



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/24/18

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.

10/05/18lh; 10/19/18lh

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.

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400081

CASE NAME: FRANK CARL MORROW

HEARING:

Hearing re Final Discharge

COUNSEL:

GLORIE MORROW	(PET)...GREGORY L ZUMBRUNN
FRANK CARL MORROW	(DEC)...
RAYMOND MORROW	(PET)...HORSPOOL & HORSPOOL
ROB SASLOW	(PET)...JEFFREY A COLEMAN
JEANNE E KENNEDY	(TP)...CALDWELL, KENNEDY & PORTER

GENERAL INFORMATION

Continued from 01/11/17, 04/26/17 and 06/28/17.

Continued from **09/27/17** at request of Counsel. Missing 1099 tax form that has been requested. Notice given by Attorney Zumbrunn.

Continued from **02/07/18** at request of Counsel to clear probate notes.

Continued from 05/09/18 at request of Counsel due to issue with tax returns.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution approved on 01/06/16.
2. Receipts filed.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C. §11753(b).

RECOMMENDATION

Inquire status of order.

(lc/ww/lh)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700513

CASE NAME: Lorin Gene Tidd

HEARING:
Accounting Review

COUNSEL:
PHYLLIS J. GONZALES (PET)...FULLERTON LEMANN SCHAEFER & DO
LORIN GENE TIDD (DEC)...
STATE OF CA FRANCHISE TAX BOARD (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Phyllis J. Gonzales,
Executor

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

1. Letters Testamentary with full authority issued to Phyllis J. Gonzales on 08/16/17. No bond.
2. Partial #1 and Partial #2 Inventory and Appraisals filed. **Need** Final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700559

CASE NAME: KIMBERLEY ANN HIRTH

HEARING:

Final Account and Report of CHRISTOPHER HIRTH and Petition for allowance of fees

COUNSEL:

CHRISTOPHER HIRTH (PET)...CALDWELL, KENNEDY & PORTER
KIMBERLEY ANN HIRTH (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of Administrator; Petition for Fees and Final Distribution by Christopher Hirth (brother)

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

1. Assets on hand: \$52,184.76, cash
2. Statutory fees of \$8,075.96, each, requested by attorney and administrator. Calculated.
3. Attorney requests reimbursement for advanced costs in the amount of \$2,797.50. Itemized. [Acct, 8/15/18, LFpgs26-28]. **JTD**
4. Decedent's holographic will specifically omits Christopher Hirth (administrator/brother) along with his wife and children. The only named beneficiary was *Angela Demarese* for the sum of \$10,000 to care for Decedent's 2 dogs and 4 cats. Decedent specifically intends her entire estate be distributed to the care of her animals, and for *no person* to profit from her death. See holographic will. [Petition, 06/07/17, LFpg6].
5. Petitioner alleges animals had been placed in homes or shelters by the time Angela Demarese became aware of Decedent's passing. Therefore, petitioner alleges the gift has lapsed and should be distributed per intestate succession, with the exception of Christopher Hirth, Christopher's wife, and children.
 - a. Suggest Court require points and authorities to support proposed distribution by intestate succession. **JTD**
 - b. **Supplement filed 10/17/18 not in LF at time of review. Clerk's office notified.**

6. Petitioner requests reserve of \$1,450 for closing expenses. **JTD**
7. There is a creditor's claim from City of Victorville for \$683.71. Petitioner requests authorization to pay claim from distribution.
8. **Need** Notice of Hearing and Proof of Service as to Angela Demarese.
9. ~Proposed order: 08/15/18 subject to approval of proposed distribution

RECOMMENDATION:

Need notice then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **11/06/19**.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800723

CASE NAME: MTR of Joyce B. Sedore

HEARING:

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

COUNSEL:

STACEY L PECK	(PET)...HOWARD R HAWKINS
JOYCE B SEDORE	(DEC)...
RACHELLE ANN PAGE	(PET)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

Continued from 09/27/18. Register of action reflects competing petition filed. Matter continued to 10/24/18. Note #2 has been cleared as will has been lodged. Matter is contested. Trial estimate is two days. Court made pretrial orders.

THIS CASE SET FOR HEARING ON

- Petition #1 [filed 07/31/18] for Probate of Will, Letters of Administration with Will Annexed with Full Authority under IAEA Stacey Peck, daughter.
- Petition #2 [filed 08/30/18] for Letters of Administration with Full Authority under IAEA by Rachelle Page, daughter.

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

Petition #1 by Stacey Peck

1. Petitioner is sole beneficiary of will and waives bond. Net estate value is \$750,000 of which \$400,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Objections and will contest filed on 08/30/18 by Rachelle Ann Page, daughter. Summons served on Stacey Peck.**
3. Will is holographic; proof of holographic instrument filed 08/09/18.
4. ~Proposed Form Order: 07/31/18.

Petition #2 by Rachelle Page

5. Petitioner requests \$750,000 bond. Appears sufficient.
6. ~Proposed Form Order: 08/30/18

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.

RECOMMENDATION
Matter is contested.
(lc/lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800792

CASE NAME: MTR OF SHEILA VERONICA DONOVAN

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL UNDER IAEA

COUNSEL:

JAMES MATTHEW DONOVAN

(PET)...PRO/PER

SHEILA VERONICA DONOVAN

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by James Donovan, brother

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

1. Mary Donovan, sole heir, signed consent to appointment of petitioner and waives bond.
2. **Need** Notice of Petition to Administer Estate with proof of service as to Mary Donovan.
3. **Need** Proof of Publication.
4. ~Proposed Form Order: 08/10/18

RECOMMENDATION

Need to clear notes #2-3 then Court's discretion. If approved, set Accounting/Status Review for **01/08/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT **TRUSTS**

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06633

CASE NAME: JAVIER DIAZ FAMILY TRUST DATED 06032005

HEARING:

EIGHTH Account and Report of DONNASUE SMITH ORTIZ and Petition
for allowance of fees

COUNSEL:

MINOR CHILDREN	(MIN)...WALTER T MOORE
JAVIER DIAZ FAMILY TRUST	(TRU)...
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JACK B OSBORN	(PET)...BROWN WHITE & OSBORN
ELISEO RODRIGUEZ	(TEE)...PECCORINI & PECCORINI
IRMA D. GUTIERREZ	(NATALIE A ALVARADO)
F MICHAEL JELLEY	(JAMES B CHURCH)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 8th Account Current and Petition for Allowance of Fees by Successor Trustee Donnasue Smith Ortiz.

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

1. Accounting period 05/24/17 to 05/23/18
2. Assets on hand \$474,638.97, of which \$111,638.97 is cash.
3. Petitioner seeks Trustee fees of \$5,728.75 for 27.95 hours at \$125/375/395 per hour for paralegal and attorney services. [Acct. 08/15/18, LFpg12-16].
4. Notice is complete.
5. ~Proposed Order: 08/15/18

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **07/24/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: TRU PS1800001

CASE NAME: THE GLORIA FERRELL LIVING TRUST DATED 10/21/14

SAME DAY HEARING MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN S34

HEARING:

Hearing Re: POST MEDIATION STATUS CONFERENCE

COUNSEL:

WARREN RICHARDS

(PET)...ROBERT C SMITH

THE GLORIA FERRELL LIVING TRUST

(TRU)...

RENEE G SMITH

(OBJ)...LAYNE A BARTHOLOMEW

Waiver of Court Fees and Costs filed by WARREN RICHARDS is GRANTED

Waiver of Court Fees and Costs filed by RENEE G SMITH is GRANTED

XREF: EAPPS1800006 *FERRELL VS RICHARDS*

No notes—JTD

Future Hearings:

1/31/19 Readiness Calendar

2/25/19 Court Trial (Day 1)

2/26/19 Court Trial (Day 2)

2/27/19 Court Trial (Day 3)

2/28/19 Court Trial (Day 4)

3/01/19 Court Trial (Day 5)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 8:30 DEPT: S35P

CASE#: TRU PS1800183

CASE NAME: TRUST OF GUADALUPE VARELA

HEARING:

Petition Re Settlement of First and Final Account

COUNSEL:

TERRI ANN VILLALVAZO	(PET)...PRO/PER
GUADALUPE VARELA	(DEC)...
TRUST OF GUADALUPE VARELA	(TRU)...

Currently under review by legal research.

(LR)

Notice

Need Notice of Hearing and Proof of Service per Pr. C. §17203 as to all beneficiaries and trustee.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIPS**

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000062

CASE NAME: RICHARD GRANT VALENTI

HEARING:

Hearing Re: PETITION FOR ATTORNEY FEES FILED ON 7/9/18

COUNSEL:

FRANK VALENTI	(CE)...HARTNELL LISTER & MOORE
THERESA PARKER	(CE/CP)...HARTNELL LISTER & MOORE
RICHARD GRANT VALENTI	(CTE/CEP/CEE)...DAVID J HORSPOOL
CHRISTOPHER VALENTI	(CPE)...JEGLIN & WRIGHT LLP
CHRISTOPHER VALENTI	(PCR)...DONNASUE ORTIZ
J DAVID HORSPOOL	(PET)...DAVID J HORSPOOL
MITCHELL I ROTH	(PET)...MITCHELL I ROTH

XREF: PROPS1300815 *The Nancy T. Piper Testamentary Trust*

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Bryan Hartnell

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

1. Petitioner, Bryan Hartnell was the attorney of record for Theresa Parker, *former* conservator and mother of Conservatee, who was discharged on 10/26/15. See Order entered 10/26/15.
2. Petitioner requests fees of \$121,537 for 419.80 hours for attorney and paralegal services rendered from February, 2010 to March, 2017, plus advanced costs of \$9,585, less \$74,713.76 for fees already paid, totaling **\$56,408.74**.
 - a. Billing statements are attached; however, **need** itemization of attorney services and paralegal services, with subtotals at different rates to support request for fees.
 - b. It appears attorney continued to bill after discharge of his client, Theresa Parker (former conservator) from October, 2015 to March, 2017.
 - c. Court approved the Second and Final Account of Successor Conservator, Richard Valenti, on 07/11/18. Richard Valenti, was

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subsequently discharged as successor conservator on 09/04/18. Petitioner alleges his request for fees is a debt of the estate and should be paid by Richard Valenti, successor conservator. Question how attorney can request fees after termination of conservatorship and discharge of conservator? **Matter referred to Legal Research.**

i. **Need verified supplement with points and authorities.**

3. Petitioner alleges there were insufficient funds [\$14,464.12] in estate to pay for his requested fees; therefore, petitioner seeks Court order to be paid by "such other means or person who Court shall deem responsible."
4. **Need** verified supplement with qualifications of paralegals per requirements of CRC 7.703(e)(1)(c) which show the completion of mandatory continuing education per Business & Professions Code 6450(d).
5. **Need** Notice of Hearing and Proof of Service.
6. ~Proposed Order: 10/31/16.

RECOMMENDATION

Court to determine whether matter is moot due to discharge of successor conservator and termination of estate. Need to clear notes.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600163

CASE NAME: JEREMIAH T PITTS LEWIS

HEARING:

Hearing Re: STATUS OF CONSERVATEE & LIVING CONDITIONS

COUNSEL:

BEVERLY J WHITE (CP)...PRO/PER
JEREMIAH T PITTS-LEWIS (CEE)...JEANNE E KENNEDY

GENERAL INFORMATION

Continued from **02/26/18**. Oral report given by Counsel. Court notes appearance by Steven Beckett for Inland Counties Regional Center (IRC) is not required at next hearing but report is to be provided by next hearing from IRC. Court orders Beverly White to be personally present in Court on 04/04/18 at 9:30AM.

Continued from **04/04/18**. Oral report given by Jeanne Kennedy. Matter continued for receipt of report from Inland Regional Center. Clerk's office to notify IRC.

Continued from 07/11/18 for receipt of report from appointed counsel.

THIS CASE SET F/OR HEARING ON Status of Conservatee & Living Conditions

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

1. Court set hearing after receipt of the Court Investigator's Report on 01/29/18.
2. Jeanne Kennedy reappointed as counsel for conservatee. Oral report given.
Supplemental report filed 07/06/18.
3. Letter from IRC received 03/27/18; Conservatee's case was reactivated 03/08/18.
4. IRC report filed 07/03/18.

RECOMMENDATION

Court's discretion.

(ww/lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700371

CASE NAME: DANIEL DOMINGUEZ LARA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JOEL A LARA

COUNSEL:

JOEL A LARA (CP)...
DANIEL DOMINGUEZ LARA (CTP)...LENITA SKORETZ

GENERAL INFORMATION

Continued from 07/11/18. Court sets OSC re sanctions of \$500 for failure to file as Joel A Lara has not filed the compliance review documents. Court orders Joel A Lara to be personally present in Court on 10/24/18 at 9:30AM in Department S35. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Joel A Lara (father) appointed limited Conservator of the person on 11/29/17.
2. Notification of Conservatee's rights filed
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr. C. § 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800110

CASE NAME: Ricky William Castorena

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BARBARA OLGA GONZALES (CPE)...PRO/PER

RICKY WILLIAM CASTORENA (CEP)...SANDRA TURNER

GENERAL INFORMATION

On **05/30/18**, Court appointed Sandy Turner as guardian ad litem.

Continued from 08/01/18. Counsel and parties state they have reached a possible agreement. Matter is continued to October 24, 2018. Court notes probate notes #4-6

THIS CASE SET FOR HEARING ON **Amended** Petition [filed 06/13/18] for Appointment of Limited Conservatorship of the Person by *Barbara Olga Gonzales*, aunt

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Proposed conservatee's civil rights not be limited without court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 08/01/18.
4. Proposed conservatee is developmentally disabled. IRC report filed 07/26/18.
5. Report of Rose Rosado filed 08/01/18.
6. Proposed conservatee is developmentally disabled. Report of Counsel Sandy Turner filed 07/02/18.
7. CI Report filed 05/21/18.
8. Proof of Completion of the Conservatorship Training Class filed 06/13/18.
9. Return of amended Citation filed 07/06/18.
10. **Objection in the form of a declaration by Barbara Gonzales, filed on 10/12/18. Need proof of service.**
11. ~Proposed Form Order: 04/13/18

RECOMMENDATION

Matter is contested.

Court's discretion. If approved, set hearing for Compliance Review for **05/29/19** filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C.§2352.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800220

CASE NAME: Joseph Dean Cowles

SEE ALSO 14

HEARING:

Petition for APPOINTMENT OF CONSERVATOR OF THE PERSON

COUNSEL:

DWAYNE K COWLES	(CP)...PRO/PER
JOSEPH DEAN COWLES	(CTP)...MITCHELL I ROTH
REBECCA COWLES	(CP)...BRYAN C. HARTNELL

GENERAL INFORMATION:

Continued from 09/17/18. Counsel for Rebecca Cowles states the competing petition has been filed and is set for 10/24/18. Counsel and pro per party state they stipulate to Capacity Declaration filed by Rebecca Cowles can be used for both conservatorship petitions. Attorney Mitchell Roth is appointed for Joseph Cowles. Court notes on the Order appointing counsel for Conservatee, under the section re following issues: also as a Guardian Ad Litem under Probate Code §1003.

THIS CASE IS SET FOR HEARING ON

- Petition #1 [filed 07/26/18] for Limited Conservatorship, person only, by Dwayne Cowles, father
- Petition #2 [filed 09/17/18] for Limited Conservatorship, person only, by Rebecca Cowles, mother

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

Petition #1 by Dwayne Cowles, father

1. No bond – person only.
2. Proposed conservatee is developmentally disabled. **Need** report of Counsel Roth.
3. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the

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- right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
4. Petitioner requests to limit civil and legal rights of proposed conservatee to consent or withhold consent to marriage of, or entrance into a registered domestic partnership by limited conservatorship; to exercise limited conservatee's right to control his or her social and sexual contacts and relationships.
 5. Court Investigator Report filed.
 6. **Need** Inland Regional Center Report.
 7. **Return of Citation filed; however, need proper personal service.**
 8. **Need** Notice of Hearing with proof of service to include Inland Regional Center and maternal grandmother or file due diligence declaration.
 9. Certificate of Completion re Conservatorship Class filed.
 10. **Objection filed by Rebecca Coweles on 09/17/18.**
 11. ~Proposed Form Order/Letter 07/26/18 & 09/11/18.

Petition #2 by Rebecca Cowles, mother

12. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, give/withhold consent to medical treatment, consent/withhold consent to marriage, control education and sexual contacts.. **JTD**
13. Proposed conservatee's civil rights not be limited without court order.
14. CI Report filed 09/11/18.
15. Petitioner seeks medical powers. **Need Capacity Declaration.**
16. Proposed conservatee is developmentally disabled. **Need** report of Counsel Roth.
17. Proposed conservatee is developmentally disabled. **Need** IRC report.
18. **Need** notice of hearing and proof of service as to Inland Regional Center.
19. **Declaration of Jennifer Cowles, sister, in support of petition filed 10/16/18.**
20. Return of Citation with proof of service filed 10/16/18.
21. Certificate of Completion of the Conservatorship Training Class filed 10/01/18.
22. ~Proposed Form Order: 09/17/18

RECOMMENDATION:

Matter is contested.

Need to clear notes #2; 6-8; #15-18. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the following: proof of service of Order with Notification of Conservatee's Rights per Pr.C.§1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355); and Care Plan per Pr.C.§2352.5.

(nb/lh)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800220

CASE NAME: Joseph Dean Cowles

SEE ALSO 13

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DWAYNE K COWLES	(CP)...PRO/PER
JOSEPH DEAN COWLES	(CTP)...MITCHELL I ROTH
REBECCA COWLES	(CP)...BRYAN C. HARTNELL

Waiver of Court Fees and Costs filed by JOSEPH DEAN COWLES is GRANTED

Waiver of Court Fees and Costs filed by REBECCA COWLES is GRANTED

See notes on prior matter #13.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS02651

CASE NAME: MTR OF KENNETH W PEABODY

HEARING:

EIGHTH Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC. and Petition for allowance of fees

COUNSEL:

MARY LYNN CLARK (CE)...BRUNICK, MCELHANEY & BECKETT
KENNETH W PEABODY (CTE/BEN)...JOAN NELMS
INLAND COUNTIES REG CNTR (CE)...STEVEN K BECKETT

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Eighth Account Current and Petition for Fees
by Trustee, IRC.

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

1. Accounting period 09/01/16 to 07/31/18
2. Assets on hand \$59,623.16 consisting of cash held in a pooled investment fund.
3. Petitioner requests approval of trustee's fees already taken in the amount of
\$2,416.76 pursuant to fee schedule dated 06/13/17. [Acct, 09/13/18, LFpg34]
JTD
4. Petitioner requests authority to continue taking annual trustee's fees based
upon a revised fee schedule of \$1,250 for first \$50,000 and 2% of the next
\$250,000, to be taken in quarterly payment per Exhibit Fee Schedule dated
06/13/17. [Acct, 09/13/18, LFpg61-62]. **JTD**
5. Attorney requests fees of **\$1,410** for 14.6 hours billed at \$250/hour for 2.8
hours' attorney time and \$100/hour for 5.4 hours' paralegal time. Itemized [see
declaration filed 09/13/18, LFpg5]. **JTD**
6. Petitioner has paid Intelligent Minds and Community Care Companion for
companion services during this accounting period. Itemized. [Acct, 09/13/18,
LFpg22-29].
 - a. **Need** verified declarations to verify dates of service, performance of
services and that payment has been received per Local Rule 20-
1406(c).

7. Petitioner proposes a revised Master Trust of California Agreement to include language concerning reimbursement of benefits paid by any other state's Medicaid program and notice to such appropriate agencies. Proposed Revised Master Trust attached. [Acct, 09/13/18, LFpg36-59]. **JTD**
8. Notice given.
9. ~Proposed Order 09/13/18

RECOMMENDATION:

Need to clear note #6 then Court discretion. If approved, set hearing on the next accounting review for **09/25/19** (if one year) or **09/30/20** (if two years). Account to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: VC VS00351

CASE NAME: MTR OF TERRY LYNN MEZA

HEARING:

Accounting Review

COUNSEL:

THE GOOD SHEPHERD FUND	(CPE)...JOELLE LEE A. NICHOL
TERRY LYNN MEZA	(CPE)...JEANNE KENNEDY
JOSEPHINE MORREO	(PET)...WALWICK & FREED
THE GOOD SHEPERD FUND	(CPE)...ROBERTA L. TAYLOR & ASSOC

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re The Good Shepherd Fund, trustee/conservator

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

1. The Good Shepherd Fund was appointed conservator of the person and estate of Terry Lynn Meza on 12/04/02 with Letters of Conservatorship issuing 01/02/03.
2. Court approved 7th account current on 03/29/17 for period ending 06/30/16.
3. **Need** 8th account current for period commencing 07/01/16.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino
Page: 16A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800242

CASE NAME: LORRI R. WEARP

SEE ALSO 16B

HEARING:

Petition for Appointment of Conservator

COUNSEL:

BRENDA-JOYCE G. MARKERT-GREEN (PET)...HARTNELL LAW GROUP
LORRI R WEARP (CEE)...MITCHELL I ROTH

GENERAL INFORMATION

Sister, Brenda-Joyce G. Markert-Green, appointed Temporary Conservator of the person and estate, \$20,000 bond on 08/15/18. Lorri Wearp may not be moved out of California or the counties of Los Angeles, San Bernardino, Riverside, or Orange County without further order of the court. Medical information of Lorri Wearp to be delivered in person, by mail, or email to the office of Attorneys Brian Hartnell and Mitchell Roth by 4:00pm August 22, 2018.

Continued from 10/09/18. Court states venue is proper and clears note #1. Mr. Hartnell states there could be a trial-based move to Michigan. Court orders parties to have a written report done regarding care plan for conservatee. Report is to be filed and served by 4PM on 10/19/18. Parties stipulate to have report e-mailed by 4PM on 10/18/18. Court continues matter and sets a status conference regarding relocation of conservatee.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by Brenda-Joyce G. Markert-Green ["Petitioner"].

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

- 1 Current bond of \$20,000. Petitioner requests that bond not be required as the provisions of Pr. C. §§2323, 2628, apply. If bond is required, need bond for general conservatorship. **JTD.**
- 2 Attorney Mitchell I. Roth appointed for conservatee. **Need** report by appointed counsel, Mitchell Roth.
- 3 Petitioner seeks medical powers. Medical Capacity declaration filed in support.
- 4 Court Investigator's Report filed.

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.

- 5 Citation returned served.
- 6 Certificate of Completion re Conservatorship Class filed.
- 7 ~Proposed Form Letters 08/13/18.

RECOMMENDATION:

Need to clear notes then Court's discretion re: bond and transfer. If approved, set hearing for Compliance Review for **05/14/19** 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 & Appraisal, and proof of service of I&A and Instructions for Objection per Pr.C. §2610; recordation of letters if applicable per Pr.C. §2313.

Set hearing re Accounting Review for **12/17/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb)

Superior Court of Calif, County of San Bernardino
Page: 16B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800242

CASE NAME: LORRI R. WEARP

SEE ALSO 16A

HEARING:

Hearing Re: Status Conference re: Relocation of Conservatee

COUNSEL:

BRENDA-JOYCE G. MARKERT-GREEN (PET)...HARTNELL LAW GROUP
LORRI R WEARP (CEE)...MITCHELL I ROTH

No notes—status only—JTD

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PUBLIC GUARDIAN

DATE: 10/24/18 TIME: 10:03 DEPT: S35P

CASE#: SLC SS02767

CASE NAME: MATTER OF RAMONA CAMPBELL

VACATED & RESET TO 10/22

HEARING:

Hearing re: Petition for authority to establish an Irrevocable Burial Trust

COUNSEL:

PUBLIC GUARDIAN

(CPE)...COUNTY COUNSEL

RAMONA CAMPBELL

(CEP)...HARTNELL LAW GROUP

OFFICE OF ADMINISTRATIVE HEARINGS (RES)...PRO/PER

JAMES OLALIA

(MICHAEL B LEVIN)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Authority to Establish an Irrevocable Burial Trust by Public Guardian ["Petitioner"]

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

1. Public Guardian was appointed conservator of the person and estate of Ramona Campbell on 01/28/11.
2. Current cash on hand: \$820.32.
3. Petitioner alleges an Irrevocable Burial Trust is an exempt asset for purposes of Social Security Disability eligibility, which would otherwise prohibit an excess of \$2,000 to be maintained in Conservatee's account.
4. Petitioner requests Court issue an Order authorizing Public Guardian to deposit up to \$5,000 in an Irrevocable Burial Trust.
5. Notice was given.
6. ~Proposed Order: 09/11/18

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 7/01/19 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT TRIAL

DATE: 10/24/18 TIME: 10:03 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

SEE ALSO 19

HEARING:

Hearing Re: COURT TRIAL (SESSION ONE)

COUNSEL:

RAMON V MASONGSONG

(CPE)...PRO/PER

VINCENT RAPHAEL MASONGSONG

(CTP)...PRO/PER

VINCENT RAPHAEL MASONGSONG

(CEE)...JAMES B CHURCH

No notes—Court trial—JTD

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/24/18 TIME: 10:03 DEPT: S35P

CASE#: CON PS1600120

CASE NAME: MTR OF VINCENT RAPHAEL MASONGSONG

SEE ALSO 18

HEARING:

Petition for Termination of Conservatorship

COUNSEL:

RAMON V MASONGSONG	(CPE)...PRO/PER
VINCENT RAPHAEL MASONGSONG	(CTP)...PRO/PER
VINCENT RAPHAEL MASONGSONG	(CEE)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 09/27/18. 10/18/18 hearing vacated and matter set for trial.
Continued from 10/11/18. Counsel confirm to start trial on 10/24/18 and notes that testimony of doctor(s) can be scheduled for later date and time. Court will also address issue of who will pay for doctor's time for the testimony at next hearing.

THIS CASE SET FOR HEARING ON Petition for Termination by James Church.

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

1. Ramon Masongsong, son, appointed Conservator of **person only** on 07/07/16.
2. Counsel Church seeks termination on behalf of Conservatee. Conservatee allegedly has expressed the desire to terminate conservatorship.
3. **Objections filed on 08/31/18 by GAL Ed Fischel.**
4. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500676

CASE NAME: Jerold A Bonner

VACATED

HEARING:

Hearing re Final Discharge

COUNSEL:

EMMA J PURTEE-BONNER

(PET)...CALDWELL, KENNEDY & PORTER

JEROLD A. BONNER

(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Emma Purtee-Bonner,
administrator

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

1. Receipts were filed.
2. ~Proposed Ex Parte Petition for Final Discharge and Order submitted 10/01/18
was reviewed and approved for signature.

RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601036

CASE NAME: VIGINIA RUTH BOOLS

HEARING:
Hearing re Final Discharge

COUNSEL:
BRENDA ASTA (PET)...MY ATTORNEY LA
VIRGINIA RUTH BOOLS (DEC)...
CALIBER HOME LOANS, INC. (OBJ)...WRIGHT, FINLAY & ZAK

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Brenda Asta, administrator

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

1. Receipt signed by "Kristen" Bools filed on 01/25/18; however, final order reflects "Krista" Bools. **Need** declaration verifying whether recipient is Kristen or Krista.
2. Ex Parte Petition for Final Discharge and Order submitted 09/21/18. However, the petitioner's signature is dated prior to date of Order on First and Final Account in item #1. Also, no attachments are to follow judge's signature.

RECOMMENDATION

Need to clear notes.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700016

CASE NAME: MTR OF FLORENCE MARIE SUMMERS

HEARING:

Petition for Termination and Discharge For Want Of Assets
Subject To Administration per Pr. C. §12251

COUNSEL:

PAULA MARIE WHITESIDE (PET)...CARPENTER, ZUCKERMAN & ROWLEY
FLORENCE MARIE SUMMERS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Termination and Discharge for Want of Assets Subject to Administration per Pr. C. §12251, by Paula Whiteside, Administrator with Will Annexed

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

1. Letters of Administration with Will Annexed issued to Paula Marie Whiteside on 08/02/17.
2. Paula Whiteside, Administrator, seeks termination of estate and discharge of administrator as she has failed to discover assets of any kind belonging to Decedent which is subject to administration. Probate was initiated in order to pursue litigation; however, litigation settled and did not result in any assets subject to administration.
3. **Notice is complete.**
4. No proposed order submitted.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700294

CASE NAME: MTR OF ROBERT W ELLIS

HEARING:

Probate status report

COUNSEL:

JANICE WINEKE (PET)...EUGENE S ALKANA
ROBERT W ELLIS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report by Janice Wineke,
Administrator

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

1. Estate is not in a condition as petitioner is still in the process of preparing a final accounting and report.
2. Petitioner requests an additional 3 months to close the estate.
3. No proposed order submitted.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **01/30/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800485

CASE NAME: MTR OF BRENDA DENISE WALTERS

HEARING:

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

COUNSEL:

DALE EDWARDS WALTERS (PET)...HOLSTROM BLOCK & PARKE
BRENDA DENISE WALTERS (DEC)...

GENERAL INFORMATION

Continued from **06/27/18**. Mr. Walters represents publication was done but has not been filed.

Continued from 08/29/18. Notice of Petition to Administer Estate and proof of publication were filed 08/28/18. Court continues matter to resolve issue of property listed as part of the estate.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Dale Edwards Walters, executor/spouse

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

1. Will waives bond; all heirs waive bond.
2. ~Proposed Form Order: 05/17/18

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **01/16/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800500

CASE NAME: Shelba Jean Kirkendall

SEE ALSO 7, 8

HEARING:

Hearing Re: Status on Petition by Attorney Ortiz

COUNSEL:

KENNETH KIRKENDALL

(PET)...TERRY A BEECHER

SHELBA JEAN KIRKENDALL

(DEC)...

LINDA SHELTON

(PET)...JAMES L HEYWOOD AND ASSOC

No notes—status only—JTD

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800500

CASE NAME: Shelba Jean Kirkendall

SEE ALSO 6, 8

HEARING:

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

COUNSEL:

KENNETH KIRKENDALL (PET)...TERRY A BEECHER
SHELBA JEAN KIRKENDALL (DEC)...
LINDA SHELTON (PET)...JAMES L HEYWOOD AND ASSOC

GENERAL INFORMATION

Continued from **06/28/18**. Competing Petition and objection will be filed by daughter. Letters of special administration issued to Kenneth Kirkendall on 08/15/18; \$325,000 bond.

Continued from **08/30/18**. Matter set for mediation on 09/12/18 in Dept S34.

Continued from 09/12/18. Court and Counsel confer in chambers off the record.

THIS CASE SET FOR HEARING ON

- Petition 1 - Petition for Letters of Administration with full authority under IAEA by ***Kenneth Kirkendall, son.***
- Petition 2 - Petition for Letters of Administration with full authority under IAEA by ***Linda Shelton, daughter.***

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

Petitioner 1 - Kenneth Kirkendall, son.

1. Petitioner seeks bond of \$25,000. Net estate value is \$310,500; \$2,500 is personal property. As petitioner seeks full authority, court may wish to require \$310,500 bond. **JTD**
2. **Objections filed on 07/18/18 by Linda Shelton alleging Kenneth has a copy of a will; however, no will has been admitted to probate; therefore, both heirs/petitioners have equal shares in estate.**
3. **Response to objections filed on 08/08/18 by Kenneth Kirkendall.**
4. ~Proposed Form Order: 05/22/18.

Petitioner 2 – Linda Shelton, daughter

5. Petitioner seeks bond; however, does not state amount. Net estate value is \$377,000 of which \$20,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
6. **Need** proof of publication.
7. **Need** duties and liabilities form.
8. ~Proposed Form Order: 07/18/18.

RECOMMENDATION

Matter is contested. Need to clear notes 6-7, Court's discretion re bond. Parties have equal priority. If approved, set Accounting/Status Review for **01/16/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800500

CASE NAME: Shelba Jean Kirkendall

SEE ALSO 6, 7

HEARING:

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

COUNSEL:

KENNETH KIRKENDALL

(PET)...TERRY A BEECHER

SHELBA JEAN KIRKENDALL

(DEC)...

LINDA SHELTON

(PET)...JAMES L HEYWOOD AND ASSOC

See notes on prior matter #7.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800695

CASE NAME: FRANCES M LAWSON

HEARING:

Hearing re: Petition for Letters of Admin. W/ No authority under IAEA

COUNSEL:

ANTHONY SULLO (PET)...PRO/PER
FRANCES M LAWSON (DEC)...

GENERAL INFORMATION

Continued from 08/29/18. Court continues this matter for petitioner to clear probate notes/consult with his attorney.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with NO authority under IAEA by Anthony Sullo, Administrator/grandson

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

1. Petitioner requests no bond. No reasons were provided and heirs did not waive bond; however, no IAEA authority requested. Estimated value of estate is \$279,000 based on real property. Court may wish to clarify request for authority. **JTD**
2. Decedent was survived by issue who have higher priority. No objections filed as of review.
3. Petition is for Letters of Administration; however, item #3f is marked indicating decedent may have a Will that was not affixed as alleged. Court to inquire if Decedent left a will. **JTD**.
4. **Need** Duties and Liabilities.
5. **Need** Notice of Petition to Administer Estate with Proof of Service.
6. **Need** Proof of Publication.
7. No proposed order submitted.

RECOMMENDATION

Need to clear notes #4-6 then Court's discretion. If approved, set Accounting/Status Review for **01/16/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400857

CASE NAME: Petra Amador Ramirez

HEARING:

FIRST AND FINAL Account and Report of ELAINE TAPIA and Petition
for allowance of fees filed.

COUNSEL:

ELAINE TAPIA (PET)...SALLY ANNE COX
PETRA AMADOR RAMIREZ (DEC)...
RICHARD RAMIREZ (PET/OBJ)...PRO/PER
DEPT OF HEALTH CARE SRVCS

Waiver of Court Fees and Costs filed by RICHARD RAMIREZ is GRANTED
TOTAL FEES WAIVED TO DATE \$900.00

XREF: CIVDS1610559 RICHARD RAMIREZ -V- ELAINE TAPIA
CIVDS1600795 TAPIA VS RAMIREZ

GENERAL INFORMATION:

Continued from **08/22/18** to file supplement to clear notes.

**Continued from 10/17/18 at request of Counsel. Court notes escrow documents
are still needed.**

THIS CASE IS SET FOR HEARING ON Waiver on First and Final Account and
Report; Petition for Fees and Final Distribution by Elaine Tapia, Administrator

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

1. Assets on hand: \$383,787.60, consisting of real property, right to receive \$90,373.25 from judgment dated 03/01/18, and \$3,414.25 cash.
2. A judgment was received against beneficiary, Richard Ramirez, for \$78,156.25 for unpaid rent, lost rent, legal fees, and costs of eviction, *plus legal fees of \$10,817*, totaling \$90,373.25.
3. Attorney requests statutory fees of **\$11,054**; fee base includes judgment for \$90,373.25, along with receipts re advanced fees of \$727.35.

4. Attorney also requests extraordinary fees of \$75,658.98 for representation in lawsuit for 275 hours at \$275 per hour. Declaration attached. [Acct, 06/29/18, LFpgs34-45].
 - a. Need itemization of services including time expended and hourly rate per Local Rule 20-904. **See supp filed 10/11/18. JTD**
 - b. Question how attorney seeks to be paid as there are insufficient cash funds? **Need** verified supplement.
 - i. **Supplement filed 10/11/18** alleges the real property is currently in escrow and is set to close 10/16/18.
 - ii. **It does not appear the estate is in a condition to close. Need copy of escrow statement and proof of deposit of funds in a verified supplement per Local Rule 20-910.**
 - c. Schedule C Disbursements include fees paid to Attorney Sally Cox totaling \$4,750. Need further clarification regarding itemization of services and authority to receive payment without Court approval. **See supp filed 10/11/18, LFpg4. JTD**
5. Schedule C Disbursements include a reimbursement to beneficiary, Ruby Macias, for airfare totaling \$400. Need verified supplement clarifying how this is an administrative expense.
 - a. **Supp 10/11/18, LFpg5, Ruby advanced the estate \$325 for bond premium. Petitioner requests Ruby be reimbursed and treat the \$75 as an advancement toward distributive share. JTD**
6. Petitioner waives statutory fees; however, requests approval of reimbursement for costs already paid regarding travel, repairs to property, meetings with contractor and police totaling \$312.12. Itemized in Supp 10/11/18, LFpg5-6. **JTD**
7. **Need** bank/investment statement verifying ending balance per Local Rule 20-908.
8. Request for Special Notice filed by DHS on 07/23/18.
9. Proposed distribution seeks to withhold Richard Ramirez' distributive share and credit toward sums he owes under judgment until satisfaction of judgment. **JTD**
10. Petitioner requests reserve of **\$3,000**. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge. **JTD**
11. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #4b and #7 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **11/06/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **TRUSTS**

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: RPR RS02935

CASE NAME: NICOLAS HARE SPECIAL NEEDS TRUST

SEE ALSO 11

HEARING:

Petition for To Approve Renovations To House And Construction Of
A Front Driveway, etc

COUNSEL:

CLARENCE HARE	(PET)...BUXBAUM & CHAKMAK
CLARENCE HARE	(PET)...LINDA J GLADSON
CLARENCE HARE	(PET)...VARNER & BRANDT, LLP
GINA HARE	(PET/TEE)...BUXBAUM & CHAKMAK
GINA HARE	(PET)...CHRIS SCARCELLA
GINA HARE	(PET)...LINDA J GLADSON
NICOLAS HARE SPECIAL NEEDS TRU	(TRU)...

Currently under review by Legal Research.
(LR)

Notice given.
(nb)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: RPR RS02935

CASE NAME: NICOLAS HARE SPECIAL NEEDS TRUST

SEE ALSO 10

HEARING:

NINTH Account and Report of GINA HARE, CLARENCE HARE and
Petition for allowance of fees

COUNSEL:

CLARENCE HARE	(PET)...BUXBAUM & CHAKMAK
CLARENCE HARE	(PET)...LINDA J GLADSON
CLARENCE HARE	(PET)...VARNER & BRANDT, LLP
GINA HARE	(PET/TEE)...BUXBAUM & CHAKMAK
GINA HARE	(PET)...CHRIS SCARCELLA
GINA HARE	(PET)...LINDA J GLADSON
NICOLAS HARE SPECIAL NEEDS TRU	(TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 9th Account Current and Report of Trustees
and Petition for Allowance of Fees and Monthly Allowance

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting covers period: 01/01/16 to 12/31/17
2. Assets on hand: \$2,509,316.72 (cash, securities and personal property items).
3. Petitioner requests continuation of the order for compensation in the increased amount of **\$5,200/month** for the full time personal care of Nicholas Hare. **JTD**
4. Petitioners request continuation of the order for In-Home Maintenance in the amount of \$200/month. **JTD**
5. Attorney requests fees of **\$6,462** for 19.5 hours at \$330 per hour for paralegal and attorney services. Itemized [Acct, 09/07/18, LFpgs42-43].
6. No proposed order for 9th account submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved, set next accounting review for **02/27/19**. Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800764

CASE NAME: MTR OF DEIN WANG

HEARING:

Hearing Re: Amended petition for probate of will

COUNSEL:

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

GENERAL INFORMATION:

Continued from 10/16/18. Court continues matter on its own motion; Mandarin interpreter is needed.

THIS CASE IS SET FOR HEARING ON Amended [08/30/18] Petition for Letters Testamentary with full authority under IAEA by named executrix, Shuyuan Z. Wang ["Petitioner" - spouse].

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

1. Will waives bond. Estimated estate valued at \$1,000,000.00. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b). **JTD.**
2. Notice filed on 10/03/18 is the wrong type of notice, **Need** Notice of Petition to Administer Estate with proof of service that reflects correct hearing date and includes the Consular Office of China per Pr. C. §8113. **Need** proper notice.
3. ~Proposed Form Order/Letters 08/30/18.

RECOMMENDATION:

Need to clear note 2 then Court's discretion re bond. If approved, set future hearing for Accounting Review on **01/15/20**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

Clerk to correct spelling of first name to "Deing."

(nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800176

CASE NAME: LINDA RENEE FERRO SPECIAL NEEDS TRUST

HEARING:

Petition for Pet for an order authorizing establishment of a
special needs trust for the benefit of etc

COUNSEL:

THOMAS PAUL FERRO (PET)...JEANNE E KENNEDY

LINDA RENEE FERRO SPECIAL NEEDS TRUST (TRU)...

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200236

CASE NAME: MTR OF RANDOLPH M ZEMBLIDGE

HEARING:

Petition for SUBSTITUTED JUDGMENT TO CREATE AND FUND REVOCABLE TRUST AND EXECUTE POUR-OVER WILL

COUNSEL:

LINDA M CALLAWAY

(CE/CPE)...M DANIEL SAYLOR

RANDOLPH M ZEMBLIDGE

(CTE/CEP)...SANDY L. TURNER

ACACIA L EIDE

(CE)...PRO/PER

LARRY E HOOVER

(SC)...SU P CHEAH

KARIN E HORSPOOL

(PET)...KARIN E HORSPOOL

Currently under review by legal research.

(LR)

Future Hearing: 7/25/19 Accounting Review

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

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300245

CASE NAME: ROSE MARY WILLIAMS

HEARING:

Second Report and Account and Report of VALARIE EVANS-BURBANK
and Petition for allowance of fees

COUNSEL:

JOYERIA LEDAY	(CP)...ARMENTA LAW
VALARIE EVANS-BURBANK	(CE)...ARMENTA LAW
GALE STINSON	(PET)...ARMENTA LAW
DONNA OSBORN	(CPE)...LAYNE A BARTHOLOMEW
ROSE MARY WILLIAMS	(CTE/CEP/CEE)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Account Current, Allowance of Fees and
Reduction of Bond by Valarie Evans-Burbank, conservator of estate only

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

1. Accounting period : 06/16/17 to 06/15/18
2. Assets on hand: \$434,398.46 of which \$159,348.46 is cash.
3. Attorney requests fees of **\$14,735** for 42.10 hours at \$350 per hour. Itemized [Acct.09/10/18, LFpg38-46].
4. Attorney requests reimbursement of costs totaling **\$237.40**; however, costs include \$162.40 for copies, postage and facsimile charges which are not reimbursable expenses per Local Rule 20-1406(d). [Acct, 09/10/18, LFpg46].
JTD
5. Petitioner, Valerie Evans-Burbank (conservator of estate), seeks compensation totaling **\$3,420** for 114 hours at \$30 per hour. Itemized. [Acct, 09/10/18, LFpg50-58]. **JTD**
6. Donna Osborn (conservator of the person) receives \$1,800 per month as allowance for the care of conservatee [Order entered 08/15/18], plus receives an additional \$400 allowance to assist with expenses. Question authority to pay additional \$400? **Need** verified supplement.

7. Petitioner, Valerie Evans-Burbank (conservator of estate) requests reduction of compensation as to Donna Osborn due to the rapid depletion of funds. Caregiving expenses currently exceed monthly income by \$2,700 per month. Attached spreadsheet showing income deficit. **Need** verified supplement specifying amount of reduction requested.
8. Disbursements include monthly payments to Danielle Osborn (conservator's daughter) for weekly caregiver services the rate of \$15 per hour. Estate pays \$2,600 per month, plus additional monies, if Donna Osborn is in need of respite. [Acct 09/10/18 LFpg26].
 - a. **Need** verified declaration confirming dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
9. Conservatee is enrolled in Inland Empire Adult Day Health Care providing exercise, socialization and a meal for seniors which costs \$1,200 per month. **Need** verified supplement with attached invoices.
10. Current bond is \$330,000. Petitioner requests bond reduction to \$142,868.06. However, calculation does not include real property or rental income subject to Pr. C. §2590 powers. [Acct, 09/10/18, LFpg5] **Need verified supplement with revised calculation.**
11. Notice was given.
12. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-10. If approved, set hearing on the next accounting review for **08/14/19** (if one year) or **08/17/20** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700235

CASE NAME: MARICA KAY BISSONNETTE

HEARING:

Accounting Review

COUNSEL:

KRISTIN COX

(CPE)...MARIELLEN ROSS

MARCIA KAY BISSONNETTE

(CEP)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Kristin Cox

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

1. Kristin Cox was appointed conservator of the person and estate of Marcia Kay Bissonnette on 08/16/17; \$82,000 bond filed.
2. **Need** final Inventory and Appraisal per Pr. C. §2610.
3. **Need** proof of service of Inventory and Appraisal including Instructions for Objection per Pr. C. §2610.
4. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700275

CASE NAME: MTR OF ALHAM MOHAMAD AWAD

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MANAL M AWAD

COUNSEL:

MANAL M AWAD (CP)...PRO/PER
ALHAM MOHAMAD AWAD (CTP)...SANDRA TURNER

XREF: CONPS1500107 *MTR OF ZAHER MOHAMMAD AWAD*

GENERAL INFORMATION

Continued from 08/29/18. Ms. Turner reports she has attempted contact with conservator but has been unsuccessful. Court orders Manal Awad to be personally present at next hearing. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Manal Awad (mother) appointed Limited Conservator of the person on 01/24/18.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. Determination of Conservatee's Appropriate Level of Care filed 05/29/18.
4. Care Plan filed 05/29/18

RECOMMENDATION

Inquire status.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800124

CASE NAME: GLADYS FREEMAN

SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN S34

HEARING:
Petition for Appointment of Conservator

COUNSEL:

LARRY W FREEMAN (PET)...PRO/PER
GLADYS FREEMAN (CEE)...SANDY L. TURNER
CHRISTINA THERMIDOR

GENERAL INFORMATION

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

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

Continued from 09/20/18. Court is advised Larry Freeman wishes to proceed with his petition. Matter is referred to court-sponsored mediation for 10/24/18.

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

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

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

RECOMMENDATION

Matter is contested. If approved, set hearing for Compliance Review for **05/29/19**. for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc/lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800140
CASE NAME: GABRIEL PULIDO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROSARIO P. CONTRERAS (CP)...PRO/PER
GABRIEL PULIDO (CTP)...SANDY L. TURNER

GENERAL INFORMATION

Continued from **06/13/18** to clear probate notes.

Continued from 08/29/18. Need status report of court-appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Rosario Contreras, mother

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Proposed conservatee's civil rights not be limited without court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 06/21/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Sandy Turner.
5. Proposed conservatee is developmentally disabled. IRC Report filed 06/11/18.
6. Proof of Completion of the Conservatorship Training Class filed.
7. CI Report filed 06/08/18.
8. Return of Citation filed 05/17/18.
9. ~Proposed Form Order: 05/08/18

RECOMMENDATION

Need to clear note #4. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5. (lh)

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

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200054

CASE NAME: MTR OF ABRAHAM GOMEZ

HEARING:
Hearing Re: Concerns in CI Report

COUNSEL:
MILAGROS RUIZ (CP)...PRO/PER
ABRAHAM GOMEZ (CTP)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from **06/06/18**. Counsel reports the conservator is not cooperating with Ms. Kennedy and suggests the Court appoint a Guardian Ad Litem for Abraham Gomez. Court appoints Mitchell I. Roth as Guardian Ad Litem for Conservatee. Matter continued for GAL report.

Continued from **08/08/18**. Attorney Jeanne Kennedy has a conflict on the matter. Court removed Jeanne Kennedy as Counsel for Abraham Gomez and appointed Sandy L. Turner.

Continued from **09/19/18** for Attorney Roth to contact his client. Court orders Milagros Ruiz to personally be present at next hearing. Attorney Turner to give notice.

Continued from 10/10/18 at request of Guardian Ad Litem. Counsel to provide report to Court.

THIS CASE IS SET FOR HEARING ON Concerns in CI Report

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

1. Matter set on 05/11/18 upon Court's review of memo by Court investigator filed 04/27/18. Court reappointed Jeanne E Kennedy and set for hearing.
2. **Need** report from Mitchell Roth (GAL).
3. Report of Counsel Sandy L. Turner filed 09/06/18.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS00145

CASE NAME: MTR OF JENNIFER RODDY

SEE ALSO 19A

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

EMILY PATINO (PLA)...MARIELLEN ROSS
JENNIFER RODDY (PLA)...
MARK ROBERT RODDY (OBJ)...

Address: 964 N. Prospero, Covina, California, ¼ interest

Appraised Value: \$111,250

Sale price: \$111,250, cash

First overbid: \$127,562.50

Deposit: Cash, paid in full

Commission: None

Additional bond: Proceeds to be placed in a blocked account.

Reason for Sale: Pay debts

Exposure to Market: Publication; buyer owns remaining ¾ interest.

Notice was given.

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

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS00145

CASE NAME: MTR OF JENNIFER RODDY

SEE ALSO 19

HEARING:

Accounting Review

COUNSEL:

EMILY PATINO (PLA)...MARIELLEN ROSS
JENNIFER RODDY (PLA)...
MARK ROBERT RODDY (OBJ)...

GENERAL INFORMATION

Continued from **10/11/17**. No appearance. Court orders Attorney Mariellen Ross to personally be present at the next hearing. Notice given by Judicial Assistant.

Continued from **11/29/17, 04/25/18, 06/19/18** at request of Counsel.

Continued from 10/09/18. No appearance. Matter continued by Court to be heard concurrently with Report of Sale hearing.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd Account for Emily Patino, mother, approved on 12/17/15
2. **Need** 4th Account beginning with 03/02/15.
3. Declaration of Mariellen Ross filed 08/15/17 requesting that accounting be waived as the only asset is an undivided ¼ interest in real property; however, need actual report and waiver Pr.C. § 2620 et seq.
4. CI report filed 10/12/17.

RECOMMENDATION

Inquire status of accounting. When an accounting is not filed as required, the court shall take action as specified in Pr.C. §2655. Clerk to notice Bond Company.

(ww/lc/lh/nb/lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/24/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS255

VACATED

CASE NAME: IN THE MATTER OF DANIELLE KAY LUCIA

HEARING:

Hearing Re: PROOF OF DEPOSIT

COUNSEL:

DANIELLE KAY LUCIA	(CEP)...
LOUIS E LUCIA	(CPE)...PRO/PER
DEBORAH J LUCIA	(SC/CPE)...JEANNE E KENNEDY
PATRICIA A FREITAS	(SC)...JEANNE E KENNEDY
DEBORAH J LUCIA	(PET)...JANET M HERRING
PATRICIA A FREITAS	(CPE)...JEANNE E KENNEDY
DEBRORAH LUCIA	(CPE)...JEANNE E KENNEDY

GENERAL INFORMATION

Continued from **01/17/18** and **03/21/18** at request of Counsel.

Continued from **05/09/18**. Counsel submits proposed order to withdraw funds from Arrowhead Credit Union and proposed Order to Deposit Funds to First Republic Bank.

Continued from 08/29/18. Bank is having issues accepting Conservatorship order.

THIS CASE IS SET FOR HEARING ON Proof of Blocked Account/ Transfer Case

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

1. Matter set on 10/11/17, wherein, Court approved 13th Account Current.
2. Post Move Notice of Change of Address filed 10/11/17 indicates conservatee now resides in Novato, California, Marin County.
3. **Proof of blocked account with First Republic Bank filed 09/17/18.**

RECOMMENDATION

None.

(lh)

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.

Future Hearing: 9/11/19 Accounting Review
Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH TRIAL

DATE: 10/24/18 TIME: 1:30 DEPT: S36P

CASE#: CON PS1300065

CASE NAME: LIDIA DEKTEROV

SEE ALSO 22

HEARING:

Hearing Re: Court trial on 2nd and Final Account

COUNSEL:

GEORGE DEKTEROV	(CP/CPE)...	ELIZABETH MCDONOUGH BARRY
DIANE D HARKISON	(CE)...	MARIELLEN ROSS
LIDIA KEKTEROV	(PCE/CEP)...	THE ALVAREZ FIRM
DONNASUE SMITH ORTIZ	(PET)...	DONNASUE ORTIZ
VICTOR DEKTEROV	(PET/APP/OBJ)...	AMY M COHEN
SURETEC INSURANCE	(PRO/PER)	

XREF: PROPS1400495 *THE SAVAGE TRUST*

No notes-Court trial—JTD

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

DATE: 10/24/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1400495

CASE NAME: THE SAVAGE TRUST

SEE ALSO 21

HEARING:

Hearing Re: COURT TRIAL ON FIRST ACCOUNT

COUNSEL:

THE SAVAGE TRUST	(TRU)...
GEORGE DEKTEROV	(PET)...BARRY & BARRY
DIANE D. HARKISON	(STE)...MARIELLEN ROSS
VICTOR DEKTEROV	(PRO/PER)

XREF: CONPS1300065 LIDIA DEKTEROV

No notes—Court trial—JTD

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900588

CASE NAME: LASHONDA HOWARD

HEARING:

Eighth Account and Report of INLAND COUNTIES REGIONAL CENTER,
INC. and Petition for allowance of fees

COUNSEL:

INLAND COUNTIES REG CNTR (PET)...STEVEN K BECKETT
LASHONDA HOWARD (BEN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 8th Account and Report of IRC and Petition to Amend Trust, for Approval of Trustee's Fees and for Attorney's Fees

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

1. Accounting covers period: 06/01/17 to 07/31/18
2. Assets on hand: \$56,337.48, cash
3. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of \$1,458.82. Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000 and 1.50% of the next \$250,000.
4. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its fee schedule dated 06/13/17. JTD
5. Attorney requests fees of \$1,734 for 10.1 hours at \$120/300 per hour for paralegal and attorney services. Itemized in separate declaration filed 09/06/18.
6. Current bond is \$67,000. Petitioner requests bond be reduced to \$62,000. Appears sufficient.
7. ~Proposed Order: 09/06/18; signature to follow last attachment.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **09/25/19** (if one year) or **09/23/20** (if two years). Accounting to be filed 30 days in advance.
(lh)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400008

CASE NAME: George Contreras, Sr.

HEARING:

Hearing Re: OSC RE: SANCTIONS AS TO PETITIONER AND COUNSEL

COUNSEL:

JESS CONTRERAS (PET)...KELLY L PEXTON
GEORGE CONTRERAS Sr. (DEC)...

XREF: PROPS1100601 GEORGE CONTRERAS
PROPS1300500 GEORGE CONTRERAS SR

GENERAL INFORMATION

Continued from **10/19/16** and **12/21/16**. No appearance. Jess Contreras ordered to be present if notes not cleared.

Continued from 03/15/17, 05/24/17 and 07/26/17.

Continued from 09/20/17. No appearance. Jess Contreras and/or Kelly Pexton are ordered to be present at next hearing if final discharge is not filed. Notice given by Judicial Assistant.

Continued from 11/22/17. No appearance. Court orders Jess Contreras and Kelly Pexton to be present at next hearing. OSC re Sanctions as to both Jess Constreas and Kelly Pexton set for their non-appearance/failure to file final discharge.

Continued from 01/31/18 at request of Court. Declaration with cancelled checks to be filed. Petitioner ordered to be present at next hearing.

Continued from 04/11/18 to clear probate notes. Court orders Jess Contreras to be physically present at next hearing date of 07/11/18. If all documents are filed, no appearance by Jess Contreras is necessary.

Continued from 07/11/18 at request of Court. Receipt and copy of Durable Power of Attorney to Crystal to be filed. Declaration of Jess Contreras with cancelled check filed in Court. Jess Contreras need not be physically present at next hearing.

THIS CASE SET FOR HEARING ON **OSC Re Sanctions/Final Discharge**.

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.

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

1. Final account/distribution of Jess Contreras approved on 10/27/15.
2. **Need** receipts for George and Georgette.
3. **Need Durable Power of Attorney to Crystal R. Contreras.**
4. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§ 11753(b).

RECOMMENDATION

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with C.C.P. §§ 128 & 1209.

(lc/ww/lc/lh)

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500849

CASE NAME: MICHAEL D. JUDD AKA MICHAEL DAVID JUDD ETC

HEARING:

Hearing re Final Discharge

COUNSEL:

SUZANNE BAILEY	(PET)...HARTNELL LAW GROUP
MICHAEL D. JUDD	(DEC)...
RANDI L KENNEDY	(PET/TP)...CHRISTOPHER A SHUMATE
BARBARA JUDD	(DEBRA LEFFLER STREETER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Suzanne Bailey, Executor

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

1. Need receipts from Barbara Judd and Randi Kennedy.
2. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500987

CASE NAME: ELISEO G GARCIA

SEE ALSO 5

HEARING:

Petition for brought under probate code 850 for order releasing
blocked funds to ptr

COUNSEL:

MARICELLA GARCIA	(PET)...PRO/PER
ELISEO G GARCIA	(DEC)...
IMELDA AVILES	(PET)...THOMAS W DOMINICK

Waiver of Court Fees and Costs filed by MARICELLA GARCIA is GRANTED

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500987

CASE NAME: ELISEO G GARCIA

SEE ALSO 4

HEARING:

Accounting Review

COUNSEL:

MARICELLA GARCIA

(PET)...PRO/PER

ELISEO G GARCIA

(DEC)...

IMELDA AVILES

(PET)...THOMAS W DOMINICK

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Maricella Garciam
Administrator with Will Annexed

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

1. Letters of Administration with will annexed, with full IAEA authority, issued 07/26/17; \$75,000 bond filed.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701129

CASE NAME: MTR OF WILL OF CLIFFORD WYNN

SEE ALSO 7, 8

HEARING:

Hearing Re: STATUS OF MEDIATION

COUNSEL:

ROBERT WYNN

(PET)...HARTNELL LAW GROUP

KATHLEEN POOLE

(PET)...HARTNELL LAW GROUP

MAXINE EDNA WYNN

(RES)...

TAMARA SUE WYNN PROSISE

No notes—status only—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701129

CASE NAME: MTR OF WILL OF CLIFFORD WYNN

SEE ALSO 6, 8

HEARING:

Petition for TO TRANSFER PROPERTY AND REMOVAL OF CO SUCCESSOR TRUSTEES

COUNSEL:

ROBERT WYNN

(PET)...HARTNELL LAW GROUP

KATHLEEN POOLE

(PET)...HARTNELL LAW GROUP

MAXINE EDNA WYNN

(RES)...

TAMARA SUE WYNN PROSISE

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701129

CASE NAME: MTR OF WILL OF CLIFFORD WYNN

SEE ALSO 6, 7

HEARING:

Mediation Settlement Conference

COUNSEL:

ROBERT WYNN

(PET)...HARTNELL LAW GROUP

KATHLEEN POOLE

(PET)...HARTNELL LAW GROUP

MAXINE EDNA WYNN

(RES)...

TAMARA SUE WYNN PROSISE

No notes—MSC—JTD

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800207

CASE NAME: BRYCE EDWIN BAKER

HEARING:

FIRST AND FINAL Account and Report of ANGELA D REYNOLDS and
Petition for allowance of fees

COUNSEL:

ANGELA D REYNOLDS (PET)...JOELLE LEE A. NICHOL
BRYCE EDWIN BAKER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report; Petition
for Fees and Final Distribution by Angela Reynolds, Executor/sole beneficiary

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

1. Assets on hand: \$481,306.15, cash
2. Angela Reynolds, administrator, is the trustee/sole beneficiary and waives accounting.
3. Statutory fees of \$12,636.72 requested by attorney. Calculated.
4. Attorney requests reimbursement for advanced costs in the amount of \$1,271.50, less \$1,000 paid by administrator, totaling \$271.50. Itemized. [Acct, 8/27/18, LFpg9].
5. Angela Reynolds requests reserve of \$1,000 for closing expenses.
6. Angela Reynolds alleges a response was received from Franchise Tax Board that monies are owed. [Acct, 08/27/18, LFpg11]. **Need** verified supplement clarifying amount owed and proof of payment.
7. ~Proposed order: 08/27/18

RECOMMENDATION:

Need to clear note # 6, then Court's discretion. If approved, court to set hearing on
filing of receipts and final discharge for **11/06/19**.

(lh)

Future Hearing: 6/26/19 Accounting Review -- VACATE

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800279
CASE NAME: SONIA M EMERSON

HEARING:
Petition for LETTERS OF ADMINISTRATION W/ FULL IAEA

COUNSEL:
STEVEN EMERSON (PET)...ANTHONY E DIBENEDETTO
SONIA M EMERSON (DEC)...

GENERAL INFORMATION

Ex parte orders entered **05/03/18**. Steven Emerson appointed Special Administrator with limited powers to marshal assets, speak with mortgage holder, cure default, attempt refinance and/or place real property on the market. Bond required \$75,000. Continued from **06/06/18**. Off calendar. Amended petition filed.

Continued from 07/25/18 to clear probate notes.

Ex parte orders granted 09/27/18, Court appointed Steven Emerson as Special Administrator with authority to work with any and all brokers, realtors, escrow officers, etc, to sell real property. Proceeds from the sale of home to be placed in an estate bank account. Current posted bond of \$75,000 to remain. Ex parte order to be filed.

THIS CASE SET FOR HEARING ON **Amended [filed 04/24/18]** Petition for Letters of Administration with full authority under IAEA by Steven and Scott Emerson (sole heirs) to appoint Steven Emerson (son)

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

1. Petitioners request waiver of bond. Estimated value of estate consists of real property at \$270,000 and remaining \$10,000 in personal property. **JTD.**
2. Co-petitioner, Scott Emerson, did not sign petition. **Need Notice of Petition to Administer Estate and Proof of Service as to Scott Emerson.**
3. **Need Proof of Publication.**
4. ~Proposed Form Order: 03/26/18

RECOMMENDATION

Need to clear notes #2-3. If approved, set Accounting/Status Review for **01/15/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908. (lh)

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.**

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

DATE: 10/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800857

CASE NAME: Mtr of Michael Paul Klemmer

HEARING:

Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

TRACIE JO HUNT	(PET)...JEANNE E KENNEDY
JILL ANN PRAHL	(PET)...JEANNE E KENNEDY
MICHAEL PAUL KLEMMER	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of Will and Letters of Administration with Will Annexed, and Full Authority under IAEA by *Tracie Jo Hunt* (executor) and *Jill Ann Prael* (alternate executor)

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

1. Petitioners, Tracie Jo Hunt and Jill Ann Prael, request to deposit funds in attorney-trust account in lieu of bond. Estimated assets valued at \$163,000.
JTD
2. Will nominates Tracie Jo Hunt (co-petitioner) and Jack Ryan Edwards to serve as co-executors, or to serve alone. If neither can serve, will nominates Jill Ann Prael (co-petitioner). It appears a Petition for Probate of Will and Letters Testamentary would be appropriate. Declination of Jack Ryan is attached to petition, LFpg10. **Court** to clarify request for appointment.
3. ~Proposed Form Order: 09/05/18

RECOMMENDATION

RFA. Court's discretion re bond. If approved, set Accounting/Status Review for **01/15/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100089

CASE NAME: JOSE PEREZ JR

HEARING:

Accounting Review

COUNSEL:

KATIE HERNANDEZ

(CPE)...HARTNELL LAW GROUP

JOSE PEREZ JR

(DEC)...MITCHELL I ROTH

JOSE PEREZ JR

(CEP)...

JEANNE E KENNEDY

(PET)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Katie Hernandez

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

1. Court approved 4th account on 04/19/17 for period ending 07/31/16. Court ordered bond increase by \$12,092.30 for a total of \$58,141.10. **Need proof of additional bond.**
2. **Need** 5th account current for period commencing 08/01/16.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1200008

CASE NAME: MTR OF ANTHONY G LOYD

HEARING:

Hearing re Final Discharge

COUNSEL:

CHING-HUANG LOYD (CPE)...SCHWARTZBERG& LUTHER, APC
ANTHONY G LOYD (CEP)...MELVIN L FRIEDLAND

GENERAL INFORMATION

Continued from **04/25/18** for Final Discharge to be filed. Notice to be given by Mr. Luther.

Continued from 07/25/18 at request of Court to file final discharge. Court's report filed in courtroom.

THIS CASE IS SET FOR HEARING ON Final Discharge re Ching-Huang Loyd

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

1. Second and Final Account approved on 04/19/17. **Need Order.**
2. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300209

CASE NAME: Carol Ann Gerola

HEARING:
Hearing re Final Discharge

COUNSEL:

BRIAN WATSON	(CPE)...LENITA A SKORETZ
PAUL R. HORNAK	(PET)...RAUSCHL P.C. & HORNAK
BRIAN WATSON	(CPE)...PAUL R HORNAK
CAROL ANN GEROLA	(CEP)...WALTER T. MOORE
HENRY J. GEROLA	(TP)...PRISCILLA C SOLARIO
CHELSE WATSON	(PRO/PER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge re Brian Watson, conservator

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

1. Receipts filed.
2. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400057

CASE NAME: MTR OF BETTY JEAN MARTIN

SEE ALSO 16

HEARING:

Hearing Re: ACCOUNTING REVIEW OF DEBBIE KROL

COUNSEL:

LISA A BURGESS-PEEBLES	(CPE)...PRO/PER
MICHELE LEANN REED	(SC)...PRO/PER
DEBBIE JEANNE KROL	(SC)...PHYLLIS M GALLAGHER
SANDY TURNER	(PET)...SANDRA TURNER
BETTY JEAN MARTIN	(CEP)...SANDRA TURNER

GENERAL INFORMATION

Continued from **04/11/18** to file accounting.

Continued from 07/25/18 for accounting of Ms. Reed to be approved. Notice to be given by Ms. Gallagher.

THIS CASE IS SET FOR HEARING ON Accounting Review re Final Account of Debbie Krol

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

1. Debbie J. Krol was appointed successor conservator of the person and estate on 06/28/17, \$75,000 bond.
2. Notice of Death of Conservatee filed 02/20/18. It appears conservatee passed away on 12/18/17.
3. **Need** final accounting for pre-death and post-death accounting periods per Pr. C. §2620.

RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 11/01/18 Petition for Compensation by Successor Conservator

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.

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400057

CASE NAME: MTR OF BETTY JEAN MARTIN

SEE ALSO 15

HEARING:

Hearing Re: AMENDED ACCOUNTING CURRENT AND RPT OF SUCCESSOR.

COUNSEL:

LISA A BURGESS-PEEBLES	(CPE)...PRO/PER
MICHELE LEANN REED	(SC)...PRO/PER
DEBBIE JEANNE KROL	(SC)...PHYLLIS M GALLAGHER
SANDY TURNER	(PET)...SANDRA TURNER
BETTY JEAN MARTIN	(CEP)...SANDRA TURNER

GENERAL INFORMATION:

Continued from **7/12/16, 11/09/16 and 02/15/17**. Court deems the 4-day lapse between the 2 conservatorships to be de minimis and will not require an amended accounting on the issue.

Continued from **07/03/17**. Counsel reports an amended inventory and appraisal to be filed reflecting the higher value of home in recent appraisal. Michelle Leann Reed is ordered to be present at next hearing. Notice by Judicial Assistant.

Continued from **09/11/17 and 11/20/17** to clear probate notes.

Continued from **01/31/18** to clear probate notes. Ms. Gallagher states she will assist Michele Reed in fixing accounting. Waiver of conflict previously filed.

Continued from 07/25/18 to clear probate notes. Court deems this accounting a first and final accounting. Notice to be given by Ms. Gallagher.

THIS CASE IS SET FOR HEARING ON **AMENDED** (05/23/17) First [*and Final*]
Account and Petition for Fees by Successor Conservator, Michele Leann Reed.

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

1. Accounting period covers 04/15/15 (end of last accounting by prior conservator) to 04/14/17.
2. Final Inventory and Appraisal filed indicating value of \$145,500 at date of appointment.

3. Assets on hand: \$177,598.71, consisting of \$532.26 cash, and remaining in real property in Apple Valley, CA.
4. Petitioner does not request compensation at this time but reserves to do so at a later time.
5. Disbursements – Schedule C requires further clarification via verified supplement as to the following:
 - a. Citi Bank – credit card payments. **Supp 11/09/17** alleges assisted living facility rent was paid with credit card; credit card payments were made from conservatee’s checking account.
 - b. Legalshield payments. Supp 11/09/17 alleges a lawyer retainer service was kept at request of conservatee. This account has since been closed.
 - c. Weber and Assoc. **Supp 11/09/17** alleges this was a payment made to a collection agency for past-due HOA dues on conservatee’s northern California property.
6. Petition indicates Conservatee now resides in an assisted living facility. *Question when Conservatee was moved?* **Need** verified supplement and residential facility statements and/or written verification of rent per Pr.C. §2620(c)(5).
7. Petitioner has paid for caregiver services during this account period.
 - a. **Supp 11/09/17** generally describes services; however, need verified declarations to confirm dates of service, performance of services and that payment has been received_per Local Rule 20-1406(c) by Eileen Giles; and Jamie Reeves.
 - i. Declaration signed by Eileen Giles affirming payments totaling \$5,170 filed 09/14/18.
 - ii. **Declaration filed 09/14/18 regarding payment to Jamie Reeves totaling \$975. Petitioner alleges Jamie Reeves could not be located to obtain signature; however, it is not clear what attempts were made to locate her. JTD**
8. As Conservatee no longer reside in her home, question whether home is being rented to generate income? Need verified supplement. **Supp 11/09/17** property was in the process of being sold and therefore not leased out. Property has since been sold and revenue has been generated to support assisted living facility rent.
9. Petitioner waives compensation.
10. Notice is complete.
11. No proposed order. Submit order after hearing.

RECOMMENDATION:

Need to clear note #6 then Court's discretion. If approved, set hearing re final discharge for **11/06/19** re Michele Leann Reed.

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

Future Hearing: 11/01/18 Petition for Compensation by Successor Conservator

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

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800147

CASE NAME: Bonnie A Hanna

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ANTHONY L PATTERSON (CPE)...
ROSAURA PATTERSON (CPE)...
BONNIE A HANNA (CEP)...SANDY L. TURNER

GENERAL INFORMATION

Ex Parte Orders granted 05/23/18 as to person only. Inventory and Appraisal to be filed prior to request for estate powers to be granted. Case referred to Legal Aid for legal assistance. Attorney Sandy Turner appointed for conservatee.

Continued from 06/27/18 to clear probate notes. Bond will be ordered in the amount of \$35,900. Counsel reports Conservatee is objecting to conservatorship. Court appointed Jennifer Daniel as Guardian Ad Litem for Bonnie Hanna. All existing orders to remain in effect.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Anthony and Rosaura Patterson, son and daughter-in-law

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

1. Court orders bond of \$35,900. **Supplement filed 10/04/18** requests waiver of bond, alleges realty has no value due to multiple lien attachments to both properties. However, Conservatee receives \$32,600 in annual income and does not meet requirements of bond waiver per Pr. C. §2628. **JTD**
2. Petitioners request medical powers.
 - a. Capacity Declaration attached to Supplement filed 10/04/18.
 - b. **Need Dementia Attachment [Form GC=335A].**
3. Petitioner see dementia powers. [Supp filed 10/04/18].
 - a. **Need** appointment of counsel for report.
 - b. **Need** Dementia attachment requesting special orders [Form GC-313].

4. Petitioners request “other” orders to include powers to sell real property, make legal decisions, financial decisions, insurance changes, and any other business decisions. [Petition, 5/16/18, LFpg10; **Supp filed 10/04/18**]. **JTD**
5. Report of Counsel Sandy Turner filed 06/06/18.
6. CI Report filed 06/12/18.
7. **Need** GAL Report by Jennifer Daniel.
8. Petition, item #11, identifies proposed conservatee’s two children as the only relatives within the second degree. However, attachment 3f(1) indicates all other relatives were given verbal notice. [Petition, 5/16/18, LFpg10]. **Need** verified supplement clarifying if there are other relatives within the *second* degree.
9. Return of citation filed 05/22/18; however, **need** proper personal service.
10. Notice of hearing and proof of service filed 05/22/18; however, need to clear note #6 to ensure notice is complete.
11. See Confidential Screening form filed by Anthony Patterson on 05/16/18.
12. Proof of Completion of Conservatorship Training were filed 09/06/18.
13. ~Proposed Form Order:

RECOMMENDATION

Need to clear notes #2; 6-8 then Court’s discretion. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the required documents and hearing re Accounting Review for **01/15/20**. Any accounting to be filed 30 days in advance.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800287

CASE NAME: MTR OF EDWARD NAJERA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROSARIO NAJERA (CP)...PRO/PER
EDWARD NAJERA (CTP)...

X-ref matter: FAMSS1807750 [Dissolution of Marriage]

GENERAL INFORMATION

Ex parte orders granted 09/20/18. Case referred to Legal Aid for legal assistance.
Rosario Najera appointed Temporary Conservator. Ex parte order signed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person
only by Rosario Najera, spouse

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

1. Petitioner seeks medical powers. **Need** Capacity Declaration.
2. Petitioner seeks dementia powers. **Need** appointment of counsel for report.
3. Petitioner is the spouse of conservatee. However, it appears petitioner has since filed for dissolution of marriage. See x-ref matter. Does Court wish to appoint GAL? **JTD**
4. **Need** List of Required Contact Information (Local form SB-12224).
5. **Need** return of Citation.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **CI Report filed 10/11/18.**
8. CI Memo filed 09/26/18.
9. Due Diligence Declarations filed 10/02/18 as to Yolanda Najera (daughter). **JTD**
10. **Due Diligence Declarations filed 10/10/18 as to Eduardo Najera and Mario Najera, son. JTD**
11. ~Proposed Form Order: 09/13/18

RECOMMENDATION

Need to clear notes #1-6. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800288

CASE NAME: Sean Tyler Beers

HEARING:
Petition for Appointment of Conservator

COUNSEL:
LAURENCE A BEERS III (CP)...JEFFREY A GOTTLIEB
SEAN TYLER BEERS (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Laurence A. Beers, III

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

1. **Proposed conservatee will reach age of majority on 12/26/18. Court may wish to trail to 12/26/18 or later Wednesday calendar date. JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent or withhold consent to marriage, limit right to contract, make decisions re education, limit social/sexual contacts. **JTD**
3. Petitioner requests proposed conservatee's corresponding civil rights to be limited. **JTD**
4. Petitioner seeks medical powers. Capacity Declaration filed 10/11/18.
5. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
6. Proposed conservatee is developmentally disabled. **Need** IRC report.
 - a. **Letter from IRC filed 10/04/18 requesting 30-extension. Suggest Court continue to 12/26/18 or later Wednesday date.**
7. **Need** Court Investigator report
8. Return of Citation filed 10/11/18.
9. Proof of Completion of the Conservatorship Training Class filed.
10. ~Proposed Form Order: Not submitted

RECOMMENDATION

Court's discretion re continuance.

Need to clear notes #5-7. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800289
CASE NAME: MTR OF RICARDO RODRIGUEZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ROSA IBARRA (CP)...PRO/PER
RICARDO RODRIGUEZ (CTP)...MARK FLORY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Rosa Ibarra, mother

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Proposed conservatee's civil rights not be limited without court order.
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled. **Need** report of appointed counsel, Mark Flory.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. Notice of Hearing and proof of service filed; however, only 28 days' notice was given to IRC. **Need** proper service as to *Inland Regional Center* to include at least 30 days' notice.
8. **CI report filed 10/12/18.**
9. Return of Citation filed 10/02/18.
10. ~Proposed Form Order: 09/18/18

RECOMMENDATION

Need to clear notes #3-7. If approved, set hearing for Compliance Review for **05/29/19** for the filing of the following: proof of service of Order with Notification of conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5. (lh)

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.**

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

DATE: 10/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100080

CASE NAME: CECELIA ANN MATTHESIUS

HEARING:

Petition for to fix residence outside the state of California

COUNSEL:

ANN E STAUB	(APP/CPE)...BANDY & BANDY
ANN E STAUB	(APP/CPE)...ROBERT J SPITZ
CECELIA ANN MATTHESIUS	(CEP/CP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
PAULA EADE	(OBJ/SC)...PRO/PER
US SPECIALITY INSURANCE	(PRO/PER

GENERAL INFORMATION

Continued from **10/10/18** on courts motion. Written report received by Walter Moore. Oral report given by Donnasue Ortiz. Counsel Walter Moore to prepare written report re Status of matter in Court of Appeals.

Continued from 10/16/18. Copy of dismissal appear filed in Courtroom. Matter continued for Guardian Ad Litem to contact Paula Eade regarding her opinions at this time regarding move to Florida.

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Outside the State of California by Conservator, Ann Staub (daughter)

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

1. Ann E. Staub (daughter) was appointed Conservator of the person and estate of Cecelia Matthesius on 06/07/11.
2. Petitioner, Ann E. Staub, requests the Court authorize the residence for Conservatee to be fixed outside the State of California to Florida. Petitioner owns a home in Florida and came out to California in 2011 to care for Conservatee despite Conservatee's home being both hazardous and inconvenient. Conservatee has enjoyed visits to Florida in the past and does not object to moving to Florida. Conservator's home in Florida is more comfortable as a one-story. Conservatee has no other friends or family in California that would prevent the move from being in Conservatee's best interest.
3. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the Conservatorship of the person and estate will be commenced in the place of

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.

the new residence. If approved, suggest Court order petitioner to serve and file Post-Move Notice of Change of Minor's Residence (mandatory) with proof of mailed service within 30 days of the date of any change.

4. Notice of Hearing with proof of mailed service filed 09/24/18; however, notice has incorrect Court address. **Need** proper notice with correct address.
5. **Need** report by Attorney Walter Moore as directed by court on 10/10/18.
6. ~Proposed Form Order: 08/21/18

RECOMMENDATION

Need to clear notes 4-5 then Court's discretion. If approved, suggest Court set status re proof of Conservatorship in Florida for **01/16/19**.

(lh/nb)

Future Hearings:

11/21/18 Petition for Guardian Ad Litem Fees

01/07/19 Accounting Review