



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 01/18/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

01/11/18lc

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300441

CASE NAME: THE SPECIAL NEEDS TRUST OF DANIEL E. CHARBONNEAU

HEARING:

Accounting Review

COUNSEL:

INLAND COUNTIES REGIONALCENTER (PET)...STEVEN K BECKETT
J DAVID HORSPOOL (DAVID E FOATE
THE SPECIAL NEEDS TRUST OF DAN (TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review.

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

1. Waiver of Trust Master Accounting for IRC approved 12/15/16
2. **Need** next accounting or waiver.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400630

CASE NAME: Robert William Jansen

HEARING:
Hearing re Final Discharge

COUNSEL:

ARNOLD JANSEN	(PET)...JAN
ARNOLD JANSEN	(PET)...SHERRY A GARRELS
ROBERT WILLIAM JANSEN	(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge.

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

1. Final distribution for Arnold Jansen, brother, approved on 01/09/17.
2. **Need** receipts for Lilli Versteeg [Estate of Jan Versteeg], Taylor Jansen and Amber Sepulveda Jansen.
3. **Need** Exparte Petition for Final Discharge Order.

RECOMMENDATION

Inquire Status of receipts and order.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600743

CASE NAME: MTR OF SALVADOR GARIBAY

HEARING: PETITION FOR WAIVER OF Account and Report of ANGELA M GARIBAY
and Petition for allowance of fees filed.

COUNSEL:

ANGELA M GARIBAY (PET)...GREG C OJEDA
SALVADOR GARIBAY (DEC)...

Fee waiver amount due \$955.50

\$465.00 for petition for letters 07/27/16 \$25.50 for certified copy of the letters on 01/31/17 \$465.00
for petition for waiver of account on 10/03/17

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Waiver of Final Account, Distribution and Petition
for Allowance of fees by Angela Garibay, spouse.

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

1. All heirs waive accounting.
2. Assets on hand \$180,637.03 in cash.
3. It appears administrator qualified for a waiver of fees and costs. Does court wish to revisit fees waived as the estate appears to have cash? JTD
4. Administrator waives statutory compensation.
5. Attorney seeks statutory fees of \$11,670.
 - a. However, as fees are calculated on gains **need** schedules per Cal Rules of Ct 7.705(b). Fees cannot be calculated on a reappraisal for sale; only date of death value and gains/losses **if** sold. Alternatively, base fees on Final Inventory and Appraisal value with fees calculated as \$8,350.
6. Administrator paid herself preliminary distribution of \$6,768.47 in relation to bankruptcy matter. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is** pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. There is no will. However, the estate does not appear to have suffered harm.
7. **Need** notice of hearing and proof of service.
8. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5 & 7. If approved, set hearing on the filing of receipts and final discharge for **01/24/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700983

CASE NAME: MTR OF WANDA JUNE COWLISHAW

HEARING:

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

COUNSEL:

DONNA LYNNE WILSON (PET)...MARC K HERBERT
WANDA JUNE COWLISHAW (DEC)...

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$790,000 of which \$550,000 in personal
property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 09/29/17.

RECOMMENDATION

RFA, Court's Discretion re bond. If approved, set Accounting/Status Review for
03/28/19. Any accounting to be filed 30 days in advance local rule 20-901. Note
requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701211

CASE NAME: THE DAVID G. JOHNSON AND MARY E. JOHNSON TRUST, AS

HEARING:

Petition for Order declaring that decedent's real property not
formally titled in the name of etc

COUNSEL:

ELIZABETH A. JOHNSON (STE)...INCLINE LAW GROUP, LLP
THE DAVID G. JOHNSON AND MARY (TRU)...

Currently under review by legal research.

Notice filed 01/03/18; however, need **30 days'** notice [20 days given and signature on
proof of service is not dated] to beneficiary John Johnson.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701233

CASE NAME: CLARENCE ALAN CROUCH

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

COUNSEL:

CLARENCE ALAN CROUCH (DEC)...
ROWENA CROUCH (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Rowena Crouch, spouse.

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

1. All heirs waive bond. Petitioner alleges estate is opened merely to open civil lawsuit.
2. ~Proposed Form Order: 12/08/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for
03/28/19. Any accounting to be filed 30 days in advance local rule 20-901. Note
requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6A

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

DATE: 01/18/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701263

CASE NAME: ESTATE OF ALISON JANE CALDOW

HEARING:

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

COUNSEL:

ALISON JANE CALDOW (DEC)...
ANN VAN GILS (PET)...USHER LAW GROUP, PC

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Ann Van Gils, friend.

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

1. Will waives bond. Net estate value is \$223,000. Proposed executor is resident of UK. Court for good cause could require bond per Pr.C. § 8571.
2. Notice filed 12/21/17; however;
 - a. **Need** Notice to Petition to Administer Estate and to Consulate of U.K and ASPCA.
 - b. Section 5 is not checked as to IAEA authority. **Need** corrected notice.
3. Will mentions ASPCA; however, not in section 8 of petition. **Need** verified supplement.
4. **Need** proof of publication
5. ~Proposed Form Order: 12/18/17.

RECOMMENDATION

Need to clear notes 2-4. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 01/18/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1601031

CASE NAME: THE JORDAAN CLARKE SPECIAL NEEDS TRUST

HEARING:

Petition for AUTHORITY TO SELL TRUST REAL PROPERTY AND OTHER
ORDERS

COUNSEL:

RICHARD HUNTINGTON (PET)...MUSCARELLA & ASSOCIATES
THE JORDAAN CLARKE SPECIAL NEEDS TRUST...
WELLS FARGO BANK (PET)...MUSCARELLA & ASSOCIATES

Currently under review by legal research.

(lc)

30 days' notice filed 10/18/17.

Future Hearing:

06/05/18 *Accounting Review.*

06/05/18 *Final Discharge*

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 01/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1100183

CASE NAME: ANTONIA RODRIGUEZ

HEARING:

Accounting Review

COUNSEL:

ANDREA VELARDE	(TEE)...BUCKNER, ALANI & MIRKOVICH
ANTONIA RODRIGUEZ	(CTP)...JENNIFER M DANIEL
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
SANDRA CROWELL	(CE)...JENNIFER M DANIEL
SANDRA CROWELL	(CP)...PRO/PER
SANDRA CROWELL	(CPE)...JENNIFER DANIEL

GENERAL INFORMATION

Continued from 10/19/17. SNT is not court supervised. Sandra Drowell cited to appear.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 1st Account Current [appears mistakenly listed as a final] of Sandra Drowell daughter, approved on 04/15/15.
2. **Need** 2nd Account beginning with 08/13/14.
3. **Need** return of citation.

RECOMMENDATION

Inquire status of accounting(s).

(/lc)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 01/18/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700302

CASE NAME: JASON BRIAN MOSLEY
HEARING: Petition for Appointment of Conservator

COUNSEL:

BRIGIT MOSLEY (CP) ...
JASON BRIAN MOSLEY (CTP) ...
ODELL MOSLEY (CP) ...

GENERAL INFORMATION

Ex parte orders granted 08/17/17. Brigit Mosley and Odell Mosley appointed Temporary Conservators of the person. No bond.

Brigit and Odell Mosley appointed Conservators of person only on 09/28/17.

THIS CASE SET FOR HEARING ON **Amended** Petition for Appointment of Conservator estate only Brigit and Odell Mosley, parents

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

1. Petitioners seek to add estate powers.
2. Petitioners seek no bond. No attachment provided with explanation. Court may wish to require \$20,000 bond.
3. Petitioners seek medical powers. Capacity Declaration filed 08/10/17.
4. **Need** return of citation for estate powers.
5. Court Investigator report filed 09/18/17. Does court wish to require supplemental re estate? JTD
6. ~Proposed Form Order: 12/08/17.

RECOMMENDATION

Need to clear note 4. If approved, set hearing for Compliance Review for **08/23/18** 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 re Accounting Review for **03/28/19**. Any accounting to be filed 30 days in advance.

(lh/lc)

Future Hearing: 05/03/18 Compliance review hearing

Superior Court of Calif, County of San Bernardino

Page: 9A ADD ON

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

DATE: 01/18/18 TIME: 9:30 DEPT: S35P

CASE#: RC RS00021

CASE NAME: VICTORIA R CAVRIANI

HEARING:

Hearing Re: POST MOVE NOTICE OF CONSERVATEE TO AURORA, IL

COUNSEL:

CAROLINE C CAVRIANI	(PET)...PRO/PER
PHYLLIS C ALORE	(PCR)...
VICTORIA R CAVRIANI	(PCE)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Post Move Notice of Conservatee to Aurora Illinois.

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

1. Caroline Cavriani and Phyllis Alore, mother and sister, appointed Conservator of person only on 08/20/93.
2. Court set matter on 12/26/17 after review of Court Investigator report and change of address that stated conservatee is now in Aurora Illinois. Court to inquire under what authority Conservator had to move conservatee.
3. Court to inquire if petitioner is seeking conservatorship in Illinois.
4. **Need** post move notice per Cal Rules of Ct 7.1063(c).

RECOMMENDATION

Need post move notice and proof of Illinois conservatorship.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PA

DATE: 01/18/18 TIME: 10:00 DEPT: S35P

CASE#: PRO PS1400732

CASE NAME: Donalda Lure Nimmo

HEARING:

Accounting Review

COUNSEL:

CYNTHIA R. TILLER

(PET)...MARGARET HELEN ARTER

DONALDA LURE NIMMO

(DEC)...

PUBLIC ADMINISTRATOR

(CRAIG M PARKER)...CRAIG M P

W.C. COX AND COMPANY

(TP).. (LAYNE A BARTHOLOMEW

GENERAL INFORMATION

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

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

1. Letters of Administration issued to Public Administrator on 11/18/14, no bond.
2. Final Inventory and Appraisal filed 12/12/16.
3. Previous status report approved on 02/07/17.
4. **Need** accounting or next status report.

RECOMMENDATION

Inquire Status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC.

DATE: 01/18/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1500220

Vacated

CASE NAME: MTR OF REYES GONZALES

HEARING:

Hearing Re: COURT TRIAL ON CREDITOR'S CLAIM

COUNSEL:

CANDELARIO PARTIDA

(PET)...MOISES A AVILES

REYES GONZALES

(DEC)...

REYLENE GONZALES

(PET)...HARTNELL LAW GROUP

PUBLIC ADMINISTRATOR

(ADM)...CRAIG M PARKER

Future Hearing: 06/13/18 T.S.C. re Creditor's Claim 09/26/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0700635

CASE NAME: ELODIA URQUIDIES SPECIAL NEEDS TRUST

HEARING:

Pet for Approval of Sixth Account and Report of WESTAMERICA BANK
and Petition for allowance of fees filed.

COUNSEL:

ELODIA URQUIDIES SPECIAL NEEDS	(TRU)...
PFF BANK & TRUST	(PET)...RANDOLPH M SHARON
THE GROSSMAN LAW FIRM	(PET)...THE GROSSMAN LAW FIRM
WESTAMERICA BANK	(PET)...RANDOLPH M SHARON
WESTAMERICA BANK	(TEE)...RANDOLPH M SHARON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th Account Current of Trustee and Petition for Fees by Westamerica Bank, Trustee.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers 10/01/15 – 09/30/17.
2. Assets on hand: \$339,004.32, consisting of cash of \$8,601.12 and the balance held in mutual funds.
3. Trustee requests approval of trustee fees paid in the amount of \$6,184.10 in accordance with terms of trust. JTD
4. Petitioner requests approval of Trust Advisory Committee fees paid in the amount of \$6,183.32 at 75% of the market value of the assets (excluding annuity) or a minimum annual fee of \$750. JTD
5. Attorney requests reduced fees of \$3,300 together with reimbursement of costs of \$230.00. Billed at \$450/hour [LFpg9]. JTD.
6. ~Proposed Order: 10/19/17.

RECOMMENDATION:

Court's discretion. If approved, set Accounting/Status Review for **01/02/20**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0900586

CASE NAME: JULIUS J MOSSUTO

SEE ALSO 3, 4

HEARING: Hearing Re: STATUS OF FILING OF FINAL INVENTORY & APPRAISAL

COUNSEL:

CAROL A HOWARD (PET)...TAYLOR, SIMONSON & WINTER LLP
JULIUS J MOSSUTO (DEC)...
LENA MOSSUTO (PET)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 12/07/16, 02/08/17, 04/05/17 and 11/01/17.

THIS CASE SET FOR HEARING ON Status of Inventory and Appraisal/Accounting review re Lena Mossuto, deceased executor.

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

1. Letters Testamentary issued to Lena Mossuto on 10/1/09, no bond. **Lena Mossuto died 1/27/16.** Successor Letters of Administration issued to **Carol Howard** on 10/05/16, full authority \$262,000 bond.
2. Partial, supplemental and final Inventory and Appraisals now filed.
3. Court may wish to require counsel to file accounting per Pr.C. § 10953 for deceased executor. **Declarations filed by Mitchell Roth and Carol Howard alleging it would not be possible for Mitchell Roth to prepare a full accounting.**

RECOMMENDATION

See final distribution by successor administrator on matter 4.

(lc)

Future hearing dates: 01/18/18 final Account by **Carol Howard.**

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0900586

CASE NAME: JULIUS J MOSSUTO

SEE ALSO 2, 4

HEARING:

Hearing Re: Discharge of Lena Massuta

COUNSEL:

CAROL A HOWARD	(PET)...TAYLOR, SIMONSON & WINTER LLP
JULIUS J MOSSUTO	(DEC)...
LENA MOSSUTO	(PET)...MITCHELL I ROTH

GENERAL INFORMATION

Continued from 11/01/17. Counsel Roth does not need to appear at future hearings.

THIS CASE SET FOR HEARING ON Discharge of Lena Mossuto.

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

1. Letters Testamentary issued to Lena Mossuto on 10/1/09, no bond. **Lena Mossuto died 1/27/16.**
2. Matter set on 04/05/17. See notes on matter 2 & 4.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0900586

CASE NAME: JULIUS J MOSSUTO

SEE ALSO 2, 3

HEARING:

First & Final Account and Report of CAROL A HOWARD and Petition
for allowance of fees filed.

COUNSEL:

CAROL A HOWARD	(PET)...TAYLOR, SIMONSON & WINTER LLP
JULIUS J MOSSUTO	(DEC)...
LENA MOSSUTO	(PET)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Carol Howard, Trustee of sole beneficiary.

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

1. Assets on hand \$226,053.02 in cash.
2. Administrator waives statutory compensation.
3. Counsel seeks statutory fees of \$9,271.30. Administrator alleges that Counsel Roth [counsel for deceased personal representative] did not intend to claim any fees. Counsel was noticed.
4. Administrator proposes to distribution 99% of estate per will to post deceased beneficiary's estate **PROPS1600767 Lena Mossuto**. Court may wish to cross reference cases.
5. ~Proposed Order: 10/16/17.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **01/24/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 6, 7, 8, 9, 10

HEARING:

Hearing Re: Order Instructing Trustee

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

01/29/18 Court Trial

01/29/18 Hearing re: Order instructing trustee

01/29/18 Petition for letters of administration etc.

01/29/18 Petition for probate of will and for letters etc.

01/29/18 Petition for determination of validity of trust etc.

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 5, 7, 8, 9, 10

HEARING: Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

GENERAL INFORMATION:

Continued from **04/26/16** and **08/15/16**. All parties agree to attend mediation. Matter is continued for mediation to occur. The court orders parties to attend mediation.

Continued from **10/18/16**. Parties still are working on discovery.

Continued from **01/10/17**, **03/14/17** and **04/18/17**. **Mark Hagbloom predeceased Edward Hagbloom.**

Continued from 10/11/17.

THIS CASE IS SET FOR HEARING ON

- Petition 1 - Petition for Letters of Administration W/WA and full authority under IAEA by **daughter, Robin Hagbloom.**
- Petition 2 - Petition for Letters of Administration and full authority under IAEA by **daughter Cindi Hagbloom.**

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

Petitioner 1 - Robin Hagbloom, daughter

1. Will waives bond. The estate consists of \$ 262,000 of which \$12,000 is personal property.
2. Will names petitioner as second successor executor [LF, p. 8]. **Need** Declination to Act by first named successor executor, Cynthia Joan Hagbloom. **Supp. (05/11/16)** petitioner alleges Cindi Hagbloom should be disqualified due to her attempts to thwart the testamentary wishes of the decedent by procuring a trust by fraud or undue influence; and Robin Hagbloom should be named administrator with will annexed due to the intentional wrongdoing perpetrated by Cindi Hagbloom in regards to decedent's estate.
3. Section 8 fails to list all persons named in the will. **Need** verified supplement as to Mark Hagbloom, Linnea Moreland and Hilma Willis.

4. Notice of Petition to Administer Estate filed on 02/29/16 and 03/25/16; however, **need** notice on Linnea Moreland and Hilma Willis.
5. Decedent has a Trust (see prior matter) that states "Last Will and Testament Dated 3/21/1996 is hereby void by signing this instrument." [LF, p. 10] and initialed by decedent. **Need** verified supplement with points and authorities that would allow this court to admit purported will.
6. **Objections filed by Cindi Hagbloom on 04/07/16.**
7. ~Proposed Form Order: 09/30/15

Petitioner 2 - Cindi Hagbloom:

8. Petitioner requests no bond be required but Section 3d to petition does not state why. Suggest bond of \$220,000. JTD.
9. Duties form is missing telephone number of petitioner. **Need** same.
10. Section 8 to petition does not include sibling Mark Edward Hagbloom, Linnea Moreland or Hilma Willis. **Need** verified supplement.
11. Notice of Petition to Administer Estate filed on 06/09/16 and 05/16/17; however, notice was not served on Linnea Moreland and Hilma Willis. **Need** corrected notice.
12. ~Proposed Form Order/Letters 06/21/16.

RECOMMENDATION:

Need to clear notes 2-5 and 9-11 then Court's discretion re: bond. Matter is contested. If approved, set future hearing for Accounting/Status Review on **03/28/19**. Note requirements of Local Rules Local Rules 20-901 and 20-908.

(nb/lh/nb/ww/lc)

Future Hearing:

01/29/18 *Court Trial*

01/29/18 *Hearing re: Order instructing trustee*

01/29/18 *Petition for letters of administration etc.*

01/29/18 *Petition for probate of will and for letters etc.*

01/29/18 *Petition for determination of validity of trust etc.*

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 5, 6, 8, 9, 10

HEARING:

Petition for Probate of Will and for Letters of Administration
w/ Will Annexed

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

See notes on matter 6.

Future Hearing:

01/29/18 Court Trial

01/29/18 Hearing re: Order instructing trustee

01/29/18 Petition for letters of administration etc.

01/29/18 Petition for probate of will and for letters etc.

01/29/18 Petition for determination of validity of trust etc.

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 5, 6, 7, 9, 10

HEARING:

Petition for DETERMINATION OF VALIDITY OF TRUST DETERMINATION OF TRUST ASSETS ETC

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

01/29/18 Court Trial

01/29/18 Hearing re: Order instructing trustee

01/29/18 Petition for letters of administration etc.

01/29/18 Petition for probate of will and for letters etc.

01/29/18 Petition for determination of validity of trust etc.

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 5, 6, 7, 8, 10

HEARING: Cindi Hagbloom's Account and Report of CINDI HAGBLOOM and
Petition for allowance of fees filed.

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting for Monies Expended on behalf of Estate
by Cindi Hagbloom, daughter.

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

1. Cindi Hagbloom has not been appointed administrator; however, submits an
accounting of costs expended totaling \$25,143.38.
2. Account is not verified and it is unclear as to why Cindi has filed the document.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:

01/29/18 *Court Trial*

01/29/18 *Hearing re: Order instructing trustee*

01/29/18 *Petition for letters of administration etc.*

01/29/18 *Petition for probate of will and for letters etc.*

01/29/18 *Petition for determination of validity of trust etc.*

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 5, 6, 7, 8, 9

HEARING:

Readiness Calendar

COUNSEL:

CINDI HAGBLOOM	(OBJ)...JAMES E NEWNHAM
CINDI HAGBLOOM	(PET)...JAMES E NEWNHAM
EDWARD HARRY HAGBLOOM	(DEC)...
ROBIN HAGBLOOM	(PET)...SHEILA J. BARTON

Readiness – No notes – JTD

Future Hearing:

01/29/18 *Court Trial*

01/29/18 *Hearing re: Order instructing trustee*

01/29/18 *Petition for letters of administration etc.*

01/29/18 *Petition for probate of will and for letters etc.*

01/29/18 *Petition for determination of validity of trust etc.*

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600345

CASE NAME: MTR OF SANG IN LEE

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

ROY HOWELL	(PET)...BRIAN W. SMETHURST
SANG IN LEE	(DEC)...
WAN JUNG LEE GARCIA	(OBJ)...RUSSAKOW & TAN, LLP
WAN JUNG LEE GARCIA	(PET)...RUSSAKOW & TAN, LLP

GENERAL INFORMATION

Continued from 11/02/17.

THIS CASE SET FOR HEARING ON Receipt of Settlement.

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

1. Matter set on 07/27/17.
2. Settlement agreement submitted 01/09/18; however, some signature pages are illegible in laserfiche. Clerk's office notified on 01/11/18 in case is a scanning issue.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 13

HEARING:

Petition for INSTRUCTIONS/CONTINUING JURISDICTION
TERMINATION OF TRUST/SUSPENSION OF TRUSTEE POWERS

COUNSEL:

ANGELA EZZEDDINE (PET)...FITZGERALD YAP CREDITOR
TENA EZZEDDINE (OBJ)...
TENA EZZEDDINE (PET)...MURTAUGH MEYER NELSON &
THE BAREA ESSEDDINE 2013 TRUST (TRU)...

Currently under review by legal research.

(LR)

Continued matter – notice not re-reviewed.

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

SEE ALSO 12

HEARING: PETITION FOR APPROVAL OF FIRST Account and Report of TENA EZZEDDINE and Petition for allowance of fees filed.

COUNSEL:

ANGELA EZZEDDINE (PET)...FITZGERALD YAP CREDITOR
TENA EZZEDDINE (OBJ)...
TENA EZZEDDINE (PET)...MURTAUGH MEYER NELSON &
THE BAREA ESSEDDINE 2013 TRUST (TRU)...

GENERAL INFORMATION

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

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

1. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
2. Accounting period 10/28/16 – 06/28/17.
3. Assets on hand \$2,485,831.83 of which \$1,831,000.00 is real property.
4. Real property located on Emeraldport does not indicate value of the property; beginning or end. Tena seeks court order beneficiary Angela Ezzeddine to allow an appraisal to be obtained on Emeraldport Property. JTD
5. Trustee alleges that the liability of \$431,424.11 is funds loaned to Trust by herself to purchase the Emeraldport Property.
6. Attorney was paid \$21,347.47 for 101.8 hours at \$375/425 per hour.
7. Trustee paid herself fees total \$43,200.
8. Trustee alleges that beneficiary Angela wrongfully took personal property items as well as money from bank accounts while Trustor Barea was incapacitated and post death.
9. Trustee seeks court allow surcharge against Angela for damage to real property located on Denhaven in Chino Hills.
10. Trustee alleges that Angela has brought an unfounded action seeking termination. Therefore, Trustee states the costs reportedly should be deemed as had been

incurred by Angela's alleged bad faith etc. Trustee cites *Rudnick v. Rudnick* (2009)179Cal.App.4th 1328. JTD

11. It appears petition is for accounting and Pr.C. § 850 etc. Petitioner fails to set forth in the caption what statutory authority the petition is based upon, as is required by Local Rule 20-601. **Need** supplement.
12. **Need** copy of financial statements per local rule 20-908.
13. **Need** notice of hearing and personal proof of service to Angela Ezzeddine.
14. **Need** notice of hearing and proof of service for Michael Harms and Morgan Stanley.

RECOMMENDATION

Need to clear notes 1, 11-14. If approve and *if trust becomes court supervised*, set next Accounting review for **09/19/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700905

CASE NAME: MTR OF ETHEL RYAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ETHEL RYAN (DEC)...
ROBERT RYAN (PET)...GAUDY LAW, INC

GENERAL INFORMATION

Continued from 12/07/17. Parties Audrey Herren, Deborah Philips and Kathy Ryan object to will.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Robert Ryan, son.

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

1. Petitioner seeks 100% interest in decedent's interest in real property per terms of the will.
2. No written objections filed at time of review.
3. ~Proposed Form Order: 11/28/17.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700946

CASE NAME: MTR OF CARMEN RAYA GRANADO

HEARING:

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

COUNSEL:

CARMEN RAYA GRANADO	(DEC)...
MANUELA R MUNCY	(PET)...ELBERT W MUNCY
ROSA M GRANADO DOMINGUEZ	(OBJ)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from 12/18/17 for response to objections.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Manuela Muncy, daughter

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

1. Petitioner seeks bond of \$141,000.00 Ok.
2. **Objections filed by Rosa Granado Dominguez, daughter, on 12/13/17.**
3. **Response to objections filed by Manuela Muncy on 01/02/18 [26 pages with attachments]. Exhibits also attached.**
4. ~Proposed Form Order: 09/26/17

RECOMMENDATION

Matter is contested. Court's discretion, \$141,000.00 bond. If approved, set Accounting/Status Review **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701056

CASE NAME: MTR OF MIGUEL ANGEL CASILLAS

HEARING:

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

COUNSEL:

MAURA CASILLAS (PET)...PRISCILLA C SOLARIO ESQ
MIGUEL ANGEL CASILLAS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Maura Casillas, spouse.

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

1. All heirs waive bond. Estate value is \$250,000 in real property.
2. Duties form is missing phone number. **Need** same.
3. ~Proposed Form Order: 10/24/17.

RECOMMENDATION

RFA subject to note 2. If approved, set Accounting/Status Review for **03/28/19**. Any
accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule
20-908.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701206

CASE NAME: KENNETH FRANCIS WARD

HEARING:

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

COUNSEL:

KENNETH FRANCIS WARD (DEC)...
NORA JANE SHERWOOD (PET)...PRO/PER

GENERAL INFORMATION

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

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

1. All heirs waive bond. Net estate value is \$345,500 of which \$500 is personal
property.
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 11/20/17

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status
Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701226

CASE NAME: VIRGINIA ELIZABETH FISHERING
HEARING: Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

LESLIE JOAN SCHLUTER (PET)...MICHAEL C. MADDUX
VIRGINIA ELIZABETH FISHERING (DEC)...

GENERAL INFORMATION

Letters of special administration issued to Leslie Schluter on 12/14/17.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Leslie Schluter, great niece.

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

1. Petitioner submitted a will on 12/21/17.
 - a. As there is no receipt, question if original will be lodged?
 - b. Question if petitioner will be amending petition to probate a will or lost will? If so, need amended petition and notice.
 - c. Karen Nielson, Melinda Parish, Ryan Schluter, Deborah Gilchrest and Jeanette Hummel are not listed in section 8 of petition as no will was requested to probate.
2. Petitioner seeks all sale proceeds be placed into a blocked account. Estate consists of negative equity of -\$21,157. Court to inquire as if there is negative equity, there would be no surplus of funds.
3. **Need** proof of publication.
4. **Need** Notice to Petition to Administer Estate and proof of service to Karen Nielson, Melinda Parish, Ryan Schluter, Deborah Gilchrest and Jeanette Hummel.
5. ~Proposed Form Order:

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re blocked account. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Future hearing dates: 02/26/18 Motion to be Relieved as Counsel

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 01/18/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701274

CASE NAME: DORIS OLENE RUSH

HEARING:

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

COUNSEL:

DORIS OLENE RUSH (DEC)...
SANDRA F GROSETH (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Sandra Groseth, daughter

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

1. Will and all beneficiaries waive bond. Estate value is \$425,000 in real property.
2. **Need** proof of publication
3. ~Proposed Form Order: 12/19/17.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

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

DATE: 01/18/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1701275

CASE NAME: VICTOR F BATROSS AND NADINE M BATROSS TRUST

HEARING:

Petition for Appointment as Successor Trustee

COUNSEL:

KATHERINE M SHARP (PET)...ROBERT A KRASNEY
VICTOR F BATROSS AND NADINE M (TRU)...

Currently under review by legal research.

(LR)

Notice:

1. **29** days' notice filed on 01/03/18. **Need 30 days' notice.**

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 01/18/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100068

CASE NAME: EVELYN M. VAN FLEET

HEARING:

Accounting Review

COUNSEL:

EVELYN M VAN FLEET

(CEP)...

JOHN S VAN FLEET

(CPE)...E JOAN NELMS

WALTER T MOORE

(PET)...

GENERAL INFORMATION

Continued from 11/09/17.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 4th Account for John Van Fleet, son, approved on 02/18/16.
2. **Need** 5th Account beginning with 09/13/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 01/18/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400366

CASE NAME: Maria Teresa Bitner

HEARING:

Petition for ATTORNEY FEES TO COURT APPOINTED COUNSEL

COUNSEL:

DENNIS BITNER	(CPE)...CRAIG M PARKER
MARIA TERESA BITNER	(CEP)...MITCHELL I ROTH
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SURETEC INSURANCE COMPANY	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney Fees by Mitchell Roth.

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

1. Mitchell Roth was appointed counsel for conservatee on 03/10/15.
2. Counsel seeks fees of \$6,825 for 19.5 hours at \$350 per hour. [Pet.11/29 LFpg7-11].
3. ~Proposed Order: 11/29/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 06/25/17 *Accounting Review.*

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

DATE: 01/18/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600050
CASE NAME: ALYSSA MONIQUE ALCARAZ
HEARING: Hearing Re: PTN FOR CONSERVATORSHIP OF THE PERSON

COUNSEL:
ALYSSA MONIQUE ALCARAZ (CEE)...JAMES B CHURCH
AMANDA N CARREON (PET)...PRO/PER

GENERAL INFORMATION:

Continued from **4/25/16** Court notes that conservatee is non-responsive to question re interest in voting. James Church appointed.

Continued from 7/6/16 and 09/14/16. Citation not needed as conservatee appeared.

OSC set on 11/23/16 when there was no appearance or notes cleared.

OSC continued from 02/08/17, 05/10/17 and 07/19/17 David Horspool appointed GAL.

Court requests that the IRC case worker be present at the next hearing. Attorney Church states the case worker is Marcia Diaz and the program manager is Cynthia Alexander. Referred to PG as conservatorship is necessary.

Continued from 09/20/17. Public Guardian and David Horspool GAL relieved.

Continued from 11/09/17 and 11/16/17 and 12/21/17.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Amanda Carreon, mother.

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

1. Petitioner is requesting powers re habilitation, treatment, training, medical etc. JTD
2. Petitioner is requesting civil rights not be limited without court order. JTD
3. Proposed conservatee is developmentally disabled. IRC report filed 09/12/17.
4. Report of Counsel James Church filed 09/23/16.
5. Petitioner seeks medical powers. **Need** Capacity Declaration.
6. List of required contacts is missing paternal grandfather. **Need** same.
7. Certificate of completion of the conservatorship class filed 6/17/16.
8. Citation returned served.
9. Court Investigator report filed 03/15/16.
10. ~Proposed Form Order: 03/03/16.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing for Compliance Review for **08/23/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§ 1830(c); and Level of Care and Care Plan per Pr.C.§ 2352.5.

(lc/sa/lc/ww/lc/lh/lc)

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

DATE: 01/18/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700426

CASE NAME: ELEANOR G RHEA
HEARING: Petition for Appointment of Conservator

COUNSEL:

ELEANOR G RHEA (CTP)...
GERALD RHEA (OBJ)...JENNIFER M DANIEL
TYRIE MCCULLEY (PET)...SHERRI L KASTILAHN

GENERAL INFORMATION

Tyrie McCulley and Gerald Rhea, daughter & spouse, appointed temporary guardian of person and estate on 12/14/17; no bond. Proposed conservatee appeared at temporary hearing.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Tyrie McCulley, daughter.

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

1. Petitioner seeks bond of \$259,775 and \$650,000 to be deposited in blocked account. Appears adequate.
2. No medical powers or other powers sought.
3. Attachment I1 is not attached re other orders requested. **Need** same.
4. Confidential Supplemental form is not dated. **Need** same.
5. **Need** Certificate of Completion of the Conservatorship Training Class.
6. **Need** report of Dr. Leed per Evidence Code § 730.
7. Stepson Craig is allegedly homeless. **Need** due diligence declaration.
8. Post move notice filed on 01/08/18.
9. Court Investigator report filed 01/09/18.
10. **Objection filed by Gerald Rhea, spouse, on 12/08/17.**
11. ~Proposed Form Order: 11/20/17.

RECOMMENDATION

Need to clear notes 3-7, Court's discretion re bond/blocked account. If approved, set hearing for Compliance Review for **08/23/18** for the filing of the required documents and hearing re Accounting Review for **03/28/19**. Any accounting to be filed 30 days in advance.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 25 Add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/18/18 TIME: 1:30 DEPT: S36P

CASE#: CIF DS1600075

CASE NAME: ARCINIEGA VS RAMIREZ

HEARING:

Mandatory Settlement Conference

COUNSEL:

VIRGINIA TAPIA ARCINIEGA (PP)...TETLEY LAW OFFICES

DEBRA JEANNE RAMIREZ (RP)... JOHN SETLICH

SALATHIEL RAMIREZ ()...

JUDGE WELCH RECUSES HIMSELF FOR ALL PURPOSES

No notes- MSC- JTD

(ww)

Future hearing dates: 01/23/18 Court trial

Superior Court of Calif, County of San Bernardino

Page: 26 Add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/18/18 TIME: 1:30 DEPT: S36P

CASE#: CIF DS1600076

CASE NAME: ARCINIEGA VS RAMIREZ

HEARING:

Mandatory Settlement Conference

COUNSEL:

SALATHIEL RAMIREZ (RP)... JOHN SETLICH

VIRGINIA TAPIA ARCINIEGA (PP)...FRANK O TETLEY

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

JUDGE WELCH RECUSES HIMSELF FOR ALL PURPOSES

No notes- MSC- JTD

(ww)

Future hearing dates: 01/23/18 Court trial

Superior Court of Calif, County of San Bernardino

Page: 27 Add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 01/18/18 TIME: 1:30 DEPT: S36P

CASE#: CIV DS1614969

CASE NAME: ARCINIEGA-V-RAMIREZ

HEARING:

Mandatory Settlement Conference

COUNSEL:

DEBRA JEANNE RAMIREZ (DEF)... JOHN SETLICH

VIRGINIA TAPIA ARCINIEGA (PLA)...TETLEY LAW OFFICES

JUDGE WELCH RECUSES HIMSELF FOR ALL PURPOSES

No Notes-MS- JTD.

(ww)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 01/18/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600378

CASE NAME: PIUS F HORNER TRUST DATED MAY 14, 1993

SEE ALSO 8, 9

HEARING:

Readiness Calendar

COUNSEL:

KELLY ZUNIGA

(OBJ)...DAWN HALL CUNNEEN

KELLY ZUNIGA

(PET)...DAWN HALL CUNNEEN

PIUS F HORNER DATED MAY 14, 19(TRU)...

ROSEMARY HORNER

(PET)...ROBERT L KERN

Readiness – No notes – JTD

Future Hearing: 01/31/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY **PROBATE**

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0800559

CASE NAME: MTR OF LUCY ALDERETE TAFOYA

HEARING:

Hearing Re: FINAL ACCOUNTING/PLAN OF DISTRIBUTION

COUNSEL:

DEBRA ESQUIVEL	(BEN)...PRO/PER
LUCY ALDERETE TAFOYA	(DEC)...
TARCILA LUCERO	(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Settlement and Request for Waiver by Debra Esquivel, daughter.

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

1. Tarcila Lucero was removed as Executor on 06/09/15. Successor Letters Testamentary issued to Debra Esquivel, daughter, on 06/10/15; full authority, no bond. Court to note that Decedent died 05/24/08 and the probate was originally filed 06/18/08.
2. Executor submits a settlement with receipts attached. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is** pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000.
3. Attorney John Weber appears to have been paid \$1,500; however, there does not appear to be an order authorizing payment.
4. Petitioner **must file** a final report of administration per CRC 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1).
5. **Need** notice of hearing and proof of service

RECOMMENDATION

Need proper report and waiver with notice. If approved, set hearing on the filing of receipts and final discharge for **01/24/19**.

(lc)

-

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0801057

CASE NAME: MICHAEL J MCGOOKIN

HEARING:
Accounting Review

COUNSEL:

BONNIE L FISKE (PET)...CHARTER CALIBORNE HUGHES
MICHAEL J MCGOOKIN (DEC)...

GENERAL INFORMATION

Continued from 03/23/16, 09/22/16, 12/29/16, 03/30/17 and 06/15/17.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters Testamentary issued to Bonnie Fiske, executor, on 1/15/09, no bond.
2. Previous status report approved on 03/18/15.
3. Partial 1 & 2 final inventory & appraisals filed. **Need** final Inventory and Appraisal and account statements confirming date of death balance per Local Rule 20-908.
4. **Need** accounting or next status report.

RECOMMENDATION:

Need to clear notes 3-4.

(sa/lc/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300408

CASE NAME: MTR OF THOMAS WILSON ROLAND

HEARING:
Hearing re Final Discharge

COUNSEL:

SUZANNE BARNUM (PET)...ROBERT A KRASNEY
THOMAS WILSON ROLAND (DEC)...

GENERAL INFORMATION:

Continued from 07/14/16, 09/22/16, 12/08/16, 02/23/17 (No appearance). 07/20/17 and 10/19/17. Need more time due to personal representative's illness.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. First and Final Account of Suzanne Barnum approved 03/10/15.
2. **Need** receipt from Suzanne Barnum, as Successor Trustee.
3. **Need** Ex-parte Petition/Order for Final Discharge with county recording information per Pr.C.§11753(b)..

RECOMMENDATION:

Inquire status of receipt and discharge order. 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)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500429

CASE NAME: LOUIS VALVERDE

HEARING:

Probate status report filed.

COUNSEL:

LOUIS VALVERDE (DEC)...
MERCY A GALBAN (PET)...HORSPOOL & HORSPOOL

GENERAL INFORMATION

Continued from 01/26/17 and 07/20/17.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Mercy Galban, daughter, on 06/22/15; full authority, \$20,000 bond.
2. Petitioner requests an additional six months to close the estate in order to clear up title issues.
3. Notice filed 11/15/16; however, **need** notice of hearing and proof of service per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. ~Proposed Order: 11/10/16.

RECOMMENDATION

Need proper notice. If approved, set Accounting/Status Review for **05/31/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/ww/lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500558

CASE NAME: Michael Russel Milazzo

HEARING:
Probate status report filed.

COUNSEL:
ANDREA MILAZZO (PET)...GREGORY ANNIGIAN
MICHAEL RUSSEL MILAZZO (DEC)...
MILAZZO MINOR (MIN)...

GENERAL INFORMATION
Continued from 09/14/17.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Andrea Milazzo, spouse, on 12/19/16; full authority, no bond.
2. Partial Inventory and Appraisals filed indicating. **Need** final Inventory and Appraisal.
3. Petitioner requests an additional year to close the estate in order to sell certain vehicles.
4. Notice of Nonpayment of Bond Premium filed 08/28/17.
5. ~Proposed Order: 06/14/17.

RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **12/20/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(lc/lh/lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500838
CASE NAME: MICHAEL EDWARD FRY
HEARING: FIRST AND FINAL Account and Report of CHESTER EDWARD FRY and
Petition for allowance of fees filed.

COUNSEL:

CHESTER EDWARD FRY	(PET)...JASON L GAUDY
COLIN FRY	(PALERMO, BARBARO, CHININ &
DANIKA FRY	(TP)...PALERMO, BARBARO, CHININ & PIT
MICHAEL EDWARD FRY	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Chester Fry, father/executor/Trustee.

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

1. Assets on hand \$2,110,814.57 of which \$2,055,814.57 is cash.
2. Executor and attorney seek statutory fees of \$46,117.29 each. Ok.
3. Counsel has received \$8,267.50 in legal fees of which \$7,500 was retainer which will be deducted from counsel's share of statutory fees above.
4. The accounting does not balance by -\$9,848.93. Executor and counsel state they are unable to balance. The amount of the estate is less than .5% of the estate.
JTD
5. Executor seeks a reserve of \$5,000.
6. Executor made preliminary distributions totaling \$85,500. A personal representative may only preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. However, the estate does not appear to have suffered harm.
7. Executor states that in exchange for Creditor's Claim filed on his behalf, executor took possession of 2013 Ford F-150 [\$18,500 value] to offset balance due of sale agreement between himself and decedent. **Need** verified supplement clarifying exactly what petitioner is seeking/confirming.
 - a. Claim was allegedly not timely filed per declaration filed by counsel [Acct. 09/26/17LFpg39-40]. It is unclear exactly what petitioner is requesting.
 - b. It does not appear Notice of Proposed Action or Court authority was given regarding transfer per Pr.C. §§ 10501(a)(6), 10517.

8. Sole beneficiary of the will is the decedent's Trust. It does not appear a copy of trust and/or certification of trust has been filed. **Need** in order to determine notice to beneficiaries or trust.
9. **Need** bank statements to support Inventory and Appraisal balance and ending accounting balance per local rule 20-908.
10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 7-9, then Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **01/24/19**.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600378

CASE NAME: PIUS F HORNER TRUST DATED MAY 14, 1993

SEE ALSO 1, 9

HEARING: FOR APPROVAL OF FIRST Account and Report of ROSEMARY HORNER and Petition for allowance of fees filed.

COUNSEL:

KELLY ZUNIGA	(OBJ)...DAWN HALL CUNNEEN
KELLY ZUNIGA	(PET)...DAWN HALL CUNNEEN
PIUS F HORNER DATED MAY 14, 19	(TRU)...
ROSEMARY HORNER	(PET)...ROBERT L KERN

GENERAL INFORMATION:

Continued from **12/05/16**. The Court orders that a proper accounting be filed. Counsel to file a supplement to clear notes and a proper accounting. Request to appoint a paid professional fiduciary as temporary trustee is reserved.

Continued from **03/06/17** to review supplemental accounting. Court orders any objections being filed by Mr. Kern to be code compliant. Mr. Kern is to file any other objections by 4/3/17. If both parties cannot agree on accountings the court will appoint a professional fiduciary.

Continued from 05/22/17 at request of Mr. Kern. Parties do not stipulate to Judge Pro Tem.

Continued from 07/31/17. Trial requested.

THIS CASE IS SET FOR HEARING ON **Amended** (02/28/17) First Account Current and Petition for Fees by Successor Trustee, Rosemary Horner (surviving spouse) ["Petitioner"].

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

1. Accounting period 11/01/14 to 12/31/16.
2. Assets on Hand \$516,865.64 consisting of \$104,248.64 in cash; \$390,000 in carry value of real property; and remaining in personal property.
3. Trustee requests ratification of compensation taken in the amount of \$5,515.13.
4. Trustee requests reimbursement of costs advanced of \$1,733.98. .
5. Need bank statement for Bank of America Account XXX7066.
6. Notice given.
7. No proposed order. Submit Order after Hearing.
8. **Objections et seq. filed 12/02/16, 05/18/17 and 07/25/17 by trust beneficiary, Kelly Zuniga.**

RECOMMENDATION:

Matter is contested. Need to clear note 5. If approved, set next Accounting Review for **03/13/18**. Any account to be filed 30 days before hearing date. Note requirements of Local Rules.

(nb)

Future Hearing: 01/31/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600378

CASE NAME: PIUS F HORNER TRUST DATED MAY 14, 1993

SEE ALSO 1, 8

HEARING: SUPPLEMENTED ACCOUNT (AMENDED FIRST ACCOUNT) Account
and Report of ROSEMARY HORNER and Petition for allowance of fees filed.

COUNSEL:

KELLY ZUNIGA	(OBJ)...DAWN HALL CUNNEEN
KELLY ZUNIGA	(PET)...DAWN HALL CUNNEEN
PIUS F HORNER DATED MAY 14, 19	(TRU)...
ROSEMARY HORNER	(PET)...ROBERT L KERN

See notes on matter 8.

Future Hearing: 01/31/18 *Court Trial*

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600449

CASE NAME: CLIFFORD WILLIAM SWARTZ

HEARING:

FIRST AND FINAL Account and Report of JAMES W SWARTZ and
Petition for allowance of fees filed.

COUNSEL:

CLIFFORD WILLIAM SWARTZ (DEC)...
JAMES W SWARTZ (PET)...HOWARD S BORENSTEIN

GENERAL INFORMATION

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

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

1. Assets on hand \$70,000 in real property.
2. Executor is sole beneficiary, waives accounting and statutory compensation.
3. Attorney seeks statutory fees of \$2,800. Ok.
4. Attorney seeks extraordinary fees of \$2,047.50 for 12.6 hours at \$325 per hour;
discounted from \$4,095. [Acct. 09/25/17LFpg23]. JTD
5. Attorney seeks reimbursement of costs totaling \$1,750. [Acct. 09/25/17LFpg5]. JTD
6. Proposed Order: 09/25/17; however, need statement that taxes and creditors, if
any, have been satisfied. Orders must be complete in themselves.

RECOMMENDATION

RFA subject to extraordinary fees. If approved, set hearing on the filing of receipts and
final discharge for **01/24/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600889

CASE NAME: JOHN I GOOD JR TRUST

SEE ALSO 12

HEARING:

Hearing Re: TSC/STATUS CONFERENCE

COUNSEL:

CLAUDETTE M STURTEVANT	(OBJ)...JERRY T MORGAN
DAVID M STERN	(RONALD A STONE
JOHN I GOOD JR TRUST	(TRU)...
MOUNTAINS COMUNITY HOSPITAL FO	(PET)...FULLERTON LEMANN

T.S.C. – Status conference – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600889

CASE NAME: JOHN I GOOD JR TRUST

SEE ALSO 11

HEARING:

Petition for VERIFIED PETITION TO DETERMINE TITLE TO &
POSSESSION OF REAL PROPERTY ETC

COUNSEL:

CLAUDETTE M STURTEVANT	(OBJ)...JERRY T MORGAN
DAVID M STERN	(RONALD A STONE
JOHN I GOOD JR TRUST	(TRU)...
MOUNTAINS COMUNITY HOSPITAL FO	(PET)...FULLERTON LEMANN

Currently under review by Legal Research

(LR)

Continued matter, notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700419

Vacated

CASE NAME: MTR OF MERLIN POLK

SEE ALSO 14, 15

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

LOIS MEEK	(PET)...USHER LAW GROUP, PC
MERLIN POLK	(DEC)...
ROBERT POLK	(OBJ)...HEDTKE LAW GROUP
ROBERT POLK	(PET)...HEDTKE LAW GROUP

Bond re special administration posted, letters issued.

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700419
CASE NAME: MTR OF MERLIN POLK

SEE ALSO 13, 15

HEARING: Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA *

COUNSEL:

LOIS MEEK	(PET)...USHER LAW GROUP, PC
MERLIN POLK	(DEC)...
ROBERT POLK	(OBJ)...HEDTKE LAW GROUP
ROBERT POLK	(PET)...HEDTKE LAW GROUP

GENERAL INFORMATION

Continued from 07/19/17. Written objections to be filed by Attorney Neil Hedtke for father, brother and sister of decedent. Court tentative to grant petition by Lois Meek.

Continued from 10/04/17. Lois Meek to make full Inventory and Appraisal to prepare home as a rental. Court may require proof of relationship of decedent. Letters of special administration issue to Lois Meek on 10/25/17.

THIS CASE SET FOR HEARING ON

- Petition for Letters of Administration with limited authority under IAEA by **Lois Meek, Niece**
- Petition for Letters of Administration with full authority under IAEA by **Robert Polk, half-brother**

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

Petitioner 1 – Lois Meek, niece.

1. Petitioner seeks bond of \$20,000. Appears ok as limited authority is sought. Petitioner is a non-resident. Court for good cause require that a bond per Pr.C. §8571.
2. Supplement filed 07/13/17 indicates that Lois Meek is sole heir. Court may wish to question if Lois Meek is the sole heir as Attorney Neil Hedtke appeared on behalf of father, half-brother and sister of decedent.
3. **Need** notice to father, brother and sister of decedent. No names were provided.
4. Declaration filed regarding actions taken by Lois as Special Administrator filed 12/07/17.
5. **Objections filed by Robert Polk on 09/27/17. Inventory and Appraisal has been requested, locks changed etc.**
6. ~Proposed Form Order: 06/22/17

Petitioner 2 – Robert Polk, half-brother

7. Petitioner seeks bond of \$231,000. Ok.
8. Birth Certificate filed 10/24/17.
9. **Need** Notice to Petition to Administer Estate and proof of service.
10. **Need** proof of publication.
11. Proposed Form Order: 09/27/17; however, indicates “executor”. There is no will.

RECOMMENDATION

Need to clear note 3 & 9-10. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(lc/ww/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700419

CASE NAME: MTR OF MERLIN POLK

SEE ALSO 13, 14

HEARING:

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

COUNSEL:

LOIS MEEK	(PET)...USHER LAW GROUP, PC
MERLIN POLK	(DEC)...
ROBERT POLK	(OBJ)...HEDTKE LAW GROUP
ROBERT POLK	(PET)...HEDTKE LAW GROUP

See notes on matter 14.

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701158

CASE NAME: THE REIMANN INTERVIVOS TRUST DATED 8/6/85

HEARING:

Petition for orders to determine the status of the trust, to protect the assets of the trust
etc

COUNSEL:

KIRK D. REIMANN

THE REIMANN INTERVIVOS TRUST,

(PET)...ROBERT L KERN

(TRU)...

Currently under review by legal research.

(LR)

Need 30 days' notice to all persons listed in petition LF pg4.

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701207

CASE NAME: SHARON LOUISE SHELBY

HEARING:

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

COUNSEL:

SHARON L MINGURA-OCHOA (PET)...IGNAZIO FICARA
SHARON LOUISE SHELBY (DEC)...

GENERAL INFORMATION

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

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

1. Will waives bond; petitioner is sole beneficiary of will. Net estate value is \$843,000 of which \$133,000. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 11/22/17.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701209

CASE NAME: MICHAEL E. GREENBERG

HEARING:

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

COUNSEL:

MICHAEL E. GREENBERG (DEC)...
RISA CHAIN (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Risa Chain, sister.

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

1. Will and all beneficiaries waive bond. Net estate value is \$405,700 of which \$251,500 is personal property. However, petitioner is a New York resident and court has discretion to require bond per Pr.C. §8571. JTD
2. **Need** proof of publication
3. ~Proposed Form Order: 11/21/17.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 01/18/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701227

CASE NAME: Eunice Gloria Woods

HEARING:

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

COUNSEL:

DION R BICKHAM (PET)...ROSA MARQUEZ
EUNICE GLORIA WOODS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Dion Bickham, nephew

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

1. Will waives bond. Net estate value is \$260,500 of which \$33,500 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Petitioner is Power of Attorney for sole beneficiary of will; John Bickham, brother.
3. Jlana Bickham in mentioned in the will; however, is not listed in section 8.
 - a. **Need** verified supplement
 - b. **Need** Notice to Petition to Administer Estate and proof of service for Jlana.
4. **Need** proof of publication
5. ~Proposed Form Order: 12/07/17.

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re bond. If approved, set Accounting/Status Review for **03/28/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 01/18/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700957

CASE NAME: THE MARY C BENART SEPARATE PROPERTY TRUST

HEARING:

Hearing Re: PET TO DET PERSONS ENTITLED TO DISTRIBUTION

COUNSEL:

CHARLES SHORE

(PET)...JAMES L HEYWOOD AND

THE MARY C BENART SEPARATE PRO (TRU)...

Currently under review by legal research.

(LR)

Notice filed 10/18/17; however, need 30 days' notice to Michael, Richard, Daniel and Daren Benart; and Barbara Beall.

Superior Court of Calif, County of San Bernardino

Page: 20A ADD ON

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

DATE: 01/18/18 TIME: 9:30 DEPT: S37P

CASE#: CIF DS1700147

CASE NAME: VERA VS VERA

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

COUNSEL:

ANA MARIA VERA (PP)...PRO/PER

ARMANDO VERA (RP)...

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Temporary restraining orders granted on 12/29/17.

Need proof of service for respondent Armando Vera.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 01/18/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1100117

CASE NAME: GLORIA M FILANDA

HEARING: Fifth and final Account and Report of DANIEL L HYNES and
Petition for allowance of fees filed.

COUNSEL:

DANIEL L HYNES	(CPE)...LAWRENCE E CLARK
GILDA C MEDEIROS	(CPE)...LAWRENCE E CLARK
GLORIA M FILANDA	(CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 5th and Final Accounting by Daniel Hynes, nephew.

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

1. Accounting period 12/31/15 – 03/31/17.
2. Assets on hand \$87,828.45 of which \$86,628.45 is cash.
3. Accounting does not balance by \$89.18. Does court wish to deem as de minimis?
JTD
4. Report prays for second account current to be settled; however, this is 5th and Final.
5. Conservator seeks fees of \$10,400 for 520 hours at \$20 per hour. It appears each day is exactly 1.142 hours with same entry [Acct. 11/29/17LFpg12-26]. JTD
6. Attorney seeks fees of \$2,900 for 5 hours at \$200/350 an hour for paralegal and attorney services. **Need** actual itemization.
7. Conservator seeks caregiver Jonnie Hynes be paid \$117,240 for 7816 hours at \$15 per hour. Court to inquire as it appears that would be an avg of 120 hours a week/521 hours per month for 15 months. It appears each day is 16-24 hours with same entry type [Acct. 11/29/17LFpg28-45]. JTD
8. Disbursements indicate other caregivers paid. As this is a third party payment, need signed verifications from Danna Avendano, Senior helpers and Lori Segura for services she performed, the date of service and a receipt for payment per local rule 20-1406(c).
9. Disbursements indicate engagement gift to Alan Filanda of \$1,000 and later \$500 wedding gift. As the estate income does not appear to match gift, court to inquire as to the appearance of excessive gift. [LFpg52&55]

10. Disbursements indicate \$2,000 to Jonni Hynes for partial payment of credit cards for supplies etc. and \$9,346.51 for funeral home expenses on credit. Does court wish to require copies of statements for supplies? [LFpg56] JTD **see next note.**
11. Conservator appears to seek termination of conservatorship. **Need** verified supplement and/or amended accounting and report as to the following:
 - a. It is unclear why conservatorship should be terminated as ¶11 indicates conservatee resides with his spouse.
 - b. If conservatee passed away, there is no notice of death filed.
 - c. Disbursements indicate funeral expenses; however, contradicts report and Court Investigator has not been notified.
 - d. If conservatee has passed away need post and pre death accountings per Pr. C. § 2620(b).
 - e. Termination is not listed in caption.
 - f. There is no proposed distribution of the assets on hand.
12. Receipts for Social Security income stop at 11/03/16. Question where the remaining payments are as accounting ends 03/31/17? **Need** verified supplement/amended accounting.
13. **Need** financial statements per local rule 20-1404(c) and Pr. C. § 2620(c).
14. **Need** statement re family or affiliate relationship between the fiduciary and any agent hired by the fiduciary Pr. C. § 1064(a)(4).
15. Amount of bond not stated; however, it appears current bond appears to be \$371,000.
16. No proposed order. Submit after hearing.

RECOMMENDATION

Need amended accounting, re notes 6, 11-14. If approved, set hearing on the filing of receipts and final discharge for **01/24/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 01/18/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300276

Vacated

CASE NAME: Marie Monnell Miller

HEARING:
Accounting Review

COUNSEL:

GAYLE M RITTER	(CPE)...HARTNELL LAW GROUP
MARIE MONNELL MILLER	(CEP)...
MARY ANN IANDIORIO	(TP)...PRO/PER

XREF: CONPS1300277 (Mary E Shedden)

Future hearing dates: 01/24/18 final waiver of accounting.

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

DATE: 01/18/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600348

CASE NAME: RAMON LOREDO III

HEARING:

Petition for ORDER TERMINATING CONSERVATORSHIP OF THE PERSON

COUNSEL:

BONNIE LOREDO	(PET)...PRO/PER
RAMON LOREDO III	(CTP)...LISA FISHER
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION

Continued from 10/19/17 IRC case worker to file a report. Walter Moore to notice IRC. Bonnie and Ramon Loredo III to be present.

THIS CASE SET FOR HEARING ON Petition to Terminate Conservatorship by Appointed Counsel Walter Moore.

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

1. Petitioner, Counsel Moore, is seeking termination on behalf of conservatee Ramon Loredo III.
2. Petitioner alleges that conservatee is high functioning and has no apparent mental impairment.
3. **Need** IRC report.
4. Capacity Declaration filed 09/18/17.
5. ~Proposed Order: 09/18/17.

RECOMMENDATION

Need IRC report.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 24 ADD ON

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC.

DATE: 01/18/18 TIME: 1:30 DEPT: S37P

CASE#: SC SS01938

CASE NAME: MTR RE JENNIFER LISA REECE

SEE ALSO 25

HEARING:

Court Trial set for PETITION FOR CONSERVATORSHIP of DEBORAH A HAYNES

COUNSEL:

DEBORAH A HAYNES	(CPE)...JOHN M HUGHES
INLAND COUNTIES REGIONAL CENTE	(CPE)...STEVEN K BECKETT
INLAND COUNTIES REGIONAL CENTE	(TEE)...STEVEN K BECKETT
JENNIFER LISA REECE	(CEP)...ROBERT S WORLEY
SUSAN CRAMTON JOHNSON	(CPE)...JOHN M HUGHES

Trial – No notes – JTD

Future Hearing: 10/30/19 *Accounting Review.*

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

DATE: 01/18/18 TIME: 1:30 DEPT: S37P

CASE#: SC SS01938

CASE NAME: MTR RE JENNIFER LISA REECE

SEE ALSO 24

HEARING:

Petition for TERMINATION OF CONSERVATORSHIP

COUNSEL:

DEBORAH A HAYNES	(CPE)...JOHN M HUGHES
INLAND COUNTIES REGIONAL CENTE	(CPE)...STEVEN K BECKETT
INLAND COUNTIES REGIONAL CENTE	(TEE)...STEVEN K BECKETT
JENNIFER LISA REECE	(CEP)...ROBERT S WORLEY
SUSAN CRAMTON JOHNSON	(CPE)...JOHN M HUGHES

GENERAL INFORMATION

Continued from 09/20/17. GAL Jeanne Kennedy objects to termination.

Continued from 01/04/18.

THIS CASE SET FOR HEARING ON Termination of Conservatorship by Sherri Kastilahn, counsel for conservatee.

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

1. Deborah Haynes and Susan Johnson, aunts, appointed Conservators of the person and estate on 10/19/01.
2. Petitioner, Sherri Kastilahn, seeks termination on the basis that conservatee believes she can live independently.
3. It appears the SNT will continue through IRC.
4. Report of counsel filed 07/26/17.
5. Subpoena issued to Court Investigator Dan Daniel; filed 1/10/18.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested.

(lc)

Future hearing dates: 10/30/19 Accounting review re **IRC SNT**