review by ***

COUNSEL:

PAMELA D MARIENFELDT (PET)...DENNIS J HEALEY
WILLIAM CARROLL WHITE (DEC)...

GENERAL INFORMATION

Continued from 05/03/18 and 07/19/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of Administration WWA issued to Pamela Marienfeldt, daughter, on 02/23/17; full authority, no bond.
2. Final Inventory and Appraisal filed 04/26/17; however, section 5 is incomplete as to tax certificate. **Need** tax certificate.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800550

CASE NAME: MTR OF DAVID S HULL

SEE ALSO 7

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

CHARLENE GOSNEY	(OBJ)...LEWIS RILEY LLP
CHARLENE GOSNEY	(PET)...LEWIS RILEY LLP
DAVID S HULL	(DEC)...
DEANNE MILLER	(PET)...ARTHUR H. LAMPEL

XREF: TRUPS1800088 (*The Hull Revocable Trust*)

GENERAL INFORMATION

Continued from 07/19/18. Objector Charlene Gosney to file competing petition and written objections by 08/13/18 to be heard on 09/20/18.

THIS CASE SET FOR HEARING ON

- Petition 1 - Petition for Letters of Administration with full authority under IAEA by **Deanne Miller, sister.**
- Petition 2 - Petition for Probate, Letters Testamentary with Full Authority under IAEA by **Charlene Gosney, niece/successor Trustee.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

Petitioner 1 - Deanne Miller, sister

1. Petitioner alleges she is sole heir and waives bond. Net estate value is \$195,000 of which \$5,000 is personal property.
2. Notice of related case filed 06/14/18 indicating **TRUPS1800088** Hull Revocable Trust Elder Abuse matter.
3. **Objections filed by Charlene Gosney on 08/13/18. Need** proof of service.
4. No proposed order submitted.

Petitioner 2 - Charlene Gosney, niece/successor Trustee.

5. Will waives bond. Net estate value is \$37,000 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).

6. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? JTD
7. **Need** receipt of original lodged will.
8. No Proposed Order submitted.

RECOMMENDATION

Matter is contested, need to clear notes 3, 6-7. Petitioner 2 appears to have higher priority as named executor. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future Hearing:

10/03/18 Motion re: To stay proceedings pending resolution etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800550

CASE NAME: MTR OF DAVID S HULL

SEE ALSO 6

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

CHARLENE GOSNEY	(OBJ)...LEWIS RILEY LLP
CHARLENE GOSNEY	(PET)...LEWIS RILEY LLP
DAVID S HULL	(DEC)...
DEANNE MILLER	(PET)...ARTHUR H. LAMPEL

XREF: TRUPS1800088 (*The Hull Revocable Trust*)

See notes on matter 6.

(lc)

Future Hearing:

10/03/18 Motion re: To stay proceedings pending resolution etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 8:30 DEPT: S36P

CASE#: SPR SS06988

CASE NAME: EST OF MADELINE M DEXTER

HEARING:

Hearing Re: Status on Mediation/Settlement/Trial Dates

COUNSEL:

CYNTHIA BURGESS	(PET)...ROBERT E KNUDSEN
DEBORAH L DEXTER	(PET)...BRYAN C. HARTNELL
JOSEPH J FONDY	(TP)...PRO/PER
KLARISSE DEXTER	(PET)...ROBERT E KNUDSEN
MADELINE M. DEXTER	(DEC)...

XREF: PROPS1600198 (Maud I Harris)

GENERAL INFORMATION

Continued from 07/19/18. Pro Tem Mitchell Roth recused himself and parties agreed to continue matter.

THIS CASE SET FOR HEARING ON Status on Mediation/Settlement/Trial Dates.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter set on 04/26/18 when counsel conferred in chambers off the record and still trying to settle.

RECOMMENDATION

Inquire status of settlement.

(lc)

Future hearing dates: 08/08/19 Accounting review

Superior Court of Calif, County of San Bernardino

Page: 8A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

HEARING:

Hearing Re: Petition for Instructions

COUNSEL:

GILBERT E MADRID

(CEP)...MITCHELL I ROTH

GILBERT MADRID

(CPE)...DAVID M GROSSMAN

MITCHELL I. ROTH

(CPE)...MITCHELL I ROTH

W. A. HLAVATY

(SC)...RICHARD W S PERSHING

Currently under review by legal research.

Notice filed 08/28/18.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400006

CASE NAME: Velma Preciado

HEARING:
Hearing Re: PLACEMENT OF CONSERVATEE

COUNSEL:

DENIS DICKINSON	(CPE)...CRAIG M PARKER
PUBLIC GUARDIAN	(CPE)... COUNTY COUNSEL
ROD PACHECO	(OBJ)...PRO/PER
RODRIC ANTHONY PACHECO	(PCR)...PRO/PER
RODRIC ANTHONY PACHECO	(PET)...RONALD W ASK
VELMA PRECIADO	(CEP)...PRO/PER
VELMA PRECIADO	(PCE)...BRYAN C HARTNELL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Placement of Conservatee.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Denis Dickinson, grandson, appointed successor Conservator of person and estate on 06/13/16, \$24,000 bond.
2. Matter set after review of Court Investigator memo filed 07/31/18. Bryan Hartnell reappointed counsel for conservatee. **Need** report of counsel.

RECOMMENDATION

Need report of counsel.

(lc)

Future Hearing: 10/23/18 Petition to terminate conservatorship of estate
01/29/19 *Accounting Review*.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700124
CASE NAME: MTR OF CHARLES RAYMOND SMITH
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TIFFANY ANN SMITH

COUNSEL:

CHARLES RAYMOND SMITH (CEP)...WALTER T. MOORE
TIFFANY ANN SMITH (CPE)...PRO/PER

GENERAL INFORMATION

Continued from 04/12/18. Compliance documents to be filed, or in lieu, Tiffany Smith to appear at next hearing and show cause why documents have not been filed.

Continued from 06/28/18. Citation to be issued. Attorney Moore will provide JA with best known address for Tiffany Smith. Citation to issue when provided.

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Tiffany Smith, grandson's spouse, appointed conservator of the person and estate on 09/12/17, no bond. It does not appear that there was proper notice given at initial appointment. **Need** proof notice was originally filed. Alternatively, court may wish to vacate order/letters.
2. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
8. **Need** issuance and return of citation.

RECOMMENDATION

Need to clear notes 1-8.

(lc)

Future Hearing: 11/15/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700335

CASE NAME: MTR OF TERESA DEL C MORALES

HEARING:
Conservatorship compliance review

COUNSEL:
CYNTHIA C ARRIAGADA (CP)...PRO/PER
TERESA DEL C MORALES (CTP)...CRAIG M PARKER

GENERAL INFORMATION

Continued from 08/16/18. Referred to Legal Aid.

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Cynthia Arriagada, daughter, appointed conservator of the person only on 01/11/18.
2. Proof of service of notice of Conservatee's rights filed 08/16/18. However, section 5 does not indicate a copy of the Order for Conservatorship was filed. **Need** proof of service with section 5 completed. Alternatively, court may wish to clear on record if copy of order was mailed.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 08/16/18.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700404

CASE NAME: KRYSTAL CHARMAE ANGOLUAN BONUS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of IMELDA ANGOLUAN

COUNSEL:

IMELDA ANGOLUAN (CP)...PRO/PER
KRYSTAL CHARMAE ANGOLUAN BONUS(CTP)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Imelda Angoluan, mother, appointed **limited** conservator of the person only on 02/15/18.
2. Notice of conservatee's rights filed 06/26/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and care plan filed 06/26/18.

RECOMMENDATION

None.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800116

CASE NAME: JANE L LAWRENCE

SEE ALSO 13

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

HELEN A BAGLEY

(PET)...CALDWELL, KENNEDY & PORTER, A

JANE L LAWRENCE

(CEE)...WALTER T. MOORE

Temporary appointment – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800116

CASE NAME: JANE L LAWRENCE

SEE ALSO 12

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HELEN A BAGLEY (PET)...CALDWELL, KENNEDY & PORTER, A
JANE L LAWRENCE (CEE)...WALTER T. MOORE

GENERAL INFORMATION

Walter Moore appointed counsel as GAL on 04/26/18. Jane Lawrence not to be removed without prior court order. Temporary hearing continued to 05/16/18.

Continued from 05/31/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Helen Bagley, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Proposed conservatee passed away on 07/24/18.**
2. ~~Petitioner is a resident of Oregon.~~
3. ~~Petitioner seeks medical and dementia powers. Capacity Declaration filed 04/19/18; attachment filed 04/26/18.~~
4. ~~Petitioner seeks powers re habilitation, treatment, training, medical etc. per Pr.C. § 2351-2358 JTD~~
5. ~~Petitioner seeks dementia powers. Report of Counsel/GAL Moore filed 05/16/18.~~
6. ~~Court Investigator report filed 05/24/18.~~
7. ~~Certificate of completion of Conservatorship Training class filed 05/15/18.~~
8. ~~Citation returned served.~~
9. ~~Proposed Form Order: 04/19/18.~~

RECOMMENDATION

Petition appears moot.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800124

CASE NAME: GLADYS FREEMAN

HEARING:
Petition for Appointment of Conservator

COUNSEL:
GLADYS FREEMAN (CEE)...SANDY L. TURNER
LARRY W FREEMAN (PET)...PRO/PER

GENERAL INFORMATION

Continued from 06/07/18. Sandy Turner appointed counsel.

Continued from 08/02/18. Mark Flory appointed GAL.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Larry Freeman, son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks medical and dementia powers. Capacity Declaration filed 04/26/18.
2. Petitioner seeks powers re habilitation, treatment, fix residence etc. per Pr.C. § 2351-2358 JTD
3. Petitioner lists personal and real property; however, does not appear to seek estate powers. Court to **clarify**.
4. Petitioner seeks dementia powers. Report of Sandy Turner filed 07/09/18.
5. Report of GAL Mark Flory filed 08/27/18.
6. Court Investigator report filed 06/04/18.
7. Certificate of Completion of the Conservatorship Training Class filed 06/07/18.
8. Citation returned served.
9. **Objection filed on 08/16/18 by Christina Thermidor, daughter.**
10. ~Proposed Form Order: 04/26/18.

RECOMMENDATION

Matter is contested. If approved, set hearing for Compliance Review for **04/25/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 09/20/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS00054

CASE NAME: IN THE MATTER OF STEPHEN DEISCHER

HEARING:

Hearing Re: CONCERNS IN CI REPORT

COUNSEL:

JERRY DEISCHER	(CPE)...PRO/PER
MARENE DEISCHER	(CPE)...PRO/PER
STEPHEN DEISCHER	(PLA)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Concerns in Court Investigator Report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Marene and Jerry Deischer, parents, appointed Conservators on 04/30/93.
2. Matter set on 09/04/18 after review of Court Investigator report.

RECOMMENDATION

Court's discretion.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **Readiness Calendar**

DATE: 09/20/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 2, 3

HEARING: AMENDED SECOND Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from **05/02/17**. Compliance review re Melodie deemed moot.

Continued from 06/14/17. The Court confirms Judge McCarville's order that **Melodie Scott's fees are not to be paid to Melodie Scott, but instead go to Pacific Western Bank. Petition for surcharge may be filed**. Amended 2nd or 3rd & final accounting to be filed. Melodie Scott's posted bond amount and whether AnneMarie Scott's bond has been brought current to be addressed. The Court orders accounting to be filed by 8/16/17.

Continued from 10/02/17 for Counsel to file reply to written objections. Court orders request for attorney's fees to be filed by Ms. Scott. At request of Counsel, matter is set on a Wednesday. Notice is waived.

Continued from 12/06/17 at request of Counsel. Attorney Bryan Hartnell represents responses have been recently filed and additional time is needed to review responses. Counsel are encouraged to meet and confer regarding setting a Court Sponsored Mediation date.

Continued from 03/14/18. Ms. Ortiz reports remaining bank statements have been provided to her and Ms. Kennedy. Counsel to meet and confer re settlement of issues. Meet and Confer may include bonding company. Mediation set. Bond company rep with authority to settle matter may be available by telephone.

Continued from 05/16/18. Matter did not settle in mediation, set for trial. Matter not re-reviewed as nothing new filed.

THIS CASE IS SET FOR HEARING ON **Amended (08/16/17) 2nd** Account Current to Create Second and Final Account and Petition for Fees by **former** Conservator of the Person and Estate and Successor Trustee, Melodie Scott.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting period 03/12/15 to **09/16/16 (Conservatorship)**
Accounting period 03/12/15 to 09/30/16 (Trust)
2. Assets on Hand \$0.00 (Conservatorship)
Assets on Hand \$0.00 (Trust)
3. Current bond set at \$735,000.
4. Petitioner indicates she is entitled to reasonable fees for her services as Conservator of the person and estate and as Trustee of the Trust. Court ordered fees to be paid to Pacific Western Bank per m/o on 06/14/17.
5. Petitioner acquired authority to make periodic payments of compensation to herself in an amount of 80% equal to her monthly billing. Supp filed 12/05/17 the fees of \$2,744.58 and \$12,700 paid on 11/12/15 from Trust were approved in prior account leaving \$6,400 paid toward fees. Said paid sum of \$6,400 will be used for fees earned and unpaid during this account period; however, petitioner does not have current time records available. **Supp 04/16/18 remaining \$6,400 will be against fees earned and unpaid for present period of account. Time records attached at LFpgs 7-27. JTD**
6. Attorney requests reimbursement of costs advanced of \$3,072.34. Itemized [LF, p. 72]. **JTD**
7. During this accounting period, petitioner paid caregiving services; case management fees; and account management fees. **Supp 12/06/17 fee acknowledgments attached** by Danielle Temby; Deborah Diaz; Jodi Loera; Annmarie Scott; Raumey Wilson; Vivian Kavigan; Lindsey Fillian; Carol Voll-Buschez; Carie Bashez; Sheryl Cook; Christopher Scott; and Right at Home Inland Valley; **see LFpgs7-25. JTD**
8. Supp 09/29/17 residential facility statements for Rose Garden Residential from 01/2015 to 08/2015. **Supp 12/05/17 includes residential statements through 09/2016 at LFpgs28-37.**
9. Supp 09/29/17 requests attorneys' fees **\$39,610.00** for 166.90 hours at ranging from \$250-\$425/hour for attorney services; \$50-125/hour for paralegal services, and \$25/hour for book keeper. Itemized at LFpg24-42. **JTD**
10. **Objections filed 09/27/17 by James Oberman, current conservator and trustee.**
11. **Declaration joining objection filed by appointed Counsel Jeanne Kennedy on 10/04/17.**
12. **Reply to Objection to Amended Second Account by Melodie Scott filed 12/05/17.**
13. Proposed Order 08/16/17 indicates the fees for Petition and her counsel as requested are approved; no fees have been requested. Fees remaining due and owing the Petitioner are blank; attorney fees are blank; allows discharge and

exoneration of bond upon filing of documents instead of upon entry of discharge order.

RECOMMENDATION:

Matter is contested. If approved, set hearing for receipts and final discharge for **10/03/19**.
(nb/lc/nb/lh)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045
CASE NAME: Vivian Bertrand

SEE ALSO 1, 3

HEARING: Third Account and Report of JAMES L OBERMAN and Petition for allowance of fees filed.

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

GENERAL INFORMATION:

Continued from 03/14/18 and 05/16/18.

THIS CASE IS SET FOR HEARING ON Third Account Current and First Report of Successor Conservator, Petition for Settlement, Fees and Reimbursements by James L. Oberman, second successor conservator

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Conservatee passed away on 04/28/18.**
2. Assets on hand: \$367,211.82, cash. Note: it is unclear if the starting balance of the third account matches the ending balance of the second account. See prior matter. Need Order approving second account prior to approval of third account.
3. Accounting period: 09/30/16 to 09/30/17. Note: accounting period lapses one day.
4. Petitioner will file separate supplements conservator fee's and attorney's fees.
Need same.
5. During this accounting period, petitioner paid caregiving services to a Debbie Diaz, nurse's aide. **Need** verified declaration for acknowledgment of receipt of fees per Local Rule 20-1406(c)
6. **Need** residential statements for Braswell Leisure Manor per Pr. C. §2620(c)(5).

7. **Need** statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. §1064(a)(4).
8. Current bond is \$20,000. Petitioner requests bond increase of \$386,413 for a total bond of \$406,413.00. **Need** bond calculation via verified supplement.
9. No Proposed Order submitted.

RECOMMENDATION:

Need to clear notes 4-8, then Court's discretion. If approved, Court to set next *final* accounting review hearing **12/4/18**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:29 DEPT: S37P

CASE#: CON PS1400045

CASE NAME: Vivian Bertrand

SEE ALSO 1, 2

HEARING:
Readiness Calendar

COUNSEL:

ANNMARIE M SCOTT	(PET)...RYAN J GALLANT
BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
JAMES L OBERMAN	(PET)...DONNASUE ORTIZ
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY &
MELODIE Z SCOTT	(CPE)...BRYAN C HARTNELL
PACIFIC WESTERN BANK A CALIFOR	(FABOZZI & MILLER
SURETEC INSURANCE COMPANY	(PET)...PRO/PER
SURETEC INSURANCE COMPANY	(TP)...WOLKIN CURRAN LLP
VIVIAN BERTRAND	(CEP)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Readiness – No notes – JTD

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY **PROBATE**

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300979
CASE NAME: MTR OF IMOGENE J HAMILTON
HEARING: First and Final Account and Report of LARRY E HAMILTON and
Petition for allowance of fees filed.

COUNSEL:

CONSTANCE L HAMILTON	(PET)...WILLIAM R REMERY
IMOGENE J HAMILTON	(DEC)...
INHERITANCE FUNDING COMPANY IN	(STEVEN D SCHROEDER
LARRY E HAMILTON	(PET)...GUAGENTI & DAMSKY
SYLVESTER HAMILTON JR	(PET)...PRO/PER
SYLVESTER HAMILTON JR	(TP)...PRO/PER

Request for Waiver of Court Fees and Costs filed by **Constance L Hamilton** is GRANTED
Fee waiver amount due \$465.00 for petition on 01/06/14

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Larry Hamilton, executor/son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$482,817.92 in cash.
2. Executor and counsel seek statutory fees of \$24,378 each. Ok
3. Executor seeks reimbursement of costs totaling \$6,099.45. However, some costs of \$90.07 for copying and postage are generally not allowed per local rule 20-909. [Acct. 7/26LFpg24-26]. **JTD**
4. Counsel seeks reimbursement of costs totaling \$2,841.35. However, some costs of \$313.48 for copying and postage are generally not allowed per local rule 20-909 [Acct.07/26/18LFpg67-68]. **JTD**
5. Executor seeks extraordinary fees of \$2,267.50 for 90.7 hours at \$25 per hour re sale of real property per Cal Rules of Ct 7.703. [Acct.07/26/18LFpg69-73]. **JTD**
6. Counsel seeks extraordinary fees of \$35,827.75 for 121.45 hours at \$295 per hour. [Acct.07/26/18LFpg74-113]. **JTD**
7. Executor seeks a reserve of \$5,000.
8. Executor proposes to donate miscellaneous personal property valued at \$1,150 to charity. Appears ok.
9. Executor seeks court surcharge beneficiary Constance Hamilton \$126,694.60, of which \$50,700 is fair market value rent, for refusal to vacate, pay rent and

misappropriation of estate assets. Additionally, the property allegedly needed improvement after Constance vacated property. Court to determine if a separate petition should be filed as to surcharges for Constance and re Sylvester [next note]. However, **no objections** have been filed at time of review. **JTD**

10. Executor seeks court surcharge beneficiary Sylvester Hamilton \$60,787.74 for eviction proceedings and fair market value of rent. **JTD**

11. ~Proposed Order: 07/26/18; however, only approved as to current form and content. It appears may need to be amended.

RECOMMENDATION

Court's discretion re cost/fees/surcharge. If approved, set hearing on the filing of receipts and final discharge for **10/03/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700109

CASE NAME: MTR OF MARY RUTH VERDUZCO

HEARING:

Accounting Review by ***

COUNSEL:

LYNN M JIMENEZ (PET)...PRO/PER
MARY RUTH VERDUZCO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters Testamentary issued to Lynn Martinez, daughter, on 07/13/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700249

CASE NAME: MTR OF VERBLE N CHAPMAN

HEARING:

Waiver Of Accounting Account and Report of LINDA L SMITH and
Petition for allowance of fees filed.

COUNSEL:

LINDA L SMITH (PET)...ELISABETH KEMPE-OLINGER
VERBLE N CHAPMAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Linda Smith, daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Assets on hand \$557,670.03 in cash, stocks and promissory note.
2. Both beneficiaries waive accounting.
3. Executor waives statutory compensation.
4. Attorney seeks statutory fees of \$14,535.82. Ok.
5. Attorney seeks extraordinary fees of \$2,210 for 6.8 hours at \$325 per hour re sale of real property [LFpg13-16]. **JTD**
6. Executor seeks a reserve of \$1,400.
7. ~Proposed Order: 07/27/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **10/03/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800097

CASE NAME: JAMES WALTER BLACKBURN

HEARING:

Hearing Re: Request to be Relieved as Guardian Ad Litem

COUNSEL:

JAMES WALTER BLACKBURN	(DEC)...
LINDA TOMKO	(PET)...JOHN F WEBER
TYLER BRANSON	(MIN)...PRO/PER
WILLIAM KRATZER	(MIN)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Request to be Relieved as Guardian Ad Litem by Sandy Turner.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Sandy Turner was appointed GAL for minor Tyler on 03/20/18. It was later discovered that Tyler was 24, not 14 as originally stated; nor is Tyler disabled.
2. GAL seeks to be relieved for Tyler as there is no apparent need.
3. ~Proposed order: 07/30/18.

RECOMMENDATION

RFA.

(lc)

Future Hearing:05/28/19 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800718

CASE NAME: MTR OF EDWARD L KAMBERG

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

CAROLINE E BOWMAN (PET)...TERRY A BEECHER
EDWARD L KAMBERG (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Caroline Bowman, niece.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond; petitioner is also sole beneficiary of will. Net estate value is \$400,000 in personal property. However, petitioner is a resident of Texas and court could require bond per Pr.C. § 8571.
2. ~Proposed Form Order: 08/01/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800749

CASE NAME: CORBIN T STRICKLER

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority
under IAEA

COUNSEL:

CORBIN T STRICKLER (DEC)...
KATHLEEN L MORGAN (PET)...VARNER & BRANDT

GENERAL INFORMATION

Kathleen Morgan appointed special administrator on 08/14/18 Bond \$1,567,000.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **Limited** authority under IAEA by Kathleen Morgan, niece.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is nominated by decedent's sister/sole heir Virginia Forsyth. Petitioner is daughter of Virginia.
2. Petitioner seeks bond of \$500,000 and balance of funds be placed into blocked account. Net estate value is \$6,867,048 of which \$1,567,048 is personal property. Appears ok as petitioner seeks limited authority. **Supp 09/12/18**: Petitioner further reiterates funds be placed into blocked account to reduce bond premium.
3. ~Proposed Form Order: 08/07/18.

RECOMMENDATION

Court's discretion re bond/blocked account. If approved, set hearing re proof of blocked account for **11/01/18** and Accounting/Status Review for **12/05/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800757

CASE NAME: Mikel Ann Boyd

HEARING:
Spousal Property Petition hearing.

COUNSEL:
MIKEL ANN BOYD (DEC)...
WALTER K BOYD (PET)...LAW OFFICES OF J. PATRICK RAGA

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Walter Boyd, surviving spouse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks confirmation of his half of community property and determination that decedent's community property passes to petitioner without administration.
2. Petitioner alleges the Life and Annuity Policy acquired by decedent, was acquired during the marriage; although dates not provided. Petitioner is also insured under this same policy subsequent to the passing of decedent. Petitioner also states that they require letters testamentary or small estate affidavit value; however, this matter will provide a spousal property order.
 - a. **Need** supporting policy statement.
 - b. **Need** verified supplement with actual dates of marriage and date policy was acquired.
3. ~Proposed Form Order: 08/09/18.

RECOMMENDATION

Need to clear note 2.
(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 09/20/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100078

CASE NAME: SHINIQUE GLOVER

HEARING:

Accounting Review by ***

COUNSEL:

SHINIQUE GLOVER

(CEP)...DUANE P BOOTH

RUTH JEAN GLOVER

(CPE)...BRYAN C HARTNELL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Previous accounting dispensed as to Ruth Glover, mother, approved on 01/23/17.
2. **Need** next Account beginning with 07/21/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700317

CASE NAME: MTR OF MARGARET SALSBERY

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CARREEN GARCIA

COUNSEL:

CARREEN GARCIA (CPE)...HORSPOOL & H ORSPOOL
MARGARET SALSBERY (CEP)...CANDICE GARCIA-RODRIGO

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Carreen Garcia, granddaughter, appointed temporary conservator of the person and estate on 12/14/17, general on 02/15/18, \$30,000 bond.
2. Notice of conservatee's rights filed 02/16/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and care plan filed 02/28/18.
4. Final Inventory and Appraisal filed 03/14/18.
5. Proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610 filed 03/16/18.

RECOMMENDATION

None.

(lc)

Future Hearing: 04/25/19 *Accounting Review.*

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 09/20/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800099
CASE NAME: MTR OF CYNTHIA ANABEL PAZ
HEARING: Petition for Appointment of Conservator

COUNSEL:

BLANCA M SANTOS (CP)...PRO/PER
CYNTHIA ANABEL PAZ (CTP)...LENITA A SKORETZ

GENERAL INFORMATION:

Continue from 05/14/18 and 08/27/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator, of the person only by Blanca Santos, mother.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, authority to make and consent to all medical decisions. **JTD**
2. Petitioner seeks civil rights not be limited without court order.
3. Capacity Declaration filed 04/04/18.
4. Proposed conservatee is developmentally disabled. Report of Attorney Skoretz filed 08/27/18.
5. Proposed conservatee is developmentally disabled. IRC report filed 08/22/18.
6. **Need** List of Required Contacts (Local form SB-12224) **to include siblings.**
7. Citation with proof of service filed 04/27/18.
8. Certificate of Completion of the Conservatorship Training Class filed 05/03/18.
9. CI report filed 05/03/18.
10. ~Proposed Form Order: 04/04/18

RECOMMENDATION

Need to clear note 6. If approved, set hearing for Compliance Review for **04/25/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.
(cs/ww/cs/lc)