



## Second/Final Check

Superior Court of California

County of San Bernardino

Probate Department

# S37

### **Probate Notes for Calendar Date: 02/21/18**

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

### **Destruction of Filed Documents:**

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

### **Contacting the Probate Examiners:**

Probate Examiners' email address: [ProbateNotes@sb-court.org](mailto:ProbateNotes@sb-court.org)

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

02/01/18lh;02/16/18lh

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

CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1300272

CASE NAME: WILSON LIVING TRUST

HEARING:

FOURTH Account and Report of SHERRI L KASTILAHN and Petition for allowance of fees filed.

COUNSEL:

WILSON LIVING TRUST	(TRU)...
MARLYN R MANZO	(PET)...CALDWELL, KENNEDY & PORTER
SHERRI L KASTILAHN	(PET/STE)...SHERRI L KASTILAHN
LARRY WILSON	(SHERRI L KASTILAHN)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 4<sup>th</sup> Account and Petition for Allowance of Fees of Successor Trustee Sherri Kastilahn.

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

1. Accounting period 06/16/16 to 06/15/17
2. Assets on hand \$139,703.71, of which \$38,840.63 is cash.
3. Petitioner requests fees of \$1,100 for 8.80 hours at \$125 per hour. Itemized [Acct, 11/01/17, LFpgs17-18].
4. Petitioner requests a bond reduction of \$15,000 from \$55,000 for a total bond of \$40,000. Appears ok.
5. **Need** bank statement re account x3713 to support assets on hand as of 06/15/17 per Local Rule 20-908.
6. Notice was given.
7. ~Proposed Order: 11/01/17

RECOMMENDATION

Need to clear note #5, then Court's discretion re fees. Fifth accounting to be filed 30 days in advance of next hearing date of 09/06/18.

(lh)

Future Hearing: 9/6/18: Accounting Review re 5<sup>th</sup> Acct

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

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400901

CASE NAME: George Lee Walker

HEARING:  
Accounting Review

COUNSEL:

JOANN ROBERTS (PET)...SHEASBY AND ASSOCIATES  
GEORGE LEE WALKER (DEC)...  
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP )...PRO/PER

GENERAL INFORMATION

Continued from 02/10/16. Counsel stated there is property in Mississippi that needs to be probated first as this case has interest in the Mississippi.  
Continued from 10/19/16, 02/15/17, and **10/18/17**.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration issued to Joann Roberts, sister, on 1/20/15, \$237,000 bond.
2. **Need** final inventory & appraisal filed.
3. **Need** an accounting or status report filed. Need same.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk may notice bond company.

(sa/lc/ww/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501110

CASE NAME: MTR OF CAROLINE LOUISE BUCKLEY

HEARING:  
Hearing Re: STATUS CONFERENCE

COUNSEL:

WILLIAM R BUCKLEY	(PET)...ROBERT A COHEN
CAROLINE LOUISE BUCKLEY	(DEC)...
ALANA MARCY ARMSTRONG	(MIN)...MITCHELL I ROTH
ALYSSA MAY ARMSTRONG	(MIN)...MITCHELL I ROTH
RUSSELL JONES	(PET)...SANDRA TURNER
CAROLYN GARCIA	(OBJ)...SANDRA TURNER

**XREF: GARPS1600251** *WILLIAM A BUCKLEY ET AL*  
**VFLVS024891** *CAROLINE BUCKLEY V WILLIAM BUCKLEY*

Status—no notes—JTD

Future Hearing: 12/5/18: Accounting Review

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 02/21/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1600193

## **VACATED**

CASE NAME: MARILYN DOSKOCIL

### **SEE ALSO 5**

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

### COUNSEL:

NORMAN GIEBELER                      (PET)...LAW & STEIN

MARILYN DOSKOCIL                    (DEC)...

AUCTION-CA FINANCIAL SRVS        (TP )...

Future Hearings: 3/19/18-3/23/18: Court Trial

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

-----  
DATE: 02/21/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1600193

**VACATED**

CASE NAME: MARILYN DOSKOCIL

**SEE ALSO 4**

HEARING:

Readiness Calendar

COUNSEL:

NORMAN GIEBELER                      (PET)...LAW & STEIN

MARILYN DOSKOCIL                    (DEC)...

AUCTION-CA FINANCIAL SRVS        (TP )...

Readiness—no notes—JTD

Future Hearings: 3/19/18-3/23/18: Court Trial

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

**SEE ALSO 7**

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$500.00 FOR FAILURE TO APPEAR

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER  
DANIEL ROBERTO ARES (DEC)...

GENERAL INFORMATION

**Continued from 12/20/17. Court set OSC re surcharge in the amount of \$500 for failure to appear. Court orders administrator to be personally present on 02/21/18.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge for \$500/Accounting Review** re Rosemary Jahn, administrator

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

1. Letters of Administration issued 10/19/16 to Rosemary Jahn with full authority, no bond.
2. **Need** final Inventory and Appraisal with supporting financial statements per Local Rule 20-908.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Court's discretion re OSC

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

**SEE ALSO 6**

HEARING:

Accounting Review

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER  
DANIEL ROBERTO ARES (DEC)...

Waiver of Court Fees and Costs filed by ROSEMARY JAHEN is GRANTED

See notes on prior matter #6.



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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601110

CASE NAME: IN RE: THE HENRY R ZAHNER 1992 TRUST

**VACATED**

HEARING:

Hearing Re: STAUS OF MEDIATION-SPECIAL SETTING

COUNSEL:

MARY DE AVILAN (PET)...WRIGHT KIM DOUGLAS, ALC  
THE HENRY R ZAHNER 1992 TRUST (TRU)...  
CYRUS CLARKE VAN DEVENTER (PET/RES)...STEVE ALDACO  
THE MARY DE AVILAN, TRUSTEE OF THE HENRY R ZAHNER TRUST (TRU)...

Status—no notes—JTD

Future Hearings: 3/6/18: Petition to Approve 1<sup>st</sup> Account & Report of Mary De Avilan, 1<sup>st</sup> Account &  
Report of Cyrus Clarke Van Deventer, Hearing Re: Petition Filed 7/12/16  
7/12/18: Readiness Calendar  
8/6/18: Court Trial

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701091

CASE NAME: MTR OF TERENCE GERALD SULLIVAN JR

HEARING:

Petition to determine succession to Real Property

COUNSEL:

DENNIS JOSEPH SULLIVAN (PET)...LAW OFFICES OF FORREST F WOLFE  
TERRENCE GERALD SULLIVAN JR (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property  
by Dennis Sullivan, executor/brother

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

1. Petitioner, Dennis Sullivan (brother/executor) seeks 100% interest; in decedent's 33.33% interest in real property per the will.
2. The attached will bequeaths a 1969 Ford Mustang GT 500 to petitioner. Question why vehicle was not included in Inventory and Appraisal? **Supp 02/13/18: title was transferred prior to decedent's death.**
3. Notice was given.
4. ~Proposed Form Order: 10/31/17

#### 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: STANFORD E. REICHERT

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701100

CASE NAME: MTR OF MICHAEL ALLAN BUWALDA

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

MONICA SIEWERTSEN (PET)...SHAAN A ANSARI  
MICHAEL ALLAN BUWALDA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Ancillary Petition for Letters of Administration with full authority under IAEA by Monica Sierwersen, spouse

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

1. Decedent resided in Nevada and left an estate in Chino Hills, CA.
2. All heirs waive bond. However, petitioner/spouse is a nonresident. Estimated net value of estate is \$374,300, of which \$1,500 is personal property and remaining is real property. The court may for good cause require that a bond be given, either before or after issuance of letters (Prob. Code, § 8481(b)).
3. ~Proposed form Order: 11/02/17

RECOMMENDATION:

RFA. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 02/21/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1800023

CASE NAME: Estate of Michael Pascarella

HEARING:

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

COUNSEL:

STEPHEN M PASCARELLA      (PET)...CALDWELL, KENNEDY & PORTER

MICHAEL L PASCARELLA      (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Stephen Pascarella, son

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

1. All heirs request funds to be placed in attorney-client trust account upon sale of real property in lieu of bond. Estimated net value of estate is \$100,000. Court also has discretion to require bond per Pr. C. § 8481(b). JTD
2. ~Proposed form Order: 01/10/18

RECOMMENDATION:

RFA. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1800042

CASE NAME: MTR OF ROBERTA V SCHISZLER

HEARING:

Spousal Property Petition hearing.

COUNSEL:

RONALD SCHISZLER (PET)...DIANA J CARLONI  
ROBERTA V SCHISZLER (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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

1. Decedent died intestate testate on 06/08/17 and is survived by a spouse and 2 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. **Need** Attachment 7 explaining the facts upon which the petitioner bases the allegation that property should pass or be confirmed. **Supp filed 02/16/18 not in LF at time of review.**
4. Notice is complete.
5. ~Proposed form order: 01/17/18

RECOMMENDATION:

Need to clear note #3, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1701092

CASE NAME: THE MICHAEL E FRY TRUST

HEARING:

Petition for determination of question of construction of trust  
& instrument & instruction

COUNSEL:

CHESTER EDWARD FRY (PET)...DAVID  
THE MICHAEL E FRY TRUST (TRU)...

Currently under review by Legal Research (LR)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 02/21/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS0800265

CASE NAME: MARISA NICOLE SILVA

HEARING:

Accounting Review

COUNSEL:

MICHAEL ANTHONY SILVA	(CPE)...E LAWRENCE BROCK
MARISA NICOLE SILVA	(CEP)...
LEO MARTINEZ	(PET)...JENNIFER GERARD
OLGA MARTINEZ	(SC )...JENNIFER GERARD
JANINA CABRERA	(SC )...JENNIFER GERARD

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Second Account of Leo and Olga Martinez and Janina Cabrera (parents and sister) approved on 08/24/17 for period ending 12/31/16.
2. **Need** Third Account Current or Waiver for period commencing 01/01/17.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 02/21/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS0900213

**VACATED**

CASE NAME: CAROL SCHINDLER

HEARING:

Accounting Review

COUNSEL:

CHRISTINE RICHER

(CPE)...HORSPOOL & PARKER

CAROL SCHINDLER

(CEP/CEE)...DONNASUE ORTIZ

DONNASUE SMITH ORTIZ

(PET)...DONNASUE ORTIZ

Future hearing: Fourth Account and Report of Donnasue Smith Ortiz



Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 02/21/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1700042

CASE NAME: WILLIAM JUNIOR SANDY YOUNG

**SEE ALSO 17**

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of BARBARA ETTA SMITH

COUNSEL:

BARBARA ETTA SMITH

(CP)...PRO/PER

WILLIAM JUNIOR SANDY YOUNG

(CTP)...PRO/PER

See notes on next matter.

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700042

CASE NAME: WILLIAM JUNIOR SANDY YOUNG

**SEE ALSO 16**

HEARING:

Hearing Re: OSC RE SURCHARGE IN AMOUNT OF \$500.00

COUNSEL:

BARBARA ETTA SMITH (CP)...PRO/PER  
WILLIAM JUNIOR SANDY YOUNG (CTP)...PRO/PER

GENERAL INFORMATION

**Continued from 12/20/17. No appearance. Court sets OSC re surcharge in the amount of \$500 for failure to appear. Court orders conservator to be personally present on 02/21/18. Citation issued to Barbara Smith who is cited appear on 02/21/18 and show cause why failure to appear.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge**/Compliance Review

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

1. Barbara Smith appointed Conservator of the person of William Young on 05/17/17.
2. Notification of Conservatee's rights filed 05/30/17.
3. Care Plan filed 08/08/17.
4. Determination of Conservatee's Appropriate Level of Care filed 08/08/17 is incomplete at item#2a and #4a regarding conservatee's personal residence. **Need** completed form.
5. **Need** return of Citation. Proof of unsuccessful service of citation filed 01/12/18.

RECOMMENDATION

Court's discretion re OSC.

Need to clear notes 4-5.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700411

CASE NAME: MTR OF ARTHUR GENE FELDMAN

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JESSICA ROUNDTREE	(PET)...PRO/PER
CORRY FELDMAN	(CPE)...PRO/PER
ARTHUR GENE FELDMAN	(CEP)...WALTER T. MOORE

**X-REF: CIFMS 1700007** (RO re: son, Mark Bruner)

#### GENERAL INFORMATION

**Continued from 12/19/17.** Walter T. Moore appointed for Arthur Feldman. Next hearing set 02/21/18. Court set deadline for filing of competing petition for 4:00PM on 01/23/18. Court noted if competing petition is not filed by that date, Court will deem objections waived. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservatorship of person and estate by son, Corry Feldman as petitioned by Jessica Roundtree.

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

1. Outdated petition used that does not include Indian Ancestry questions. JTD.
2. Petitioner requests bond be fixed in the amount of \$10,000. However, estimated estate valued at \$85,000. Suggest bond of \$93,500 (includes recovery). JTD.
3. Section 1 to petition [LF, p. 2] does not specify the type of orders sought. **Need** verified supplement.
4. Petitioner seeks medical powers. **Need** Medical Capacity Declaration with dementia attachment GC-335A.
5. Petitioner requests dementia powers. **Need report of Counsel Moore.**
6. List of Required Contact form does not include Corry Feldman. **Need** completed form.
7. **Need** Court Investigator's Report.
8. **Need** return of Citation
9. **Need** Notice of Hearing with proof of service
10. Certificate of Completion re: Conservatorship Class filed.

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

11. ~Proposed Form Order/Letters 11/09/17.

**RECOMMENDATION:**

Need to clear notes 3-9. Courts discretion re notes 1 & 2. If approved, set hearing for Compliance Review for **09/26/18** 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 **05/01/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: CIV RS1400249

CASE NAME: MERCEDES MURRAY -V- DAVINA MICHELLE PATTERSON

HEARING:

Hearing Re: OSC RE:DISMISSAL

COUNSEL:

MERCEDES MURRAY AND MONICA MURRAY (PLA)...OSBORN LAW  
ARROWHEAD CREDIT UNION (CC )...KNAPP, PETERSEN & CLARKE  
DAVINA MICHELLE PATTERSON (DEF)...PRO/PER  
ARROWHEAD CREDIT UNION (KNAPP, PETERSEN & CLARKE)

**XREF: PROPS1300718** *David Lee Patterson*

GENERAL INFORMATION

**Continued from 10/19/17** for dismissal to be filed.

**Continued from 01/04/18 at request of Court to verify settlement. Oral report given by Mitchell Roth and Barbara Colino.**

THIS CASE SET FOR HEARING ON OSC re Dismissal

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

1. Matter set at settlement OSC on 08/24/17.
2. Counsel Roth to submit application for good faith. Order determining settlement of Plaintiffs to be in good faith filed 09/07/17.

RECOMMENDATION

Court's discretion re OSC.

(lc/lh)

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500345

CASE NAME: RON JAMES SCARONE

HEARING:

Probate status report filed.

COUNSEL:

DAVID M SCARONE	(PET)...PRO/PER
RON JAMES SCARONE	(DEC)...
STEPHEN SCARONE	(PET)...ALLARD SMITH
JEFF SCARONE	(RES)...CKB VIENNA, LLP

GENERAL INFORMATION:

**Continued from 10/24/17** at request of Court to clear probate notes and submit signed settlement agreement.

**Continued from 01/03/18. David Scarone to file a response to the declaration filed by Attorney Richard Kennedy.**

THIS CASE IS SET FOR HEARING ON Status Report of Administration

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

1. Letters of Administration issued to David M Scarone on 02/23/16 with full authority, \$20,000 bond.
2. Petition indicates the estate is insolvent as the estate was liquidated without Court authority by heirs Jeffrey and Stephen, who fraudulently and unlawfully disposed of personal property items and liquidated banking accounts of the decedent.
3. Petition includes bank statements; cashiers' checks and correspondence reflecting withdrawals of checking and savings accounts and a copy of a deed, for which the monies were purportedly used to purchase subject property in Idaho.
4. Petitioner requests this Court to find the two heirs, Jeffrey Scarone and Stephen Scarone breached their fiduciary duties; committed fraudulent actions; order for award of Double Damages; punitive damages, costs, other claims and attorney fees.
5. Matter appears to have been settled at mediation on 10/04/17 which provides monthly payments to the estate until the amount is paid in full. **Need signed settlement agreement.**
6. Petitioner requests exoneration of bond of \$20,000.

7. **Need** Notice of Hearing and proof of service in accord with Pr.C. § 12201.  
Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**
8. **Need response by David Scarone to declaration.**

RECOMMENDATION:

Need to clear notes 5 and 7. If approved, set next hearing for Accounting Review on **05/01/19.**

(lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1500760

CASE NAME: MTR OF MYLRID URCEIL GILES

HEARING:  
Accounting Review

COUNSEL:  
ROSLYN TOWNSEND (PET)...CRAIG E WILSON  
MYLRID URCEIL GILES (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Court approved Status Report of Administration on 08/16/17.
2. **Need** Accounting or 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: JAMES MICHAEL WELCH

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600664

CASE NAME: MTR OF DOROTHY CAROL STERLING

HEARING:

Petition for final distribution on waiver of Account and Report  
of REUBEN STERLING and Petition for allowance of fees filed.

COUNSEL:

REUBEN STERLING (PET)...LARRY G LUSHANKO  
DOROTHY CAROL STERLING (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Petition for  
Final Distribution and for Fees by Reuben Sterling, Administrator

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

1. Assets on hand: \$419,764.88, consisting of \$249,764.88 in cash and remaining in real property.
2. Petitioner, Reuben Sterling, requests reimbursement for costs for filing fee, publication, taxes, and probate referee totaling \$21,421.61. Itemized. [Petition, 12/07/17, LFpg5-6] **JTD**
3. Petitioner, Reuben Sterling, waives statutory compensation.
4. Attorney requests discounted statutory fees of \$10,000. Calculated. **JTD**
5. **Need** Notice of Proposed Action for sale of real property located on Tulip Street, Loma Linda.
6. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
7. Notice was given.
8. Proposed order submitted 01/16/18 does not include addresses of heirs receiving real property. Submit corrected Order after hearing.

RECOMMENDATION:

Need to clear notes, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **02/27/19**.

(lh)

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

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600725

CASE NAME: MTR OF JOSEPH JOHN DUBNICKA

HEARING:

FIRST Account and Report of MICHAEL J DUBNICKA and Petition for allowance of fees

COUNSEL:

MICHAEL J DUBNICKA	(PET)...DARLING LAW OFFICES
JOSEPH JOHN DUBNICKA	(DEC)...
RYAN MICHAEL DARLING	(PET)...RYAN MICHAEL DARLING
SURTEC	(TP )...WOLKIN CURRAN LLP
DEPT OF HEALTH CARE SRVS	(PRO/PER)

GENERAL INFORMATION:

Court granted Petition for Removal of Administrator, Michael Dubnicka, on 11/07/17. Court appointed Public Administrator as successor administrator, no bond.

THIS CASE IS SET FOR HEARING ON First and Final Account of Ryan Michael Darling on behalf of former administrator, Michael Dubnicka

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

1. Current bond: \$300,000
2. Accounting period: 08/12/12 to 12/01/17
3. Assets on hand: \$511.90, cash
4. No statutory fees are requested.
5. Final Inventory and Appraisal filed 01/30/17 is incomplete at item #5 regarding property tax certificate. **Need** amended form.
6. Summary of Account and Schedule G indicates \$209,104.77 was previously distributed to administrator Michael Dubnicka without prior Court approval. [Acct, 12/04/17, LFpgs4, 8].
  - a. Note: in Petition for Removal filed 07/10/17, attorney alleged former administrator went unresponsive once he realized the estate may be insolvent due to multiple creditors and is believed to have absconded estate funds.

7. It does not appear preliminary distribution was made to remaining heir, David Dubnicka, entitled to 50% distribution.
8. **Need** distribution clause and prayer via verified supplement.
9. **Need** verified supplement itemizing Schedule "D" disbursements for bank fees totaling \$167.50, including dates.
10. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
11. There are two creditor's claims filed 01/23/17 from Department of Healthcare Services in the amount of \$564,087.76. **Need** verified supplement regarding status of claims **Accounting does not comply with Pr. C. §1060 et seq. Need amended accounting.**
12. **Need** Notice of Hearing and Proof of Service to Public Administrator.
13. No proposed Order submitted.

RECOMMENDATION:

Need to clear notes 4-11, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **02/27/19**.

(lh)

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

HEARING:  
Accounting Review

COUNSEL:

KIMBERLY P TREBING	(PET)...GREGORY T ANNIGIAN
VERNON JEROME PETERSON	(DEC)...
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
LARRY PETERSON	(TP )...DAMIEN J SNOW
INHERITANCE FUNDING CO	(PRO/PER)
MICHAEL C MADDUX	(MICHAEL C MADDUX)
SURETEC INSURNACE COMPANY	
SHAWN PETERSON	(SCOTT K MAXWELL PROF)
TIMOTHY J MSELFISH	(FERRUZZO & FERRUZZO, LLP)
DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP)

**CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN**  
**CCP170.6 filed 12/11/17 as to Judge MICHAEL WELCH**

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review (re general administrator)

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

1. Letters of Special Administration issued to Kimberly Trebing on 09/07/16 and general administration on 12/29/16; limited authority with \$250,000 bond.
2. First Account of Special Administrator filed 06/20/17 for accounting period 07/12/16 to 12/31/16 has not been approved. **Next hearing set for 03/01/18.**
3. **Need** Final Inventory and Appraisal.
4. **Need** Account as to general administrator for period commencing 12/30/16. **Court may wish to trail to 03/01/18.**

RECOMMENDATION

Inquire status.

(lh)

Future Hearings: **3/01/18**: Letters of Administration; TSC; Motion for Order to remove Administrator; Petition for Removal of Administrator; Report of Account and Report of Kimberly Trebling

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700165

CASE NAME: JIMMIE F. RAYBURN

HEARING:

Petition for attys fees for compensation for services

COUNSEL:

EILEEN WAZEWSKI	(PET)...ZUMBRUNN LAW CORPORATION
JIMMIE F RAYBURN	(DEC)...
HANNAH RAYBURN	(MIN/PET)...ROSE C ROSADO
CARTER RAYBURN	(MIN/PET)...ROSE C ROSADO
REED RAYBURN	(MIN/PET)...ROSE C ROSADO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Rose C. Rosado

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

1. Petitioner, Rose C Rosado, was appointed GAL for minors: Hannah Rayburn; Carter Rayburn; and Reed Rayburn on 05/17/17.
2. Petitioner requests fees of \$3,817.50 14.70 hours at \$300/\$150 per hour for attorney/paralegal services, and \$49.84 for costs to be paid from minors' 1/3 share of the proceeds from the sale of real property as compensation for legal services. [Itemized, LF pgs4-5]. JTD
  - a. Costs include postage [\$25.84] which is considered overhead and is generally not allowable per Local Rule 20-1406(d). JTD
3. ~Proposed Order: 12/21/17

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700950

CASE NAME: VICTORIA NELLIE MENEFEE

HEARING:

Hearing Re: AMENDED PETITION TO DETERMINE SUCCESSION TO REAL P

COUNSEL:

PATRICIA JOHNSON	(PET)...PRO/PER
MARJORIE LIMBRICK	(PET)...PRO/PER
VICTORIA NELLIE MENEFEE	(DEC)...

#### GENERAL INFORMATION

CASE IS SET FOR HEARING ON AMENDED Petition to Determine Succession to Real Property (Estates \$150,000 or less) by daughters Patricia Johnson and Marjorie Limbrick ["Petitioners"].

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

1. **Matter appears moot as Court granted Petition to Determine Succession on 12/19/17. However, need amended Order to reflect Rialto property, not Clark County, Nevada property.**
2. Petitioners request a determination that decedent's real property located in Rialto, CA, San Bernardino County pass to petitioners without administration. Petitioners are decedent's issue and purported sole heirs per intestate succession.
3. No proposed amended Order submitted.

RECOMMENDATION:

Need amended Order.

(lh)

Superior Court of Calif, County of San Bernardino

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1701040

CASE NAME: KRISTEN DEA OIEN

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

VALERIE WILLIAMS (PET)...GAUDY LAW, INC  
KRISTEN DEA OIEN (DEC)...

GENERAL INFORMATION:

**Continued from 10/23/17.** Letters of special administration issued to Valerie Williams on 10/24/17, no IAEA, \$382,000 bond.

**Continued from 01/03/18 at request of Counsel to clear probate notes. Temporary letters to continue in full force and effect until 02/21/18.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Valerie Williams (aunt/nominee)

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

1. The estate consists of \$382,000.00 in personal property. Bond of \$382,000 filed 10/24/17 for special administrator would be sufficient if general is granted. **JTD.**
2. ~Proposed form Order: 10/17/17

RECOMMENDATION:

RFA. \$382,000.00 bond already posted. If approved, set future hearing for Accounting/Status Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh/ww/lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

**SEE ALSO 9B**

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

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

THIS CASE SET FOR HEARING ON 1<sup>st</sup> 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.

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



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.4<sup>th</sup> 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.
15. **Objections by Angela Ezzeddine with proof of service filed 01/11/18.**
16. No proposed Order submitted.

#### RECOMMENDATION

Matter is contested.

Need to clear notes 1, 11-14. If approve and *if trust becomes court supervised*, set next Accounting review for **05/08/19**.

(lc/lh)

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PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1700244

CASE NAME: THE BAREA EZZEDDINE 2013 TRUST

**SEE ALSO 9A**

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.

Superior Court of Calif, County of San Bernardino

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1800044

CASE NAME: RUSSELL ERNEST

HEARING:

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

COUNSEL:

JEANNIE E DAVIS                      (PET)...THOMAS W DOMINICK

RUSSELL ERNEST DAVIS      (DEC)...

GENERAL INFORMATION:

**Ex parte orders granted on 01/24/18. Jeannie E Davis appointed Special Administrator with limited powers, no bond.**

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Jeannie E Davis (sister)

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

1. Bond waived by petitioner/sole heir. Estimated net value of estate is \$160,000, real property only Court also has discretion to require bond per Pr. C. § 8481(b).
2. Petition indicates decedent was predeceased by a spouse, Suzette Davis. Question the date of death of deceased spouse, and if there is a pending probate? **Need** verified supplement.
3. **Need** Proof of Publication.
4. ~Proposed form Order: 01/17/18

RECOMMENDATION:

Need to clear notes 2-3. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1600814

CASE NAME: LAWRENCE CORNELL

HEARING:  
Accounting Review

COUNSEL:  
EARL CORNELL (PET)...WILLIAM M NASSAR & ASSOCIATES  
LAWRENCE CORNELL (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Earl Cornell (administrator)

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

1. Letters of Administration issued to Earl Cornell with full authority on 12/14/16 and no bond.
2. Final Inventory and Appraisal filed.
3. No accounting or status report of administration. Need same.

#### 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

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DATE: 02/21/18      TIME: 8:30      DEPT: S36P  
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CASE#: PRO PS1800045

CASE NAME: BRENDA A HANDY

HEARING:

Petition for Letters of Administration with Full IAEA

COUNSEL:

LISA M HANDY

(PET)...DARLYNN MORGAN

BRENDA A HANDY

(DEC)...

GENERAL INFORMATION:

Ex parte hearing held 01/22/18 and continued at request of Counsel.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Lisa M Handy

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

1. Petitioner requests \$300,000 bond. Appears sufficient.
2. **Need** Notice of Petition to Administer Estate as to Jessi Handy (mother).
3. Petition is incomplete at item #2(b) as to name of proposed administrator. **Need** verified supplement.
4. Petition, item 3(c), indicates decedent was a resident of Pasadena, California. It does not appear this Court is the proper venue per Pr. C. §2201. **JTD**
5. Proof of Publication filed 02/01/18; however, as decedent resided in Pasadena, CA, it does not appear publication with San Bernardino County Sun meets the requirements in Pr. C. §8121(b). **Court to inquire.**
6. ~Proposed form Order: 01/17/18

RECOMMENDATION:

Need to clear notes #2-3, then Court's discretion. If approved, set future hearing for Accounting/Status Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800055

CASE NAME: Mtr of David DeMello

HEARING:  
Spousal Property Petition hearing.

COUNSEL:

DAVID DEMILLO (DEC)...  
MYKA RENEE DEMELLO (PET)...BETTY AUTON-BECK

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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

1. Decedent died intestate testate on 10/23/17 and is survived by a spouse and 3 children.
2. Petitioner requests determination of decedent's 50% interest in real property passing to the surviving spouse without administration and confirmation of the 50% interest in real property belonging to the surviving spouse.
3. Petitioner alleges that she and decedent were married in 07/07/16 and that the property was acquired during the marriage with community assets. Title was held in decedent's name alone due to petitioner's personal debt that would have prevented them from qualifying for the mortgage.
4. ~Proposed form order: 01/16/18

RECOMMENDATION:  
Court's discretion.

(lh)

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18      TIME: 8:35      DEPT: S36P  
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CASE#: PRO PS1700840

CASE NAME: THE DONALD MARSHALL TRUST DATED 4/28/03

HEARING:

Petition for Confirming trustee and confirming assets of the trust

COUNSEL:

THE DONALD MARSHALL TRUST (TRU)...

JUDITH ANN MARSHALL                      (TEE)...JOHN F WEBER

RICHARD MARSHALL                      (JOHN D HARDY)

Currently under review by Legal Research.

(LR)

Notice was given.

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San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18      TIME: 8:35      DEPT: S36P  
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CASE#: PRO PS1700985

CASE NAME: MTR OF THE WALLACE AND LOUISA WEAVER TRUST

HEARING:

Petition for ORDER CONFIRMING SUCCESSOR TRUSTEE AND TRUST  
ASSETS

COUNSEL:

LOUISA MAE WEAVER                      (PET)...PRO/PER  
THE WALLACE AND LOUISA WEAVER      (TRU)...

Currently under review by Legal Research.

(LR)

Notice was given.



CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

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DATE: 02/21/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1500276

CASE NAME: MTR OF JUNE N ROBINSON

**SEE ALSO 15**

HEARING:

Petition for Attorney fees for court appointed counsel

COUNSEL:

WESLEY A ROBINSON	(PET)...CHRISTOPHER E OVERGAARD
JUNE N ROBINSON	(PCE/CEP)...JAMES B CHURCH
CECILIA E ROBINSON	(CPE)...CHRISTOPHER E OVERGAARD
ANGELA M PARR	(CEP)...CHRISTOPHER E OVERGAARD
JAMES B. CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES

**XREF: PROPS1700745** JUNE N. ROBINSON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees and to be Relieved as Counsel by James B Church

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

1. Petitioner James B Church was appointed Counsel for Conservatee, June Robinson, on 12/14/15.
2. Petition requests fees of \$6,997.50 for 23.3 hours at \$375/\$135 for attorney/paralegal services; however, **need** verified supplement with separate subtotals with different hourly rates per Local Rule 20-1402 [Petition, 01/16/18, LFpgs8-9].
3. Conservatee passed away 07/19/17. Petitioner requests to be relieved as Counsel.
4. Notice was given.
5. ~Proposed Order: 01/16/18

RECOMMENDATION

Need to clear note 2, then Court's discretion.

(lh)

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

-----  
DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500276

CASE NAME: MTR OF JUNE N ROBINSON

**SEE ALSO 14**

HEARING:

Second and final Account and Report of WESLEY A ROBINSON and  
Petition for allowance of fees filed.

COUNSEL:

WESLEY A ROBINSON	(PET)...CHRISTOPHER E OVERGAARD
JUNE N ROBINSON	(PCE/CEP)...JAMES B CHURCH
CECILIA E ROBINSON	(CPE)...CHRISTOPHER E OVERGAARD
ANGELA M PARR	(CEP)...CHRISTOPHER E OVERGAARD
JAMES B. CHURCH	(PET)...JAMES B CHURCH & ASSOCIATES

**XREF: PROPS1700745** JUNE N. ROBINSON

GENERAL INFORMATION:

**Continued from 11/28/16 to clear notes.**

THIS CASE IS SET FOR HEARING ON Second and Final Account and Petition for Fees  
by Cecilia E. Robinson [Executor of Estate of Wesley Robinson, prior conservator]

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

1. Wesley A. Robinson was appointed conservator for his wife, June Robinson, on 07/02/12; however, Wesley A. Robinson died on 06/11/17; conservatee, June Robinson, subsequently died on 07/19/17.
2. Cecilia E. Robinson was appointed Executor of the Estate of Wesley Robinson. Cecilia and Angela Parr were appointed Co-Administrators of the Estate of June Robinson.
3. Conservator Wesley and Conservatee June owned community property including several parcels of real property in which title was held as joint tenancy. Upon Conservator's passing, the real property became Conservatee's sole and separate property; thus, they became assets of the conservatorship estate. **Need amended final Inventory and Appraisal.**
4. Pre-death accounting period **09/01/16** to 07/19/17; however, First Account Current ended on 07/31/16. **Need** amended Summary of Account beginning **08/01/16**.

5. Pre-death assets on hand **\$1,466,613.38** of which \$3,343.86 is cash and remaining is real property. **Need BofA bank statement to support assets on hand as of 07/19/17.**
6. Post-death accounting period: 07/20/17 to 09/08/17.
7. Post-death assets on Hand: **\$1,466,612.38**
8. Petitioner waives compensation.
9. Attorney requests compensation totaling **\$9,975** for 26.6 hours at \$375/hour for attorney services. Itemized. [Acct, 01/09/18, LFpgs36-39] to be paid from the Estate of June Robinson. **JTD**
10. Attorney requests reimbursement of costs advanced totaling **\$1,189.50**. Itemized. [Acct, 01/09/18, LFpg40].
11. Petitioner requests exoneration of \$48,000 bond upon receipts. However, bond may not be exonerated until filing of receipts and entry of final discharge.
12. Notice given.
13. No proposed Order. Submit Order after Hearing.

**RECOMMENDATION:**

Need to clear notes 3-5. If approved, Court to set hearing re receipts and final discharge for 02/27/19.

(lh)

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA

HEARING:

SECOND Account and Report of NOREEN T FONTAINE and Petition for allowance of fees filed.

COUNSEL:

LETICIA AVILA	(PET)...PRO/PER
DAISY PAOLA HERRERA	(PCE)...
NOREEN T FONTAINE	(TEE)...PRO/PER

Waiver of Court Fees and Costs filed by DAISY PAOLA HERRERA is GRANTED  
TOTAL FEES WAIVED TO DATE: \$465.00

GENERAL INFORMATION

**Continued from 11/29/17. Accounting in Los Angeles County has been filed – waiting for approval. Attorney Fontaine states the insurance was paid prior to Thanksgiving. Court orders Attorney Fontaine to pay taxes that are due.**

THIS CASE IS SET FOR HEARING ON SECOND Account and Report of NOREEN T FONTAINE and Petition for Allowance of fees by Noreen Fontaine, Successor Trustee of the Daisy Herrera SNT

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

1. On **03/03/16**, this Court appointed Leticia Avila as limited conservator of the **person only**.
2. Petitioner Noreen Fontaine alleges she was appointed Successor to Bank of the West, Trustee of the Daisy Herrera Special Needs Trust on 01/10/00 by order of LA Superior Court, case number BC185082.
3. Petitioner contends the principal place of administration of the trust is Riverside County, but that petitioner has agreed to submit jurisdiction to San Bernardino County.
4. It does not appear this Court has obtained jurisdiction over the SNT trust as there is no Order on file from Los Angeles County or Riverside County Court transferring the SNT to this Court. JTD

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: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700064

CASE NAME: JAKOB WESLEY BECK HOERNTLEIN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of TERI LYN HOERNTLEIN

COUNSEL:

TERI LYN HOERNTLEIN (PET)...PRO/PER  
TERI LYN HOERNTLEIN (CPE)...PRO/PER  
JAKOB EDWARD WESLEY BECK HOERNTLEIN (CEP)...ROSE C ROSADO

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Teri Lyn Hoerntlein appointed Conservator of the person on 07/19/17.
2. Notification of Conservatee's rights; Determination of Conservatee's Appropriate Level of Care filed; and Care Plan filed.

#### RECOMMENDATION

None.

(lh)

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

-----  
DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: CON PS1700205

CASE NAME: RICHARD LEE REYNOLDS

**SEE ALSO 18A**

HEARING:

Petition for Attorney fees by Court Appointed Counsel E. Joan Nelms

COUNSEL:

ROBERT B ROGERS (CPE)...LAW OFFICES OF LAYNE A BARTHOL  
RICHARD LEE REYNOLDS (CEP)...PRO/PER  
E. JOAN NELMS (PET)...JAMES B CHURCH & ASSOCIATES

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by E Joan Nelms

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

1. Petitioner E Joan Nelms was appointed Counsel for conservatee, Richard Lee Reynolds, on 06/12/17.
2. Petitioner requests fees of \$5,186.25 for 16.55 hours at \$375/\$135 per hour for attorney services; however, **need** verified supplement with separate subtotals with different hourly rates per Local Rule 20-1402. [Petition, 01/10/18, LFpg8-9].
3. Notice was given.
4. Proposed Order submitted 01/10/18 includes relief of Counsel Nelms. **Need** corrected Order.

RECOMMENDATION

Need to clear note #2, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 18A add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: CON PS1700205

CASE NAME: RICHARD LEE REYNOLDS

**SEE ALSO 18**

HEARING:

Accounting Review

COUNSEL:

RICHARD LEE REYNOLDS (CEP)...PRO/PER  
ROBERT B ROGERS (CPE)... LAYNE A BARTHOLOMEW

GENERAL INFORMATION:

Conservatee passed away on 08/30/17.

**Continued from 02/13/18 at request of Counsel to be heard with pending petition.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order appointing Robert B. Rogers Temporary Conservator entered 06/12/17, \$32,000 bond; general order appointing conservator of the person and estate entered 07/11/17, \$32,000 bond.
2. Need final Inventory & Appraisal per Pr.C. §2610.
3. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
4. Need pre & post death accounting per Pr. C. §2620.

RECOMMENDATION:

Inquire status.

(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: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: RC RS00134

CASE NAME: ISRAEL D MORENO

HEARING:  
Accounting Review

COUNSEL:

ISRAEL F MORENO	(PET)...E LAWRENCE BROCK
ISRAEL D MORENO	(PCE/CEP).. ALTHOUSE & MCDONOUGH
ELIZABETH MORENO	(CPE)...E LAWRENCE BROCK
AMERICAN CONTRACTORS INDEMNITY (PET)...PRO/PER	

GENERAL INFORMATION

**Continued from 06/27/17, 08/29/17, 10/17/17 and 12/12/17.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Approving Second Account entered 07/19/16; third account now due.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:  
Inquire status.

(nb/lh/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: 02/21/18 TIME: 9:30 DEPT: S36P  
-----

CASE#: SC SS01616

CASE NAME: MATTER OF ETHEL M WAYMIRE

HEARING:

Petition for Attorney's Fees and Conservator's Fees

COUNSEL:

ETHEL MARIE WAYMIRE (CTE/CEP)..  
RUTH L HENRICKS (CE )...HARTNELL LISTER & MOORE  
LARRY D KLEIN (CPE/CE)...HARTNELL LAW GROUP  
BRYAN C HARTNELL (PET)...HARTNELL LAW GROUP  
BRASWELLS COMMUNITY CONVALESCENT (TP )...SANDERS, COLLINS & RE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees and Conservator Fees by Attorney Bryan Hartnell and Lawrence D Klein

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

1. Petitioner Bryan C Hartnell is the attorney of record for Lawrence D Klein, Conservator of the Estate of Ethel Marie Waymire.
2. Conservator requests \$2,355 for 47.1 hours in services for the care and fiscal need of conservatee. Itemized. [Petition 01/16/18, LFpgs8-12]. JTD
3. Attorney Bryan Hartnell requests \$6,250 for a total of 26 hours at \$425/\$325/\$250/\$125/\$75/\$50 for attorney/paralegal services. Itemized. [Petition, LFpg13-17].
4. Notice was given.
5. ~Proposed Order: 01/16/18

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 8/8/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS02960

CASE NAME: MTR OF TIMOTHY TODD BRITT

HEARING:  
Accounting Review

COUNSEL:

BENJAMIN BRITT (CPE)...PRO/PER  
TIMOTHY TODD BRITT (CEP/CEE)...  
TIMOTHY TODD BRITT SPECIAL NEEDS TRUST (TRU)...  
JESSICA CARTER ANTHONY (SC )...HARTNELL LAW GROUP

Waiver of Court Fees and Costs filed by BENJAMIN BRITT is GRANTED

GENERAL INFORMATION

**Continued from 12/06/17 for an accounting to be filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review re SNT

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

1. First Account Current re SNT, by Jessica Carter Anthony, approved on 08/31/16.
2. **Need** Second Account Current re SNT.

RECOMMENDATION

Inquire status.  
(lh)

Superior Court of Calif, County of San Bernardino  
Page: 22 add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18 TIME: 9:30 DEPT: S36P  
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CASE#: CIF DS1700106

CASE NAME: MEDINA VS AYALA

**SEE ALSO 23**

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

	COUNSEL:
KELLY MEDINA	(PP)...CRAIG M PARKER
CRAIG PARKER	(GAL)...
ROBERT AYALA	(RP)...PRO/PER
MITCHELL MEDINA	(PET)...PRO/PER
TAMERA AYALA	(RP)...PRO/PER

No notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

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DATE: 02/21/18      TIME: 9:30      DEPT: S36P  
-----

CASE#: CIF DS1700106

CASE NAME: MEDINA VS AYALA

**SEE ALSO 22**

HEARING:

Hearing Re: ELDER ABUSE RESTRAINING ORDER

	COUNSEL:
KELLY MEDINA	(PP)...CRAIG M PARKER
CRAIG PARKER	(GAL)...
ROBERT AYALA	(RP)...PRO/PER
MITCHELL MEDINA	(PET)...PRO/PER
TAMERA AYALA	(RP)...PRO/PER

No notes—JTD

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

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DATE: 02/21/18      TIME: 8:30      DEPT: S37P  
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CASE#: PRO DS1000257

**VACATED**

CASE NAME: CLARK ORIN ALLEN

HEARING:

Hearing re Final Discharge

COUNSEL:

CLARK ORIN ALLEN	(DEC)...
PATRICK B WRIGHT	(PET)...PRO/PER
SURETY US SPECIALTY INSURANCE	(PET)...WOLKIN CURRAN LLP
DAVID A COX	(PET)...PRO/PER
DENISE RANDALL	(PET)...MICHAEL I BURSTEIN
DOUGLAS ALLEN	(PET).. SPRINGER & POLLOCK
TOM SALGADO	(PET/TP)...PRO/PER
MICHAEL ALLEN	(PET)...J. DAVID HORSPOOL
MICHAEL J. ULISSE	(PET)...ALAN D. DAVIS
DAVID M GROSSMAN	(DAVID M GROSSMAN)
CAROL GALLARDO	(LAYNE A BARTHOLOMEW)
SUSAN RAE PARISI	(PRO/PER)
THOMAS W DOMINICK	(FULLERTON LEMANN SCHAEFER & DO)
MAPLE LEAF CAPITAL CO	(ANGELA Y SHIN)

**XREF: CIVDS1202420** ALLEN -V- GALLARDO

**CIVDS1302691** MAPLE LEAF CAPITAL COMPANY -v- SALGADO, ETAL

**CIVDS1400538** ESTATE OF CLARK ORIN ALLEN-V-MAPLE LEAF

Future Hearing: 9/21/18: Hearing Re: Final Discharge - **VACATED**

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1400590

CASE NAME: MTR OF ALEXANDER OLEA DOTEN JR

HEARING:  
Hearing re Final Discharge

COUNSEL:  
CATHY DOTEN ROONEY (PET)...VELASCO LAW GROUP  
ALEXANDER OLEA DOTEN JR (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Administrator Cathy Doten Rooney

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

1. **Need** receipts from Cathy Doten Rooney and Diane Espinoza.
2. **Need** informal account re \$5,000 reserve per Local Rule 20-911.
3. **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

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DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1400598

CASE NAME: WILLIE D WRIGHT

HEARING:

FIRST AND FINAL Account and Report of JILL TERRELL and Petition  
for allowance of fees filed.

COUNSEL:

JILL TERRELL	(PET)...RAVEN C VILTZ
WILLIE D WRIGHT	(DEC)...
OUIDA HARTLEY	(PET)...LAW OFFICE OF ADRIAN T WOODWAR

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by  
Jill Terrell, executor

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

1. Assets on hand: \$1,717,800.60 [\$93,401.80 in cash and remaining in mutual funds, stock, and real property].
2. Statutory fees of \$31,828.34, each, requested. Calculated.
3. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
4. **Need** verified supplement which includes address of beneficiary receiving real property.
5. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C. § 1064(a)(5).
6. Corrected Final Inventory and Appraisal filed 12/18/17 appears to be a supplemental I&A to include a LACERA death benefit of \$4,319.09. **Need verified supplement clarifying whether Merrill Lynch CD x4967 [in Final I&A filed 06/02/17] was intentionally excluded from Corrected Final I&A as it is included in accounting.**
7. Schedule "C" Disbursements include unapproved preliminary distributions to Melody Cooley, William T. Walls and Sean Ingram in various increments totaling \$37,192.40. [Acct, 12/18/17, LFpg12]. **Need verified supplement.**

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



8. Notice was given. Question if beneficiary, Melody Cheyenne Cooley, is still a minor? If so, need separate notice to Jan Terrell Gray, parent of minor. **Need notice.**
9. Petitioner requests reserve of **\$37,000** for filing 2017 estate income taxes. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge. **JTD**
10. Proposed Order submitted 12/18/17 does not include address of distribute receiving real property,

**RECOMMENDATION:**

Need to clear notes #3-8, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **02/27/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500077

CASE NAME: DONALD R WOOTERS

HEARING:

Hearing re Final Discharge

COUNSEL:

DONA D STOUT	(PET)...JEANNE E KENNEDY
DONALD R WOOTERS	(DEC)...
INHERITANCE FUNDING CO	(PET)...STEVEN D SCHROEDER

GENERAL INFORMATION

**Continued form 12/20/17 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. **Need** receipts from Dona Stout, Duane Wooters, David Wooters, and Daniel Wooters.
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: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1500198

CASE NAME: MTR OF FELIX GALLEGOS

**SEE ALSO 6**

HEARING:

Hearing re Final Discharge

COUNSEL:

JAMES GUTIERREZ (PET)...PRO/PER  
FELIX GALLEGOS (DEC)...

See notes on next matter # 6.

(lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1500198

CASE NAME: MTR OF FELIX GALLEGOS

**SEE ALSO 5**

HEARING:

Hearing Re: OSC RE: SURCHARGE

COUNSEL:

JAMES GUTIERREZ (PET)...PRO/PER  
FELIX GALLEGOS (DEC)...

GENERAL INFORMATION

**Continued from 01/18/17, 04/05/17, 06/07/17 and 07/19/17.** No appearances. James Gutierrez to appear if receipts/discharge not filed.

**Continued from 09/13/17 and 11/08/17 at request of Court for petitioner to be present. Court notes that James Gutierrez was ordered to reimburse estate for \$4,848.78 in the Order approving final accounting. Court set OSC re surcharge.**

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

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

1. Final account/distribution of James Gutierrez approved on 01/13/16. Proposed order does not match minute order. **Need order.**
2. Return of Citation with proof of personal service as to James Gutierrez filed 01/23/18.
3. **Need** receipts for Antonio and Shirley Gutierrez.
4. **Need** Ex Parte Petition for Final Discharge and Order **once note 1 is cleared.**

RECOMMENDATION

Inquire status of receipts and orders. 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/lh)

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600137

CASE NAME: MICHAEL E SODERBERG

HEARING:

Petition for final distribution on waiver of Account and Report  
of KRISTEN MARIE SODERBERG and Petition for allowance of fees

COUNSEL:

KRISTEN MARIE SODERBERG (PET)...LINDA K ROSS  
MICHAEL E SODERBERG (DEC)...

X-ref matter: FAMRS903772

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Petition for  
Distribution by Kristen Marie Soderberg, trustee, administrator.

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

1. Assets on hand: \$0
2. The estate was opened for the sole purpose of completing a dissolution action of the decedent and his former spouse. There was a small amount of money still in dispute when decedent died. Dissolution proceeding [FAMRS903772] was completed, and there are no assets requiring probate. Petitioner requests the Inventory and Appraisal not be required. **Question if administrator marshaled any assets which require an accounting? If not, does Court wish to require a Pr. C. §12251 petition to terminate due to lack of assets?**
3. Statutory fees were waived by petitioner and attorney as there are no assets to administer.
4. Notice was given.
5. No proposed Order submitted.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on final discharge for **02/27/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600180

CASE NAME: MARLIN DELAINE SPEARS

**SEE ALSO 9**

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT/PROOF OF SALE

COUNSEL:

DELAINA M SPEARS	(PET)...SANFORD H. MARGOLIN
MARLIN DELAINE SPEARS	(DEC)...
STATE OF CALIFORNIA FRANCHISE	(TP )...
ZUMBRUNN LAW CORPORATION	(PRO/PER)

See notes on next matter #7.

(lh)

Future Hearing 11/30/18: Accounting Review

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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1600180

CASE NAME: MARLIN DELAINE SPEARS

**SEE ALSO 8**

HEARING:

Petition for PARTITION OF DECEDENT'S REAL PROPERTY AND FOR  
ACCOUNTING

COUNSEL:

DELAINA M SPEARS	(PET)...SANFORD H. MARGOLIN
MARLIN DELAINE SPEARS	(DEC)...
STATE OF CALIFORNIA FRANCHISE	(TP )...
ZUMBRUNN LAW CORPORATION	(PRO/PER)

GENERAL INFORMATION

Continued from **02/08/17 and 04/26/17**. Correct venue is Contra Costa County, but that settlement negotiations are underway and requests petition remain open in this matter pending settlement.

**Continued from 08/23/17**. Hearing to remain open although dismissal is filed.

**Continued from 11/01/17. Hearing continued at request of Counsel as agreement to partition is circulating.**

THIS CASE SET FOR HEARING ON Petition for Partition of Decedent's Real property and for Accounting Pr.C. § 850 by Delaina Spears, daughter.

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

1. Petitioner, Delaina Spears/administrator, seeks an order approving partition of real property and division of the proceeds according to ownership.
2. Petitioner brings petition as a Pr.C. § 850; however, it appears to be Pr.C. § 9823 which must be brought in a separate civil action. Venue for a civil action is the county where the property is located. (CCP §872.110(b)(1).) Pr.C. § 11950(b) allows the non-beneficiaries to consent to the partition being heard in the probate court.
3. Petitioner alleges that respondents Randolph Spears Jr and Dennis Spears, brothers of decedent, each own 1/3<sup>rd</sup> interest in the real property along with decedent as tenants in common.

4. Petitioner requests fees to be divided between respective parties. Petitioner alleges that partitioning the real property for sale is more equitable than division in kind.
5. Notice was given.

#### RECOMMENDATION

Inquire status of settlement agreement.

(lc/lh)

Future Hearing: 11/30/18: Accounting Review

Future Hearing 11/30/18: Accounting Review



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

-----  
DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701080

CASE NAME: KENNETH G PATRICK

HEARING:

Petition to determine succession to Real Property

COUNSEL:

MARTHA J MORGAN LUNSFORD (PET)...PRO/PER  
KENNETH G PATRICK (DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Martha J. Morgan Lunsford, friend

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

1. Petitioner seeks 100% interest in decedent's 50% interest in real property per holographic will.
2. As petitioner does not request to admit will for probate, does Court wish to require Proof of Holographic Instrument? **JTD**
3. Petition is incomplete at item #10 regarding next of kin. **Need** verified supplement clarifying any surviving relatives for notice purposes.
4. It cannot be determined if notice is complete until note #3 is cleared.
5. ~Proposed Form Order: 10/30/17

#### RECOMMENDATION

Need to clear note #3, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701090

CASE NAME: MTR OF DAVID HUERTA BARCENAS

HEARING:

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

COUNSEL:

JOSE NICHOLAS ESPINAL (PET)...EDWARD G OPERINI  
DAVID HUERTA BARCENAS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by Jose Espinal, executor/friend

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

1. Requested bond \$100,000. Appears sufficient.
2. Notice is complete
3. ~Proposed form Order: 10/31/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status  
Review on **05/01/19**. Any accounting to be filed 30 days in advance. Note requirements of  
Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino  
Page: 11A add-on  
CIVPRO San Bernardino District  
PROBATE/CONSERVATORSHIP CALENDAR  
HONORABLE: TARA REILLY

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DATE: 02/21/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600597

CASE NAME: DAVID A BROWN SPECIAL NEEDS TRUST

HEARING:

Hearing Re: POSSIBLE CITATION TO UNION BANK

COUNSEL:

BARBARA HARRISON	(PET)...JEANNE E KENNEDY
DAVID A BROWN SPECIAL NEEDS TRUST	(TRU)...
JEANNE E KENNEDY	(PET)...CALDWELL, KENNEDY & PORTER
DAVID A. BROWN	(BEN)...DONNASUE ORTIZ
KIM HARRISON BROWN	(PET)...DENNIS M SANDOVAL
LARRY E HOOVER	(STE)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON POSSIBLE CITATION TO UNION BANK

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

1. On 01/31/18, Court ordered all trust records collected and provided to Larry Hoover, successor trustee. Jeanne Kennedy reported she will be seeing her client and will have accounting signed and advised her client of Court's orders. Court authorized trustee to pay another \$2,500 retainer fee to Texas Counsel, Cindy Tisdale.
2. Matter was set on 01/31/18 at request of Counsel due to concerns that Union Bank will not abide by the Court's order transferring the account to Larry Hoover.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearings: 4/09/18: Accounting Review (Barbara Harrison), Status Review, Kim Brown's Account & Report

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

-----  
DATE: 02/21/18      TIME: 8:35      DEPT: S37P  
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CASE#: PRO PS1400769

CASE NAME: Ralph Wilson

**SEE ALSO 13**

HEARING:

Hearing Re: RECEIPT OF SETTLEMENT

COUNSEL:

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

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON RECEIPT OF SETTLEMENT

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

1. Matter set on 12/20/17. Counsel reported issued have settled. A written settlement is to be filed.

RECOMMENDATION

Inquire status of settlement agreement.

(lh)

Future Hearing: 10/18/18: Hearing Re Final Discharge

Superior Court of Calif, County of San Bernardino

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

-----  
DATE: 02/21/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1400769

CASE NAME: Ralph Wilson

**SEE ALSO 12**

HEARING:

Motion Re: TO COMPEL ATTORNEY OF RECORD JILL BROUSURD ETC  
MOTION Filed by Petitioner DAISY WILSON

COUNSEL:

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

Waiver of Court Fees and Costs filed by DAISY WILSON is GRANTED

Currently under review by Legal Research.  
(LR)

Future Hearing: 10/18/18: Hearing Re Final Discharge

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

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DATE: 02/21/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS0800198

CASE NAME: ROSEMARY ESCOBEDO

**SEE ALSO 15**

HEARING:

NINTH Account and Report of CHRISTINA ERICKSON-TAUBE and  
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE      (CPE)...SHERRI L KASTILAHN

ROSEMARY ESCOBEDO              (CEP)...E JOAN NELMS

JACK B OSBORN                      (PET)...JACK B OSBORN

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

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 9<sup>th</sup> Account Current and Petition for Fees.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED.

1. Accounting covers 11/01/16 to 10/31/17
2. Assets on hand: \$315,222.82 (\$38,767.11 in cash).
3. Schedule "E" assets on hand, indicates account ending in 6687 has \$7,740.79; however, supporting statement as of 10/31/17 indicates balance of \$13,325.79. **Need** verified supplement with corrected schedules. [Acct, 01/11/18, LFpg23].
4. Petitioner requests fees of **\$7,883.95** billed at various rates for various services not exceeding \$115/hour. Itemized. [Acct.01/11/18 LFpg32-40] **JTD**
5. Attorney requests fees of **\$2,695** for 7.70 hours at \$350 per hour. Itemized [Acct.01/11/18, LFpg41-42]. **JTD**
6. Current bond is \$450,000. Ok.
7. Notice was given.
8. ~Proposed Order: 01/11/18

RECOMMENDATION:

Need to clear note #3. If approved, set hearing on the next Accounting Review for **01/09/19** (if one year) or **01/08/20** (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: TARA REILLY

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DATE: 02/21/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON PS0900079

**VACATED**

CASE NAME: DANIEL JAY HERSHEY

**SEE ALSO 14**

HEARING:

Accounting Review

COUNSEL:

CHRISTINA ERICKSON-TAUBE      (CPE)...SHERRI L KASTILAHN

ROSEMARY ESCOBEDO              (CEP)...E JOAN NELMS

JACK B OSBORN                      (PET)...JACK B OSBORN

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

Ninth Account Current of Christina Erickson-Taube filed 01/11/18.

See notes on prior matter #14.

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600047

CASE NAME: VICTORIA ESQUIVEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of STELLA ESQUIVEL

COUNSEL:

STELLA ESQUIVEL (PET)...PRO/PER  
VICTORIA ESQUIVEL (CEE)...WALTER T. MOORE

GENERAL INFORMATION

**Continued from 07/12/17 and 08/30/17.** No appearance. Court orders Stella Esquivel and Attorney Walter Moore to be present.

**Continued from 11/01/17** at request of Counsel to clear probate notes.

**Continued from 12/20/17. Stella Esquivel was ordered to be present at next hearing if compliance documents are not filed. Mr. Moore will assist in preparing documents and amended/completed letters. Clerk's office to accept amended/corrected letters.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Stella Esquivel, sister appointed conservator of the person only on 12/06/16. Letters issued 12/06/16 appear to be incomplete as to section 1 and 5. **Need** amended letters
2. **Need** Notification of Conservatee's rights per Pr.C.§1830(c).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5.

RECOMMENDATION

Need to clear notes 1-4 and Court's discretion re note 1.

(lc/ww/lh)



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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600228

CASE NAME: MTR OF CARLTON THOMAS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of CLARISSA V VANDYKE

COUNSEL:

CLARISSA V VANDYKE	(PET)...PRO/PER
CHARMETRA THOMAS	(PET)...PRO/PER
CARLTON THOMAS	(CEE)...ROSE C ROSADO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Clarissa Van Dyke and Charmetra Thomas appointed Co-Conservators of the person.
2. Notification of Conservatee's rights filed 02/15/18.
3. Determination of Conservatee's Appropriate Level of Care filed 02/15/18.
4. Care Plan filed 09/13/17.

RECOMMENDATION

None.

(lh)

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600377

CASE NAME: Chante Fortenberry

HEARING:  
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

JOHN C HORNING JR (PET)...PRO/PER  
ROSA A ROBINSON (CP)...PRO/PER  
CHANTE FORTENBERRY (CTP)...JEANNE E KENNEDY

GENERAL INFORMATION

Continued from **03/01/17** and **06/14/17**. No appearances. John Horning and Rosa Robinson to appear at next hearing.

**Continued from 08/09/17.**No appearance. John Horning and Rosa Robinson are to be present. May appear by CourtCall.

**Continued from 09/27/17.** No appearance. Court cites John Horning, Jr and Rosa Robinson to be present at next hearing. If they fail to appear, a bench warrant may be issued for their arrest. Citations issued to John C Horning, Jr and Rosa Robinson to show cause re FTA

**Continued from 12/20/17. Attorney Jeanne Kennedy was appointed for Chantel Fortenberry. Court, again, cites John C Horning, Jr, and Rosa Robinson to appear at next hearing or a bench warrant may be issued.**

THIS CASE SET FOR HEARING ON Case Management Conference.

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

1. Rosa Robinson, mother, appointed **limited** Conservator of person only on 11/02/1989 in Santa Clara County. Matter transferred to Riverside County on 11/23/04. Matter transferred to San Bernardino County on 12/14/16. Conservatee now resides in Hesperia.
2. Court Investigator report filed 06/13/17.
3. **Need** letters to reflect this county.
4. **Need report of Counsel Kennedy.**
5. **Affidavit re personal service of Citation re Rosa Robinson and John C Horning, Jr filed 02/14/18.**

## RECOMMENDATION

Inquire status.

(lc/ww/lh)

Superior Court of Calif, County of San Bernardino

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700387

CASE NAME: DUGLAS HERNANDEZ

HEARING:

Petition for (AMENDED) APPOINTMENT OF CONSERVATORSHIP OF THE  
PERSON

COUNSEL:

MARIA ESTHER HERNANDEZ (CP)...PRO/PER  
DUGLAS HERNANDEZ (CTP)...MITCHELL I ROTH

Waiver of Court Fees and Costs filed by DUGLAS HERNANDEZ is GRANTED

**XREF: CIVDS1707848** *HERNANDEZ -V- HERNANDEZ*

#### GENERAL INFORMATION

Continued from **11/27/17 [re petition filed 10/20/17]**. Mr. Terrell report there is a related case, CIVDS1707848. Sherri Kastilahn is appointed counsel and Mitchell Roth is appointed GAL.

**Continued from 02/05/18 [re Petition filed 10/20/17]**. Ms Kastilahn's report was filed in courtroom. Ms. Kastilahn reports Duglas Hernandez is receiving public benefits from San Fernando Health and Human Service.s Petitioner and proposed conservatee's sister report conservatee is living with petitioner but proposed conservatee reports he is living in San Fernando Valley. Court orders petitioner to turn over check, money order and cash she is holding in the approximate value of \$16,646 to Sherri Kastilahn to be held in her Client Trust Account pending further order of Court. Ms. Kastilahn not to release any funds from her client trust account without further order of the Court. Court will refer matter to Mental Health personnel for possible investigation. Referred to Court Investigator for investigation and report. Current hearing continued to 04/17/18.

THIS CASE SET FOR HEARING ON **AMENDED** Petition [filed 01/11/18] for Appointment of Conservator, of the person only, by Maria Hernandez, mother

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

1. **Amended petition filed 01/11/18 appears to be a supplement with the missing information re powers requested and jurisdiction response. Does Court wish to deem amended petition as supplement?**
2. It appears that LPS conservatorship would be appropriate.

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

3. Court to see Confidential Supplement Information form filed 10/20/17.
4. **Report of Counsel Sherri Kastilahn filed 02/05/18.**
5. **Need** Court Investigator report. **Report of no report filed 02/05/18.**
6. **Need** Report of Guardian Ad Litem, Mitchell Roth.
7. Petitioner seeks medical powers. **Need** Capacity Declaration (form GC-335).
8. **Need** notice of hearing and proof of service on Maria De Escobar, maternal grandmother or file Due Diligence Declaration.
9. Return of Citation filed.
10. Certificate of Completion of the Conservatorship Training Class.
11. ~Proposed Form Order: 10/20/17

## RECOMMENDATION

### **Court discretion re note 1.**

Need to clear notes 5-8. If approved, set hearing for Compliance Review for **09/26/18** 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.

***Future hearing date: 04/17/18 re Petition [filed 10/20/17] for Appointment of Conservator by Maria Hernandez***

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700409

CASE NAME: ANNA L FERRANTE

HEARING:

Petition for Appointment of Conservator

COUNSEL:

KIMBERLY N FERRANTE (PET)...CALDWELL, KENNEDY & PORTER, A.  
ANNA L FERRANTE (CEP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

**Continued from 12/20/17. Attorney Candice A Garcia-Rodrigo appointed for Anna L Ferrante. E Joan Nelms was appointed as Guardian Ad Litem for Anna Ferrante. Notice given by Judicial Assistant.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Kimberly Ferrante, daughter

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

1. Petitioner seeks bond of \$20,000. Minimum bond is requested as house is believed to be in the name of proposed conservatee's trust, and cannot be sold without proper documentation. However, it is unclear if Trust is still operative.
  - a. Does Court wish to require a copy of Trust instrument? **JTD**
2. Petitioner seeks additional orders under Pr. C. §2591 to pay, collect, and adjust claims, debts, etc upon conservatorship. **JTD**
3. Petitioner seeks medical powers.
  - a. **Capacity Declaration filed 02/13/18.**
  - b. Petitioner seeks additional orders for exclusive authority to consent to medical treatment in an emergency case under Pr. C. §2352. **JTD**
4. Petitioner seeks dementia powers.
  - a. **Report of Candice Garcia-Rodrigo filed 02/08/18.**
  - b. **Need** report of E. Joan Nelms (GAL).
5. Return of Citation filed 11/29/17.
6. CI Report filed 12/08/17 **and 02/06/18.**

7. Certificate of Completion of the Conservatorship Training Class filed 11/27/17.
8. ~Proposed Form Order: 11/08/17

#### RECOMMENDATION

Need to clear note #4. If approved, set hearing for Compliance Review for **09/26/18** for the filing of the required documents and hearing re Accounting Review for **05/01/19**. Any accounting to be filed 30 days in advance.

(lh)

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

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1800009

CASE NAME: MTR OF KELLY ANN MEDINA

HEARING:  
Petition for Appointment of Conservator

COUNSEL:  
MITCHELL J MEDINA (CP)...PRO/PER  
KELLY LYNN MEDINA (CTP)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Mitchell Medina, father

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

1. Petitioner seeks civil rights not be limited without court order.
2. Petitioner seeks medical powers. **Need** Capacity Declaration.
3. Proposed conservatee is allegedly developmentally disabled due to a brain injury sustained in a car accident by which proposed conservatee now has a mental capacity of 18 years of age.
  - a. **Need** appointment of counsel for report.
  - b. **Need** IRC report.
4. **Need** Certificate of Completion of the Conservatorship Training Class.
5. List of Required Contact is missing stepfather, Robert Ayla. **Need** completed form.
6. **Notice of Hearing and Proof of Service filed 01/10/18. Need proper service to IRC to include at least 30 days' notice.**
7. **CI Report filed 02/15/18.**
8. **Return of Citation filed 02/9/18.**
9. ~Proposed Form Order: 01/10/18



## RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing for Compliance Review for **09/26/18** 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.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 02/21/18 TIME: 9:30 DEPT: S37P  
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CASE#: VC VS408

CASE NAME: IN THE MATTER OF TOM W BROWN JR

HEARING:

Thirteenth Account and Report of TOM W BROWN and Petition for allowance of fees filed.

COUNSEL:

GRACE BROWN

(CPE)... DIANA J CARLONI

TOM W BROWN

(CEP)...SHERRI L KASTILAHN

TOM W BROWN JR

(CPE)...DIANA J CARLONI

GENERAL INFORMATION:

**Continued from 01/30/18.** Court inquires of Counsel regarding income, assets and status of blocked account. Counsel represents there is approximately \$242,000 in Bank of America blocked account. Counsel further represents the Citibank account is approaching FDIC limits and requests the Court to allow the opening of a blocked account. After inquiry of Counsel, *Court takes note there is approximately \$72,000 in income which is not in a blocked account nor has been incorporated into a bond. Court orders the blocked account be immediately divided so as not to exceed the FDIC limits on any of the accounts.* Counsel to provide a supplemental declaration regarding status of funds. **Court specifically trails matter to 02/21/18 to provide an update regarding status of funds.**

THIS CASE IS SET FOR HEARING ON **AMENDED** [01/23/18] Thirteenth Account Current and Petition for Fees by Conservator of the Person and Estate Grace Brown ["Petitioner"].

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

1. Petitioner has not used mandatory Summary of Account (GC-400/405). Court may wish to direct petitioner to use mandatory form(s) on future accountings.
2. Accounting covers 01/01/16 to **12/31/17**.
3. **Assets on hand \$711,900.97 consisting of \$560,623.68** in cash and the balance in real and personal property.
4. Current bond of \$232,000. Insufficient. Petitioner requests a court order allowing her to open a second blocked certificate of deposit at Bank of America with **\$160,000** from the Citi Bank Account to reduce the cash to within bond amount and

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

to maintain any cash above the sum of \$232,000 in blocked accounts. If approved, court to set control date. JTD.

5. **Declaration of Grace Brown filed 02/05/18 alleges the minute order dated 01/30/18 does not correctly reflect the schedules submitted nor status of accounts. Declarant alleges there are no accounts currently exceeding FDIC limits as follows: BofA blocked account x0486 has a balance of \$56,697.40; Citizen's Business Bank blocked account x3804 has a balance of \$186,495.19; CitiBank x2653 had a balance of \$317,000 of which \$217,000 was transferred into a blocked CD account with Desert Community Bank x3349 on 02/01/18, proof of blocked account attached.** [Declaration, 02/05/18, LFpg4].
6. Conservator is allowed a payment of \$1,400/month to provide the home for herself and the Conservatee. Petition indicates there is no need to change or alter the allowance. Conservator does not seek separate compensation.
7. Attorney requests compensation of **\$2,475.00**. Billed at \$330/hour for attorney time. Generally described [LF, p.18]. **Generally described in verified supplement filed 01/23/18. Suggest itemization be required. JTD.**
8. The Conservatee was paid his monthly allowance during the period of the account and the Conservator requests that the allowance, of \$300/month continue to be authorized.
9. Petitioner has paid CareLinx Medical Services **and Givens Care Providers** during this accounting period for assistance with the Conservatee. Need verified declaration(s) to verify dates of service, performance of services and that payment has been received per Local Rule 20-1406(c).
10. Proposed Order 01/23/18 does not include balance and description of the assets on hand, specifically noting the amount of cash included in said balance per Local Rule 20-614 or allowances to Conservator and Conservatee.

#### RECOMMENDATION

Need to clear note 6 & 8 then Court's discretion re fees and bond. If approved, set hearing re next Accounting Review for **03/27/18** (if one year) or **03/26/19** (if two years). Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)