



## Second/Final Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 10/04/18**

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](mailto: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.

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: 10/04/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700323

CASE NAME: DONNA L. MCDOW

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DONNA L MCDOW

(DEC)...

GLENN L. MCDOW

(PET)...GRESHAM SAVAGE NOLAN &

INHERITANCE FUNDING COMPANY, I(TP )...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Glenn Sanchez, cousin, on 08/25/17; full authority, \$724,000 bond.
2. Final and supplemental Inventory and Appraisals filed 02/23/18. Image available only in Open Access. Clerk's office notified on 09/04/18.
3. **Need** accounting or status report.

#### 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 **CONSERVATORSHIP**

-----  
DATE: 10/04/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1300233

CASE NAME: VIVIAN PEDROZA

HEARING:

Hearing Re: STATUS OF TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

JOSEPHINE PEDROZA

(CP )...PRO/PER

VIVIAN PEDROZA

(CTP)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Transfer to Riverside County.

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

1. Josephine Pedroza, mother, appointed limited Conservator or person only on 10/15/13. Conservatee resides in Beaumont. Case ordered transferred to Riverside on 06/07/18.
2. **Need** receipt of transfer with Riverside Case number.

#### RECOMMENDATION

Inquire status of transfer.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**PROBATE**

-----  
DATE: 10/04/18 TIME: 8:29 DEPT: S36P  
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CASE#: CON PS1800085

CASE NAME: MTR OF COOKIE GILESPIE

HEARING: Hearing Re: Petition for Appointment of Conservator

COUNSEL:

CLAUDIA MCKEE

(CPE)...PRO/PER

COOKIE GILESPIE

(CEE)...SHERRI L KASTILAHN

INLAND COUNTIES REGIONAL CENTE (STEVEN K BECKETT)

GENERAL INFORMATION

Sherri Kastilahn appointed counsel on 03/26/18. Exparte Continued to 04/04/18.

IRC appointed temporary Conservator on 04/04/18. IRC to be payee of public benefits.

Continued from 06/13/18. Temporary letters to remain until 08/22/18.

**Continued from 08/22/18. Matter contested, trial requested.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and ~~estate~~ by Claudia McKee, sister.

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

1. It appears proposed conservatee is developmentally disabled. Court to determine if a limited conservatorship is appropriate. **JTD**
2. Petitioner no longer seeks estate powers.
3. IRC report filed 06/07/18.
4. CI Report filed 06/05/18.
5. Petitioner seeks medical powers. **Need** Capacity Declaration. Petitioner alleges with IRC interference she is unable to secure Capacity Declaration at this time.
6. Petitioner seeks dementia powers. **Need** report of counsel Kastilahn.
7. **Need** return of citation.
8. List of required contacts (Local form SB-12224) filed 08/20/18; however, no adopted family relatives listed other than petitioner. Court to inquire if supplemental list and notice is needed.
9. Proof of Completion of the Conservatorship Training Class filed 08/01/18.
10. **Objection by Inland Counties Regional Center filed 04/03/18.**
11. **Reply to IRC Objections filed by Claudia McKee on 06/08/18. Need** proof of service.
12. No proposed order submitted.

## RECOMMENDATION

Matter is contested. Need to clear notes 5-7 and 11. If approved, set hearing for Compliance Review for **05/09/19** for the filing of the required documents and hearing re Accounting Review for **12/12/19**. Any accounting to be filed 30 days in advance.

(lh/lc)

Future hearing dates: 10/10/18 Trial

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/04/18 TIME: 8:29 DEPT: S36P  
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CASE#: CON PS1800085

CASE NAME: MTR OF COOKIE GILESPIE

HEARING:  
Readiness Calendar

COUNSEL:

CLAUDIA MCKEE	(CPE)...PRO/PER
COOKIE GILESPIE	(CEE)...SHERRI L KASTILAHN
INLAND COUNTIES REGIONAL CENTE	(STEVEN K BECKETT

Readiness – 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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500865

CASE NAME: Rudy Sudol

HEARING: Final Account and Report of JENNIFER REID and Petition for allowance of fees filed.

COUNSEL:

JENNIFER REID (PET)...PRO/PER  
RUDY SUDOL (DEC)...  
VANESSA TAGHVATALAB (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by JENNIFER REID is GRANTED

Fee waiver amount due \$930.00

\$465.00 for petition on 11/23/15

\$465.00 for petition on 04/20/18

GENERAL INFORMATION

**Continued from 05/31/18 and 07/26/18 for proper accounting and correct Inventory and Appraisal.**

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Jennifer Reid, granddaughter.

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

1. Executor merely submits a coversheet with bank statements that does not comply with Pr.C.§10900 and Pr.C.§1060 et. seq. **Need** a proper summary of account and accounting schedules.
2. Final Inventory and Appraisal filed 01/11/18 has incorrect date of death. Date of death is 09/26/14, not 09/26/16. **Need** corrected Inventory and Appraisal with date of death bank statements per local rule 20-908.

RECOMMENDATION

Need proper accounting and report with corrected Inventory and Appraisal.

(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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

**SEE ALSO 5, 6, 7**

HEARING:

Hearing Re: Closing Briefs

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DAVID PHILIPSON	(DAVID PHILIPSON
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	( )...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

**CCP170.6 filed as to CYNTHIA A LUDVIGSEN**

Closing Briefs – 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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

**SEE ALSO 4, 6, 7**

HEARING:

Hearing Re: COMPLAINT FOR FRAUD, MISREPRESENTATION, ETC

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DAVID PHILIPSON	(DAVID PHILIPSON
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	( )...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

**CCP170.6 filed as to CYNTHIA A LUDVIGSEN**

Currently under review by legal research.

Continued matter. Notice not re-reviewed.

(ww/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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

**SEE ALSO 4, 5, 7**

HEARING: Hearing Re: PETITION FOR LETTERS OF ADMIN W/FULL IAEA

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DAVID PHILIPSON	(DAVID PHILIPSON
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	( )...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

**CCP170.6 filed as to CYNTHIA A LUDVIGSEN**

GENERAL INFORMATION:

Continued from **03/01/16**. Attorney Mark Bridges states that he will be filing a will contest. Attorney David Philipson can file an ex parte for letters of special administration to address the issue with the red tagged property & funds that are not able to be deposited w/o letters.

Continued from **05/03/16**. Dennis Shogren appointed special administrator, \$4M bond.

Continued from **05/19/16, 06/30/16, 09/15/16, 01/10/17 and 05/04/17**. Counsel reported private mediation will be heard in late July or August. Counsel Church to lodge a copy of report with court. Judge Reilly will inform parties where they will be assigned and when their trial readiness hearing will be heard.

Continued from 08/03/17. Matter assigned for a long-cause trial to S26 with Judge **Cohn**. **Counsel reported that standing is an issue. Trial readiness taken off calendar pending next hearing.**

Continued from **10/26/17** at request of counsel.

Hearing on **02/13/18** was vacated and reset for 04/18/18 per Stip and Order filed 01/30/18.

Continued from **04/18/18**. Trial readiness set on terminating sanctions issue.

**Continued from 07/19/18, 07/30/18 and 08/01/18.**

THIS CASE IS SET FOR HEARING ON

- Petition 1- for Letters Testamentary with full authority under IAEA by **Daniel Brown, named executor.**
- Petition 2- for Letters of Administration with full authority under IAEA by **Dennis Shogren CPA.**

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

**Petitioner 1 Daniel Brown, executor**

1. Petitioner requests \$43,200,000.00 bond be posted. Appears adequate.
2. Proof of Subscribing Witness filed 02/23/16.
3. **Need** Notice of Petition to Administer Estate with proof of service.
4. Lengthy Declaration filed by petitioner on 03/13/17 indicating personal property held. It appears that remaining items are minimal, keys, laptop, 2 motorcycles in disrepair and pennies.
5. **Objections filed by William Carter, Joan Cunningham and Carol Marshall on 02/26/16. Objections and will contest also filed by same parties on 05/03/16. Proof of summons filed 06/29/16 per Pr.C. § 8250.**
6. **First amended Contest and Grounds of Objection to Probate filed 11/10/16 by William Carter, Joan Cunningham and Carol Marshall. Proof of service filed 11/10/16. However, need proof of summons of amended Contest per Pr. C. § 8250.**
7. **Reply and Objections to First Amended Contest filed 01/03/17 by Daniel Brown.**
8. **Supp with joinder filed 07/20/17. Barbara Sagehorn, paternal aunt, joins in petition for probate and does not object. Court to clarify if Barbara is merely approving petition by Daniel or is seeking to be co-administrator.**
9. ~Proposed Form Order/Letters 01/11/16.

**Petitioner 2 Dennis Shogren, CPA**

10. Petitioner requests bond of \$1,000,000. Estate is valued at \$43,200,000.
11. Petitioner attaches will; however, is not probating the will.
12. Petitioner is nominee by cousins; the only heirs at law William Carter, Joan Cunningham and Carol Marshall.
13. List of firearms filed on 05/23/17.
14. ~Proposed Form Order: 03/25/16.

RECOMMENDATION:

Matter is contested, need to clear note 3 & 6. Petitioner 1 appears to have higher priority. If approved, set future hearing for Accounting/Status Review on **12/12/19**. Any account to be filed 30 days in advance. Note requirements of Local Rules.

(nb/lc/nb/lc/nb/lh/lc/ww/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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600025

CASE NAME: MTR LOREN L KIRK

**SEE ALSO 4, 5, 6**

HEARING:

Hearing Re: PTN FOR PROBATE OF WILL/LETTERS W/FULL IAEA

COUNSEL:

BARBARA SAGEHORN	(EMISON HULLVERSON LLP
CAROL MARSHALL	(EMISON HULLVERSON LLP
DANIEL BROWN	(PET)...LURIE, ZEPED A, SCHMALZ,
DAVID PHILIPSON	(DAVID PHILIPSON
DENNIS SHOGREN	(PET)...E JOAN NELMS
JOAN CUNNINGHMAN	(PET)...EMISON HULLVERSON LLP
LOREN L KIRK	(DEC)...
RAYMOND J LOPEZ	( )...
WILLIAM N CARTER	(OBJ)...EMISON HULLVERSON LLP
WILLIAM N CARTER	(PET)...EMISON HULLVERSON LLP

**CCP170.6 filed as to CYNTHIA A LUDVIGSEN**

See notes on matter 6.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600144

CASE NAME: MTR OF JESSIE L ELLIGET

**SEE ALSO 9**

HEARING:

Petition for Termination of Further Proceedings and Discharge of  
Personal Representative

COUNSEL:

DAVID C NICHOLSON (PET)...ANTHONY J. VULIN  
JESSIE L ELLIGET (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Proceedings Pr.C. §  
12251 by David Nicholson, friend/executor.

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

1. Executor seeks termination on the basis that after diligent search, no assets have been discovered. Any assets appear to be Trust assets.
2. ~Proposed Order: 08/13/18.

RECOMMENDATION

RFA.

(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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600144

***Vacated***

CASE NAME: MTR OF JESSIE L ELLIGET

***SEE ALSO 8***

HEARING:

Accounting Review by \*\*\*

COUNSEL:

DAVID C NICHOLSON  
JESSIE L ELLIGET

(PET)...ANTHONY J. VULIN  
(DEC)...

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600150  
CASE NAME: DAREL STEVEN McNORTON  
HEARING: Petition for final distribution Account and Report of WILLIAM SWIM and Petition for allowance of fees filed.

COUNSEL:

DAREL STEVEN MCNORTON (DEC)...  
WILLIAM SWIM (PET)...PRO/PER

Request for Waiver of Court Fees and Costs filed by WILLIAM SWIM is GRANTED  
Fee waiver amount due \$930.00 \$465.00 for petition on 02/25/16 \$465.00 for petition on 07/11/18

GENERAL INFORMATION

**Continued from 08/23/18. No appearance. Notes to be cleared.**

THIS CASE SET FOR HEARING ON Final Distribution and Petition for Allowance of Fees by William Swim, friend.

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

1. Executor waives statutory compensation.
2. Assets on hand appear to be \$2,254.66; however, is not clear on actual assets on hand or if the real property sold with any equity. **Need** verified supplement re actual assets on hand.
3. Executor appears to waive accounting, although caption in petition does not indicate accounting or waiver; however, there are no waivers for the other 8 residual beneficiaries.
  - a. **Need** waivers for Daniel, Chrissy, Calena, Angelica, Breannon, Rayannon, Monique and Nicholas. Alternatively, need actual accounting.
  - b. **Need** verified supplement indicating actual relief sought local rule 20-601.
4. **Need** statements to support Inventory and Appraisal cash balances and ending distribution balance per local rule 20-908.
5. **Need** closing escrow statement per local rule 20-910 [if beneficiaries do not waive accounting].
6. **Need** notice of hearing and proof of service.
7. Report states an Inventory and Appraisal was filed indicating assets of \$1,795.28; however, no Inventory and Appraisal has been filed with that value. Court to inquire.
8. No proposed order. Submit after hearing.

## RECOMMENDATION

Need to clear notes 2-6. If approved, set hearing on the filing of receipts and final discharge for **10/17/19**.

(lc)



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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700325

CASE NAME: MTR OF HOWARD LEE STOVALL

HEARING:

FIRST AND FINAL Account and Report of LARRY STOVALL and Petition  
for allowance of fees filed.

COUNSEL:

HOWARD LEE STOVALL (DEC)...  
LARRY STOVALL (PET)...JONATHAN P HUBER

GENERAL INFORMATION

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

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

1. Assets on hand \$65,157.68 in cash.
2. Administrator is sole beneficiary per assignment of interest by other heir/son Daniel Stovall.
3. Administrator waives statutory compensation.
4. Counsel seeks statutory fees of \$3,247.05. Ok.
5. Counsel seeks reimbursement of costs totaling \$3,175.04. [07/27LFpg28].
6. Counsel seeks extraordinary fees of \$2,216.50 for 8.5 hours at \$165/350 per hour for paralegal and attorney services related to sale of real property. **JTD**
7. Administrator seeks a reserve of \$1,000.
8. **Need** bank statement to support cash balance per local rule 20-908.
9. **Need** closing escrow statement per local rule 20-910.
10. No Proposed Order submitted. Submit after hearing.

RECOMMENDATION

Need to clear notes 8--9. If approved, set hearing on the filing of receipts and final  
discharge for **10/17/19**  
(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700764

CASE NAME: VALERIE DEN BESTEN

HEARING:

First and Final Account and Report of CRAIG MINTZ and Petition  
for allowance of fees filed.

COUNSEL:

CRAIG MINTZ (PET)...VINCENT L JAMISON  
VALERIE DEN BESTEN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for  
Allowance of Fees by Craig Mintz, son.

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

1. Assets on hand \$506,697.66 in real property, mutual funds and 1/6<sup>th</sup> interest in partnership.
2. Administrator and counsel seek statutory fees of \$13,231.18 each. Ok.
3. Administrator seeks reimbursement of costs totaling \$1,664.49. [LFpg10] **JTD**
4. Distribution agreement attached beginning with LF page 17.
5. **Need** bank statement to support Inventory and Appraisal and ending cash balance per local rule 20-908.
6. No Proposed Order. Submit after hearing.

RECOMMENDATION

RFA subject to note 5. If approved, set hearing on the filing of receipts and final discharge  
for **10/17/19**

(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: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700935

CASE NAME: MTR OF JAMES RALPH TOLLIVER

**SEE ALSO 14**

HEARING:

Hearing Re: STATUS OF ADMINISTRATION

COUNSEL:

DAVID SHERAK OF VOGT,RESNICK (PET)...VOGT,RESNICK & SHERAK, LLP  
JAMES RALPH TOLLIVER (DEC)...

GENERAL INFORMATION

Continued from 03/29/18 to file Petition for General Probate.

**Continued from 06/07/18 and 08/02/18. Counsel stated petition for administration was submitted to a runner for processing, yet nothing was showing in ROA.**

THIS CASE SET FOR HEARING ON Status of Administration

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

1. Letters of Special Administration issued to David Sherak, named executor/creditor, 09/28/17.
2. **Petition for probate of lost will filed, hearing continued to 11/15/18**
3. Status report filed 03/23/18. See other matter.

RECOMMENDATION

Court's may wish to vacate as petition has been filed.

(lc)

Future Hearing: 11/15/18 Petition for Probate by David Sherak.

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700935

CASE NAME: MTR OF JAMES RALPH TOLLIVER

**SEE ALSO 13**

HEARING: Probate status report filed.

COUNSEL:

DAVID SHERAK OF VOGT,RESNICK (PET)...VOGT,RESNICK & SHERAK, LLP  
JAMES RALPH TOLLIVER (DEC)...

GENERAL INFORMATION

**Continued from 05/02/18 and 06/07/18 to clear notes.**

THIS CASE IS SET FOR HEARING ON Status Report.

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

1. Letters of Special Administration issued to David Sherak, named executor/creditor, 09/28/17.
2. Special Administrator seeks an additional 6 months to close the estate due to ongoing search for several of decedent's assets e.g., financial accounts, rent on real property received prior to decedent's death, unclaimed property held by state of California, and additional funds believed to have been taken from decedent prior to his death by beneficiary, Tania Hussein. These assets may require Special Administrator to request the Court to compel responses from parties.
3. **NOTE:** Special administrator is limited without general powers after publication and appears *Pr.C. § 8544(c) does not appear to allow special administrator to take action on decedent re creditor without general powers/publication.*
4. Notice filed 06/08/18; however, **need** notice per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
5. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

Need to clear note 4. Trail to 11/15/18 hearing.

(/lc)

Future Hearing: 11/15/18 Petition for Probate by David Sherak.

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800457  
CASE NAME: Arnold Jerome Modtland  
HEARING: Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

ARNOLD JEROME MODTLAND (DEC)...  
RENAE JEAN NELSON (PET)...PRO/PER

GENERAL INFORMATION

**Continued from 06/21/18 and 08/23/18.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Renae Nelson, daughter.

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

1. Will waives bond. Net estate value is \$26,500 of which \$20,000 is personal property. Court to inquire if this is proper proceeding.
2. Petitioner provides an Arizona will and appears valid.
3. ~Proposed Form Order: 05/10/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/12/19**. 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: JAMES MICHAEL WELCH

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DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800666

CASE NAME: BESSIE MAE SHOULDERS

HEARING:

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

COUNSEL:

BESSIE MAE SHOULDERS (DEC)...  
CHRISTOPHER WILLIAMS (PET)...PRO/PER

GENERAL INFORMATION

Special Administration continued from 07/31/18 for petitioner to prepare request to include specific powers he is requesting and include waive of notice by each beneficiary.

**Continued from 08/23/18. Christopher Williams appointed special administrator.**

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Christopher Williams, named executor.

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

1. Will waives bond. Net estate value is \$92,636.89 in real property [\$149,000 gross].  
**JTD**
2. Proof of publication filed 09/14/18; however, hearing date appears to be incorrect;  
**10/02/18.**
3. Note to court: Heir Robert Shoulders' has a power of attorney April Shoulders.
4. Petitioner seeks authority to sell residence. Petitioner would have authority if petition is granted as he is seeking full authority.
5. ~Proposed Form Order: 07/16/18.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **12/12/19**. 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: JAMES MICHAEL WELCH

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800764

CASE NAME: MTR OF DEIN WANG

HEARING:

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

COUNSEL:

DEIN WANG (DEC)...  
SHUYUAN Z WANG (PET)...PRO/PER

No notes provided as an amended petition has been filed; hearing on 10/16/18. Amended  
Petition supersedes all other petitions as it is amended per Cal Rules of Ct 7.3(3).

(lc)

Future hearing dates: 10/16/18 Amended Petition for Probate of Will

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS AND MOTION**

-----  
DATE: 10/04/18 TIME: 8:35 DEPT: S36P  
-----

CASE#: TRU PS1800166

CASE NAME: PATRICIA V.J. POWELL LIVING TRUST

HEARING:

Petition for ORDER CONFIRMING REVOCABLE LIVING TRUST

COUNSEL:

JONATHAN TULLY (PET)...DINA I FARHAT  
THE PATRICIA V.J. POWELL LIVIN (TRU)...

Currently under review by legal research.

Notice filed 08/27/18 is not proper.

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.

The Notice of Hearing filed does not comply with one of more of these mandatory requirements.

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

(lc)



Superior Court of Calif, County of San Bernardino

Page: 18A ADD ON

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

-----  
DATE: 10/04/18 TIME: 8:35 DEPT: S36P  
-----

CASE#: TRU PS1800174

CASE NAME: RONALD F FONTAINE LIVING TRUST

HEARING:

Petition for Order Confirming Trust Assets And Instructing  
Trustee As To Trust Beneficiary

COUNSEL:

RICHARD FONTAINE (PET)...PHILIP M SAVAGE  
RONALD J FONTAINE LIVING TRUST (TRU)...PRO/PER

Currently under review by legal research.

Notice filed 09/05/18 however, does court wish to require notice to Gregory French; named caregiver/interested party. **JTD**

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

-----  
DATE: 10/04/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CON DS1000084

CASE NAME: MTR OF BAYARD RUSSEL WELTE

HEARING:

Accounting Review by \*\*\*

COUNSEL:

BAYARD RUSSEL WELTE	(CEP)...DONNASUE ORTIZ
BAYARD RUSSEL WELTE	(CEP)...JANET M HERRING
BAYARD RUSSELL WELTE	(CEP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
MICHAEL RUSSELL WELTE	(CPE)...PRO/PER
MICHAEL RUSSELL WELTE	(OBJ)...PRO/PER
SHELLEY L WALLACE	(PRO/PER
SHERRY EVERSOLE	(CPE)...LAYNE A BARTHOLOMEW

**XREF: CONDS1000083** (*Louise Teresa Welte*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 4<sup>th</sup> Account for Sherry Eversole, daughter, approved on 01/19/17.
2. **Need** 5<sup>th</sup> Account beginning with 08/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

-----  
DATE: 10/04/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1100285  
CASE NAME: GILBERT E. MADRID  
HEARING: FOURTH Account and Report of GILBERT MADRID and Petition for allowance of fees filed.

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

GENERAL INFORMATION

Continued from **07/06/17 and 07/13/17**. Gilbert Madrid to pay \$72 overdraft fees and get his rent up to date. Rent is payable monthly on the 15<sup>th</sup>. Declaration to be filed as to payments made. Gilbert Madrid suspended as Conservator and trustee on 07/27/17.

**Continued from 08/31/17, 10/12/17, 12/07/17, 01/11/18 and 03/22/18**. Gilbert Madrid to vacate the premises by 04/15/18. Funds taken by Gilbert to be returned forthwith. Attorney Richard Pershing to submit order. Attorney Setlich to file an amended accounting. Nothing new filed.

**Continued from 07/12/18. Gilbert Madrid to file a supplemental accounting by 08/22/18** and ordered to appear on 08/23/18 and conformed copy to be filed. If not filed, Court will deem waived and \$408,50.276 will be owed to estate. Bond of \$355,000 required by W.A. Hlavaty. Hearing will be specifically set in S36. Counsel Pershing to file Motion to Withdraw by end of today 7/12/18 [filed and heard 8/16]. Nothing new filed

**Continued from 08/23/18. Gilbert Madrid stated he was not aware of the order ordering him to file supplemental accounting; he has appointment with counsel on 09/14/18. Supplemental accounting to be filed prior to 10/04/18 hearing.**

THIS CASE SET FOR HEARING ON 4<sup>th</sup> Account Current and Petition for Allowance of Fees by Gilbert Madrid, son.

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

1. Accounting period 07/03/15 – 01/05/17.
2. Assets on hand \$369,873.76 of which \$73,614.03 is cash and reminder in investment accounts. **Supp 10/12/17: amended** cash amount is \$68,658.88; however, no amended accounting submitted. **Need** same.
3. No request for fees made.

4. Disbursements indicate two overdraft fees totaling \$72.00. Petitioner has since deposited his own funds to prevent a reoccurrence.
5. Charges are not totaled and appear to total as \$424,421.79 which is off from the Credits of \$408,502.76. **Need** accounting that balances.
6. Prayer is incomplete and does not match report for items 2 & 4 re balance and fee request. **Supp 07/03/17 indicates assets of \$408,502.76; however, the assets are incorrect. Need further supplement.**
7. Supplemental report of Counsel Roth filed 05/31/17 and 03/22/18.
8. Declaration filed **07/27/17** indicating \$45,000. \$17,000 and \$72 deposit into conservatee's account.
9. **Objections filed by conservatee through counsel on 05/02/17. Need** proof of service for bonding company per Pr.C. § 1213.
10. **Objections filed by W.A. Hlavaty on 06/26/18 indicating CD is an asset of conservatorship and should be turned over to objector. Need** proof of service for bonding company per Pr.C. § 1213.
11. No proposed order. Submit after hearing.

#### RECOMMENDATION

Need to clear notes 2, 5-6 & 9-10. Matter is contested. If approved, set hearing on the next accounting review for final account on **12/27/18**.

(lc/lh/lc)

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

-----  
DATE: 10/04/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1300204

CASE NAME: Carly Suzanne Peralta

HEARING: Second Account and Report of DEBRA LEE ESPINOZA and Petition for allowance of fees filed.

COUNSEL:

CARLY SUZANNE PERALTA	(CEP)...JENNIFER M DANIEL
CARLY SUZANNE PERALTA	(DEC)...
DEBRA LEE ESPINOZA	(CP )...LAYNE A BARTHOLOMEW
DEBRA LEE ESPINOZA	(CPE)...LAYNE A BARTHOLOMEW
DEBRA LEE ESPINOZA	(CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> SNT Account Current, Petition for Allowance of Fees, Reduction in Bond and Authorization for Monthly Rent by Debra Lee Espinoza, mother/Trustee.

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

1. Accounting period 01/01/17 – 12/31/17.
2. Assets on hand \$304,777.60 of which \$5,666.96 is cash.
3. Counsel Bartholomew seeks fees of \$3,412 for 17.7 hours at \$120/400 per hour for paralegal and attorney services. **JTD**
4. Beneficiary Carly allegedly ordered a VHS to DVD converter through Wal-Mart for \$474.87. Carly has yet to receive the merchandise or able to receive a refund. Court to inquire if Trustee has followed up on this issue and how beneficiary has access to funds.
5. Trustee has submitted a request for reconsideration on 07/17/18 with Social Security Administration in regards to alleged overpayment in Social Security and lack of eligibility. Social Security also alleges that there was overpayment of \$21,506.72 [LFpg52-68]. Court to inquire.
6. Trustee seeks court approve monthly payments of \$600 for rent. Trustee was receiving Social Security to pay the rent prior to the cease of benefits from Social Security. **JTD**
7. Trustee seeks fees of \$1,000 per month for care of beneficiary. **JTD**

8. Trustee purchased a necklace for \$758.16 to give to beneficiary. Trustee alleges this greatly improves beneficiary's quality of life. Court to determine special need.
9. Trustee seeks a reduction of current bond of \$373,000 to \$346,000. Appears adequate.
10. ~Proposed Order: 08/24/18.

#### RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **03/07/19**. 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: JAMES MICHAEL WELCH

-----  
DATE: 10/04/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700336

CASE NAME: HERMAN JORDAN JR

HEARING:

Hearing Re: CONCERNS IN CI MEMO DATED 09/25/18

COUNSEL:

HERMAN JORDAN III (PET)...PRO/PER

HERMAN JORDAN JR (CEE)...MARIVEL M ZIALCITA

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Concerns in Court Investigator Memo

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

1. Herman Jordan III, son, appointed conservator of person only on 06/27/18.
2. Matter set after review of Court Investigator memo filed 09/25/18.
3. **Need** report of Counsel Moore.

#### RECOMMENDATION

Need report of counsel.

(lc)

Future Hearing:01/30/19 Compliance review hearing

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

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DATE: 10/04/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1800165

CASE NAME: ANGELA TERESA MENA

HEARING: Petition for Appointment of Conservator

COUNSEL:

ANGELA TERESA MENA	(CTP)...CANDICE A GARCIA-RODRIGO
LARRY MENA	(CP)...PRO/PER
NANCY MENA	(CP)...PRO/PER

GENERAL INFORMATION

**Continued from 07/26/18. Candice Garcia-Rodrigo appointed counsel**

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Nancy and Larry Mena, Parents.

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 06/05/18.
4. Citation returned served.
5. Proposed conservatee is developmentally disabled. Report of counsel Garcia-Rodrigo filed 08/31/18
6. Proposed conservatee is developmentally disabled. **Need** IRC report.
7. Court Investigator report filed 07/19/18.
8. Certificates of Completion of the Conservatorship Training Class filed 06/18/18 & 6/21/18.
9. ~Proposed Form Order: 06/05/18.

RECOMMENDATION

Need IRC report. If approved, set hearing for Compliance Review for **05/09/19** 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)



Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 9:30 DEPT: S36P  
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CASE#: MC MS00062

CASE NAME: IN THE MATTER OF ROY LEE PAYNE III

HEARING:  
Hearing Re: Status/Trial Setting Conference

COUNSEL:  
JEANETTE PAYNE (PET)...PRO/PER  
ROY LEE PAYNE (CTP)...MARK J. FLORY

Status – T.S.C – No notes – JTD \*

(lc)

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

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DATE: 10/04/18 TIME: 1:30 DEPT: S36P  
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CASE#: PRO PS0701148  
CASE NAME: JOHN R. LIVACICH  
HEARING: Hearing Re: SETTLEMENT CONFERENCE

COUNSEL:

ARTURO M CISNEROS	(SHULMAN HODGES & BASTIAN
CATHERINE CATSOURAS	(D. MARTIN NETHERY
CATHERINE CATSOURAS	(PET)...RAIMUND FREIHUBE, ESQ.
EAGLE EYE ENTERPRISE, INC BY A	(FELIX M MARTIN
EAGLE EYE PRODUCE, INC	(FELIX M MARTIN
FRANCHISE TAX BOARD	(PET)...BRIAN D. WESLEY
JANE B LORENZ	(PET)...HARTNELL LAW GROUP
JOHN GEE	(FELIX M MART)...
JOHN R. LIVACICH	(DEC)... JANE B. LORENZ
JOSEPH ANTICEVICH	(OBJ)...THOMPSON & COLEGATE
JOSEPH ANTICEVICH	(PET)...THOMPSON & COLEGATE
LAW OFFICES OF ROBERT G. JOHNS	(ROBERT G JOHNSON
LIVACICH PRODUCE, INC.	(GRESHAM SAVAGE NOLAN &
LORI ANN LIVACICH	(PET)...NETHERY & OFSEYER
LORRAINE C (LORI) LIVACICH	(PET)...ROBERT G JOHNSON
LORRAINE C (LORI) LIVACICH	(PET)...ROY A BARRY
LORRAINE C. (LORI) LIVACICH	(PRO/PER
NANCY JOAN LAMONK	(PRO/PER
NEWMAN GILES	(FELIX M MART)...
NOAH B BENTON	(PET)...HARTNELL LAW GROUP
STATE OF CALIFORNIA FRANCHISE	(PRO/PER
STATER BROS. MARKETS	(VARNER & BRANDT

**CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN**

**XREF: PROPS1301037 (John R Livacich trust)**  
**PROPS1301039 (John R Livacich trust)**  
**PROPS1400021 (John Livacich Produce Inc vs Anticevich, etc)**  
**PROPS1400061 (Lorraine "Lori" Livacich vs Joseph Anticevich)**

Settlement conference – No notes – JTD

(lc)

Future Hearing:

10/24/18 Status Conference

12/14/18 Readiness calendar

12/17/18 *Court Trial*

01/24/19 Accounting Review.

03/28/19 Hearing re: Accounting/ Status review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

## Readiness Calendar

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DATE: 10/04/18 TIME: 8:29 DEPT: S37P  
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CASE#: GAR PS1800058

### See Also 1A, 1B

CASE NAME: KAYLYN JAYANA CHRISTINE FERGUSON

HEARING:

Hearing Re: STRIKING FATHER'S OBJECTIONS

COUNSEL:

JASON FERGUSON

(FAT)...PRO/PER

KAYLYN JAYAN A CHRISTINE FERGU

(MIN)...

KIMBERLY BYERS

(PET)... CECILIA I ONUNKW

### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Striking Father's Objections.

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

1. Matter set on 09/06/18 when Father Jason Ferguson did not appear at readiness hearing.

### RECOMMENDATION

Court's discretion.

(lc)

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

-----  
DATE: 10/04/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: GAR PS1800058

**See Also 1, 1B**

CASE NAME: KAYLYN JAYANA CHRISTINE FERGUSON

HEARING: Hearing Re: PETITION FOR APPOINTMENT OF GUARDIAN

COUNSEL:

JASON FERGUSON (FAT)...PRO/PER

KAYLYN JAYAN A CHRISTINE FERGU(MIN)...

KIMBERLY BYERS (PET)... CECILIA I ONUNKW

GENERAL INFORMATION:

Temporary Orders denied on 02/20/18. Referred to CI for investigation and report.  
Continued from 06/25/18. Matter contested, trial requested.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Kimberly Byers (maternal grandmother) for minor: Kaylyn (5)

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

1. Tiona Patterson (mother) signed Nomination, Consent and Waiver.
2. Father Jason Ferguson appeared on 02/20/18.
3. Notice of Hearing and Proof of Service filed for the following; however, notice was either untimely or not for this hearing. **JTD**
  - a. Paternal grandparents Christopher and Phoebe Williams
  - b. Maternal grandfather Barron Patterson
4. Petitioner indicates the CPS put the child in her care and allows mother Tiona Patterson supervised visits only. [LF pg. 4]
5. Guardianship Questionnaire is incomplete as to sections re: who cares for the minor when adults are employed outside of the home, spouse's information and other adults living in home. **Need** completed form.
  - a. Referral for CII indicates that there is another adult living in the household; however, the Guardianship Questionnaire is blank as to same. Court may wish to inquire.
6. **Objections to Guardianship filed by Father Jason Ferguson on 02/20/18.**
7. CI report filed 06/19/18.
8. ~Proposed Form Order: 02/07/18

RECOMMENDATION:

Matter is contested. Need to clear notes 5 and Court's discretion re note 3.  
(ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 1B ADD ON

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

-----  
DATE: 10/04/18 TIME: 8:29 DEPT: S37P  
-----

CASE#: GAR PS1800058

**See Also 1, 1A**

CASE NAME: KAYLYN JAYANA CHRISTINE FERGUSON

HEARING:  
Readiness Calendar

COUNSEL:

JASON FERGUSON	(FAT)...PRO/PER
KAYLYN JAYAN A CHRISTINE FERGU	(MIN)...
KIMBERLY BYERS	(PET)... CECILIA I ONUNKW

Readiness – No notes – JTD

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO DS1000887

CASE NAME: EBRAHIM NADER KHALILI

HEARING: PETITION FOR FINAL DISTRIBUTION AND WAIVER OF Account and Report of ILIONA O. KHALILI and Petition for allowance of fees filed.

COUNSEL:

CAL-EARTH, INC	(PET)...KEYSTONE LAW GROUP
CALIFORNIA INSTITUTE OF EARTH	(PET)...SHAWN S KERENDIAN
DASTAN KHALILI	(PET)...KERENDIAN & ASSOCIATES
DASTAN KHALILI	(PET)...KEYSTONE LAW GROUP
EBRAHIM NADER KHALILI	(DEC)...
ILIONA O KHALILI	(PET)...WILLIAM J. ROGERS
ILIONA O. KHALILI	(PET)...GARCIA & REED
ILIONA O. KHALILI	(PET)...MICHAEL F CREAMER
SHEEF TAH KHALILI	(PET)...SHAWN S KERENDIAN
SHEEFTEH KHALILI	(RES)...KEYSTONE LAW GROUP

GENERAL INFORMATION

**Continued from 12/28/17, 03/29/18 and 06/21/18 to clear notes.**

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Iliona Khalili, spouse.

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

1. Petitioner is sole beneficiary per settlement agreement filed 09/29/15.
2. No statutory fee requests made.
3. **Need** Information required in report on waiver of account per and statements re status of property (i.e.: separate, community), taxes, notice per CRC§7.550 Pr.C.§§ 10954, 9202, proposed distribution and prayer per Pr.C.§1064.
4. Petition is not verified per Pr.C. § 1021. **Need** same.
5. **Need** notice of hearing and proof of service to prior special administrator Dastan Khalili and Counsel Shawn Kerendian.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing on the filing of receipts and final discharge for **10/17/19**.

(lc)

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Revised second check notes post two court days prior to the hearing. Documents filed at least seven days prior to the hearing will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org) for clarification of the notes only - no legal or procedural advice will be given.

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1300080  
CASE NAME: GLENNON ZEHRT LIVING TRUST  
HEARING: Hearing Re: Petition for DETERMINING THE EXISTENCE OF TRUST

COUNSEL:

CARLA ZEHRT (OBJ)...RALPH K HEKMAN  
GERI ZEHRT (PET)...PRO/PER  
GLENNON ZEHRT LIVING TRUST (TRU)...

GENERAL INFORMATION

On 2/5/13, the court suspended the powers of Carla Zehrt except as to the power to close escrow. The court further ordered the escrow proceeds to be placed in Atty Linda Roberts-Ross' trust account

Continued from **3/27/13, 5/1/13, 8/7/13, 9/25/13, 10/30/13, 12/18/13, 4/21/14, 6/18/14, 8/20/14, 9/24/14, 11/24/14 and 5/18/15** at request of counsel. Court Trial vacated 4/23/15 and hearing re status of mediation also before the court 5/18/15.

Continued from **06/22/15** at request of counsel. Counsel state they believe case is settled. Notice waived.

Continued from **10/13/15 and 11/17/15** at request of counsel.

Continued from **01/07/16** Court notes that on 02/05/13, Carla Zehrt powers were suspended except as to the power to close escrow and ordered the escrow proceeds to be placed in attorney Linda Roberts-Ross' trust account. Court orders today that the funds in Linda Roberts-Ross' trust account be turned over to Ralph Hekman, to be placed in Ralph Hekman's trust account.

**Continued from 3/1/16, 5/18/16, 08/01/16, 10/13/16, 12/15/16, 03/09/17, 05/25/17, 07/27/17, 10/26/17, 12/28/17 and 03/29/18** to file settlement agreement and substitutions of attorney, including for Hartnell's firm. Counsel to submit report re state bar findings.  
**Continued from 06/21/18. Counsel reported the state bar is releasing no information at this time about their investigation. Court recommended an actual complaint be filed with the bar and petition to recover monies from Counsel Hekman.**

THIS CASE IS SET FOR HEARING ON Petition Determining Existence of Trust to remove Trustee based upon Breach of Fiduciary Duties, to Compel Trustee to Report to Beneficiaries and for Damages Resulting from Trustee's Breach

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

1. Petitioner, Geri Zehrt McCann, is a beneficiary under the Glennon Zehrt Living Trust dated 9/26/12. Petitioner believes that the principal administration of the Trust was



Riverside County, California. The trustor died on 10/27/12 and since no Notice of Trust Administration was ever sent to petitioner after trustor's death as required under Pr.C. 16061, this petition is timely.

2. Petitioner alleges no copy of the Trust has been provided as required. Petitioner requests that this court make a determination of the existence of Glennon's Trust.
3. Petitioner asserts that the current Successor Trustee of the Trust, Carla Zehrt, has breached her fiduciary duties to the beneficiaries of the trust by the following acts/omissions:
  - a. Glennon's California Beach Club Timeshare is not being paid and is at a risk of loss.
  - b. Glennon's other California Beach Club Timeshare for October, 2012, was only paid on 1/11/13. Petitioner asserts there were sufficient funds to pay this obligation in a timely manner.
  - c. The Silver Lakes Vacation Club timeshare is likewise at risk if this estate is not properly administered.
  - d. The trustee has failed and refused to do what is necessary, to obtain death benefits owed to the estate from the California State Teacher's Retirement System (estimated value \$6,000).
  - e. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent which petitioner is informed and believes that is directed to be paid per terms of the trust.
  - f. Petitioner believes the trustee has refused to share information regarding the extent, nature and character of the trust estate assets despite requests by petitioner.
  - g. Petitioner alleges that the decedent intended his personal accounts to be included in the corpus of the trust, but instead, the trustee used coercion and/or undue influence on the decedent/trustor to leave those accounts to respondent as a joint tenant.
  - h. Petitioner is informed and believes that the trustee has received a post-death social security check which she has not returned and/or has converted to her own personal use.
  - i. Petitioner alleges the trustee set herself up to be paid \$1,500/month pre-death to provide "help" to the trustor, Glennon, which petitioner believes was not necessary and which was not needed as Glennon could manage himself very well with the exception of transportation.
  - j. Petitioner asserts Respondent was self-dealing from Glennon's accounts
  - k. Petitioner alleges trustee has failed to obtain death benefits owed to the estate from CALSTRS.
  - l. The trustee has refused to reimburse petitioner for costs paid related to the memorial service for decedent, as well as refused to share information regarding the character of the Trust estate assets.
  - m. Petitioner believes that the trustee has received post-death social security checks which she has not returned and/or has converted to her own personal use. In addition, petitioner believes the trustee set herself up to be paid the sum of \$1,500/month from the time she moved in to "help" Glennon during the last few months of his life. Petitioner contends this held was not needed.

4. Petitioner alleges Glennon's mobile home located in Yucaipa, CA has been sold and escrow scheduled to close 2/4/13, with the gross proceeds to be distributed (approx.. \$22,000) to the trustee/respondent. Petitioner requests an injunctive order to prevent the sale proceeds from being distributed, wasted, and absconded with or being otherwise controlled by the trustee/respondent. Petitioner believes that she will suffer irreparable harm should the court not impose the requested mandatory injunction. Petitioner requests that the escrow company either be ordered to hold the funds or that such funds be held in trust by petitioner's attorney.
5. Petitioner requests that Carla Zehrt be removed as trustee of the Trust and that petitioner be substituted in her place and to provide an accounting.
6. Petitioner seeks damages for any breach of the Trustee's breach of fiduciary duty.
7. **Objections files by Carla Zehrt stating it's unnecessary and wasteful to change control of the estate at this time. Substitution of Attorney filed 4/3/14 making objector in pro per.**
8. Order Directing Linda Roberts to Transfer Sale Proceeds of Mobile Home to Ralph Hekman, to be placed in Ralph Hekman's trust account entered 3/1/16.

RECOMMENDATION:

Need settlement agreement and substitutions of attorney.

(gls/sa/ds/gls/sa/gls/nb/lc/sa/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400279

CASE NAME: Kikuyo Richardson

HEARING:  
Hearing re Final Discharge

COUNSEL:  
KIKUYO RICHARDSON (DEC)...  
KIM DAVIS (PET)...DAVID D WADE

GENERAL INFORMATION

Continued from 03/22/18. No appearance. Kim Davis ordered to appear.  
**Continued from 06/14/18.**

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Kim Davis, daughter, approved on 05/16/17.
2. All receipts filed.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.  
(lc)

Future hearing dates: 11/01/18 Status Report

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501108

CASE NAME: SANDY AMBROSE JONES

HEARING:  
Hearing re Final Discharge

COUNSEL:

CAROL L JONES (PET)...FELIX M MARTIN  
SANDY AMBROSE JONES (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Carol Jones, spouse approved on 09/28/17.
2. Personal representative is sole heir, no receipt required.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600179

***Vacated***

CASE NAME: MTR OF RITA S COTTINGHAM

HEARING:  
Hearing re Final Discharge

COUNSEL:  
CATHERINE F BLUE (PET)...ELISABETH KEMPE-OLINGER  
RITA S COTTINGHAM (DEC)...

Final discharge approved and filed 09/13/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

**SEE ALSO 7**

HEARING: Hearing Re: FILING OF INVENTORY AND APPRAISAL

COUNSEL:

ABIGAIL EAGLETON	(PET)...DIANA J CARLONI
MARK G H EAGLETON	(DEC)...
SUMMIT	(TP )...THOMAS W DOMINICK

***XREF CIVDS1700232 (Summit Valley V Eagleton) & CIVDS1700233 (Sycip V Eagleton)***

#### GENERAL INFORMATION

Continued from 08/24/17 and 10/19/17. Inventory and Appraisal hearing set, if filed, matter may go off calendar.

**Continued from 02/22/18, 03/29/18 and 06/21/18. New probate referee to be appointed by close of business day.**

THIS CASE SET FOR HEARING ON Inventory and Appraisal/Accounting review/Status.

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

1. Letters of Testamentary issued to Abigail Eagleton, spouse, on 06/16/16, limited authority, no bond.
2. Declaration filed 03/28/18 alleging that executor has again requested documentation regarding corporate interests and the estate is facing two litigation cases.
3. Partial Inventory and Appraisal filed 12/11/17. **Need** final Inventory and Appraisal.
  - a. ~Proposed order for probate referee does not appear to be signed/processed.
4. **Need** accounting or status report.

#### RECOMMENDATION

Need to clear notes 3-4.

(ww/lc)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600387

CASE NAME: MTR OF MARK G H EAGLETON

**SEE ALSO 6**

HEARING:

Accounting Review by \*\*\*

COUNSEL:

ABIGAIL EAGLETON	(PET)...DIANA J CARLONI
MARK G H EAGLETON	(DEC)...
SUMMIT	(TP )...THOMAS W DOMINICK

**XREF: CIVDS1700232** (*Summit Valley-v-Eagleton*)

**CIVDS1700233** (*SYCIP-v-Eagleton*)

See notes on matter 6.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600689

CASE NAME: PAUL SAMUEL AGOSTA

HEARING:

Petition for Termination of further proceeding and for discharge

COUNSEL:

PAUL SAMUEL AGOSTA (DEC)...  
TERESA LYNN AGOSTA (PET)...VICTOR J HERRERA

Currently under review.

(lc)



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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700579  
CASE NAME: MTR OF RICHARD RAYMOND MARINEZ  
HEARING: Final Distribution on Waiver of Account and Report of RICHARD RYAN MARINEZ and Petition for allowance of fees filed.

COUNSEL:

RICHARD RAYMOND MARINEZ (DEC)...  
RICHARD RYAN MARINEZ (PET)...PRO/PER

GENERAL INFORMATION

**Continued from 06/21/18 to clear notes.**

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

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

1. Assets on hand Cash of \$112,968.36 and remainder in interests in 2 real properties.
2. Executor waives statutory compensation.
3. Both beneficiaries waive accounting.
4. Administrator seeks to distribute directly to himself and other beneficiary; however, the will is a pourover will and assets **shall be distributed to the Richard and Janis Marinez Trust. Need** verified supplement naming Successor Trustee and corrected distribution or indication how the Trust is revoked.
5. Proposed order submitted; however, notes re distribution need to be cleared as well as value of Life insurance stated in order.

RECOMMENDATION

Need to clear note 4. If approved, set hearing on the filing of receipts and final discharge for **10/17/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 10/04/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1701187

***Vacated***

CASE NAME: MTR OF LLOYD LESTER BRYANT

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

LARRY BRYANT

LEXON INSURANCE COMPANY

LLOYD LESTER BRYANT

(PET)...PRO/PER

(TP )...

(DEC)...

Bond filed and letters issued.

(lc)

Future hearing dates: 08/29/19 Accounting review.

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1701259

CASE NAME: Kathleen Gebbia

**SEE ALSO 19**

HEARING:

Petition for probate code sec 850 pet to enjoin the sale of the  
real property

COUNSEL:

JULIE LINDENBERG (PET)...SHEASBY AND ASSOCIATES  
KATHLEEN GEBBIA (DEC)...

Currently under review by legal research.

Notice filed 08/21/18 is not proper.

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.

The Notice of Hearing filed does not comply with one of more of these mandatory requirements.

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

(lc)

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701289

CASE NAME: MTR OF SARAH CHRISTINE DE WEESE

HEARING:

First and final Account and Report of JOHN MICHAEL GIANNINI and  
Petition for allowance of fees filed.

COUNSEL:

JOHN MICHAEL GIANNINI (PET)...J PATRICK RAGAN  
SARAH CHRISTINE DE WEESE (DEC)...

GENERAL INFORMATION

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

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

1. Assets on hand \$230,473.64 in cash.
2. All heirs waive accounting.
3. Administrator and counsel seek statutory fees of \$7,900 each. Statutory calculation not provided; however, is calculated correctly. **JTD** if sufficient.
4. Administrator seeks reimbursement of costs totaling \$930. [08/09/18LFpg4]
5. Counsel seeks reimbursement of costs totaling \$407.50. [08/09/18LFpg4]
6. Counsel seeks extraordinary fees allegedly agreed upon totaling \$1,500 re sale of real property. However, **need** itemization of fees per local rule 20-904.
7. Final Inventory and Appraisal at section 5 does not indicate property tax certificate has been satisfied. **Need** property tax Certificate.
8. Proof of service filed; however, **need** actual notice of hearing and proof of service using mandatory judicial council form.
9. **Need** notice of proposed action filed with the court.
10. ~Proposed Order: 08/09/18.

RECOMMENDATION

Need to clear notes 6-9. If approved, set hearing on the filing of receipts and final discharge for **10/17/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 10/04/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO PS1800490

***Vacated***

CASE NAME: William Lee Davis

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

CATHERINE MARIE DAVIS LORIA (PET)... L. EUGENE HALLS

WILLIAM LEE DAVIS (DEC)...

Bond filed and letters issued.

(lc)

Future Hearing: 08/29/19 *Accounting Review*.

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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800748

CASE NAME: Sandra Viestenz

HEARING:

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

COUNSEL:

RICHARD FAIRBURN (PET)...ROBBINS & HOLDAWAY  
SANDRA VIESTENZ (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Richard Fairburn on 08/09/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Richard Fairburn, Trustee.

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

1. Will waives bond. Net estate value is \$237,500 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Will incorporates Trust. Copy of trust filed 08/07/18.
3. ~Proposed Form Order: 08/07/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/12/19**. 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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800778

CASE NAME: CHARLOTTE KENNEDY

HEARING:

Petition for Will and for Letters Testamentary

COUNSEL:

CHARLOTTE KENNEDY (DEC)...  
UTOPIA KENNEDY (PET)...PRO/PER

#### GENERAL INFORMATION

Letters of special administration issued to Utopia Kennedy on 08/23/18, no bond.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with **NO** Authority under IAEA Utopia Kennedy, daughter.

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

1. Petitioner does not appear to seek any IAEA authority [limited or full]. Court to inquire.
2. Will waives bond. Net estate value is \$46,628.31 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
3. Proof of publication untimely filed on 09/28/18; however, image not yet available for review.
4. ~Proposed Form Order: 08/22/18.

#### RECOMMENDATION

RFA subject to note 3, Court's discretion re bond. If approved, set Accounting/Status Review for **12/12/19**. 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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800807

CASE NAME: RICHARD ULLOA ARMENTA

HEARING:

Spousal Property Petition hearing.

COUNSEL:

MARIA B ARMENTA (PET)...CHRISTOPHER R ABRAMS  
RICHARD ULLOA ARMENTA (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Maria Armenta, spouse.

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

1. Petitioner seeks determination that decedent's property, real property and bonds, passes to petitioner without administration. Petitioner appears to seek determination under Pr.C. § 13500 as children consent to spousal transfer.
2. Petitioner does not set forth when she and decedent were married, nor when properties were acquired. **Supp 09/21:** Petitioner and decedent were married 11/11/94 and property was acquired during the marriage with community funds on 01/17/14. It appears the properties were acquired at different times, yet during the marriage. Two of the Deeds provided appear to have been named in trust. The other appears it may have been taken out of decedent's name for refinance purposes. All properties appear to be acquired during the lifetime of the marriage indicating community property.
3. ~Proposed Form Order: 09/10/18.

#### RECOMMENDATION

Court's discretion.

(lc)



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

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DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: SPR SS03958

CASE NAME: MTR OF THE BAILY ANN MCNEIL SPECIAL NEEDS TRST  
**SEE ALSO 18**

HEARING:  
Hearing Re: GUARDIAN AD LITEM'S REPORT

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (	)...
BAILEY ANN MCNEIL S.N. TRUST D	(TRU)...
BAILY ANN MCNEIL	(MIN)...JUDITH RUNYON
BOND SERVICE OF CALIF/DARNELL	(PRO/PER
DIANE D HARKISON	(PET)...M DANIEL SAYLOR
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR
MELODIE Z SCOTT	(PET)...J. DAVID HORSPOOL
PUBLIC GUARDIAN	(COUNTY COUNSEL

GENERAL INFORMATION:  
**Continued from 09/18/17, 12/04/17 and 02/26/18. For report to be filed.**

THIS CASE IS SET FOR HEARING ON Guardian ad Litem's Report.

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

1. Matter set at 06/26/17 when Mitchell Roth was appointed GAL.
2. **Need** report by GAL, Mitchell Roth.

RECOMMENDATION:  
Inquire status.

(nb/cs/ww)

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

-----  
DATE: 10/04/18 TIME: 8:30 DEPT: S37P  
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CASE#: SPR SS03958

CASE NAME: MTR OF THE BAILY ANN MCNEIL SPECIAL NEEDS TRST  
**SEE ALSO 17**

HEARING:

first Account and Report of KIRK HOFFMAN and Petition for allowance of fees filed.

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (	)...
BAILEY ANN MCNEIL S.N. TRUST D	(TRU)...
BAILY ANN MCNEIL	(MIN)...JUDITH RUNYON
BOND SERVICE OF CALIF/DARNELL	(PRO/PER
DIANE D HARKISON	(PET)...M DANIEL SAYLOR
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR
MELODIE Z SCOTT	(PET)...J. DAVID HORSPOOL
PUBLIC GUARDIAN	(COUNTY COUNSEL

GENERAL INFORMATION

Continued from 04/12/18. Karen Key to file objections if necessary.

**Continued from 06/07/18. Counsel to advise Baily McNeil she needs to meet with GAL. Supplement to be filed with detailed explanation of Karen Key's expenditures.**

THIS CASE SET FOR HEARING ON 1<sup>st</sup> SNT Account Current for Kirk Hoffman, Successor Trustee.

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

1. Accounting period 11/26/16 – 11/30/17.
2. Assets on hand \$77,178.59 in cash and bed.
3. Trustee seeks fees of \$3,837.50 for 30.7 hours at \$125 per hour. [Acct. 02/13LFpg11-16]. JTD
4. Counsel seeks fees of \$3,654.75, including costs of \$86, for 45.45 hours at \$125/375 per hour for paralegal and attorney services. [Acct. 02/13LFpg 18-20]. JTD
5. Report of GAL Mitchell Roth filed 02/22/18. Does court wish to vacate 06/11/18 hearing? JTD

6. Trustee seeks authorization to provide caregiver Karen Key in continuing \$450 monthly allowance to spend on transportation, medical incidentals and unreimbursed care. JTD
7. Trustee seeks a bond increase of \$5,000 from \$95,000 to \$100,000.
8. **Need** supplement re Karen Key's, mother, expenditures per court.
9. ~Proposed Order: 02/13/18.

#### RECOMMENDATION

Need to clear note 8. If approved, set Accounting/Status Review for **02/28/19**. 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: TARA REILLY

## TRUSTS AND MOTIONS

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DATE: 10/04/18      TIME: 8:35      DEPT: S37P  
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CASE#: PRO PS1701259

CASE NAME: Kathleen Gebbia

**SEE ALSO 11**

HEARING:

Motion Re: motion for preliminary injunction; and memo of points  
and auth Filed by Petitioner JULIE LINDENBERG

COUNSEL:

JULIE LINDENBERG

(PET)...SHEASBY AND ASSOCIATES

KATHLEEN GEBBIA

(DEC)...

No notes – JTD

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 10/04/18      TIME: 8:35      DEPT: S37P  
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CASE#: TRU PS1800108

CASE NAME: The CP Morgan Family Living Trust

HEARING:

Petition for for order determining trust's title to real property

COUNSEL:

PAMELA MORGAN

THE CP MORGAN FAMILY LIVING TR

(PET)...BRIAN CULLEN

(TRU)...

Currently under review by legal research.

Notice; however, **Need** notice of hearing and proof of service for named "Defendant" Irving Treiger

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIP**

-----  
DATE: 10/04/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS0900049

CASE NAME: TODD L KOERBER

HEARING: Petition for ATTORNEY FEES BY COURT APPOINTED COUNSEL

COUNSEL:

CHRISTIE DAVIDSON	(CPE)...HORSPOOL & HORSPOOL
TODD L. KOERBER	(CEP)...DONNASUE ORTIZ
CHRISTIE DAVIDSON	(CPE)...KARIN E HORSPOOL
CHRISTIE DAVIDSON	(CTE)...KARIN E HORSPOOL
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JAMES B CHURCH	(PET)...JAMES B CHURCH
TODD KOERBER	(TP )...VANCE & BLAIR LLP
TODD L KOERBER	(CEP)...JAMES B CHURCH
TODD L. KOERBER	(CEP)...DONNASUE ORTIZ
TODD L. KOERBER SPECIAL NEEDS	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's fees by James Church.

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

1. Attorney James Church was appointed counsel on 03/18/09; however, request for fees is from 2015 to current. 8<sup>th</sup> accounting indicated assets of \$345,487.94.
2. Attorney seeks fees of \$51,219 for 276.7 hours at \$100/395 per hour for paralegal and attorney services. [LF8/15pg15et.seq.]
3. Attorney seeks reimbursement of McDonald's costs of \$17.31 re the conservatee.
4. Notice filed 08/20/18; however, court address states 303 W Third St.. **Need** corrected notice.
5. ~Proposed Order: 08/15/18.

RECOMMENDATION

Need to clear note 4.

(lc)

Future Hearing: 11/05/18 Hearing re: Review

06/03/19 *Accounting Review.*

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

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DATE: 10/04/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800248

CASE NAME: Larry Quirol Jr

HEARING: Petition for Appointment of Conservator

COUNSEL:

JESSICA COOKE (CPE)...TREDWAY LUMSDAINE & DOYLE  
LARRY QUIROL Jr (CEP)...

GENERAL INFORMATION

Jessica Cooke appointed temporary Conservator on 08/30/18; person and estate;  
\$396,000 bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and  
estate by Jessica Cooke, niece.

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

1. Proposed conservatee appears to reside in Los Angeles.
2. Petitioner seeks bond of \$396,000. Ok
3. Citation returned served.
4. Petitioner seeks medical powers Pr.C. § 2355. Capacity Declaration filed 08/16/18.
5. Certificate of Completion of the Conservatorship Training Class filed 09/10/18.
6. Court Investigator memo filed 09/13/18.
7. Declaration re due diligence attached re estranged siblings Jose and Estrella. **JTD**
8. ~Proposed Form Order: 08/27/18.

RECOMMENDATION

Court's discretion, \$396,000 bond. If approved, set hearing for Compliance Review for  
**05/09/19** for the filing of the required documents and hearing re Accounting Review for  
**12/12/19**. Any accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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

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DATE: 10/04/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800268

CASE NAME: Ruben D Morales

HEARING:  
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:  
ISABEL A MORALES (PET)...PRO/PER  
RUBEN D MORALES (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON

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

1. Isabel Morales, mother, appointed limited Conservator of person only on 11/16/11 in Orange County. Matter transferred to San Bernardino County on 06/18/18 when it was discovered conservatee resided in Victorville.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? **JTD**
3. **Need** post move notice per CRC 7.1063(c) including notice to Orange County Regional Center and IRC.
4. **Need** amended letters to reflect this county.

RECOMMENDATION

Need to clear notes 3-4. No future hearing dates needed as there is no estate.

(lc)



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

-----  
DATE: 10/04/18 TIME: 9:30 DEPT: S37P  
-----

CASE#: RC RS00270  
CASE NAME: JOSE A CARMONA GARCIA  
HEARING: FIRST Account and Report of KIRK HOFFMAN and Petition for allowance of fees filed.

COUNSEL:

DONNASUE SMITH ORTIZ (CP)...PRO/PER  
JOSE A CARMONA GARCIA (CEP)...DONNASUE ORTIZ  
KIRK HOFFMAN (PET)...M DANIEL SAYLOR

**CCP170.6 filed as to CYNTHIA A LUDVIGSEN**

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1<sup>st</sup> Account Current and Petition for Spousal Allowance, Increase of Bond and Allowance of Fees by **Successor Conservator** Kirk Hoffman, PPF.

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

1. Accounting period 08/23/17 – 07/31/18.
2. Assets on hand \$1,050,629.83 of which \$172,286.84 is cash, remainder in real property, vehicle and personal property.
3. Conservator seeks fees of \$8,446 for 78.6 hours at \$45/125 per hour. [LFpg21-38] **JTD**
4. Counsel Saylor seeks fees of \$5,877.50 for 21.7 hours at \$175/375 per hour for paralegal and attorney services. [LFpg40-42] **JTD**
5. Conservator seeks future payments of \$250 per month for monthly services, not to exceed 26 months. **JTD**
6. Conservator seeks an increase of \$300,000 bond to \$350,000. Appears adequate.
7. Conservator seeks approval of \$3,000 allowance for conservatee's spouse to continue that was previously ordered.
8. ~Proposed Order: 08/15/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **10/10/19** (if one year) or **10/01/20** (if two years). Accounting to be filed 30 days in advance.  
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 10/04/18      TIME: 9:30      DEPT: S37P  
-----

CASE#: SC SS7258

***Vacated***

CASE NAME: IN THE MATTER OF JIMMY LEE HOLLEY

HEARING:

Accounting Review by \*\*\*

COUNSEL:

CHRISTINA ERICKSON-TAUBE

(CPE)...SHERRI L KASTILAHN

JIMMY LEE HOLLEY

(CEP)...LENITA A SKORETZ

LENITA A SKORETZ

(PET)...LENITA A SKORETZ

MELODIE Z SCOTT

(CPE)...MICHAEL J. G ILL

MELODIE Z SCOTT

(TP )...PRO/PER

(lc)

Future hearing dates: 10/16/18 9<sup>th</sup> Account Current for Christina Erickson-Taube

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

-----  
DATE: 10/04/18 TIME: 9:30 DEPT: S37P  
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CASE#: VC VS248

CASE NAME: IN THE MATTER OF JAMES W GENTRY JR

HEARING:

EIGHTH Account and Report of LINDA ATKINSON and Petition for allowance of fees filed.

COUNSEL:

CHARLES L HUNT JR	(PET)...HAYTON & HUNT
JAMES W GENTRY	(CEP)...
JAMES W GENTRY JR	(CEE)...PRO/PER
LINDA ATKINSON	(CPE)...STEVEN G GROSSMANN

GENERAL INFORMATION

**Continued from 06/21/18.**

THIS CASE SET FOR HEARING ON 8<sup>th</sup> Account Current, Petition to Increase bond and Defer fees by Successor Conservator Linda Atkinson, PPF.

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

1. Accounting period 03/01/16 – 01/13/18.
2. Assets on hand \$344,091.25 of which \$142,656.25 is cash and investments.
3. Conservator seeks to increase current bond of \$162,000 to \$251,000, for an increase of \$89,000.
4. Conservator and counsel seek to defer fee requests at this time. **JTD**
5. Notice of continuance filed on pleading format; however, not on mandatory form GC-020. **Need** same.
6. Proposed order 05/10/18; however, need accounting period stated.

RECOMMENDATION

Need proper notice. If approved, set hearing on the next accounting review for **03/28/19** (if one year) or **03/26/20** (if two years). Accounting to be filed 30 days in advance.

(lc)