



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/18/18

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.

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1700331

CASE NAME: MTR OF FRANCES M THOMAS

SEE ALSO 10

HEARING:

Hearing Re: STATUS OF MEDIATION

COUNSEL:

FRANCES M THOMAS	(CEP)...BRYAN C. HARTNELL
JAMES G THOMAS	(OBJ)...MARIELLEN ROSS
SUSAN L THOMAS	(CPE)...DAVID M GROSSMAN

XREF: PROPS1700973 (*Thomas family revocable trust*)

Status – No notes – JTD

(lc)

Future Hearing:

02/28/19 Readiness calendar

02/28/19 Hearing re: Petition for appointment of conservator

03/25/19 *Court Trial*

03/26/19 *Court Trial*

03/27/19 *Court Trial*

03/28/19 *Court Trial*

03/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300272

CASE NAME: WILSON LIVING TRUST

HEARING:

Accounting Review by ***

COUNSEL:

LARRY WILSON

(SHERRI L KASTILAHN

MARLYN R MANZO

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

MARLYN R MANZO

(PET)...PRO/PER

SHERRI KASTILAHN

(PET)...SHERRI L KASTILAHN

WILSON LIVING TRUST

(TRU)...

GENERAL INFORMATION

Continued from 09/06/18. No appearance.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 4th SNT Account for Sherri Kastilahn, Trustee, approved on 02/21/18.
2. **Need** 5th Account beginning with 06/16/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

SEE ALSO 4

HEARING:

Hearing Re: POST JUDGMENT STATUS HEARING

COUNSEL:

GIBSON FAMILY TRUST	(TRU)...
JANET K. HUNTER-GIBSON	(PET)...ALLEN M JOHNCOX
SANDRA LOUISE COBB	(PET)...LAYNE A BARTHOLOMEW
SANDRA LOUISE COBB	(RES)...LAYNE A BARTHOLOMEW

Continued Post judgment status – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

SEE ALSO 3

HEARING:

Motion Re: NOTICE AND MOTION AND MOTION TO BE RELIEVED AS
COUNSEL Filed by Petitioner JANET K. HUNTER-GIBSON

COUNSEL:

GIBSON FAMILY TRUST	(TRU)...
JANET K. HUNTER-GIBSON	(PET)...ALLEN M JOHNCOX
SANDRA LOUISE COBB	(PET)...LAYNE A BARTHOLOMEW
SANDRA LOUISE COBB	(RES)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be Relieved as Counsel by Allen Johncox.

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

1. Counsel seeks to be removed as counsel for Janet Hunter-Gibson, surviving spouse of decedent. Counsel alleges that Janet has failed to respond to any communication; therefore, it is impossible to continue representation.
2. **Need** proof of service of Notice of Hearing re compliance with Rules of Court, rule 3.1362(d), including service of Notice of Motion, Declaration and Proposed Order.
3. No proposed order submitted.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500913

CASE NAME: MTR OF GARRET W BOOTSMA SR

HEARING:

Second Account and Report of JIM H BOOTSMA and Petition for allowance of fees filed.

COUNSEL:

GARRET W BOOTSMA SR (DEC)...
JIM H BOOTSMA (PET)...PRO/PER

GENERAL INFORMATION

Continued from 05/24/18 for additional time for distribution.

THIS CASE SET FOR HEARING ON 2nd Account Current and Petition for Allowance of Fees by Jim Bootsma, son/executor.

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

1. Accounting period 12/01/16 – 02/28/16.
2. Assets on hand \$80,919.17 in cash.
3. The estate is not ready to close as executor is waiting distribution from Orange County Estate 30-2014-00724270-PR-LA-CJC of Wilbur Bootsma.
4. Executor made preliminary distributions per 04/25/17 order; receipts filed.
5. Proposed order submitted on 10/10/18; however, image not yet available for review on 10/14/18.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **05/30/19**. 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: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600472

CASE NAME: ESTATE OF GARY DEE PINKERTON

HEARING: First & Final & Report of Executor/Personal etc Account and
Report of LEE JAY PINKERTON and Petition for allowance of fees
filed.

COUNSEL:

GARY DEE PINKERTON (DEC)...
LEE JAY PINKERTON (PET)...KEVIN M MAHAN

GENERAL INFORMATION

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

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

1. Assets on hand \$7,046.67 in cash.
2. Both beneficiaries waive accounting.
3. Executor and counsel seek statutory fees of \$3,500 each. However, statutory calculation appears to be incorrect. It appears executor and counsel are splitting fees. Pr. C. § 10800 and rule 7.705(b)(6). Statutory fees appear to be at least \$8,834.66 each.
 - a. **Need** verified supplement indicating if this agreed fee.
 - b. **Need** verified supplement clarifying Money Market was NOT an asset of estate. If not, **need** corrected Inventory and Appraisal. See next note.
 - c. Calculation does not include gain on sale of real property; escrow statement attached.
 - d. **Need** verified supplement indicating how fees will be paid as insufficient cash available due to preliminary distribution.
4. Final Inventory and Appraisal filed; however, date of death is incorrect [7/18/16, rather than 03/30/16].
 - a. **Need** statements to support date of death cash balance per local rule 20-908.
 - b. **Need** corrected Inventory and Appraisal.
5. Executor made preliminary distribution to himself and other beneficiary Dee Pinkerton of \$119,459.07 each in cash, \$25,000 in Money Market Account and a vehicle. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000**

and/or personal property under \$50,000. There are no creditors; however, not sufficient cash to pay full statutory fees.

6. No Proposed Order submitted. Submit order after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600513

Vacated

CASE NAME: MTR OF KATHE DENTMAN

HEARING:

Accounting Review by ***

COUNSEL:

JOHNNIE DENTMAN

(PET)...LAW OFFICES OF ROBIN E PALEY A

KATHE DENTMAN

(DEC)...

(lc)

Future hearing dates: 11/13/18 Final Account and Distribution

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600520

CASE NAME: MTR OF MARY JO RAY

HEARING:

Hearing Re: STATUS OF OBJECTIONS/AMENDED BRIEF OF T. BORDAS

COUNSEL:

MARY JESSICA HARMON (PET)...LAW OFFICES OF LINDA ROBERTS-R
MARY JO RAY (DEC)...
THOMAS BORDAS (OBJ)...PRO/PER

XREF: PROPS1501017 (Mary Jo Ray)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Objections/Amended Brief of Thomas Bordas.

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

1. Matter set on 08/9/18 when deadline was set for Thomas Bordas to file amended brief/objections by 09/27/18. If not filed, objections will be permanently waived.
2. **Amended objections, Amended Interpretation of Will, Amended Rebuttal of Declaration by Linda Roberts-Ross, witness list and declaration; all filed by Thomas Bordas on 09/26/18.**

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:

01/03/19 Readiness calendar

01/03/19 Hearing re: Petition for final account

01/30/19 *Court Trial*

01/31/19 Court Trial

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600641
CASE NAME: MTR OF JOHN M MICKLE
HEARING: Waiver of Account and Report of RACHEL THOMAS and Petition for allowance of fees filed.

COUNSEL:

JOHN M MICKLE (DEC)...
RACHEL THOMAS (PET)...CHRISTOPHER JAMES MURTAGH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Rachel Thomas, executor.

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

1. Sole beneficiary Debra Salsbury waives accounting.
2. Executor and counsel seek statutory fees of \$6,400 each. Ok.
3. Counsel seeks extraordinary fees of \$1,812.50 for 8.25 hours at \$125/250 per hour re sale of mobile home. [LFpg8]. JTD
4. Assets on hand \$1,454.13. Not sufficient assets to pay fees. Court to inquire.
5. Final Inventory and Appraisal filed; however, section 5 is incomplete as to property tax certificate. **Need** property tax certificate information. See next note.
6. Inventory and Appraisal indicates real property; however, counsel seeks extraordinary fees for sale of mobile home. There is no mobile home listed with V.I.N number on Inventory and Appraisal.
 - a. Supp 10/09/18 states that mobile was sold for \$10,000; however, not listed on Inventory and Appraisal. **Need** corrected Inventory and Appraisal.
7. Notice filed indicates Accounting review, rather than waiver of accounting. **JTD if sufficient.**
8. Proposed Order 08/13/18; however, hearing date is incorrect, there is no statement re taxes and creditors are paid and property on hand is not stated. Submit order after hearing.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700973

CASE NAME: THOMAS FAMILY REVOCABLE TRUST

SEE ALSO 1

HEARING:

Hearing Re: STATUS OF MEDIATION

COUNSEL:

JAMES G THOMAS

(PET)...MARIELLEN ROSS

SUSAN L THOMAS

(PET)...DAVID M GROSSMAN

THOMAS FAMILY REVOCABLE TRUST (TRU)...PRO/PER

XREF: CONPS1700331 (*Frances M Thomas*)

Status – No notes – JTD

(lc)

Future Hearing:

02/28/19 Readiness calendar

02/28/19 Hearing re: Petition to remove trustee

03/25/19 *Court Trial*

03/26/19 *Court Trial*

03/27/19 *Court Trial*

03/28/19 *Court Trial*

03/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800403

CASE NAME: Victor Franco

HEARING:

Petition for PETITION BY CLAIMANT TO DETERMINE OWNERSHIP OF EST
ATE PROPERTY AND FOR ORDER

COUNSEL:

HELIO ISAS	(TP)...GEORGINA LEPE
LUIS RAMIREZ	(PET)...JAMES B CHURCH
VICTOR FRANCO	(DEC)...

Currently under review by legal research.

Notice filed; however, **need** notice to mother Maria Franco.

(lc)

Future Hearing: 08/22/19 *Accounting Review*.

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800582

CASE NAME: JOHN GONZALEZ MACIAS

HEARING:

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

COUNSEL:

JOHN GONZALEZ MACIAS (DEC)...
SHIRLEY V. MACIAS (PET)...PRO/PER

GENERAL INFORMATION

Continued from 07/19/18 for publication.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Shirley [Sherley] Macias, spouse.

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

1. Petitioner's name is spelled as "Sherley" in will. Court to confirm spelling of petitioner's name.
2. Will waives bond. Net estate value is \$145,000 of which \$2,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. ~Proposed Form Order: 06/14/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/26/19**. 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: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800783

CASE NAME: LOUIS G ERTLE

HEARING:
Spousal Property Petition hearing.

COUNSEL:
LOUIS G ERTLE (DEC)...
TRUDY D ERTLE (PET)...THOMAS GRAY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Trudy Ertle, spouse.

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

1. Petitioner seeks confirmation of her half of community property and determination that decedent's community property passes to petitioner without administration.
2. Petitioner and decedent were married in 1962. Real property was allegedly purchased with community funds, then later sold to buy a mobile home which was titled in the name of decedent only. However, was purchased with funds from the real property. The date of acquisition was during the marriage. Copy of certificate of title attached [LFpg6].
3. ~Proposed Form Order: 08/14/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800813

CASE NAME: MTR OF JACKIE LEE CLARK

HEARING:

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

COUNSEL:

JACKIE LEE CLARK (DEC)...
PATRICIA A SMITH (PET)...D M DAVIS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Patricia Smith, nominee.

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

1. All heirs waive bond. Net estate value is \$170,009, of which \$100,000 is real
property. Court to clarify as calculation appears erroneous. Court for good cause
could require bond per Pr.C. § 8481(b).
 - a. **Need** bond waivers on Mandatory Judicial Council Forms.
 - b. Bond waiver filed 10/11/18; **however, image not available for review in
open access or LF on 10/15/18.**
2. **Need** proof of publication.
3. **Need** phone number listed on duties form.
4. ~Proposed Form Order: 08/10/18.

RECOMMENDATION

Need to clear notes 1-3, Court's discretion re bond. If approved, set Accounting/Status
Review for **12/26/19**. 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: 10/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800883

CASE NAME: MTR OF DORA FRANCES KASTRINOS

HEARING:

Petition for Probate of Lost Will with Full IAEA

COUNSEL:

DORA FRANCES KASTRINOS (DEC)...
JOHN P KASTRINOS (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost will**, Letters Testamentary with Full Authority under IAEA John Kastrinos, son.

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

1. Petitioner seeks bond of \$100,000. Net estate value is \$100,000 in personal property. Ok.
2. Petitioner alleges the will is lost. The will was reportedly in safety deposit box, then later moved to petitioner's residence. However, it appears it was inadvertently thrown at when petitioner's home flooded. It appears the will distributes per intestate succession. Court to determine is presumption overcome per Pr.C. § 6124. **JTD**
3. Proof of publication filed 10/10/18; **however, image not yet available for review on in open access or LF on 10/15/18.**
4. ~Proposed form order: 10/01/18

RECOMMENDATION

Court's discretion, \$100,000 bond. If approved, set Accounting/Status Review for **12/26/19**. 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 **CONSERVATORSHIP**

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 17, 29

HEARING:

Hearing Re: Further Status of Purchase of a House

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHER	(PET)...EDWARD B FISCHER &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHER &
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKI LISTER	(CP)...
VICKI LISTER	(CPE)...PRO/PER
VICKY LISTER	(CPE)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: PROPS1400134 (*Vicki R Lister*)

CIVDS1309039 (*Hartnell-v-Lister*)

Continued Further Status of Purchase of a House – No notes – JTD *

(lc)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281
CASE NAME: SHANIKA LISTER

SEE ALSO 16, 29

HEARING: Petition for Appointment of Conservator

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHEL &
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO

XREF: PROPS1400134 (*Vicki R Lister*)
CIVDS1309039 (*Hartnell-v-Lister*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator estate only by Christina Erickson Taube, PPF.

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

1. Christina Erickson-Taube, PPF appointed successor conservator of **person** on 12/27/17. Stan Mandell, PPF is current conservator of **estate**, appointed on 07/17/14. There is no current opening; however, petitioner alleges per agreement, Stan Mandell agrees to resign. **Need** resignation.
2. Petitioner seeks bond of \$460,000. Appears ok.
3. **Need** Court Investigator report.
4. ~Proposed Form Order: 05/30/18

RECOMMENDATION

Need to clear note 1 and Court Investigator report. If approved, set hearing Accounting Review for final accounting re **Stan Mandell** for **12/20/18** and Accounting review re **Christina Erickson Taube** for **12/26/19**. Any accounting to be filed 30 days in advance.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500071

CASE NAME: CHRISTOPHER JAMES WALKER

HEARING:

Ptn to Settle First Acct Current Account and Report of DELISA
MERRIDA and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER JAMES WALKER

(CTP)...

DELISA MERRIDA

(CP)...DENNIS M SANDOVAL

GENERAL INFORMATION

Continued from 08/02/18. Original bond was never filed. Counsel to give notice.

THIS CASE SET FOR HEARING ON 1st 'SNT Account Current and Petition for Allowance of Fees by Delisa Merrida, Trustee.

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

1. Accounting period 04/25/17 – 05/31/18.
2. Assets on hand \$59,320.55 in cash.
3. Bond of \$72,215 posted 08/29/18. Trustee seeks reduction of bond to \$65,500. Appears ok.
4. Trustee waives compensation.
5. Counsel seeks reimbursement of costs totaling \$460 for current and past filing fees.
6. Counsel seeks fees of \$632.50. JTD
7. ~Proposed Order: 06/11/18.

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting for **08/15/19**. 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

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600120

Vacated

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

HEARING:

Hearing Re: REQUEST BY CONSERVATOR TO TERMINATE CONSERVATORSHIP

COUNSEL:

RAMON V MASONGSONG

(CPE)...PRO/PER

VINCENT RAPHAEL MASONGSONG

(CTP)...PRO/PER

VINCENT RAPHAEL MASONGSONG

(CEE)...JAMES B CHURCH

(lc)

Future hearing dates: 10/24/18 Trial (session one)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600261

CASE NAME: GLORIA MOORE

HEARING: First and final Account and Report of JOHN MARANAN, CLIFFORD MOORE and Petition for allowance of fees filed.

COUNSEL:

CLIFFORD MOORE	(PET)...CHRISTINA FERRANTE
GLORIA MOORE	(CEE)...
JOHN MARANAN	(PET)...CHRISTINA FERRANTE
SANDY TURNER	(PET)...SANDRA TURNER
SURETEC INSURANCE COMPANY	()...

XREF PROPS1800865

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st and Final Account and Petition to Terminate and Transfer Assets by John Maranan and Clifford Moore, son and step-son.

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

1. Conservatee passed away on 11/07/17.
2. Accounting period pre-death 02/17/17 – 11/07/17 post-death 11/08/17 – 07/31/18
3. Assets on hand \$171,661.72 in cash.
4. Counsel seeks fees of \$10,368.75 for 27.65 hours at \$375 per hour. After \$5,000 retainer, leaving a balance owed of \$5,368.75. [LFpg111-112].
5. Current bond is \$224,700. Appears ok.
6. Conservators seek to transfer remaining assets to the estate of Gloria Moore. It appears the case may be ***PROPS1800865***. Notice of related case filed 10/04/18.
7. ~Proposed order 10/10/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**.

(lc)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800021

CASE NAME: MTR OF KYLE T SAVAGE

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TIMOTHY D SAVAGE

COUNSEL:

CHRISTA J SAVAGE	(CP)...SHEELA A STARK
KYLE T SAVAGE	(CTP)...LENITA SKORETZ
TIMOTHY D SAVAGE	(CP)...SHEELA A STARK

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Timothy and Christa Savage, parents appointed **limited** conservators of the person only on 03/15/18.
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.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800072

CASE NAME: Gregory Apodaca

SEE ALSO 23

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ERIC TOLEDO	(CP)...
GREGORY APODACA	(CTP)...RUSSELL G. BANKES
SARAH APODACA	(CP)...PRO/PER

See notes on matter 23.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 23

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800072

CASE NAME: Gregory Apodaca

SEE ALSO 22

HEARING:

Order to Show Cause RE: SANCTIONS (FTA)

COUNSEL:

ERIC TOLEDO	(CP)...
GREGORY APODACA	(CTP)...RUSSELL G. BANKES
SARAH APODACA	(CP)...PRO/PER

GENERAL INFORMATION

Continued from 05/10/18 at request of counsel.

OSC set on 08/02/18. No appearance. Matter set for \$500 sanctions why they should not be imposed on conservators and counsel for Failure to Appear.

THIS CASE SET FOR HEARING ON **OSC re Sanctions FTA/Conservatorship Management Conference.**

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

1. Sarah Apodaca and Eric Toledo, mother and brother, appointed limited conservators, person only, on 01/08/02 in Los Angeles. Matter ordered transferred 11/13/17 when the conservatee has resided in San Bernardino County the last two years.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? JTD
3. Conservatee appears to be a consumer or IRC. Does court wish to require an updated report? **JTD**
4. **Need** post move notice per CRC 7.1063(c) including notice to IRC.
5. **Need** amended letters to reflect this county.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 4-5.

(lc)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800093

CASE NAME: MTR OF DORIS A TORRES

SEE ALSO 25, 26, 27

HEARING: Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

DEANNA SALERNO	(PET)...LAW OFFICE OF MARY M. BADER
DORIS A TORRES	(CEP)...
EDWARD TORRES	(CP)...PRO/PER
LORRAINE BROWN	(CPE)...GARY M RUTTENBERG
RAY HERNANDEZ	(CPE)...GARY M RUTTENBERG
ROBIN J SHEA	(CE)...PRO/PER
RYAN BROWN	(CPE)...GARY M RUTTENBERG

GENERAL INFORMATION

Continued from **04/30/18** Court appoints Craig Parker as GAL for Doris A. Torres.
Continued from **06/11/18** at request of counsel. Court sets deadline for the filing of any competing general petition for appointment of conservator and any petitions for appointment as temporary conservator for 4pm July 2, 2018; court notes if the petitions are not filed and served by that deadline, they petitions will be deemed waived permanently. Guardian ad litem, Craig Parker, makes oral request that Deanna Salerno file an accounting as to the period of time that Deanna Salerno acted as power of attorney for Doris A Torres- the accounting to be filed by 4pm August 13, 2018. Court orders that the parties are not to discuss this case with Doris A Torres and after any visitation with Doris A Torres, Doris A Torres is to be returned to her room at the facility and the person visiting is to ensure that Doris A Torres is comfortable in her room at the facility (not agitated). Pre-trial orders made.
Continued from 07/24/18 and 08/14/18 [vacated]. Matter not re-reviewed as nothing new filed.

THIS CASE SET FOR HEARING ON

Petition #1: Petition for Appointment of Conservator, of the person and estate, by **Lorraine Brown** (daughter/Petitioner) and **Ryan Brown** (grandson/Petitioner) **appointing Ray Hernandez (brother) and Lorraine Brown (daughter).**

Petition #2: Petition for Appointment of Conservator, of the person and estate, by **Deanna Salerno** (daughter/Petitioner) **appointing Edward Torres (brother)**

as Conservator of the Person **and Robin J. Shea (PPF)** as Conservator of the Estate.

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

Petition #1:

1. Petitioners request no bond as assets consist of limited pension, social security benefits and possible benefits from the 2014 Torres Family Trusts. **Supp. filed 04/23/18 indicates trust value may consist of at least one piece of real property with estimated worth of \$690,000 and petitioners request bond of \$690,000. Need total value of estate's yearly income to determine bond amount. JTD**
2. Petitioners report Deanne Salerno, daughter, is agent under various powers of attorney and has access to bank accounts of proposed conservatee. [Court to see Petition, LF p. 6]. **Declaration of Mary Jarrett, Notary indicates Deanne Salerno has been removed as agent for proposed conservatee.**
3. Nomination by proposed conservatee filed 03/22/18 via witness signature. **Declaration of Mary Jarrett, Notary, re witnessing proposed conservatee's signature on nomination. JTD**
4. Citation with proof of service filed 04/23/18.
5. Petitioners seek medical powers. **Need** Medical Capacity Declaration.
6. Petitioner seeks dementia powers. **Need** appointment of counsel for report.
7. Certificates of Completion of the Conservatorship Training Class by Lorraine Brown and Raymond Hernandez filed 05/03/18
8. **Objections and Response to Petition for Appointment of Temporary Conservatorship filed 07/17/18 by Lorraine Brown and Ryan Brown.**
9. **Need** report of Craig Parker, GAL.
10. Court Investigator report filed 04/24/18.
11. Declaration filed 05/31/18 by proposed co-conservator, Ray Hernandez, regarding efforts in obtaining Capacity Declaration.
12. Declarations in support of petitioners filed 07/02/18.
13. **Objections filed by Deanna Salerno on 07/02/18 include DPOA [LF, p.9 & 40 & 73]; Advanced Health Care Directive [LF, p. 27 & 58];**
14. **Objections filed in the form of a declaration filed by Edward A. Torres.**
15. **Declaration filed by petitioners Lorraine Brown and Ray Hernandez on 10/11/18.**
16. ~Proposed Form Order: 03/22/18

Petition #2:

17. Proposed Conservatee's DPOA dated 09/18/14 gives the petitioner the power to nominate the conservatorship of the person, estate or both [see Section 1.16 of the attached DPOA at LF, p.13].
18. Petition requests bond not be required as under Section 1.16 of the POA dated 09/18/14, indicates any conservator nominated by attorney-in-fact [who is petitioner] is to serve without bond [LF, p.13]. Estimated value of the estate is \$699,000. Alternatively, require bond of \$769,000 (includes recovery). **JTD.**

19. Petitioner seeks Pr. C. § 2590 powers to sell real and/or personal property, including conservatee's primary residence and proceeds to be used for Conservatee's care and personal needs. Suggest Court require a separate petition after appointment with required showing per Pr. C. 2540 et seq. **JTD**
20. Petitioner seeks medical powers. Medical Capacity declaration filed 06/18/18, Sections 4, 8 & 10 are incomplete and signatures are not dated. **Need** complete capacity declaration.
21. Petitioner requests dementia powers; **need** appointment of counsel and report by same.
22. **Need** Duties of Conservator form signed by Robin J. Shea.
23. **Need** Professional Fiduciary Attachment.
24. **Need** Court Investigator's Report.
25. **Need** return of Citation
26. Certificate of Completion re Conservatorship Class filed.
27. **Need** Notice of Hearing and proof of service.

RECOMMENDATION:

Petition #1:

Need to clear notes 5-6 & 9 then Court's discretion re Bond.

Petition #2:

Need to clear notes 20-24 & 27 then Court's discretion re: bond.

If approved, set hearing for Compliance Review for **05/23/19** 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); Care Plan per Pr.C.§2352.5; Inventory and Appraisal, and Proof of service of I & A Instructions for Objection per Pr.C. §2610; and recordation of letters, if applicable, per Pr.C. § 2313.

Set hearing re Accounting Review for **12/26/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.
(cs/nb)

Future Hearing:

03/25/19 Readiness calendar

04/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 25

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800093

CASE NAME: MTR OF DORIS A TORRES

SEE ALSO 24, 26, 27

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

COUNSEL:

DEANNA SALERNO	(PET)...LAW OFFICE OF MARY M. BADER
DORIS A TORRES	(CEP)...
EDWARD TORRES	(CP)...PRO/PER
LORRAINE BROWN	(CPE)...GARY M RUTTENBERG
RAY HERNANDEZ	(CPE)...GARY M RUTTENBERG
ROBIN J SHEA	(CE)...PRO/PER
RYAN BROWN	(CPE)...GARY M RUTTENBERG

See notes on matter 24.

(lc)

Future Hearing:

03/25/19 Readiness calendar

04/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 26

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800093

CASE NAME: MTR OF DORIS A TORRES

SEE ALSO 24, 25, 27

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

DEANNA SALERNO	(PET)...LAW OFFICE OF MARY M. BADER
DORIS A TORRES	(CEP)...
EDWARD TORRES	(CP)...PRO/PER
LORRAINE BROWN	(CPE)...GARY M RUTTENBERG
RAY HERNANDEZ	(CPE)...GARY M RUTTENBERG
ROBIN J SHEA	(CE)...PRO/PER
RYAN BROWN	(CPE)...GARY M RUTTENBERG

Temporary hearing – No notes – JTD

(lc)

Future Hearing:

03/25/19 Readiness calendar

04/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 27

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800093

CASE NAME: MTR OF DORIS A TORRES

SEE ALSO 24, 25, 26

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

DEANNA SALERNO	(PET)...LAW OFFICE OF MARY M. BADER
DORIS A TORRES	(CEP)...
EDWARD TORRES	(CP)...PRO/PER
LORRAINE BROWN	(CPE)...GARY M RUTTENBERG
RAY HERNANDEZ	(CPE)...GARY M RUTTENBERG
ROBIN J SHEA	(CE)...PRO/PER
RYAN BROWN	(CPE)...GARY M RUTTENBERG

Temporary hearing – No notes – JTD

(lc)

Future Hearing:

03/25/19 Readiness calendar

04/29/19 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 27A

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800253

CASE NAME: ANNE NAM-AN SU

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

ANNE NAM-AN SU	(CEP)...
JOANN SU	(CPE)...WILLIAM D LOWERISON
PAUL SU	(CPE)...WILLIAM D LOWERISON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservatorship Management Conference.

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

1. Paul and Joann Su, father and sister, appointed **limited** Conservators of person only on 06/07/04 in Orange County. Matter transferred on 05/29/18. Conservator Joann appears to reside in Chino and Conservator Paul was out of the country at time Orange County Court Investigator memo was prepared; 03/26/18.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? JTD
3. Does court wish to require an IRC inquiry/report? JTD
4. **Need** post move notice per CRC 7.1063(c) including notice to Orange County Regional Center and IRC.
5. **Need** amended letters to reflect this county.

RECOMMENDATION

Need to clear notes 4-5.

(lc)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800273
CASE NAME: Mtr of Irene C Applegate
HEARING: Petition for Appointment of Conservator

COUNSEL:

EDDIE C APPELEGATE (CPE)...PRO/PER
IRENE C APPELEGATE (CEP)...BRYAN C HARTNELL

GENERAL INFORMATION

Eddie Applegate, son, appointed temporary guardian on 09/06/18; person and estate no bond. Bryan Hartnell appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Eddie Applegate, son.

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

1. Petitioner seeks no bond. No attachment indicating why. However, as estate consists of public benefits it appears to qualify for waiver per Pr.C. § 2323 as long as real property is conservatee's residence. **JTD**
2. **Need** notice of hearing and proof of service.
3. Petitioner seeks Pr.C. § 2590 powers; however, no attachment indicating what powers sought. **Need** verified supplement.
4. Petitioner seeks medical powers. Capacity Declaration filed 09/21/18; however, is not dated by physician. **Need** dated form.
5. Petitioner seeks dementia powers. **Need** report of Counsel Hartnell.
6. Section 11 as to relatives' address is incomplete; however, still **Need** list of required contacts (Local form SB-12224). Updated list **Untimely filed on 10/12/18 [deadline 10/11/18]. Image not available for review on 10/15/18.**
7. **Need** return of citation.
8. Certificate of completion of Conservatorship Training class filed 10/04/18.
9. Court Investigator report filed 10/05/18.
10. No Proposed Form Order submitted re general conservatorship.

RECOMMENDATION

Need to clear notes 2-7. If approved, set hearing for Compliance Review for **05/23/19** for the filing of the required documents and hearing re Accounting Review for **12/26/19**. Any accounting to be filed 30 days in advance.

(lc)

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

DATE: 10/18/18 TIME: 9:30 DEPT: S35P

CASE#: PRO PS1400134

CASE NAME: Vicki R. Lister

SEE ALSO 16, 17

HEARING:.

Accounting Review by ***

COUNSEL:

CARMELA JOHNSON	(PRO/PER
KARIMI SUTTON SR,	(OBJ)...PRO/PER
SHANIKA LISTER	(PRO/PER
VICKI R LISTER	(DEC)...
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: CONDS100281 (*Shanika Lister*)
CIVDS1309039 (*Hartnell-v-Lister*)

GENERAL INFORMATION:

Continued from **09/12/16** and **04/10/17**. Bryan Hartnell is relieved as counsel.

Continued from 01/22/18. Matter is continued to April 30, 2018; accounting to be filed by 4pm March 26, 2018. Clerk's office is ordered to set the accounting for April 30, 2018 at 8:30am in department S35 (or an earlier date if available) if the accounting is filed by the deadline of 4pm March 26, 2018. Probate examiners are ordered to review accounting and have probate notes available for the date of the accounting.

Continued from 04/30/18. Matter specially set for 06/13/18 at 9:30AM in department S35; Court orders Shanika Lister to be personally present. Notice to be given by George Theios.

Continued from 06/13/18 to file status report or accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Terry Allen, son-in-law, was appointed as conservator of person and estate on 1128/01. Petition for resignation approved on 06/29/15. Final accounting approved on 04/10/17; however, order on final accounting and Ex Parte Petition for Final Discharge and Order were returned for corrections on 04/18/17.
 - a. **Need** order on Amended Final Accounting by Terry Allen.

- b. **Need** Ex Parte Petition for Final Discharge and Order by Terry Allen.
2. Partial Inventory and Appraisals filed 06/11/14, 09/02/14, and 02/05/18.
3. PG appointed as successor conservator of the person and estate on 06/29/15.
4. **Need** accounting or waiver of account by Public Guardian.

RECOMMENDATION:

Inquire status of accounting.

(sa/nb/ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 30 ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC**

DATE: 10/18/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 31

HEARING:

Hearing Re: COURT TRIAL (SECOND SESSION)

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

Trial – No notes – JTD *

(lc)

Future hearing: 10/19/18 Court Trial

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

DATE: 10/18/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400931

CASE NAME: Larry Davis

SEE ALSO 30

HEARING: Petition TO CONFIRM PROPERTY BELONGS TO ESTATE- PURSUANT
CALIFORNIA PROBATE CODE SECTION 850

COUNSEL:

BRENDA C DAVIS	(PET)...PRO/PER
LARRY DAVIS	(DEC)...
LAWRENCE DAVIS	(AARON F GARCIA
STATE OF CALIFORNIA FRANCHISE	(TP)...

GENERAL INFORMATION:

Continued from **1/7/16** to file objections.

Continued from **4/6/16, 6/8/16, 08/10/16, 10/26/16, 03/30/17** and **06/22/17**.

Continued from **07/31/17**. Trial estimate is one full week.

Continued from 08/13/18 and 10/09/18. Nothing new filed. Matter not re-reviewed.

THIS CASE SET FOR HEARING ON Petition to Confirm Property Belongs to the Estate
Pr.C. §850.

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

1. Petitioner, Brenda Davis, is executor of the estate. **Brenda is now pro per.**
2. Petitioner seeks order confirming that certain assets are returned to the estate; specifically Bank of America savings account of \$108,320, vehicles, personal property and profits of Precision Trenching owned by decedent. Petitioner is seeking that the estate be reimbursed by the business accounts or a share of the business I the amount equal to the benefit received by David Trenching Inc. Lawrence Davis allegedly withdrew a large sum of money from the bank account and also reportedly denies that the estate owns half of the business. Lawrence reportedly withdrew business funds and did not deposit sufficient profits. The will submitted 10/30/14 does appear to distribute partially to Lawrence Davis.
3. **Objection filed 2/18/16 by Lawrence Davis.**

RECOMMENDATION

Matter is contested. Court's discretion.

(lc/sa/lc/nb/ww/nb)

Future hearing:10/19/18 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 10/18/18 TIME: 8:29 DEPT: S36P

CASE#: CIV DS1708950

Vacated

CASE NAME: WALKER -v- COLLINS, ETAL

SEE ALSO 2

HEARING:
Readiness Calendar

COUNSEL:

KAYLA COLLINS	(PRO/PER
SANDY COLLINS	(DEF)...BROWN WHITE & OSBORN
TAMMY WALKER	(PLA)...YOLANDA FLORES-BURT
TANIA DUGGER	(PRO/PER

***CCP170.6 filed as to Judge STANFORD E. REICHERT, case
reassigned to Judge JAMES MICHAEL WELCH for all purposes.***

XREF: PROPS1501021 (Ruby Beatrice Smith)
(lc)

Future Hearing: 02/14/19 Readiness 02/25/19 Trial

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 10/18/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1501021

Vacated

CASE NAME: RUBY BEATRICE SMITH

SEE ALSO 1

HEARING:

Petition for TERMINATION OF FURTHER PROCEEDING AND FOR
DISCHARGE

COUNSEL:

RUBY BEATRICE SMITH (DEC)...
SANDY RENEE COLLINS (PET)...MARK J. ANDREW FLORY
TAMMY MARLENE WALKER (PET)...YOLANDA FLORES-BURT

XREF: CIVDS1708950 (Walker-v-Collins, etal)

(lc)

Future Hearing: 02/14/19 & 02/25/19 Petition for termination of further proceedings

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1200565

CASE NAME: JAYDEN ARIAS SETTLEMENT TRUST

HEARING:

Petition for to remove trustee & for appointment of successor trustee

COUNSEL:

JAYDEN ARIAS SETTLEMENT TRUST	(PET)...JAMES B CHURCH
JAYDEN ARIAS SETTLEMENT TRUST	(TRU)...PRO/PER
WESTAMERICA BANK	(PET)...RANDOLPH M SHARON
WESTAMERICA BANK	(TEE)...RANDOLPH M SHARON

Currently under review by legal research.

Notice filed 09/07/18; however, **need** notice as to the following **if** receiving services.

Department of Health Services, Director of State Hospitals and Director of Developmental Services.

(lc)

Future Hearing: 11/19/18 7th Account Current by Westamerica

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400636

CASE NAME: Eugene L. Robideaux

HEARING:
Hearing re Final Discharge

COUNSEL:
EUGENE L ROBIDEAUX (DEC)...
MICHAEL J ROBIDEAUX (PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/21/17, 03/01/18, 05/10/18 and 08/16/18 for recording information is with title company.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Michael Robideaux, son, approved on 12/13/16; order approved 12/15/16.
2. No receipt required, only real property to distribute.
3. **Need** Ex Parte Petition for Final Discharge and Order **with recording information** per Pr.C.§11753(b). **Discharge returned for corrections on 12/22/17.**

RECOMMENDATION

Inquire status of discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600205

Vacated

CASE NAME: MTR OF JOSEPH MATTHEW LUKSICH

HEARING:

Hearing re Final Discharge

COUNSEL:

REA JEAN PUTNAM-VALL (PET)...THOMAS W DOMINICK

JOSEPH MATTHEW LUKSICH (DEC)...

Final discharge filed 07/25/18

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600746

CASE NAME: DOLORES B BULLARD

SEE ALSO 7

HEARING:

Petition for to terminate no asset estate

COUNSEL:

DIANA RENEE MINTERS (PET)...THOMAS M ALEXANDER
DOLORES B BULLARD (DEC)...

XREF: PROPS1700113 (*The Dolores B Bullard trust, dated September 6, 2006*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Terminate for Lack of Assets Pr.C. § 12251 by Diana Minters, daughter.

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

1. Letters Testamentary issued to Diana Minters, daughter, on 02/15/17; full authority, no bond.
2. Executor seeks termination on the basis that no assets have been discovered. Any assets found were Trust assets and administered as such.
3. **Need** notice of hearing and proof of service.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Need notice.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600746

Vacated

CASE NAME: DOLORES B BULLARD

SEE ALSO 6

HEARING:

Accounting Review by ***

COUNSEL:

DIANA RENEE MINTERS (PET)...THOMAS M ALEXANDER
DOLORES B BULLARD (DEC)...

XREF: PROPS1700113 (The Dolores B Bullard trust, dated September 6, 2006)

See notes on matter 6.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600846

CASE NAME: MTR OF RONALD LEE NELSON

HEARING:

Accounting Review by ***

COUNSEL:

JEFFREY A NELSON (PET)...PRO/PER
RONALD LEE NELSON (DEC)...

GENERAL INFORMATION

Continued from 12/14/17, 3/08/18, 04/19/18, 05/31/18 and 09/13/18. Inventory and Appraisal still with probate referee. Administrator is now pro per and seeking legal counsel.

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 Jeffrey Nelson, son, on 12/05/16; **limited** authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report. Status report was returned on 06/04/18 for lack of fees paid.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601260

CASE NAME: Tony Ruiz

HEARING:

First Account and Report of MARIA RUIZ, SALVADOR RUIZ and
Petition for allowance of fees filed.

COUNSEL:

MARIA RUIZ	(PET)...DONALD M. MEDEIROS
SALVADOR RUIZ	(PET)...DONALD M. MEDEIROS
TONY RUIZ	(DEC)...

GENERAL INFORMATION

Continued from 08/09/18.

THIS CASE SET FOR HEARING ON **Amended** [05/30/18] 1st Account Current by Maria and Salvador Ruiz, parents/sole heirs.

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

1. Accounting period 07/15/16– 04/21/18.
2. Assets on hand \$317,500 in real and personal property; no cash.
3. Administrators indicated they have recently discovered the mortgage is subject to a Home Affordable Modification Agreement. Petitioners have been paying mortgage payments. Petitioners do not indicate a time for estate to close.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **05/16/19**. 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

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700465

Vacated

CASE NAME: CARMEN TOSCANO

HEARING:

Accounting Review by ***

COUNSEL:

CARMEN TOSCANO

(DEC)...

GUADALUPE L TOSCANO

(PET)...GEORGINA LEPE

JONATHAN TOSCANO

(MIN)...MITCHELL I ROTH

(lc)

Future hearing dates: 10/29/18 Status Report.

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700614

CASE NAME: The Juan and Aurora Acosta 2001 Living Trust

SEE ALSO 12

HEARING:

Hearing Re: PTN TO CONFIRM TRANSFER OF ASSETS

COUNSEL:

EVELIA SANCHEZ

OLGA ACOSTA

THE JUAN AND AURORA ACOSTA 200

(OBJ)...KENNETH U REYES

(PET)...ALBREKTSON & SHUMATE,

(TRU)...

XREF: PROPS1800489 (*Juan A Acosta*)

Currently under review by Legal Research.

(LR)

Notice filed 06/05/18 and 09/11/18; however, does not indicate a copy of petition was served per Pr.C. § 17203(b) as well as the following as this appears to be a Heggstad petition.

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.

(ww/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800489
CASE NAME: JUAN A. ACOSTA

SEE ALSO 11

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

COUNSEL:

EVELIA SANCHEZ	(OBJ)...KENNETH U REYES
JUAN A. ACOSTA	(DEC)...
OLGA ACOSTA	(PET)...ALBREKTSON & SHUMATE, LLP

XREF: PROPS1700614 (*The Juan and Aurora Acosta 2001 living trust*)

GENERAL INFORMATION

Continued from 06/28/18 for settlement negotiations. Payment for attorney's fees authorized.

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

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

1. Will waives bond. Net estate value is \$1,013,349.81 of which \$173,066.81 is personal property.
2. The will conditionally incorporates decedent's Trust. Copy of Trust filed with Petition.
3. Notice of related case filed **PROPS1700614** (Juan and Aurora Acosta Living Trust). Court to cross reference cases.
4. **Objections filed which appear to be a will contest on 06/26/18 by Evelia Sanchez, daughter. Need proof of summons per Pr.C.§ 8250 to petitioner Olga Acosta.**
5. **Response filed on 08/17/18 by petitioner Olga and son Set Acosta.**
6. ~Proposed Form Order: 05/18/18

RECOMMENDATION

Matter is contested. Need to clear note 4. If approved, set Accounting/Status Review for **12/26/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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 for clarification of the notes only - no legal or procedural advice will be given.

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800865

CASE NAME: GLORIA MOORE

HEARING:

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

COUNSEL:

CLIFFORD MOORE	(PET)...	CHRISTINA FERRANTE
GLORIA MOORE	(DEC)...	
JOHN MARANAN	(PET)...	CHRISTINA FERRANTE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by John Maranan and Clifford Moore, son and step-son.

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

1. All heirs waive bond. Net estate value is \$198,597.92 in personal property.
2. Notice of related case filed for **CONPS1600261**.
3. ~Proposed Form Order: 09/06/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/26/19**. 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

Page: 14

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800866

CASE NAME: MTR OF PABLO BRESSANT-POSADA

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ROSALBA BRESSANT-POSADA

(PET)... EL HAZIN & ASSOC

PABLO BRESSANT-POSADA

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real property by Rosalba Bressant-Posada, sister.

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

1. Petitioner seeks 100% interest in decedent's 100% interest in real property.
2. Petitioner appears to be sole heir. Court to clarify.
3. Creditor's Claim filed on 10/04/18 for \$55,709.77; however, this form of Administration **does not** protect petitioner against Creditor's Claim.
4. ~Proposed order 08/31/18.

RECOMMENDATION

Court's discretion re note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: SPR SS03356

CASE NAME: THE AMPARO VALDIVIA SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

AMPARO VALDIVIA SPECIAL NEEDS	(TRU)...PRO/PER
BRYAN C HARTNELL	(HARTNELL)...HARTNELL
MARTHA OCEQUERA	(PET)...SHAAN A ANSARI
MELODIE Z SCOTT	(PET)...HORSPOOL
MELODIE Z SCOTT	(TEE)...HORSPOOL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 4th SNT Account for Martha Ocegüera, Successor Trustee, approved on 10/18/16.
2. **Need** 5th Account beginning with 08/23/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 10/18/18 TIME: 8:30 DEPT: S36P

CASE#: SPR SS07154

CASE NAME: MTR OF ZACHARY MARTIN SETTLEMENT TRUST

HEARING: Seventh Account and Report of MARJORIE MARTIN, MITCHELL MARTIN
and Petition for allowance of fees filed.

COUNSEL:

MARJORIE MARTIN	(PET)...LAMB MORRIS & LOBELLO
MARJORIE MARTIN	(TEE)...LAMB MORRIS & LOBELLO
MITCHELL MARTIN	(PET)...PATRICIA A LOBELLO
ZACHARY MARTIN SETTLEMENT TRUS	(TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 7th Trust Account Current and Petition for Fees
and Increase of Bond by Marjorie and Mitchell Martin, parents.

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

1. Account period covers 04/01/16 – 06/30/18.
2. Assets on hand \$561,832.28 consisting of cash and securities.
3. Current bond is \$668,000. Trustees seek an increase of bond by \$83,000 for a total
bond of \$751,000. Appears adequate.
4. Co-Trustee, Marjorie Martin receives \$5,416.67/month for caregiver services.
5. Trustees seek fees of \$7,290 billed at \$45/hour for 162 hours (6 hours per month).
Itemized [LFpg63-65].
6. Attorney seeks fees of 3,802.50 for 19.2 hours at \$125/375 per hour for paralegal
and attorney services. Itemized [LFpg67-71].
7. ~Proposed Order: 08/31/18.

RECOMMENDATION:

Court's discretion. If approved, set hearing re next Accounting Review for **09/12/19** (if one
year) or **09/03/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17A, 17B, 17C, 17D, 17E

HEARING:.

Motion Re: ORDER TO COVER ATTORNEY'S FEES AND COSTS Filed by
Petitioner ANGELA EZZEDDINE

COUNSEL:

ANGELA EZZEDDINE

(PET)...FITZGERALD YAP CREDITOR

LAYLA KASSEM

(FITZGERALD YAP CREDITOR

MAYA KASSEM

(FITZGERALD YAP CREDITOR

TENA EZZEDDINE

(OBJ)...

TENA EZZEDDINE

(PET)...ALYSSA C WESTOVER A

THE BAREA EZZEDDINE 2013 TRUST

(TRU)..

Currently under review by legal research.

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17, 17B, 17C, 17D, 17E

HEARING:

Hearing Re: NOTICE OF DEMURRER AND DEMURRER

COUNSEL:

ANGELA EZZEDDINE

(PET)...FITZGERALD YAP CREDITOR

LAYLA KASSEM

(FITZGERALD YAP CREDITOR

MAYA KASSEM

(FITZGERALD YAP CREDITOR

TENA EZZEDDINE

(OBJ)...

TENA EZZEDDINE

(PET)...ALYSSA C WESTOVER A

THE BAREA EZZEDDINE 2013 TRUST

(TRU)..

Currently under review by legal research.

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17, 17A, 17C, 17D, 17E

HEARING:

Hearing Re: ORDER TO COMPEL TRUSTEE & PROTECT

COUNSEL:

ANGELA EZZEDDINE

(PET)...FITZGERALD YAP CREDITOR

LAYLA KASSEM

(FITZGERALD YAP CREDITOR

MAYA KASSEM

(FITZGERALD YAP CREDITOR

TENA EZZEDDINE

(OBJ)...

TENA EZZEDDINE

(PET)...ALYSSA C WESTOVER A

THE BAREA EZZEDDINE 2013 TRUST

(TRU)..

Currently under review by legal research. Petition originally filed as an ExParte on 07/16/18.

Court ordered Trustee to make mortgage payments for August and September.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17C

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17, 17A, 17B, 17D, 17E

HEARING:

Hearing Re: PTN TO DETERMINE ANGELA EZEEDINE'S ENTITLEMENT

COUNSEL:

ANGELA EZZEDDINE

(PET)...FITZGERALD YAP CREDITOR

LAYLA KASSEM

(FITZGERALD YAP CREDITOR

MAYA KASSEM

(FITZGERALD YAP CREDITOR

TENA EZZEDDINE

(OBJ)...

TENA EZZEDDINE

(PET)...ALYSSA C WESTOVER A

THE BAREA EZZEDDINE 2013 TRUST

(TRU)..

Currently under review by legal research.

Continued matter – Notice not re-reviewed

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17D

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17, 17A, 17B, 17C, 17E

HEARING:

Petition for INSTRUCTIONS /CONTINUING JURISDICTION

COUNSEL:

ANGELA EZZEDDINE

(PET)...FITZGERALD YAP CREDITOR

LAYLA KASSEM

(FITZGERALD YAP CREDITOR

MAYA KASSEM

(FITZGERALD YAP CREDITOR

TENA EZZEDDINE

(OBJ)...

TENA EZZEDDINE

(PET)...ALYSSA C WESTOVER A

THE BAREA EZZEDDINE 2013 TRUST

(TRU)..

Currently under review by legal research.

Continued matter – Notice not re-reviewed

(lc)

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

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

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 17, 17A, 17B, 17C, 17D

HEARING: APPROVAL OF FIRST ACCOUNT and Report of ANGELA EZZEDDINE
and Petition for allowance of fees filed.

COUNSEL:

ANGELA EZZEDDINE	(PET)...FITZGERALD YAP CREDITOR
LAYLA KASSEM	(FITZGERALD YAP CREDITOR
MAYA KASSEM	(FITZGERALD YAP CREDITOR
TENA EZZEDDINE	(OBJ)...
TENA EZZEDDINE	(PET)...ALYSSA C WESTOVER A
THE BAREA EZZEDDINE 2013 TRUST	(TRU)..

GENERAL INFORMATION

Continued from **01/18/18** for parties to attend mediation.

Continued from **02/21/18** at request of Counsel due to ongoing mediation.

Continued from 04/25/18, 05/14/18 and 06/29/18. Matter set for MSC.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Surcharge or in the Alternative Instructions as to Beneficiary Angela Ezzeddine, by Tena Ezzeddine, daughter/Trustee.

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

1. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
2. Accounting period 10/28/16 – 06/28/17.
3. Assets on hand \$2,485,831.83 of which \$1,831,000.00 is real property.
4. Real property located on Emeraldport does not indicate value of the property; beginning or end. Tena seeks court order beneficiary Angela Ezzeddine to allow an appraisal to be obtained on Emeraldport Property. JTD
5. Trustee alleges that the liability of \$431,424.11 is funds loaned to Trust by herself to purchase the Emeraldport Property.
6. Attorney was paid \$21,347.47 for 101.8 hours at \$375/425 per hour.
7. Trustee paid herself fees total \$43,200.

8. Trustee alleges that beneficiary Angela wrongfully took personal property items as well as money from bank accounts while Trustor Barea was incapacitated and post death.
9. Trustee seeks court allow surcharge against Angela for damage to real property located on Denhaven in Chino Hills.
10. Trustee alleges that Angela has brought an unfounded action seeking termination. Therefore, Trustee states the costs reportedly should be deemed as had been incurred by Angela's alleged bad faith etc. Trustee cites *Rudnick v. Rudnick* (2009)179Cal.App.4th 1328. JTD
11. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
12. **Need** copy of financial statements per local rule 20-908.
13. **Need** notice of hearing and proof of service for Michael Harms and Morgan Stanley.
14. **Objections by Angela Ezzeddine with proof of service filed 01/11/18.**
15. No proposed Order submitted.

RECOMMENDATION

Matter is contested. Need to clear notes 1, 11-13. If approve and *If trust becomes court supervised*, set next Accounting review for **05/08/19**.

(lc/lh/ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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

CASE#: PRO PS1800766

CASE NAME: John Richard Fuentes

SEE ALSO 18A

HEARING:

Petition for order confirming revocable living trust, successor trustee

COUNSEL:

JOHN RICHARD FUENTES Jr (PET)...YOLANDA FLORES-BURT

JOHN RICHARD FUENTES Sr (DEC)...

JOHN RICHARD FUENTES Jr (PET)...YOLANDA FLORES-BURT

Currently under review by legal research.

Notice filed 10/11/18 appears sufficient.

(lc)

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

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

CASE#: PRO PS1800766

CASE NAME: John Richard Fuentes

SEE ALSO 18

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

COUNSEL:

JOHN RICHARD FUENTES Jr (PET)...YOLANDA FLORES-BURT
JOHN RICHARD FUENTES Sr (DEC)...
JOHN RICHARD FUENTES Jr (PET)...YOLANDA FLORES-BURT

GENERAL INFORMATION:

Ex Parte orders denied on 08/27/18.

Continued from 09/25/18.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by John Fuentes, Jr, son.

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

1. Will names petitioner and sibling, Marcella Lynn Turiano Weimann, as Co-Trustees of any trust created under this Will, but does not specifically name anyone as executor. It appears **Need** amendment to petition.
2. **Need** receipt for "lodging" of original will. Petitioner alleges will was lodged 8/14/18.
3. Beneficiaries waive bond. Estimated estate is unknown at \$0.00. However, petitioner is a non-resident and court has discretion to require bond per Pr. C. §8571. **JTD.**
4. **Need** Notice of Petition to Administer Estate with proof of service form DE-121.
5. ~Proposed Form Order 08/14/18.

RECOMMENDATION:

Trail to 11/13/18 as amended petition supersedes this petition.
(nb/lc)

Future hearing dates: 11/13/18: Amended Petition Probate Will.

Superior Court of Calif, County of San Bernardino

Page: 19

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

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

CASE#: TRU PS1800145

CASE NAME: The Madel Surviving Spouse's Trust dated March 17

HEARING:

Petition for ascertain trust beneficiary and to whom property s
hall pass

COUNSEL:

CRYSTAL CATHEDRAL MINISTRIES (OBJ)...DORSEY & WHITNEY
KARL HEINZ MADEL (PET)...STAKER LAW TAX AND ESTATE
THE MADEL SURVIVING SPOUSE'S T(TRU)...

Currently under review by legal research. Attorney General has objections to petition.
Medication briefs to be filed 2 weeks prior to mediation.

Notice is complete.

(/lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

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

CASE#: BC BS00036

CASE NAME: IN THE MTTR OF CONSERVATORSHIP OF LINDA LYTLE

HEARING: Fourth Account and Report of DANNY F LYTLE and Petition for allowance of fees filed.

COUNSEL:

DANNY F LYTLE	(SC)...LEON A OPOLSKI
LAWANDA J LYTLE	(PET)...LEON A OPOLSKI
LAWANDA LYTLE	(CP)...LEON A OPOLSKI
LAWANDA LYTLE	(PET)...LEON A OPOLSKI
LINDA LYTLE	(CTP)...
SPECIAL NEEDS TRUST OF LINDA L	(TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 4rd Trust Account Current, Petition for Appointment of Successor Trustee and Petition for Fees by Danny Lytle, brother.

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

1. Accounting period covers 08/25/16 – 07/26/18.
2. Assets on hand \$28,919.04in cash.
3. Trustee Danny Lytle waives right to Trustee compensation.
4. Trustee wishes to resign due to declining health and is seeking court appoint his spouse, Cheryl Lytle, as successor. Cheryl accepts appointment. **Supp 10/09:** Trustee's intent was to request court approve appointment if Trustee passed away. However, if this request is unable to be granted, Trustee withdraws this request. It appears it would be appropriate to file a separate petition for a co-trustee or await until there is a vacancy for trustee.
5. Attorney requests fees of \$1,070 and costs of \$551 for a total of \$1,631.00 for 4.5 hours at \$240/hour. [LFpg5].
6. Bond is currently set at \$32,160. Trustee seeks bond be reduced to \$31,000. Ok

RECOMMENDATION:

Court's discretion. If approved, set Accounting/Status Review for **10/17/19**. 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

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

CASE#: CON PS0900250

CASE NAME: ELOISA PRECIADO RAMOS

HEARING:

Hearing Re: STATUS OF TRANSFER

COUNSEL:

EDWARD MADRID	(CPE)...PRO/PER
ELOISA PRECIADO RAMOS	(CEP)...
IRAIS MENDOZA	(CP)...PRO/PER
VANESSA MENDOZA	(CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Transfer.

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

1. Matter set after review Court Investigator report filed 03/23/18 indicating Conservator resides in Nipomo, SLO County. Matter ordered transferred on 06/07/18.
2. Vanessa Mendoza and Edward Madrid appointed Conservators of person and estate on 03/01/10, Edward was removed on 10/24/11, but **did not discharge Edward**. Conservatorship of estate terminated on 02/21/12. Vanessa and Irais Mendoza appointed successor Conservators of person only on 04/24/12.
 - a. **Need** order terminating conservatorship of estate; then
 - b. **Need** Ex Parte Petition for Final Discharge and Order as to **estate only** for both Edward and Vanessa.
3. **Need actual** post move notice form per CRC 7.1063(c).
4. Receipt of transfer with SLO County case number 18PP0256 filed 08/24/18.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

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

CASE#: CON PS1500228

CASE NAME: CHARLOTTE K KNIGHT-UTTER

HEARING:

Petition for attorney fees by court appointed counsel

COUNSEL:

CARY KNIGHT	(FRANK O TETLEY
CHARLOTTE K KNIGHT-UTTER	(CEE)...E JOAN NELMS
DONNASUE ORTIZ	(CP)...DONNASUE ORTIZ
E JOAN NELMS	(PET)...E. JOAN NELMS
LINDA K GUYETTE	(PET)...MICHAEL C. MADDUX
MELVIN L FRIEDLAND	(PET)...MELVIN L FRIEDLAND
WRETHA KNIGHT	(PET)...FRANK O TETLEY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's fees by James Church on behalf of E Joan Nelms.

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

1. Counsel Nelms was appointed counsel on 09/28/15.
2. Counsel seeks fees of \$53,072.50 for 190.95 hours at \$135/395 per hour for paralegal and attorney services. Partial fees [08/31/15 – 08/3/16] are beyond the 2-year mark per local rule 20-1402. Court to inquire re delay in filing.
3. Final Inventory and Appraisal indicates assets of \$81,688.27.
4. ~Proposed order: 08/31/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:11/06/18 Compliance review hearing 11/14/18 Petition for Attorney's Fees by Michael Maddux 03/06/19 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC

DATE: 10/18/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1800115

CASE NAME: Gabriel R Baeza

SEE ALSO 24

HEARING:

Court Trial set for PETITION FOR CONSERVATORSHIP of JOAQUIN
RODRIGUES BAEZA

COUNSEL:

GABRIEL R BAEZA	(CEP)...J DAVID HORSPOOL
GLORIA BAEZA	(OBJ)...PRO/PER
GLORIA BAEZA	(PET)...PRO/PER
JOAQUIN RODRIGUES BAEZA	(CEP)...
JOAQUIN RODRIGUES BAEZA	(CPE)...

XREF: FAMSS1803922 (*Gabriel R Baeza-n-Gloria Baeza*)

Trial – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

Page: 24

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

DATE: 10/18/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1800115
CASE NAME: Gabriel R Baeza

SEE ALSO 23

HEARING: Petition for Appointment of Conservator

COUNSEL:

GABRIEL R BAEZA (CEP)...J DAVID HORSPOOL
GLORIA BAEZA (PET/OBJ)...PRO/PER
JOAQUIN RODRIGUES BAEZA (CEP/CPE)...

XREF: FAMSS1803922 (*Gabriel R Baeza-n-Gloria Baeza*)

GENERAL INFORMATION

Continued from **05/01/18**. Joaquin Rodrigues Baeza appointed Temporary Conservator of the person and estate; \$30,000 bond.

Continued from **05/30/18**. Return of Citation is waived as proposed conservatee is present this date. Matter continued to clear probate notes. Gloria Baeza to file written objections and competing petition. All existing temporary orders to remain in full force and effect.

Continued from 07/18/18. Gloria Baeza to file a competing petition for conservatorship. Court directs the clerk's office to set it on calendar for 09/12/18. All existing temporary orders to remain in full force and effect until 09/12/18.

Continued from 09/12/18. Matter contested, trial requested. Nothing new filed. Matter not re-reviewed.

THIS CASE SET FOR HEARING ON

- **Petition - 1** Petition for Appointment of Conservator person and estate by **Joaquin Rodrigues Baeza, brother**
- **Petition - 2** Petition for Appointment of Conservator person and estate by **Gloria Baeza, spouse**

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

Petitioner -1 by Joaquin Baez, brother

1. Petitioner seeks bond of \$30,000. Estate assets appear to consist primarily of public assistance benefits, automobiles, and personal property totaling \$30,000. Question if proposed conservator is the representative payee; if so, question need for estate powers?

2. Petitioner requests orders authorizing powers under Pr. C. §2590. However, **need attachment 1d specifying powers and facts.**
3. Petitioner requests orders relating to capacity of proposed conservatee under Pr. C. §1873 or §1901; however, **need attachment 1e with specified orders** and facts.
4. Petitioner requests orders relating to powers and duties under Pr. C. §2351-2358; however, **need attachment 1f with specified orders** and facts.
5. Petitioner seeks medical powers. **Need** Capacity Declaration.
6. Petitioner, Joaquin Baeza, alleges he was appointed guardian of proposed conservatee in the State of Nevada in 2015, case number G-15-041595-A. Court to inquire. See Petition, 4/18/18, LFpg12.
7. CI Report filed 05/15/18.
8. Report of Counsel J. David Horspool.
9. **Need** Confidential Screening form.
10. **Need** Notice of Hearing and Proof of Service as to Maria Baeza (mother) and siblings: Blanca Torres; Sylvia Saenz; Norma Ramirez; Veronica Ruiz; Anita Ballesteros; Jessica Kastanek; Carmen Eassa.
11. Return of Citation filed 07/13/18 with proof of mailed service. **Need** proper personal service if Conservatee will not attend hearing.
12. Proof of Completion of the Conservatorship Training Class filed.
13. **Objections by Gloria Baeza filed 05/29/18; however, it is not verified. Need same.**
14. ~Proposed Form Order: 04/18/18

Petitioner -2 by Gloria Baeza, spouse

15. Petitioner seeks bond of \$30,000. Appears sufficient.
16. Petitioner seeks additional orders for powers under Pr. C. §2590 to buying/selling any personal or real property. **JTD**
17. Second Report of Counsel J. David Horspool filed 08/27/18.
18. CI Report filed 09/05/18.
19. Petitioner seeks medical powers. **Need** Capacity Declaration.
20. **Need** Certificate of Completion of the Conservatorship Training Class.
21. **Need** Notice of Hearing and Proof of Service as to Maria Baeza (mother) and siblings: Blanca Torres; Sylvia Saenz; Norma Ramirez; Veronica Ruiz; Anita Ballesteros; Jessica Kastanek; Carmen Eassa.
22. **Need** return of Citation.
23. Declaration by Gloria Baeza filed 07/18/18 responding to x-ref matter re Petition for Nullity of Marriage. However, response should be filed within family law matter.
24. **Objections by Joaquin Baeza filed 09/04/18.**
25. No proposed order submitted.

RECOMMENDATION

Matter is contested. Need to clear notes 2-5; 9-11; 13; 19-22.

If approved, set hearing for Compliance Review for **05/23/19** for the filing of the required documents and hearing re Accounting Review for **12/26/19**. Any accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

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

CASE#: PRO PS1700689

CASE NAME: MTR OF YSB-61325 IRREVOCABLE TRUST

SEE ALSO 2, 3, 4, 5

HEARING:

Petition for ORDER SETTING ASIDE REAL PROPERTY CONVEYANCE

COUNSEL:

DENISE KANTER

(OBJ)...DOUGLAS J PETTIBONE

MILDRED KANTER

(PET)...FRIDLEY LAW FIRM

YSB-61325 IRREVOCABLE TRUST DA

(TRU)...

Currently under review by legal research.

(LR)

Notice is complete.

(lh/lc)

Future hearing dates: 11/14/18 Notice of Motion Compelling Deposition of 3rd Party
Witness

Superior Court of Calif, County of San Bernardino

Page: 2

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

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

CASE#: PRO PS1700689

CASE NAME: MTR OF YSB-61325 IRREVOCABLE TRUST

SEE ALSO 1, 3, 4, 5

HEARING: Probate status report filed.

COUNSEL:

DENISE KANTER	(OBJ)...DOUGLAS J PETTIBONE
MILDRED KANTER	(PET)...FRIDLEY LAW FIRM
YSB-61325 IRREVOCABLE TRUST DA	(TRU)...

GENERAL INFORMATION

Matter set on 12/14/17 at Petition of Order Setting Aside Real Property. Hearing was continued by Court to trail Motion to Compel set for 3/12/18. Objections were filed. Court made orders that property in dispute may not be sold, leased, etc. Court ordered Status Reports to be filed prior to 03/12/18 with notice waived.

On 3/12/18, Court denied Motion to Compel Deposition finding Mildred Kanter never failed to appear at deposition. Court ordered deposition to be arranged and recommended deposition to take place at Mildred's home. Court notes there was no good faith to meet and confer. Court will consider reasonable attorney's fees for Mildred's counsel in response to motion. Attorney fee declaration to be filed.

Continued from 04/18/18 at request of Court. Trial setting conference to be heard 07/18/18.

Continued from 07/18/18. Deposition by Ms.Kanter has been conducted, notice of further deposition may be needed; to be conducted by 9/10/18. If additional written discovery needs to be conducted regarding information found in deposition, by agreement of parties, discovery cut off will be waived. Ben's death certificate, schedule A of trust and signature page of Mildred Kanter's Trust to be filed and served by email. Set for Trial Readiness. Nothing new filed. Matter not re-reviewed by examiner.

THIS CASE IS SET FOR HEARING ON

- Status Report re Denise Kanter filed 2/27/18
- Status Report re Mildred Kanter filed 3/5/18

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

Status Report re Denise Kanter filed 2/27/18

1. Respondent Denise Kanter alleges Mildred Kanter has not produced documents in response to discovery and failed to appear at deposition.

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 for clarification of the notes only - no legal or procedural advice will be given.

2. Respondent Denise Kanter seeks expedited trial date and contemplated filing motion per CCP §36 due to Mildred Kanter's age and health.
3. Respondent alleges Gary Kanter is letting property fall into state of disrepair and that there are several safety issues, e.g. fallen fence, missing pad lock to pool, and green pool water. Respondent further alleges she must sell property but cannot due to a Lis Pendens recorded on property which must first be resolved.
4. Respondent Denise Kanter does not believe parties can reach a favorable settlement due to ongoing animosity.

Status Report re Mildred Kanter filed 3/5/18

5. Mildred alleges she intends to issue a deposition notice upon after hearing on motion to compel Mildred's deposition.
6. Mildred intends to serve form interrogatories, special interrogatories, a request for production of documents, and requests for admissions within 60 days.
7. Mildred contends there are related cases which may affect the outcome of this matter, including the Kanter Irrevocable Trust, Riverside case # INP1700490 and Kanter v Kanter, FAMSS1507285. As such, Mildred suggests these matters be set on a normal calendar.
8. Mildred alleges she remains open to settlement and encourages mediation or mandatory settlement conference.
9. Mildred alleges the subject property remains unencumbered; taxes and insurance are current.
10. In response to Denise's Status Report, Mildred alleges repairs have been made to the fallen fence at Mildred's expense. The pool is regularly cleaned, but it requires a new filter which has not been replaced due to its high cost and the lack of access to trust funds. However, the water itself is not a health issue. Mildred welcomes Denise to replace the filter, if desired.
11. Ben's Birth certificate filed 07/19/18.

RECOMMENDATION

Court's discretion.

(lh)

Future hearing dates: 11/14/18 Notice of Motion Compelling Deposition of 3rd Party

Witness

Superior Court of Calif, County of San Bernardino

Page: 3

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

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

CASE#: PRO PS1700689

CASE NAME: MTR OF YSB-61325 IRREVOCABLE TRUST

SEE ALSO 1, 2, 4, 5

HEARING:

Probate status report filed.

COUNSEL:

DENISE KANTER	(OBJ)...DOUGLAS J PETTIBONE
MILDRED KANTER	(PET)...FRIDLEY LAW FIRM
YSB-61325 IRREVOCABLE TRUST DA	(TRU)...

See notes on matter 2.

(lc)

Future hearing dates: 11/14/18 Notice of Motion Compelling Deposition of 3rd Party Witness

Superior Court of Calif, County of San Bernardino

Page: 4

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

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

CASE#: PRO PS1700689

CASE NAME: MTR OF YSB-61325 IRREVOCABLE TRUST

SEE ALSO 1, 2, 3, 5

HEARING:
Readiness Calendar

COUNSEL:

DENISE KANTER	(OBJ)...DOUGLAS J PETTIBONE
MILDRED KANTER	(PET)...FRIDLEY LAW FIRM
YSB-61325 IRREVOCABLE TRUST DA	(TRU)...

Readiness – No notes – JTD *

(lc)

Future hearing dates: 11/14/18 Notice of Motion Compelling Deposition of 3rd Party Witness

Superior Court of Calif, County of San Bernardino

Page: 5

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

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

CASE#: PRO PS1700689

CASE NAME: MTR OF YSB-61325 IRREVOCABLE TRUST

SEE ALSO 1, 2, 3, 4

HEARING:
Trial Setting Conference

COUNSEL:

DENISE KANTER	(OBJ)...DOUGLAS J PETTIBONE
MILDRED KANTER	(PET)...FRIDLEY LAW FIRM
YSB-61325 IRREVOCABLE TRUST DA	(TRU)...

T.S.C – No notes – JTD *

(lc)

Future hearing dates: 11/14/18 Notice of Motion Compelling Deposition of 3rd Party Witness

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

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

CASE#: PRO PS1300297

CASE NAME: ELLIS ALFORD WESTMORELAND

HEARING:

Accounting Review by ***

COUNSEL:

DIANA JANE WESTMORELAND ABSOLO (OBJ)...PRO/PER

ELISA JILL WESTMORELAND COGBUR (B. PALMER RIEDE)...

ELLIS ALFORD WESTMORELAND (DEC)...

KEVIN JUDE WESTMORELAND (PRO/PER

PEGGY JOAN WESTMORELAND (PET)...GREGORY T ANNIGIAN

GENERAL INFORMATION

Continued from 01/17/18 for resolution/accounting to be filed. Accounting to be filed 30 days in advance.

Continued from 04/19/18. Accounting to be filed or court will suspend letters and appoint Public Administrator.

Continued from 07/5/18. Counsel reported he is having trouble contacting client. Peggy Westmoreland to be present or letters will be suspended and Public Administrator appointed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of Administration issued to Peggy Westmoreland, daughter, on 02/18/14; full authority; no bond.
2. Status Report approved on 01/25/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 7

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

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

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

SEE ALSO 8

HEARING:

Hearing Re: Status on completion of CPA report

COUNSEL:

EMORY D'AQUILA	(PET)...DAVID LIVINGSTONE TAUB
EMORY D'AQUILA	(RES)...DAVID LIVINGSTONE TAUB
MILES THOMPSON	(PET)...PRO/PER
OSCAR EMMETT THOMPSON	(PET)...JACK B OSBORN
THE JANE GILL THOMPSON SEPARA	(TRU)...

Status – No notes – JTD *

(lc)

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

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

CASE#: PRO PS1300467

CASE NAME: THE JANE GILL THOMPSON SEPARATE PROPERTY TRUST

SEE ALSO 7

HEARING:

First Current Account and Report of EMORY D'AQUILA and Petition
for allowance of fees filed.

COUNSEL:

EMORY D'AQUILA (PET)...DAVID LIVINGSTONE TAUB
MILES THOMPSON (PET)...PRO/PER
OSCAR EMMETT THOMPSON (PET)...JACK B OSBORN

GENERAL INFORMATION

Continued from 03/29/18. CPA Dennis Shogren is preparing a report as to what is Trust
Property and what is husband/wife.

Continued from 06/28/18 to clear notes, statements, notice.

THIS CASE SET FOR HEARING ON 1st Trust Account and Report by Emory D'Aquila,
grandson/Trustee.

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

1. Trustee, Emory, was suspended on 08/10/17. Miles Thompson is current
Successor Trustee of Jane Thompson Separate Property Trust.
2. Accounting period 04/04/13– 08/03/17.
3. Trustor died on 01/01/13. Question why accounting does not begin at death? **Need**
verified supplement and/or amended accounting.
4. Assets on hand \$310,518.89 of which \$518.89 is cash and remainder in real
property.
5. Trustee fees are not sought.
6. Counsel David Taub was paid \$5,016 for legal services during accounting period.
7. Disbursements indicate 3 NSF fees totaling \$102 [lfpg16]. Court to inquire as to Mr.
D'Aquila's fiduciary duty. **Supp 06/25/18**. Trustee paid amount to attorney client
trust account.
8. Disbursements indicate \$416 for DMV, \$776 unknown payee and Misc. expense of
\$404.95 on 03/17/14, 09/25/14 and 08/03/15; respectively [lfpg17]. Court to inquire.
9. **Need** statements to support beginning cash balance per local rule 20-908.
10. **Need** notice of hearing and proof of service.
11. ~Proposed Order: 01/16/18.

RECOMMENDATION

Need to clear notes 3, 9-10. ***If*** trust is to remain court supervised, need accounting review set for Miles Thompson [successor] for **11/29/18**.

(lc)

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

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

CASE#: PRO PS1400769

CASE NAME: Ralph Wilson

HEARING: Hearing re Final Discharge

COUNSEL:

DAISY WILSON	(PET)...JILL BROUSARD
EDWARD WARREN	(PET)...JILL BROUSARD
KEMP & ASSOCIATES INC	(PET)...LAURA WOODWARD
RALPH WILSON	(DEC)...
SILVIA P CURNE	(PET)...PRO/PER
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER
THE RALPH T. WILSON FAMILY TRU	(TRU)...

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 Daisy Wilson and Edward Warren, co-administrators, approved on 10/12/17; order signed 12/07/17; however, a subsequent estate accounting was approved and order signed on 10/01/18.
2. Receipts filed.
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

Page: 10

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

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

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 11, 12

HEARING:

Petition for /TO COMPEL REMOVAL OF TRUSTEE;FOR APPOINTMENT OF
SUCCESSOR TRUSTEE ETC

COUNSEL:

CHERIE KEITH	(OBJ)...RICHARD L BARRETT
CHERIE KEITH	(PET)...RICHARD L BARRETT
KEITH MITCHELL	(PET)...DIANE E ROBBINS
MITCHELL FAMILY TRUST	(TRU)...

Currently under review by legal research.

Continued matter. Notice not re-reviewed.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11

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

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

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 10, 12

HEARING:

Petition for to Recover Trust Assets, to Impose Constructive Trust, to Impress Equitable Lien etc

COUNSEL:

CHERIE KEITH	(OBJ)...RICHARD L BARRETT
CHERIE KEITH	(PET)...RICHARD L BARRETT
KEITH MITCHELL	(PET)...DIANE E ROBBINS
MITCHELL FAMILY TRUST	(TRU)...

Currently under review by legal research.

Continued matter. Notice not re-reviewed.

(lc)

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

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

CASE#: PRO PS1500897

CASE NAME: the Mitchell Family Trust

SEE ALSO 10, 11

HEARING:

Second Account and Report of KEITH MITCHELL and Petition for allowance of fees filed.

COUNSEL:

CHERIE KEITH	(OBJ)...RICHARD L BARRETT
CHERIE KEITH	(PET)...RICHARD L BARRETT
KEITH MITCHELL	(PET)...DIANE E ROBBINS
MITCHELL FAMILY TRUST	(TRU)...

GENERAL INFORMATION

Continued from 04/05/18 and 07/05/18. Working on settlement.

THIS CASE SET FOR HEARING ON 2nd Account Current and Report of Trustee, Keith Mitchell.

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

1. Accounting period 01/01/16 – 12/08/17.
2. Assets on hand \$607,613.37: cash of \$54,612.37 and remainder in real property.
3. Receipts indicate a \$50,000 loan from Trustee to the Trust. [1/26LFpg35]. However, there does not appear to be any schedule for liabilities. **Need** same.
4. **Need** statements to support cash balance per local rule 20-908.
5. Fees of \$22,311.87 were paid to counsel on 04/14/17. Allowed per Section G(17) of Trust.
6. Partial distribution was made to Carol, surviving spouse, totaling \$75,000.
7. ~Proposed Order: 01/16/18.

RECOMMENDATION

Need to clear notes 3-4. ***If court retains jurisdiction of trust***, set Accounting/Status Review for **02/21/19**. 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: 10/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600129

CASE NAME: DAVID W LAFLIN

HEARING:

Hearing Re: PTN FOR ATTY FEES BY M FREIDLAND

COUNSEL:

DAVID W LAFLIN	(DEC)...
MINORS	(MIN)...MELVIN L FRIEDLAND
RICHARD LAFLIN	(PET)...MONICA A MIHELL
STEVEN ANTHONY LAFLIN	(TP)...ROSE C ROSADO

XREF: CONPS1800082 (Steven Anthony Laflin)

GENERAL INFORMATION

Continued from 06/01/18 and reset from 07/05/18; 07/25/18 hearing vacated.

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Melvin Friedland

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

1. Petitioner, Melvin Friedland was appointed GAL for minors, Steven and Robert Laflin on 03/30/16.
2. Petitioner requests fees of \$2,100 for 7 hours at \$300/hour for attorney services rendered from 03/30/16 to 05/21/18. Itemized. [LF 06/01/18pg8-9].
3. ~Proposed Order: 06/01/18

RECOMMENDATION

Court's discretion.

(lh/lc)

Future Hearing:07/18/19 Final Discharge

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

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

CASE#: PRO PS1600879
CASE NAME: MTR OF SHIRLEY ANN BIANCO
HEARING: First and Final Account and Report of LISA D CARMONA and
Petition for allowance of fees filed.

COUNSEL:

LISA D CARMONA	(PET)...PRO/PER
RHONDA A ANDERSON	(PET)...PRO/PER
SHIRLEY ANN BIANCO	(DEC)...

GENERAL INFORMATION

Continued from 07/05/18 to clear notes.

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

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

1. Assets on hand \$90,355.64 in cash.
2. Administrator seeks reimbursement of \$8,147.54 [supp09/13/18]. Court to inquire why cell phone for beneficiary Steve is administrative expense. **JTD Supp 09/13/18** administrator alleges the phone was purchased for communication purposes regarding the real property.
3. Administrator seeks statutory compensation of \$7,257.11. Calculation does not appear to be correct Pr.C. § 10800. **Need** verified supplement as it appears the \$25,000 gain or \$510 loss is not included in calculation. Alternatively, Court to inquire is administrator is waiving increase in fees
4. Report itself does not appear to be verified per Pr.C. § 1021; however, attached fee request is. Does court wish to require separate verification or verify on record?
JTD
5. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 3, Court's discretion re note 2. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**.

(lc)

Future hearing dates: 10/31/18 Petition for Allowance of extraordinary by Lisa Carmona

Superior Court of Calif, County of San Bernardino

Page: 15

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

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

CASE#: PRO PS1601107

CASE NAME: JACK E BIRKINSHAW TRUST OF 2009,DATED MARCH 12,200

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/DISMISSAL

COUNSEL:

ERLINDA CAMERON	(PET)...ROBERT F SCHAUER
ISRAEL GARCIA	(OBJ)...SERGIO A WHITE
JACK E BIRKINSHAW TRUST OF 200	(TRU)...

XREF: CIVDS1413193 (Cameron-v-Garcia et al)

GENERAL INFORMATION

Continued from 04/19/18 and 07/05/18. No dismissal or settlement filed.

THIS CASE SET FOR HEARING ON Receipt of Settlement/Dismissal.

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

1. Matter set on 01/25/18 T.S.C. when notice of settlement was filed 01/22/18. A dismissal should be filed.
2. Proposed order re dismissal submitted on 09/18/18 and filed 09/27/18; however, filed image not available for review and matter has not been vacated.

RECOMMENDATION

Inquire status.

(lc)

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

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

CASE#: PRO PS1700508

CASE NAME: MTR MINNIE WIELENGA

HEARING:

Accounting Review by ***

COUNSEL:

MINNIE WIELENGA (DEC)...
ROBERT JAY WIELENGA (PET)...PRO/PER

XREF: CIVDS1715208 (Cordova lake Properties-v- Minnie)

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 Robert Wielenga, son, on 09/21/17; full authority, \$234,000 bond.
2. Final Inventory and Appraisal filed. however, **need** bank statement to support date of death balance per local rule 20-908
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: 10/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800128

CASE NAME: JOAN HAMILTON

HEARING:

First and Final Account and Report of PATRICIA KORANDA and
Petition for allowance of fees filed.

COUNSEL:

PATRICIA KORANDA	(PET)... FORREST F WOLFE
JOAN HAMILTON	(DEC)...
LIBERTY	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Patricia Koranda, executor/trustee.

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

1. Assets on hand \$517,804.70 in cash.
2. Executor and counsel seek statutory fees of \$13,356.09. Ok.
3. ~Proposed Order: 08/21/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 18

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

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

CASE#: PRO PS1800528

CASE NAME: JOHN S WHITBY

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

DONNA WHITBY HARADON (PET)... ROBERT L. COHEN
JOHN S WHITBY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Donna Haradon, sister/Trustee, appointed executor on 09/07/18; full authority \$75,000 bond.
2. Declaration and amended proposed order submitted on 10/10/18 indicating name was erroneously stated. Proposed order does not appear to be processed at time of review on 10/15/18.
3. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

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

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

CASE#: PRO PS1800800

CASE NAME: Mtr Alfred Henry Turman Jr

HEARING:
Spousal Property Petition hearing.

COUNSEL:
ALFRED HENRY TURMAN Jr (DEC)...
LINDA TURMAN (PET)...RACHEL KING

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Linda Turman, spouse.

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

1. Petitioner seeks confirmation of her half of community property and determination that decedent's community property passes to petitioner without administration.
2. Petitioner and decedent were married in 1985. Real property was quitclaimed to decedent by prior spouse in 1975. Decedent's brother disclaimed his interest to any property and assign to petitioner. It appears petitioner is seeking spousal property transfer per Pr.C. § 13500 as there are no other heirs.
3. Supplement filed indicating additional assets found to be added: Credit Union account
4. ~Proposed Form Order: 9/25/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

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

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

CASE#: PRO PS1800819

CASE NAME: MTR OF DEBORAH A ROTH

HEARING:

Petition for PROBATE OF WILL & LETTERS OF TESTAMENTARY WITH FULL
UNDER IAEA

COUNSEL:

DANIEL ROTH (PET)...SHAWN P PATTERSON
DEBORAH A ROTH (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Daniel Roth, spouse.

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

1. Will waives bond. Net estate value is \$285,000 of which is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 08/22/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/26/19**
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: 10/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800829

CASE NAME: ~~JAMES EDWARD~~ EDWARD JAMES MCGUIRE

HEARING:

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

COUNSEL:

~~JAMES EDWARD~~ EDWARD JAMES MCGUIRE (DEC)...
RENEE MCGUIRE (PET)...BORIS SIEGEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Renee McGuire, daughter.

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

1. Declaration filed indicating first and middle names were transposed. However,
appears to remain in system as James Edward rather than Edward James. Does
court wish to deem declaration as amendment? **JTD**
2. Petitioner is sole heir and waives bond. Net estate value is \$295,000 of which
\$45,000 is personal property. Court for good cause could require bond per Pr.C. §
8481(b).
3. No Proposed Form Order or letters submitted.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/26/19**.
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

Page: 22

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

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

CASE#: PRO PS1800869

CASE NAME: Charles Jacob Sandberg

HEARING:

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

COUNSEL:

CHARLES JACOB SANDBERG (DEC)...
GENIA L BURRESS (PET)...PRICE LAW FIRM, APC

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Genia Burress, cousin.

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

1. Will waives bond. Net estate value is \$246,078 of which \$4,078 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Proofs of subscribing witness filed; Proof of holographic instrument is not required as the will has witnesses.
3. ~Proposed Form Order: 09/07/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **12/26/19**. 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

Page: 23

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 10/18/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700929

Vacated

CASE NAME: THE MARY JO SOHOVICH INTER VIVOS TRUST

HEARING:

Hearing Re: ACCOUNTING REVIEW (DENISE KIMBERLIN)

COUNSEL:

DENISE KIMBERLIN

(OBJ)...RICHARD A KENNEDY

DONNA SOHOVICH

(PET)...GAUDY LAW, INC

MICHELE SOHOVICH

(PET)...GAUDY LAW, INC

THE MARY JO SOHOVICH INTER VIV

(TRU)...

(lc)

Future hearing dates: 11/06/18 1st and Final Account by Denise Kimberlin.

Superior Court of Calif, County of San Bernardino

Page: 24

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

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

CASE#: CON PS1100169

CASE NAME: YOSHIKO SAMPSON

HEARING:

Accounting Review by ***

COUNSEL:

HERBERT SAMPSON

(CPE)...JENNIFER M DANIEL

YOSHIKO SAMPSON

(CEP)...MARK J. ANDREW FLORY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Conservatee passed away on 01/03/18.
2. Previous accounting dispensed on 12/15/16; \$0 assets.
3. **Need** final waiver and report filed and set for hearing for period 10/14/16 – 01/03/18.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

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

CASE#: CON PS1800249

CASE NAME: SAMUEL KIM

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:
JOHN JONGSO KIM (CPE)...
SAMUEL KIM (CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservatorship Management Conference.

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

1. John and Grace Kim, parents, appointed **limited** conservators of person only on 10/09/07 in Los Angeles County. Grace Kim passed away. Case ordered transfer on 06/21/18 when conservator sought transfer after conservator and conservatee moved to Phelan.
2. Does court wish to require an IRC inquiry/report? **JTD**
3. **Need** post move notice per CRC 7.1063(c) including notice to Los Angeles Regional Center and IRC. (conservatorship).
4. **Need** amended letters to reflect this county.

RECOMMENDATION

Need amended letters.

(lc)

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

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

CASE#: SC SS00889

CASE NAME: IN THE MATTER OF VERNON DE SHAUN WARD

HEARING: Verified eleventh Account and Report of VERNON M WARD, HANNAH M WARD and Petition for allowance of fees filed.

COUNSEL:

HANNAH M WARD (CPE)...PRO/PER
VERNON DE SHAUN WARD (CEP)...
VERNON M WARD (CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 11th conservatorship Account and Petition for Fees by Vernon and Hannah Ward, parents

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

1. Accounting covers period: 07/01/16 – 06/30/18 (2 yrs).
2. Assets on hand: \$5,087.13 cash.
3. Conservatee resides in conservators' home.
4. Petitioners request future compensation of \$2,150/month for services as conservators and reimbursement of \$75/month for increased utility usage for a total of \$2,225/month. This is the same amount as requested in the last accounting. JTD
5. Petitioners were paid \$4,363 with a remaining balance owed of \$47,237. Petitioners allege the aggregate compensation of \$388,021 (\$340,784.00 of this amount previously approved) is owed for past services and utilities of \$960; request court to confirm an order that compensation be allowed as a lien against the estate. With each accounting, beginning with the 3rd account, petitioners have requested such a lien.
6. Petitioners request attorney fees to be paid of \$1,074.00 for 14.5 hours at \$110/350 per hour for paralegal and attorney services. Itemized [LFpgs26-28]. It appears petitioners are pro per; however, hire out for accounting etc.
7. Caregiver services for this period are \$64,391.98. Conservators have not historically provided verifications for caregiver services. Does court wish to require? JTD
8. ~Proposed Order: 08/28/18

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **09/05/19** (if one year) or **08/27/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **MISC**

DATE: 10/18/18 TIME: 1:30 DEPT: S37P

CASE#: CON PS0800266
CASE NAME: KYLE AVERY TILTON
HEARING: FOURTH & FINAL Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
CHRISTINA ERICKSON-TAUBE	(SC)...PRO/PER
JENNIFER L HAAS	(PCR)...
JUDY TILTON	(CE)... J. DAVID HORSPOOL
JUDY TILTON	(CPE)... J. DAVID HORSPOOL
KENNETH F JENKINS	(CE)...PRO/PER
KYLE AVERY TILTON	(CEP)...MARTINA KANG RAVICZ
KYLE AVERY TILTON	(CEP)...PRO/PER
MELODIE Z SCOTT	(CPE)...HORSPOOL & HORSPOOL
MELODIE Z SCOTT	(PET)...PRO/PER
MELODIE Z SCOTT	(SC)...HORSPOOL & H ORSPOOL
NEVIN OLIPHANT	(SC)...J. DAVID HORSPOOL
PACIFIC WESTERN BANK, A CALIFO	(FABOZZI & MILLER
W.A. (SAM) HLAVATY	(CE)...THOMPSON & COLEGATE
W.A. (SAM) HLAVATY	(CPE)...THOMPSON & COLEGATE
WELLS FARGO BANK, TRUSTEE	(PET)...JENNIFER M DANIEL

XREF: PROPS0900847 (*Kyle Tilton Settlement Trust*)

GENERAL INFORMATION

Continued from **05/19/16**. Court ordered that written objections be filed by 06/01/16.
Responses to be filed by 06/10/16.

Continued from **06/20/16**. Court granted attorney fees of \$28,958.50 and \$5,000 to
Melodie Scott.

Continued from **10/06/16**. Counsel Craig Marshall advises court of a possible issue with
the internal revenue service and asks that case be held over for further review. A
correction to the accounting period is noted by the court. Correct accounting period is
01/01/14 through 09/30/15.

Continued from **11/29/16**. The issue of taxes discussed. It appears 1099s were not filed
and the IRS is adding income as a result. Ms. Ravicz states she intends to object to

accounting. The Court orders any objections to be filed in writing by 12/9/16. Notice to be given by Mr. Roth.

Continued from **02/21/17**. Objections to be filed by 06/01/16. Objections filed on 12/08/16 stricken as untimely. Attorney Horspool and Mr. Hlavaty are to meet regarding tax issues. Continued from **08/07/17 and 09/26/17** to meet and confer re settlement.

Continued from **11/09/17**. Court will not rule on objections by declarations only an evidentiary hearing will need to be set. Melodie Scott is willing to have \$20,000 tax issued resolved by taking from her fees. Court will not accept waiving of fees without written agreement of 3rd party judgment creditor.

Continued from **03/08/18**. Mitchell Roth reported that Counsel Russo is no longer counsel for Pacific Western Bank and Pamela Cox is now handling the case. Pamela Cox or a senior partner to be present. Mitchell Roth will prepare settlement agreement.

Continued from 04/24/18 and 07/26/18. Matter set for mediation.

THIS CASE SET FOR HEARING ON 4th and Final Account/Distribution and Petition for Allowance of Fees by Melodie Scott, former Conservator.

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

1. Accounting period 01/01/14 – **09/30/15**.
2. Assets on hand \$0.
3. Attorney requests fees of \$28,958.50 for 77.7 hours at \$295/375 per hour. Itemized [LFpgs70-77]. Granted on 06/20/16.
4. Petitioner requests fees of \$27,693.25 with a balance owed of \$13,993.50 for 246 hours at \$112 per hour [LFpgs44-68]. Periodic payments of \$13,700 were received. Court to inquire why all services are charged at the same rate. **Court granted \$5,000 on 06/20/16.**
5. Petitioner requests funds advanced not reimbursed of \$570.
6. Current bond is \$200,000. Ok.
7. **Objection filed 06/02/16 and 12/08/16 by GAL for Kyle Avery Tilton.**
8. **Objections filed 12/08/16 by Conservatee through court-appointed counsel.**
9. Proposed Order: 03/30/16.

RECOMMENDATION

Matter is contested, Inquire status of settlement. If approved, set hearing on the filing of receipts and final discharge for **10/31/19**.

(lc/dl/lc/nb/lc)