



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/01/18

All corrections/supplements addressing these notes should be filed by 02/22/18. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1417071
CASE NAME: JOHNSON VS ST. MARY
HEARING: Hearing Re: APPROVAL OF SNT/PTN FOR APPROVAL OF MINOR'S
COMP

COUNSEL:

ARNAB BISWAS DO	(SCHMID & VOILES
CHENNA REDDY R MALLU, MD	(SCHMID & VOILES
DANIEL M VILLAROSA MD	(HULBERT & HULBERT
DAVID LEBEAU, M.D.	(CARROLL, KELLY, TROTTER,
DERRICK N RAPTIS MD	(PETERSON BRADFORD BURKWITZ
DOE NGUYEN MD	()...
FRANCISCO CUELLAR MD	(BROBECK, WEST, BORGES, ROSA &
JENNY CHANG	(PET)...MICHELS & LEW
JENNY CHANG	(PLA)...MICHELS & LEW
LEIF JOHNSON	(PLA)...MICHELS & LEW
MALLU C. REDDY M.D	(SCHMID & VOILES
MARK CURRAN MD	(BROBECK, WEST, BORGES, ROSA &
MARY BUI DO	(SCHMID & VOILES
MELVIN CHERNE MD	(CARROLL, KELLY, TROTTER, FRANZEN,)..
MOHAMMAD R AHMADINIA MD	(DAVIS, GRASS, GOLDSTEIN &
MOOTHEATH A MENON MD	(REBACK, MCANDREWS, KJAR,
MORTEZA SAJADIAN MD	(LEWIS BRISBOIS BISGAARD & SMIT)..
POMONA VALLEY HOSPITAL MEDICAL	(DEF)...BROBECK, WEST, BORGES,
RAIN GRACE JOHNSON	(M/P)...MICHELS & LEW
RAIN GRACE JOHNSON	(MIN)...
RAKESH SINHA MD	(PETERSON BRADFORD BURKWITZ
RIVERSIDE RADIOLOGY MEDICAL GR	(CARROLL, KELLY, TROTTER,
SHEILA CHERIAN MD	(SCHMID & VOILES)...SCHMID &
ST. MARY MEDICAL CENTER	(BROBECK, WEST, BORGES, ROSA &
YUNG-TAE KIM MD	(BROBECK, WEST, BORGES, ROSA &

No notes – JTD *

Future Hearing:

05/03/18 Readiness calendar

05/07/18 *Court Trial* 05/03/18 Readiness calendar

05/07/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: MPR MS00902

CASE NAME: ESTATE OF LARRY K. LAYMON

HEARING: SUPPLEMENTAL REGARDING DISTRTIBIUTION & WAIVER Account
and Report of LINDA G. WAUGH and Petition for allowance of fees filed.

COUNSEL:

LINDA G. WAUGH (PET)...PRO/PER
LARRY K. LAYMON (DEC)...

Request for Waiver of Court Fees and Costs filed by LINDA G.WAUGH is GRANTED
Fee waiver amount due \$310.00 \$40.00 for status report on 12/02/10 \$90.00 for status report on 02/13/15\$90.00 for
status report on 07/16/15\$90.00 for status report on 09/22/15

GENERAL INFORMATION

Continued from **07/27/17**. Larry Laymon Stated he objects. Objections to be filed by
08/24/17 or will be permanently waived.

**Continued from 10/26/17. Larry Laymon's objections deemed waived as not filed by
deadline. Any supplement to be filed by 02/01/18.**

THIS CASE SET FOR HEARING ON Supplemental Regarding Distribution and Waiver of
Account and Petition for Allowance of Fees by Linda Waugh.

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

1. Letters Testamentary issued **9/11/01** to Linda Waugh, roommate.
2. All heirs previously waived accountings.
3. It appears that petitioner is supplementing the already approved final distribution
order with after discovered asbestos litigation funds per Pr.C. § 11642(a). Petitioner
still contends that litigation is still likely to come into the estate. On **2/5/08** Court
allowed the estate to remain open for new litigation. Some receipts filed in 2009.
4. Order for Waiver of Account and **Final Distribution was granted on 10/2/06, order
filed 12/31/16**. The estate consisted solely of a settlement from decedent's
asbestos litigation. Apportionment of Settlement from asbestos litigation is divided
60% less attorney fees to the Executory of the Estate and 40% less attorney fees to
the Wrongful Death Beneficiaries.

The Final Distribution of the Estate was approved as:

(15%) to Jeffery Scott Laymon,

(15%) to Virgil Brown Jr., Bankruptcy Trustee, re Larry Laymon's share

(30%) to La Viva June Harlen per assignment by Jesse Lee Laymon

(15%) divided between Craig Laymon and Chris Laymon, issue of deceased son Jerry Lee Laymon.

(25%) to Linda G. Waugh

5. Petitioner states bank statements prior to 2007 are unavailable by the banking institution. JTD
6. Period stated is 02/27/16 – 09/07/16; however, period shall begin after order for final distribution approval date 10/02/16. **Need** corrected period.
7. It is unclear why some heirs were paid excess funds and petitioner is short \$8,522.09. **Need** verified supplement.
8. Payments of \$1,812.31 made to Jesse Laymon in an attempt to fix what petitioner believed to be an inaccuracy in “the order”. **Need** verified supplement explaining which order and under what authority did petitioner have to distribute differently than the court order.
9. Petitioner was allegedly in an accident and does not recall a payment to Jose Playo in the amount of \$650; however, believes it to be costs of estate through paralegal services.
10. **Need** notice of hearing and proof of service.
11. No objections filed at time of review.

RECOMMENDATION

Need to clear notes 6-7 and notice. ***If estate to remain open***, set next Accounting review for **03/07/19**. ***If estate ready to close***, set hearing re final discharge for **03/07/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300641

CASE NAME: Katherine Irene Mckee

SEE ALSO 4

HEARING:

Hearing re Final Discharge

COUNSEL:

KATHERINE IRENE MCKEE	(DEC)...
PEARL BARR	(PET)...WILLIAM C. PULTZ
WILLIAM G MCKEE	(PET)...PRO/PER
WILLIAM G MCKEE	(PET)...WILLIAM C. PULTZ

See notes on matter 4.

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300641

CASE NAME: Katherine Irene Mckee

SEE ALSO 3

HEARING: Hearing Re: OSC RE SURCHARGE ON ADMINISTRATOR OF \$10,000.00

COUNSEL:

KATHERINE IRENE MCKEE	(DEC)...
PEARL BARR	(PET)...WILLIAM C. PULTZ
WILLIAM G MCKEE	(PET)...PRO/PER
WILLIAM G MCKEE	(PET)...WILLIAM C. PULTZ

GENERAL INFORMATION

OSC set on 05/25/17 final discharge hearing. No appearance. Administrator suspended.
Citation issued to William McKee.

OSC continued from 10/26/17. Citation issued.

THIS CASE SET FOR HEARING ON **OSC Re Surcharge** on Administrator of
\$10,000/Final Discharge.

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

1. Final account/distribution of William McKee, brother, approved on 12/10/15.
2. Sole heir Pearl Barr, mother, is now deceased. There were assets of \$165,577.98, subject to fees, in cash and personal property of \$9,924.50 to be distributed to Pearl. NO receipt has been filed.
 - a. **Need receipt from Pearl Barr prior to death or proof where Pearl's assets are as they are greater than \$150,000.**
 - b. **There does not appear to be an open probate for Pearl.**
3. **Need** receipt from William Pultz, ESQ for Statutory fees of **\$7,023.25**; as petitioner is now pro per. **Need** declaration re Pearl Barr and proof of payment to counsel Pultz.
4. Substitution of attorney filed 09/01/16. Court to notice prior Counsel Pultz.
5. Need Ex Parte Petition for Final Discharge and Order.
6. **Need** return of citation.

RECOMMENDATION

Court's discretion re OSC. Inquire status of receipts and discharge. No bonding company to notice.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501012

CASE NAME: CLARISE JD FOREMAN

SEE ALSO 6

HEARING:

Hearing re Final Discharge

COUNSEL:

CLARISE JD FOREMAN

(DEC)...

NOREEN T FONTAINE

(TP)...PRO/PER

ROYAL J FOREMAN

(PET)...PRO/PER

See notes on matter 6.

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501012

CASE NAME: CLARISE JD FOREMAN

SEE ALSO 5

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$1,500.00 ON ROYAL FOREMAN

COUNSEL:

CLARISE JD FOREMAN	(DEC)...
NOREEN T FONTAINE	(TP)...PRO/PER
ROYAL J FOREMAN	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 10/12/17, 11/30/17 and 01/11/18. No appearances. Royal Foreman to appear.

OSC set on 01/11/18 when Royal Foreman did not appear for the last 3 hearings.

THIS CASE IS SET FOR HEARING ON **OSC re Surcharge \$1,500/Final Discharge**

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

1. Final Distribution for Royal Foreman, son, approved on 12/08/16; order filed 01/19/17.
2. **Need** receipts from Patricia, Clarence, Joseph and Xena Foreman.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Court's discretion re OSC. Inquire status of receipts and discharge. No bond company to notice.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501183

CASE NAME: THE ROBIN H ELDER TRUST

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

GLEN E ELDER JR	(PET)...HARTNELL LAW GROUP
JOSEPHINE A RICH	(RES)...JOSEPHINE A. RICH
THE ROBIN H ELDER TRUST	(TRU)...

T.S.C. – No notes – JTD

Future Hearing:

04/18/18 Petition for invalidate the purported 2nd etc

04/18/18 Petition for invalidate the purported 3rd etc

05/14/18 *Court Trial*

05/15/18 *Court Trial*

05/16/18 *Court Trial*

05/17/18 *Court Trial*

05/18/18 *Court Trial*

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600520
CASE NAME: MTR OF MARY JO RAY
HEARING: Hearing Re: PETITION FOR FINAL ACCOUNT

COUNSEL:

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

Request for Waiver of Court Fees and Costs filed by THOMAS BORDAS is GRANTED
Fee waiver amount due \$483.00
\$465.00 for objection to exparte ptn for final account on 01/02/18
\$18.00 for fax fees on 01/23/18

XREF: PROPS1501017 (Mary Jo Ray)

GENERAL INFORMATION
Continued from 09/28/17 ExParte and 11/09/17.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Mary Harmon, niece.

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

1. Assets on hand consist of \$169,720.41 in cash.
2. Executor waives statutory compensation.
3. Attorney seeks statutory fees of \$6,094.41.
4. Summary of account does not property balance, nor are there schedules attached. **Need** corrected summary of account with supporting schedules.
5. Will distributes personal property assets to Mary Harmon; however, will does **not mention or dispose** of any real property, or to Mary, yet states to provide for decedent's sibling Wesley [Pet. 05/12/16 LFpg6]. There is also no remainderman/residual distribution. Question why real property was sold as opposed to distributed per the laws of intestate succession to all heirs? **Need** verified supplement with points and authorities as to interpretation of will, proper distribution etc.
6. **Need** escrow closing statement per local rule 20-910.
7. **Need** bank statement per local rule 20-908.
8. **Objections filed by Thomas Bordas on 01/23/18. Proof of service of objections is not dated at signature.**

9. Proposed Order not reviewed as notes are not cleared.

RECOMMENDATION

Need to clear notes 4-7. Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600521

CASE NAME: MTR OF EUGENE MOORE

HEARING:

Motion Re: TO BE RELIEVED AS COUNSEL Filed by Petitioner
MICAELA POWELL

COUNSEL:

EUGENE MOORE (DEC)...
MICAELA POWELL (PET)...ROBERT J SPITZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Motion to be relieved as Counsel by Robert Spitz.

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

1. Petitioner, Robert Spitz, is seeking to be removed as counsel for Micaela Powell, administrator.
2. Petitioner alleges that administrator has breached the terms of the attorney client retainer agreement and further breached settlement agreement.
3. **Need** proof of service of Notice of Hearing re compliance with Rules of Court, rule 3.1362(d), including service of Notice of Motion, Declaration and Proposed Order.
4. ~Proposed Form Order: 11/20/17.

RECOMMENDATION

Need to clear note 3.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601001

CASE NAME: KAYE L. FREEMAN TRUST

SEE ALSO 15

HEARING:

Hearing Re: STATUS CONFERENCE

COUNSEL:

GREGORY FREEMAN

MIGUELA M. FREEMAN

THE KAYE L. FREEMAN TRUS T DAT

(OBJ)...GUAY P WILSON

(PET)...JAMES B CHURCH

(TRU)...

XREF: PROPS1601002 (*Kyle L Freeman*)

Status Conference – No notes – JTD *

Future Hearing:

11/01/18 Readiness calendar

11/26/18 *Court Trial*

11/27/18 *Court Trial*

11/28/18 *Court Trial*

11/29/18 *Court Trial*

11/30/18 *Court Trial*Status – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601263

CASE NAME: ELDRED LAWRENCE KENNINGTON

HEARING:

First and Final Account and Report of KEVIN KENNINGTON and
Petition for allowance of fees filed.

COUNSEL:

ELDRED LAWRENCE KENNINGTON (DEC)...
KEVIN KENNINGTON (PET)...MY ATTORNEY LA

GENERAL INFORMATION

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

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

1. All heirs waive accounting.
2. Assets on hand \$100,001.42 in cash.
3. Administrator and counsel seek statutory fees of \$4,000 each. Ok.
4. Administrator seeks a reserve of \$1,000.
5. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700153

CASE NAME: HENRY R. HAVINS

HEARING:

First and Final Account and Report of HAL R HAVINS and Petition
for allowance of fees filed.

COUNSEL:

HAL R HAVINS (PET)...MY ATTORNEY LA
HENRY R. HAVINS (DEC)...

GENERAL INFORMATION

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

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

1. Assets on hand \$60,322.04 in cash.
2. Administrator and counsel seek statutory fees of \$5,800 each. Ok.
3. Administrator seeks a reserve of \$1,000.
4. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

CIVPRO

San Bernardino District

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PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800003

CASE NAME: KAREN S. FISHER

HEARING:

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

COUNSEL:

KAREN S. FISHER

(DEC)...

ROGER FISHER

(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended** [01/26/18] Petition for Letters of Administration with full authority under IAEA by Roger Fisher, son.

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

1. Petitioner appears to be sole heir Pr.C. § 6402 and waives bond. Net estate value is \$193,000. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication.
3. ~Proposed Form Order: 01/02/18.

RECOMMENDATION

Need to clear note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800051
CASE NAME: ESTATE OF MARK JORDON DOWSE

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

COUNSEL:

MARK JORDON DOWSE (DEC)...
RYAN PHILIP DOWSE (PET)...HORSPOOL & HORSPOOL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Ryan Dowse, son.

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

1. Will waives bond. Net estate value is \$300,500 of which \$500 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** proof of publication.
3. **Need** phone number on duties form.
4. Will is not witnessed. Therefore, the will does not comply with Pr.C.6110. Does court wish to admit the Will under the "harmless error" rule per Pr.C. 6110(c)(2)? JTD see next note.
5. Declarations filed by spouse and children attesting that the signature on the will is decedent's signature.
6. First and second named executors decline to act and nominate petitioner.
7. ~Proposed Form Order: 01/19/18.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond/admission of will. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07201

CASE NAME: ESTATE OF JANET FUZAK

HEARING: Petition for LETTERS OF ADMINISTRATION

COUNSEL:

ARTHUR W. FUZAK	(PET)...CAROL L. GILLAM
JANET FUZAK	(DEC)...
ROGER LYNCH	(PET)...CAROL L. GILLAM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for **Successor** Letters of Administration with full authority under IAEA by Roger Lynch, son-in-law.

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

1. Letters of Administration with Will Annexed issued to Arthur Fuzak, spouse, on 03/26/17; full authority no bond. Arthur passed away leaving a vacancy as personal representative.
2. Petitioner does not state his relationship to decedent; however, original petition indicates Roger is son-in-law.
3. Petition indicates letters of administration; however, it appears petition should be petitioner for **letters of administration with will annexed** as will has already been admitted to probate. **Need** verified supplement.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. All beneficiaries waive bond; **need** bond waivers as to Roger. Net estate value is \$600,000 of which \$200,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
6. **Need** proof of publication.
7. ~Proposed Form Order: 01/31/18.

RECOMMENDATION

Need to clear notes 3-6. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800101

CASE NAME: MTR OF CLARA K WRIGHT

HEARING:

Petition for probate of will & for ltrs testamentary w/full IAEA

COUNSEL:

CAROL LYNN GONZALES (PET)... FORREST F WOLFE
CLARA K WRIGHT (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Carol Gonzales, daughter.

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

1. All heirs waive bond. Net estate value is \$462,500 of which \$17,140 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. **Need** Notice to Petition to Administer Estate and proof of service.
3. **Need** proof of publication
4. ~Proposed Form Order: 02/01/18.

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT TRUSTS AND MOTIONS

DATE: 03/01/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500463

CASE NAME: MTR OF WILLIE ANDREW MANN TRUST

HEARING:

Motion Re: Summary Judgment Filed by Petitioner LANDWOOD TITLE COMPANY, A CALIFORNIA CORP.

COUNSEL:

CHAUNCEY MANN II	(PET)...JACK B. OSBORN
CHAUNCEY MANN II	(PET)...PRO/PER
F.M. TARBELL CO	(PRENOVOST NORMANDIN BERGH
FIRST AMERICAN TITLE INSURANCE	(MARK H MCGUIRE
LANDWOOD TITLE COMPANY, A CALI	(PRENOVOST NORMANDIN BERGH
MENNIE MANN	(PRO/PER
OASIS INVESTMENT PROPERTIES, L	(TP)...ANDERSON,MCPHARLIN&
SHANNON D NOBLE	()...
WILLIE ANDREW MANN TRUST DATED	(TRU)...

No notes – JTD

Future Hearing:

03/12/18 Court Trial

03/13/18 Court Trial

03/14/18 Court Trial

03/15/18 Court Trial

03/16/18 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1601001

CASE NAME: KAYE L. FREEMAN TRUST

SEE ALSO 9

HEARING:

Hearing Re: PETITION TO CREATE TERMS OF TRUST; FOR INSTRUCTION

COUNSEL:

GREGORY FREEMAN	(OBJ)...GUAY P WILSON
MIGUELA M. FREEMAN	(PET)...JAMES B CHURCH
THE KAYE L. FREEMAN TRUS T DAT	(TRU)...

XREF: PROPS1601002 (*Kaye Freeman Estate*)

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

11/01/18 Readiness calendar

11/26/18 *Court Trial*

11/27/18 *Court Trial*

11/28/18 *Court Trial*

11/29/18 *Court Trial*

11/30/18 *Court Trial*

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900213

CASE NAME: CAROL SCHINDLER

HEARING:

FOURTH ~~Account and Report~~ Petition for Attorney's Fees of DONNASUE SMITH
ORTIZ and Petition for allowance of fees filed.

COUNSEL:

CAROL SCHINDLER	(CEP)...DONNASUE ORTIZ
CHRISTINE RICHER	(CE)...KARIN E HORSPOOL
CHRISTINE RICHER	(CPE)... HORSPOOL & HORSPOOL
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Donnasue Smith
Ortiz.

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

1. Petitioner, Donnasue Smith Ortiz, appointed counsel on 11/03/09.
2. Counsel seeks fees of \$4,993.75 for 15.25 hours at \$125/375 per hour for paralegal
and attorney services. [Pet. 01/11LFpg7-8].
3. ~Proposed Order: 01/11/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700020

CASE NAME: DIANA ARTEAGA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DIANA ARTEAGA

COUNSEL:

DIANA ARTEAGA (CEP)...PRO/PER
VIRGINIA L ARTEAGA (CPE)...PRO/PER

GENERAL INFORMATION

Continued from 11/02/17. Sandy Turner present for conservatee.

Continued from 01/04/18.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Virginia Arteaga, mother, appointed conservator of the person only 03/30/17.
2. Notification of Conservatee's rights per Pr.C.§1830(c) filed 01/26/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 01/26/18.

RECOMMENDATION

None.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700125

CASE NAME: FERNANDO ARELLANO

HEARING: Hearing Re: STATUS OF POST MOVE NOTICE

COUNSEL:

FERNANDO ARELLANO (CTP)...KARIN HORSPOOL
GUADALUPE ARELLANO (CP)...RICK GAXIOLA

XREF: CONPS0700199 (*Fernando Arellano*)

GENERAL INFORMATION

OSC set on 06/15/17 and continued from 08/03/17 for no appearance.

Guadalupe Arellano to be present at next hearing.

Continued from 01/04/18. OSC taken off. Court noted original Letters issued 10/09/07.

THIS CASE SET FOR HEARING ON Status of Post Move Notice.

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

1. Guadalupe Arrelago, mother, appointed Conservator of the person only on 10/09/07 in San Bernardino County Court. Case ordered transferred to Riverside County Court on 07/01/15. Case ordered transferred back to San Bernardino County Court on 03/09/17.
2. This matter was transferred from the Riverside County Court as the Conservator resides and intends to continue to reside in San Bernardino County.
3. **Need** post move notice per CRC 7.1063(c).
4. Court Investigator report filed 12/12/17.

RECOMMENDATION

Inquire status of note 3.

(lc)

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

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700132

CASE NAME: MTR OF HECTOR EDUARDO VEGA RUIZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARTHA RUIZ

COUNSEL:

HECTOR EDUARDO VEGA RUIZ	(CTP)...
HECTOR VEGA	(CP)...PRO/PER
MARTHA RUIZ	(CP)...PRO/PER

GENERAL INFORMATION

Continued from 01/04/18.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Martha Ruiz and Hector Vega, parents, appointed conservators of the person only on 06/01/17.
2. Notification of Conservatee's rights filed 06/13/17. **Need** to complete mailed service on maternal and paternal grandparents per Pr.C.§1821(b).
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

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

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1300295

CASE NAME: CLAUDE L. GILES

SEE ALSO 19B

HEARING:

Hearing Re: OSC RE CONTEMPT/SURCHARGE OF JEFFALYN GILES

COUNSEL:

CLAUDE L. GILES	(CEP)...JENNIFER M DANIEL
JEFFALYN A GILES	(PET)...PRO/PER
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
KARON A SPIGNER	(CPE)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC Re Contempt/Surcharge of Jeffalyn Giles.

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

1. Karon Spigner appointed Conservator of person and estate on 05/29/14; \$82,000 bond. Public Guardian appointed temporary Conservator of person and estate on 07/12/16. Jeffalyn Giles who was appointed as Conservator of person only on 01/16/18. Public Administrator appointed Conservator of person and estate on 02/02/18.
2. Matter set on 02/02/18 Exparte to Suspend Powers of Conservator Jeffalyn Giles. Jeffalyn Giles ordered to file an accounting by 02/22/18 as to all of her financial information, expenses and records from 12/11/17 – 02/02/18.

RECOMMENDATION

Court's discretion re OSC. Inquire status accounting.

(lc)

Future hearing dates: 05/07/18 Accounting review 09/17/18 Readiness 09/17/18 Issue of Successor Conservator of Estate 10/16/18 Trial 01/17/18 Trial 2nd Day

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

DATE: 03/01/18 TIME: 10:00 DEPT: S35P

CASE#: CON PS1300295

CASE NAME: CLAUDE L. GILES

SEE ALSO 19A

HEARING:

Hearing Re: OSC ON ISSUE OF SUSPENSION OF JEFFALYN GILES

COUNSEL:

CLAUDE L. GILES	(CEP)...JENNIFER M DANIEL
JEFFALYN A GILES	(PET)...PRO/PER
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
KARON A SPIGNER	(CPE)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC Issue of Suspension of Jeffalyn Giles.

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

1. Karon Spigner appointed Conservator of person and estate on 05/29/14; \$82,000 bond Conservator suspended 07/11/16 as was in coma. Public Guardian appointed temporary Conservator of person and estate on 07/12/16. Jeffalyn Giles who was appointed as Conservator of person only on 01/16/18. Public Administrator appointed Conservator of person and estate on 02/02/18. Clerk instructed not to issue letters of conservatorship to Jeffalyn at this time.
2. Matter set on 02/02/18 Exparte to Suspend Powers of Conservator Jeffalyn Giles. Jeffalyn Giles ordered to file an accounting by 02/22/18 as to all of her financial information, expenses and records from 12/11/17 – 02/02/18.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Future hearing dates: 05/07/18 Accounting review 09/17/18 Readiness 09/17/18 Issue of Successor Conservator of Estate 10/16/18 Trial 01/17/18 Trial 2nd Day

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

DATE: 03/01/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800012

CASE NAME: STEPHEN LYNN REID

HEARING:
Petition for Appointment of Conservator

COUNSEL:

MARIA REID (PET)...PRO/PER
STEPHEN LYNN REID (CP)...

GENERAL INFORMATION

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 02/05/18.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** return of citation.
7. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
8. **Need** Court Investigator report.
9. Certificate of Completion of the Conservatorship Training Class filed 02/01/18.
10. ~Proposed Form Order: 01/16/18.

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **10/04/18** 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.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 03/01/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1501011

CASE NAME: LUPE G. FLIN

HEARING:

Hearing Re: COURT TRIAL (FOURTH DAY)

COUNSEL:

CARMEN HERNANDEZ

(OBJ)...GILBERT M GUTIERREZ

GARY S WARD

(PET)...FRIDLEY LAW FIRM

LUPE G FLIN

(DEC)...

SHARLEEN MALDONADO-WARD

(PET)...MICHAEL C MADDUX

Trial – No notes – JTD

Future Hearing: 03/02/18 *Court Trial*

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 03/01/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 2, 3, 4, 4A

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP
INHERITANCE FUNDING COMPANY IN	(TP)...PRO/PER
KIMBERLY P TREBING	(APP)...PRO/PER
KIMBERLY P TREBING	(PET)...KINLEY & STYSKAL
LIBERTY MUTUAL INSURANCE COMPA	(PRO/PER
MICHAEL C MADDUX	(MICHAEL C MADDUX
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
RANDY PETERSON	(VOORHEES LAW GROUP
SHAWN PETERSON	(PET)...SCOTT K MAXWELL
SURETEC INSURANCE COMANY	(PRO/PER
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP
VERNON JEROME PETERSON	(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN to Judge JAMES MICHAEL WELCH for all purposes.

T.S.C. – 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

DATE: 03/01/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 1, 3, 4, 4A

HEARING:

Motion Re: Application for order of immediate removal of
personal representative Filed by Petitioner SHAWN PETERSON

COUNSEL:

DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP
INHERITANCE FUNDING COMPANY IN	(TP)...PRO/PER
KIMBERLY P TREBING	(APP)...PRO/PER
KIMBERLY P TREBING	(PET)...KINLEY & STYSKAL
LIBERTY MUTUAL INSURANCE COMPA	(PRO/PER
MICHAEL C MADDUX	(MICHAEL C MADDUX
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
RANDY PETERSON	(VOORHEES LAW GROUP
SHAWN PETERSON	(PET)...SCOTT K MAXWELL
SURETEC INSURANCE COMANY	(PRO/PER
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP
VERNON JEROME PETERSON	(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN to Judge JAMES MICHAEL WELCH for all purposes.

Currently under review by legal research.

(LR)

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 1, 2, 4, 4A

HEARING: Petition for REMOVAL OF ADMINISTRATOR AND REVOCATION
LETTERS OF ADMINISTRATION; SURCHARGE AND REMOVAL ETC

COUNSEL:

DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP
INHERITANCE FUNDING COMPANY IN	(TP)...PRO/PER
KIMBERLY P TREBING	(APP)...PRO/PER
KIMBERLY P TREBING	(PET)...KINLEY & STYSKAL
LIBERTY MUTUAL INSURANCE COMPA	(PRO/PER
MICHAEL C MADDUX	(MICHAEL C MADDUX
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
RANDY PETERSON	(VOORHEES LAW GROUP
SHAWN PETERSON	(PET)...SCOTT K MAXWELL
SURETEC INSURANCE COMANY	(PRO/PER
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP
VERNON JEROME PETERSON	(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN to Judge JAMES MICHAEL WELCH for all purposes.

GENERAL INFORMATION

Continued from 05/31/17. I&A to be filed by 06/30/17 and accounting by 08/31/17.

Discovery has not yet begun.

Continued from 09/27/17. Mr. Annigan reports parties have met and conferred and are attempting settlement. He further reports his is waiting for the inventory and appraisal.

Notice to be given by Mr. Annigan.

Continued from 11/15/17 and 12/20/17.

THIS CASE SET FOR HEARING ON Petition for Removal of Administrator and Revocation of Letters Pr.C. § 8503A, Surcharge for Breach or in the Alternative, appointment of independent Pr.C. § 16000 and Petition for Allowance of Fees by Randall Peterson, son.

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 \$250,000 bond.
2. Petitioner seeks removal of administrator Kimberly Trebing. Petitioner alleges that Kimberly has not taken any action relating to the decedent's rental property insurance. Petitioner further alleges that grounds for removal are based on wasted or mismanagement of estate. Rental property have reportedly past due utilities etc.
3. **Supp 09/25/17** contains further allegations as to improper accounting, property used for executor's benefit, unaccounted property, neglect, etc. However, no supporting documentation has been filed.
4. **Supp 11/07/17** asserts administrator continues to waste and mismanage estate; four properties remain unsold; administrator is incapable of properly executing duties and is now on her 5th attorney, and continues to defy court orders by failing to provide account statements every 60 days. Petitioners request a third-party administrator.
5. Bonding company has been noticed.

RECOMMENDATION

Court's discretion.

(lc/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 1, 2, 3, 4A

HEARING: REPORT OF Account and Report of KIMBERLY P TREBING and Petition for allowance of fees filed.

COUNSEL:

DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP
INHERITANCE FUNDING COMPANY IN	(TP)...PRO/PER
KIMBERLY P TREBING	(APP)...PRO/PER
KIMBERLY P TREBING	(PET)...KINLEY & STYSKAL
LIBERTY MUTUAL INSURANCE COMPA	(PRO/PER
MICHAEL C MADDUX	(MICHAEL C MADDUX
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
RANDY PETERSON	(VOORHEES LAW GROUP
SHAWN PETERSON	(PET)...SCOTT K MAXWELL
SURETEC INSURANCE COMANY	(PRO/PER
TIMOTHY J MCELFIH	(FERRUZZO & FERRUZZO, LLP
VERNON JEROME PETERSON	(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN to Judge JAMES MICHAEL WELCH for all purposes.

Request for Waiver of Court Fees and Costs filed by KIMBERLY P TREBING is GRANTED
Fee waiver amount due \$525.00
\$90.00 for ex parte hearing on 11/30/17 \$435.00 for objection to petition of etc. on 12/12/17

GENERAL INFORMATION:

Continued from 06/26/17 and 09/18/17 trailed to 09/27/17. Court orders parties meet and confer regarding mediation/settlement prior to next hearing.

Continued from 09/27/17. Mr. Annigan reports parties have met and conferred and are attempting settlement. He further reports his is waiting for the inventory and appraisal. Notice to be given by Mr. Annigan.

Continued from 11/15/17 and 12/20/17.

THIS CASE IS SET FOR HEARING ON **Amended** [06/20/17] First Account of Special Administrator and Petition for Costs by Kimberly Trebing.

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

1. Administrator proffers Pr. C. § 8547(b) in support of her request for compensation as Special Administrator and joins in this petition, as general personal representative, for allowance of special administrator's compensation.
2. Accounting period 09/10/16 to 12/29/16 but summary of account [LF, p. 11] reflects period of 07/12/16 to 12/31/16. **Need** verified supplement.
3. Assets on Hand \$814,917.03 consisting of cash.
4. Petitioner and Attorney to request fees at close of estate.
5. Petitioner requests reimbursement of costs advanced of \$13,928.83. Itemized [LF, p. 11-13]. However, costs include items such as printing, faxes, copies and postage costs which are normally not allowed. The Court **tentatively approved** reimbursement of costs in the amount of \$12,728.53 on 06/26/17.
6. Inventory and appraisal affixed to supp. 06/20/17 [LF, p. 64] caption is incomplete; not conformed; section 2 and total are blank; section 5 is blank; is not dated or signed by attorney and petitioner; statement about the bond section is incomplete; not appraised by Probate Referee; and does not attach supporting bank/financial statements to support date of death and closing balances per Local Rule 20-908. Further, Attachment 2 includes real properties that do not include legal descriptions or APN's. **Need** corrected, final inventory and appraisal filed separately.
7. Receipts - Schedule B [LF, p14] does not specify what property rent income pertains to. **Need** verified supplement.,
8. Disbursements - Schedule C [LF, p15] does not specify what property interest expense pertains to. Question whether monthly mortgage payment is an impound account that include taxes and insurance? **Need** verified supplement.
9. Property on Hand at End of Account [LF, p.16] does not include real or personal property. **Need** verified supplement.
10. No proposed order. Submit Order after Hearing.
11. **Objections filed 05/17/17 by Randall Peterson.**
12. **Supplement to Objection filed 09/11/17 by Objector, Randall Peterson.**
13. **Objection filed 09/14/17 by Shawn Peterson.**

RECOMMENDATION:

Need to clear notes 2 and 6-9. Matter is contested. If approved, set Accounting/Status Review for **07/17/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(nb/lh/lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600757

CASE NAME: MTR OF VERNON JEROME PETERSON

SEE ALSO 1, 2, 3, 4A

HEARING:

Petition for Letters of Administration (Successor)

COUNSEL:

DUSTIN D SICHON	(FERRUZZO & FERRUZZO, LLP
INHERITANCE FUNDING COMPANY IN	(TP)...PRO/PER
KIMBERLY P TREBING	(APP)...PRO/PER
KIMBERLY P TREBING	(PET)...KINLEY & STYSKAL
KIMBERLY P TREBING	(PET)...PRO/PER
LIBERTY MUTUAL INSURANCE COMPA	(PRO/PER
MICHAEL C MADDUX	(MICHAEL C MADDUX
RANDALL PETERSON	(PET)...VOORHEES LAW GROUP
SHAWN PETERSON	(PET)...SCOTT K MAXWELL L
SURETEC INSURANCE COMANY	(PRO/PER
TIMOTHY J MCELFISH	(FERRUZZO & FERRUZZO, LLP
VERNON JEROME PETERSON	(DEC)...

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge JAMES MICHAEL WELCH for all purposes.

GENERAL INFORMATION

Mitchell Roth appointed Special administrator on 11/15/17, bond \$300,000.

Continued from 12/20/17.

THIS CASE SET FOR HEARING ON Petition for Letters of **Successor** Administrator with **limited** authority under IAEA by Shawn Peterson, son, for Mitchell Roth.

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 \$250,000 bond. Powers suspended on 11/15/17; Letters of Special Administration issue to Mitchell Roth on 11/30/17, \$300,00 bond.
2. Petitioner requests bond of \$250,000 (present bond in estate), for monies to be held in estate account and used for the orderly administration of the estate with all other

assets/receipts to be placed into a blocked account. Estate consists of \$3,269,200 with \$957,200 in personal property. JTD

3. Randall and Peterson Patterson, sons, nominate Mitchell Roth.
4. **Objections filed 12/12/17 by Kimberly Trebing. Need proof of service.**
5. ~Proposed Form Order: 11/09/17

RECOMMENDATION

Court's discretion re bond. Matter is contested. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(cs/lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: CON PS1100062

CASE NAME: *MF* LORIANNE M. DURAN.

HEARING: Hearing Re: TRUSTEE OF SPECIAL NEEDS TRUST

COUNSEL:

ADAN JOHN M.D.	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(MCNEIL, TROPP & BRAUN LLP
DESERT VALLEY HOSPITAL	(QUINTAROS, PRIETO, WOOD &
DOUGLAS ZIPRICK MD	(MCNEIL TROPP & BRAUN LLP
ESTHER DURAN	(CPE)...PRO/PER
GARY DURAN	()...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
JANET DURAN	(PET)...KAMPF SCHIAVONE &
JANET DURAN	(PLA)...KAMPF SCHIAVONE & ASSOC
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
JOHN ADAN MD	(MCNEIL TROPP & BRAUN LLP
LORIANNE DURAN	(PET)...KAMPF SCHIAVONE &
LORIANNE M. DURAN	(CEE)...JENNIFER M DANIEL
LORIANNE M. DURAN	(PET)...JEANNE E KENNEDY
RICHARD DURAN	()...
RONALD DURAN	()...
STEVEN DURAN	(CP)...DAVID E FOATE
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL

XREF: PROPS1300446 (*Esther Duran estate*)

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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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0800804

CASE NAME: THE MILLIS FAMILY TRUST

HEARING:

Accounting Review

COUNSEL:

BARBARA HERNANDEZ	(PET)...PRO/PER
CARL MILLIS	(PET)...
LINDA MAXWELL	(PET)...ELISABETH KEMPE-OLINGER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
NANCY ARCHER	(PRO/PER
THE MILLIS FAMILY TRUST	(TRU)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Trust Account for Linda Maxwell, PPF, approved on 04/14/16.
2. **Need** 7th Account beginning with 01/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300345

CASE NAME: MARY CAROLINE BULEN

HEARING:
Accounting Review

COUNSEL:

CATHERINE A WILMOT	(PET)...FULLERTON LEMANN SCHAEFER
DOROTHY GAYNOR	(TP)...WHITE AND BRIGHT
FIRST FOUNDATION BANK	(KENNETH G COVENEY
FIRST FOUNDATION BANK	(KIRBY & MCGUINN
JAMES WILMOT	(WHITE AND BRIGHT
MARY CAROLINE BULEN	(DEC)...
MAX GAYNOR	(WHITE AND BRIGHT
MICHELLE GAYNOR	(WHITE AND BRIGHT

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to Catherine Wilmot, daughter, on 05/30/13; full authority, no bond.
2. Final Inventory and Appraisal filed 09/16/14.
3. Previous status report approved on 04/12/17.
4. **Need** accounting or next status report.

RECOMMENDATION

Inquire status of accounting.
(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 9

HEARING: Hearing Re: PTN FOR ORDER DETERMINING TITLE AND
REQUESTING ETC

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPPOOL & HORSPPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Continued from 8/5/13, 8/6/13, 8/23/16, 4/30/14, 8/21/14, 11/14/14, 11/25/14, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 4/4/16, 8/18/16, 08/22/16, 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/07/17, 12/21/17 and 01/25/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON Petition to Determine Title of real and personal property and a finding of a Breach of Fiduciary Duty and Elder Abuse by Steven Duran.

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

1. Petitioner, Steven Duran, appointed Special Administrator \$100,000 bond. Petitioner is one of six children and a beneficiary of the decedent's estate. Decedent died 2/11/13. Petitioner alleges that at all times described in the petition, the decedent was an "elder" as described in W&I§15610.27.
2. Petitioner alleges that the decedent held title to bank accounts containing proceeds from winnings and a settlement) and to 6 parcels of real property and that prior to her death, decedent was hospitalized for unknown reasons and on 7/29/12 decedent executed a Durable Power of Attorney, naming daughter, Janet Duran, as attorney in fact. Copy of POA attached (see LF pages 29-36).
3. Petitioner alleges that on 2/12/13 (one day after decedent's death) respondent, Janet Duran, through her power of attorney, recorded six Grant Deeds transferring the real property to decedent and her as joint tenants, and then on 5/10/13, Janet

Duran filed Affidavit of Death of Joint Tenant on each parcel. Copies of Deeds and Affidavits attached (see LF pages 37-58). Petitioner refers to the text of the POA that informs the agent that the property may not be transferred without adequate consideration. As the POA is terminated at death, it would appear that the Grant Deeds have created a cloud on title as they transfer title to a deceased person with a terminated POA.

4. Petitioner requests the property be transferred back to the estate. However, as the Grant Deeds were recorded after date of death of decedent creating a cloud on title, Court may wish to find the Grant Deeds and Affidavits of Joint Tenant as void.
5. Petitioner requests the Court find that Janet Duran exceeded her scope of authority, acted in bad faith, breached her fiduciary duty, and under Pr.C.§859 should be held liable for twice the value of the property in an amount to be determined.
6. Petitioner requests the Court find that prior to decedent's death, Janet Duran, fraudulently misappropriated funds from decedent's accounts, and under W&I§15657.5 for financial elder abuse be held liable for treble damages, punitive damages, prejudgment interest and costs.
7. Order on Stipulation to void and cancel four grant deeds approved on 01/15/14.
8. **Need** report of Ms. Michealis.
9. **Need** settlement.

RECOMMENDATION:

Need settlement and report.

(sa/lc/nb/lc/dl/lc/sa/nb/lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300446
CASE NAME: ESTHER DURAN

SEE ALSO 8

HEARING: Hearing Re: PTN FOR PROBATE OF WILL AND LTS TESTAMENTARY

COUNSEL:

ESTHER DURAN	(DEC)...
JANET DURAN	(PET)...BANKS GARCIA & JANIS
LORIANNE M DURAN	(PET)...PRO/PER
STEVEN DURAN	(PET)...HORSPOOL & HORSPOOL
TOYOTA MOTOR CREDIT CORP	(TP)...SCOTT WELTMAN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

XREF: CONPS1100062 (Lorianne Duran)

GENERAL INFORMATION:

Order appointing Steven Duran as Special Administrator entered 06/03/13, \$100,000 bond required (see prior matter).

Continued from **7/11/13** and **8/22/13**.

On **8/6/13** Court denied an Ex-parte order on Motion to Set Aside Order filed by Janet Duran. Need order.

Continued from **8/26/13, 12/16/13, 1/9/14, 4/30/14 and 8/21/14**. New trial dates set.

Continued from 11/25/14, 2/11/15, 2/11/15, 6/25/15, 11/19/15, 12/2/15, 3/30/16, 04/04/16 08/22/16 02/14/17, 03/16/17, 05/25/17, 08/10/17, 09/28/17, 10/26/17, 12/21/17 and 01/25/18. Settlement out for signature.

THIS CASE IS SET FOR HEARING ON

- Petition for Letters Testamentary with full authority under IAEA, by **Steven Duran**, son.
- Petition for Letters Testamentary with full authority under IAEA, by **Janet Duran**, daughter.

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

Petition by Steven Duran - son:

1. Petitioner, Steven Duran, requests admission of decedent's Will dated 7/6/93 only.
2. Petitioner is the third nominated executor. Will dated 7/6/93 nominates first Manuel Duran (now deceased) and second Janet Duran. Petitioner believes Janet Duran should not be appointed. Objections and competing petition filed by Janet Duran.

3. Will waives bond as to nominated executors. However, Court required \$100,000 bond for Special Administrator. JTD
4. **Objection filed by Janet Duran.**
5. Notice of Lis Pendens filed by Steven Duran on 03/30/15.

Petition by Janet Duran – daughter – second named executor:

6. Petitioner, Janet Duran, requests admission of decedent's Will dated 7/6/93 and holographic codicils dated 11/12/06 and 1/29/09.
7. Will waives bond. Estimated estate value is \$14,200. JTD
8. Decedent's will nominates Janet Duran as executor and the codicil of 1/29/09 restates/reconfirms the nomination.
9. **Objection to appointment and admission of purported codicils filed by Steven Duran.**
10. **Need** settlement.

RECOMMENDATION:

Need settlement. It appears Janet Duran has priority of appointment. Court to determine bond. If approved, set hearing for Accounting/Status Review on **05/09/19**. Any accounting to be filed 30 days in advance. Note Local Rule requirements.

(sa/nb/gls/nb/lc/nb/lc/sa/dl/lc/sa/nb/lh/lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400624

CASE NAME: Lucretia May Medley

HEARING:

Probate status report filed.

COUNSEL:

ELMER FRED GREEN jr	(OBJ)...KYLE A PATRICK
ELMER FRED GREEN JR.	(PET)...LAW OFFICE OF KYLE A PATRICK,
LOUIS SCOTT YOUNG	(PET)...KEITH S WALKER
LUCRETIA MAY MEDLEY	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status report.

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

1. Letters Testamentary issued to Elmer Green Jr., nephew, on 10/06/16, full authority no bond.
2. Reappraisal for Sale filed; however, **need** final Inventory and Appraisal.
3. Executor seeks an additional year to close the estate in order to jointly sell the real property.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400636

CASE NAME: Eugene L. Robideaux

HEARING:
Hearing re Final Discharge

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

GENERAL INFORMATION

Continued from 12/21/17. Discharge order to be processed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

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

RECOMMENDATION

Inquire status of discharge order.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500635

CASE NAME: ERIK RASHAD THOMPSON

HEARING:

Hearing re Final Discharge

COUNSEL:

ERIK RASHAD THOMPSON (DEC)...
WINIFRED LANDRUM (PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/25/18. Need declaration as to Malik Thompson's distribution.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Winifred Landrum approved on 01/19/17.
2. **Need** receipts for Charlotte Addison and Malik Thompson.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b).

RECOMMENDATION

Inquire status of receipts and discharge order.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 14, 15, 16, 17, 18

HEARING:

Hearing Re: TSC/Status of Settlement

COUNSEL:

CINDI HAGBLOOM

(OBJ)...JAMES E NEWNHAM

CINDI HAGBLOOM

(PET)...JAMES E NEWNHAM

EDWARD HARRY HAGBLOOM

(DEC)...

ROBIN HAGBLOOM

(PET)...SHEILA J. BARTON

T.S.C. / Settlement – 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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 13, 15, 16, 17, 18

HEARING:

Hearing Re: Order Instructing Trustee

COUNSEL:

CINDI HAGBLOOM

(OBJ)...JAMES E NEWNHAM

CINDI HAGBLOOM

(PET)...JAMES E NEWNHAM

EDWARD HARRY HAGBLOOM

(DEC)...

ROBIN HAGBLOOM

(PET)...SHEILA J. BARTON

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 13, 14, 16, 17, 18

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

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

GENERAL INFORMATION:

Continued from **04/26/16** and **08/15/16**. Parties ordered to attend mediation.

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

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

Continued from 10/11/17, 01/18/18 and 01/29/18. Matter is contested. Court trial requested.

THIS CASE IS SET FOR HEARING ON

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

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

Petitioner 1 - Robin Hagbloom, daughter

1. Will waives bond. The estate consists of \$ 262,000 of which \$12,000 is personal property. The Court may for good cause require that a bond be given per Pr.C. § 8481(c).
2. Will names petitioner as second successor executor [LF, p. 8]. **Need** Declination to Act by first named successor executor, Cynthia Joan Hagbloom. **Supp. (05/11/16)** alleges Cindi Hagbloom should be disqualified due to her attempts to thwart the testamentary wishes of the decedent by procuring a trust by fraud or undue influence; and Robin Hagbloom should be named administrator with will annexed due to the intentional wrongdoing perpetrated by Cindi Hagbloom in regards to decedent's estate.

3. Section 8 fails to list all persons named in the will. **Need** verified supplement as to Mark Hagbloom, Linnea Moreland and Hilma Willis.
4. Notice of Petition to Administer Estate filed on 02/29/16 and 03/25/16; however, notice was not served on Linnea Moreland and Hilma Willis. **Need** corrected notice.
5. Decedent has a Trust (see prior matter) that states "Last Will And Testament Dated 3/21/1996 Is Hereby Void By Signing This Instrument." [LF, p. 10] and initialed by decedent. **Need** verified supplement with points and authorities that would allow this court to admit purported will.
6. **Objections filed 04/07/16 by Cindi Hagbloom.**
7. ~Proposed Form Order: 09/30/15

Petitioner 2 - Cindi Hagbloom:

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

RECOMMENDATION:

Need to clear notes 2-5 and 9-11 then Court's discretion re:bond. Matter is contested. If approved, set future hearing for Accounting/Status Review on **05/09/19**. Note requirements of Local Rules Local Rules 20-901 and 20-908.
(nb/lh/nb/ww/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 13, 14, 15, 17, 18

HEARING:

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

COUNSEL:

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

See notes on matter 15.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 13, 14, 15, 16, 18

HEARING:

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

COUNSEL:

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

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500915

CASE NAME: EDWARD HARRY HAGBLOOM

SEE ALSO 13, 14, 15, 16, 17

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION

Continued from 01/18/18.

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

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

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

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600446

CASE NAME: MTR OF SALLY MICHEL MITYAS
HEARING: first and final Account and Report of EDDIE SARINANA and
Petition for allowance of fees filed.

COUNSEL:

EDDIE SARINANA	(PET)...TANYA L WILLIS
SALLY MICHEL MITYAS	(DEC)...
SANDY TURNER	(PET)...SANDY L. TURNER

XREF: CIVDS1606902 (*Hemming Law-v-Estate of Sally Mityas, et al*)
GARPS1700678 (*Raelyn Sarinana, Berlyn Sarinana, Jasmine Sarinana*)
On calendar in dept **S37G on 03/01/18**

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Eddie Sarinana, Fiancé/Father of issue.

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

1. Assets on hand \$441,453.04, of which \$52,253.04 in cash and remainder in real and personal property.
2. Administrator and counsel seek statutory fees of \$11,829.06 each. Ok.
3. Counsel seeks extraordinary fees of \$3,500, reduced from \$6,050, for 24.2 hours at \$250 per hour. Generally itemized [Acct. 12/22/17LFpg9-13]. JTD
4. Administrator seeks reimbursement of costs totaling \$3,147.65 [LFpg6].
5. Decedent left 3 minor issue **GARPS1700678, hearing also today in S37G.**
6. **Need** bank statements for Inventory and Appraisal cash balance and ending accounting balance per local rule 20-908.
7. **Need** notice of hearing and proof of service to GAL Sandy Turner.
8. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 6-7. If approved, set hearing on the filing of receipts and final discharge for **03/07/19.**

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600735

CASE NAME: MTR OF NUNCIO JOSEPH BONELLI

HEARING: Accounting Review

COUNSEL:

JOSEPH BONELLI	(PET)...MICHAEL C MADDUX
LIVE WELL FINANCIAL, INC	(TP)...MCCARTHY & HOLTHUS LLP
NUNCIO JOSEPH BONELLI	(DEC)...
PUBLIC ADMINISTRATOR	(CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Joseph Bonelli, son, on 12/19/16; full authority, no bond. Joseph *removed* on 03/07/17.
2. Letters of **successor** administration issued to Public Administrator on 03/16/17.
3. Final Inventory and Appraisal filed 11/01/16.
4. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting by **Joseph Bonelli** and set accounting review for **Public Administrator** for **04/19/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601074

CASE NAME: MTR OF JAMES JOSEPH COLFER

HEARING:

FIRST AND FINAL Account and Report of RICHARD WILLIAM COLFER and
Petition for allowance of fees filed.

COUNSEL:

JAMES JOSEPH COLFER (DEC)...
RICHARD WILLIAM COLFER (PET)...PAUL HORN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Richard Colfer, father.

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

1. Assets on hand \$161,103.99 in cash.
2. Administrator and counsel seek statutory fees of \$7,409.54 each. Administrator appears to be sole heir, court to inquire whether Administrator wishes to waive compensation.
3. Administrator seeks reimbursement of costs totaling \$1,481 [Acct.12/27 LFpg8].
4. Counsel seeks extraordinary fees for \$1,050 for 3.5 hours at \$350 per hour in relation to sale of real property, not itemized per local rule 20-904. JTD
5. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700454

CASE NAME: ROSENBERRY TRUST *ADMINISTRATIVE TRUST*

SEE ALSO 23

HEARING:
Accounting Review

COUNSEL:
EDWARD LEE ROSENBERRY REVOCABL (TRU)...JAMES B CHURCH
EDWARD LEE ROSENBERRY REVOCABL (PET)...JAMES B CHURCH

XREF: CONDS1000118 (*Edward Lee Rosenberry*)
PROPS1700455 (*Rosenberry Trust**Sub-Trust FBO Unborn Heirs*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review re Administrative Trust.

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

1. 2nd Trust Account for Katie Hernandez, Trustee, approved on 10/03/17.
2. **Need** 3rd Account beginning with 01/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700455

CASE NAME: ROSENBERRY TRUST* **SUB-TRUST FBO UNBORN HEIRS*
SEE ALSO 22

HEARING:
Accounting Review

COUNSEL:
EDWARD LEE ROSENBERRY REVOCABL (TRU)...JAMES B CHURCH
EDWARD LEE ROSENBERRY REVOCABL (PET)...JAMES B CHURCH

XREF: CONDS1000118 (*Edward Lee Rosenberry*)
PROPS1700454 (*Rosenberry Trust Administrative*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review re Sub Trust.

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

1. 2nd Trust Account for Katie Hernandez, Trustee, approved on 11/30/17.
2. **Need** 3rd Account beginning with 01/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700905

CASE NAME: MTR OF ETHEL RYAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ETHEL RYAN
ROBERT RYAN

(DEC)...
(PET)...GAUDY LAW, INC

GENERAL INFORMATION

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

Continued from 01/18/18. Deborah Philips and Kathy Ryan to file written objections.

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

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

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

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701206

CASE NAME: KENNETH FRANCIS WARD

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION

Continued from 01/18/18. Continuance request granted.

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

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

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

RECOMMENDATION

Need to clear notes 2-3, Court's discretion re bond. If approved, set Accounting/Status
Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901.
Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 25A

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800094

CASE NAME: LYNDA L HESSNER

HEARING:

Petition to determine succession to Real Property

COUNSEL:

LYNDA L HENNSER (DEC)...
MICHAEL C HESSNER (PET)...ELISABETH KEMPE-OLINGER

No documents available for review. Clerk's office notified 02/06/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800104

CASE NAME: MTR OF SANDRA JEAN ARHART

HEARING:

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

COUNSEL:

RODNEY LEYVA CRUTCHLEY (PET)...PRO/PER
SANDRA JEAN ARHART (DEC)...

GENERAL INFORMATION

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

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

1. **Need** Notice to Petition to Administer Estate and proof of service.
2. All heirs waive bond. **Need** waivers for children Christy and Jason. Net estate value is \$150,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
3. **Need** proof of publication.
4. ~Proposed Form Order: 02/01/18.

RECOMMENDATION

Need to clear notes 1-3. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800005

CASE NAME: MTR OF JAMES L & LOUISE R GORIN TRUST

HEARING:

Petition for VERIFIED PETITION FOR INSTRUCTIONS OF THE COURT AS
TO ETC

COUNSEL:

JAMES L & LOUISE R GORIN TRUST
PENELOPE GUTTMAN

(TRU)...

(PET)...PRICE LAW FIRM, APC

Currently under review by legal research.

(LR)

NOTICE: Need 30 days' notice to all 7 parties/agencies listed in petition.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 27

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/01/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1701275

CASE NAME: VICTOR F BATROSS AND NADINE M BATROSS TRUST

HEARING:

Petition for Appointment as Successor Trustee

COUNSEL:

KATHERINE M SHARP

(PET)...ROBERT A KRASNEY

VICTOR F BATROSS AND NADINE M

(TRU)...

Currently under review by legal research.

(LR)

Notice filed.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 03/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900204

Vacated

CASE NAME: KYLE SCHUNKE

HEARING:

Accounting Review

COUNSEL:

ANGELO SCHUNKE	(OBJ)...DONNASUE ORTIZ
ANGELO SCHUNKE	(PET)...DONNASUE ORTIZ
ANGELO SCHUNKE	(PET)...SAMUEL R WASSERSON
E. JOAN NELMS	(PET)...E JOAN NELMS
J. DAVID HORSPOOL	(PET)...HORSPOOL & HORSPOOL
KYLE SCHUNKE	(CEP)...JOAN NELMS
KYLE SCHUNKE	(PET)...JACK B. OSBORN
NANCY S. SCHUNKE	(CP)...HORSPOOL & HORSPOOL
NANCY SLIMAK SCHUNKE	(CPE)...HORSPOOL & HORSPOOL

(lc)

Future hearing dates: 03/13/18 7th Account Current.

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

DATE: 03/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100065

CASE NAME: SOFIA GONZALEZ

HEARING:

SIXTH Account and Report of JENNIFER M DANIEL and Petition for allowance of fees filed.

COUNSEL:

GLORIA E GONZALEZ	(CP)...PRO/PER
GLORIA E GONZALEZ	(CPE)...PRO/PER
GLORIA E GONZALEZ	(GE)...PRO/PER
JENNIFER M DANIEL	(PET)...JENNIFER M DANIEL
SOFIA GONZALEZ	(CPE)...JENNIFER M DANIEL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th and Final Account and Petition for Fees by Gloria Gonzalez, daughter.

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

1. Conservatee passed away on 09/07/17.
2. Account period covers 07/19/16 – 09/07/17, post death end 11/15/17.
3. Assets on hand \$13,080.13 in cash.
4. Ending balance of 4th Account is \$162,143.98; however, beginning balance of Petitioner does not request compensation at this time.
5. Accounting appears to only state the cash of \$31,843.98, not real property, and a corrected final Inventory and Appraisal filed indicating no real property. **Need** verified supplement explaining why it is now not an estate asset.
6. **Need** original facility statements for Leisure Pointe per Pr.C. §2620(c)(5).
7. There is no proposed distribution. **Need** same.
8. No proposed order submitted; submit order after hearing.

RECOMMENDATION:

Need to clear notes 5-7. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

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

DATE: 03/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100068

CASE NAME: EVELYN M. VAN FLEET

HEARING:

Fifth Account and Report of JOHN S VAN FLEET and Petition for allowance of fees filed.

COUNSEL:

EVELYN M VAN FLEET	(CEP)...
JOHN S VAN FLEET	(CPE)...E JOAN NELMS
JOHN S VAN FLEET	(CPE)...JAMES B CHURCH
WALTER T MOORE	(PET)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 5th Account and Petition for Allowance of Fees by John Van Fleet, son.

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

1. Accounting period 09/13/15 – 09/12/17.
2. Assets on hand \$995,631.74; cash with exception of \$1,960 in personal property.
3. Conservator waives fees.
4. Attorney seeks fees of \$10,201 for 49.7 hours at \$100/375 per hour for paralegal and attorney services. [Acct. 01/16/18LFpg38-47]. JTD
5. Attorney seeks reimbursement of costs totaling \$151.50. JTD
6. Conservator seeks reimbursement of costs totaling \$297 for medical transportation. JTD
7. Current bond is \$100,000 and remainder of assets in blocked account.
8. Proposed Order: 01/16/18; however, does not include personal property.

RECOMMENDATION

Court's discretion re fees. If approved, set hearing on the next accounting review for **12/20/18** (if one year) or **12/19/19** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/01/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700400

Vacated

CASE NAME: MTR OF CYNTHIA OLIVO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CYNTHIA OLIVO

(CTP)...DONNASUE ORTIZ

SYLVIA GONZALEZ OLIVO

(CP)...PRO/PER

(lc)

Future hearing dates: 04/08/19 Accounting review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

MISC

DATE: 03/01/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1400136

CASE NAME: Evelyn Joyce Murray

HEARING:

Court Trial set for PETITION FOR PROBATE of VINCENT EUGENE MURRAY

COUNSEL:

EVELYN JOYCE MURRAY	(DEC)...
KIMBERLI MURRAY	(TP)...BRENT D GRIDER
KIMBERLY PATRICE MURRAY	(PET)...PRO/PER
VINCENT EUGENE MURRAY	(PET)...THOMAS W DOMINICK

Trial – No notes – JTD

Future Hearing: 03/15/18 Motion to be relieved as counsel

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

DATE: 03/01/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

SEE ALSO 34, 35, 36

HEARING: Hearing Re: Petition to Reform Deed

COUNSEL:

JOHN G HERNANDEZ	(DEC)...
RONALD MACIAS	(BEN)...PRO/PER
RUDOLFO HERNANDEZ	(PET)...LAW OFFICE OF FD WHITLEY
TRACEY E GONZALEZ	(OBJ)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

Continued from 01/31/18.

THIS CASE IS SET FOR HEARING ON Petition to Reform Deed of Trust and Determine Ownership of Interest in Proceeds from Sale of Real Property, for Order of Reformation and Authorizing and Directing Personal Representative to Transfer Estate Interest to Petitioner [Pr. C. §§850(a)(2), 855, 856] by niece by marriage, Tracey E. Gonzales aka Tracey E. Hernandez ["Petitioner"].

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

1. Petitioner indicates she left her gainful employment and moved from Connecticut to California to provide care to Decedent, Decedent's spouse, Virginia R. Hernandez ["Virginia"] and Virginia's son, Ronald Macias ["Ronald"], under a life care contract made on or about 11/02/15.
2. Petitioner states that around the time of the life care contract, Decedent loaned his brother, Rudolfo Hernandez ["Rudy"] a total of \$30,000. Petitioner alleges when Decedent requested Rudy repay the loan, Rudy refused. Upon learning of Rudy's refusal to repay the loan, and purported longstanding financial manipulation of Decedent by Rudy, Decedent and Virginia became frustrated, angry and decided to leave the entirety of their assets to Petitioner.
3. In November 2015, Decedent and Virginia added Petitioner as an owner of residential real property located at 901 Wedgewood Court, Rialto, CA [the "Wedgewood Property"] as a joint tenant. Following the deaths of Decedent and Virginia, Petitioner took title and currently holds title as the surviving joint tenant.
4. The real property that is the subject of this petition is a commercial property operating as a liquor store located at 1582 N. Mount Vernon, San Bernardino, CAA [the "Mt. Vernon Property"].

5. On or about 12/22/15, Virginia conveyed her 50% interest to Petitioner. A copy of the Grant Deed is attached at LF, p. 11. Decedent retained his interest because the rental income from the Mt. Vernon Property assisted in paying Decedent's living expenses. Petitioner alleges it was Decedent's intent that he and Petitioner would hold title as joint tenants so Petitioner would own the Mt. Vernon Property in its entirety upon his passing.
6. In or around November 2016, Decedent and Petitioner sold the Mt. Vernon property to the longtime tenant, Gurdeep Sing ["Singh"] and as part of the purchase, Singh executed a Deed of Trust for the benefit Decedent and Petitioner [LF, pgs.13-15].
7. The Deed of Trust incorrectly stated that Decedent and Petitioner, as beneficiaries, each held an undivided 50% interest. Petitioner indicates the Deed of Trust should have reflected the intention and desire of the parties, including Decedent, that the parties would hold their beneficial interest in the Deed of Trust as joint tenants with rights of survivorship. Petitioner claims Decedent's intention was communicated to numerous third parties, that the entirety of his interest in the Mt. Vernon Property, including the title, rents, and any other proceeds, to Petitioner upon Decedent's death.
8. Petitioner maintains when Decedent passed away in December 2016, the entirety of his interest in the sale proceeds and mortgage payments for the Mt. Vernon Property should have gone to Petitioner.
9. Petitioner requests this Court to determine that Petitioner is the true owner of the Decedent's interest in and to the proceeds of the sale and mortgager for the Mt. Vernon Property; reform the Deed of Trust to reflect that the 'beneficiary' was Decedent and Petitioner, as joint tenants, for which Petitioner is the sole beneficiary in light of Decedent's death; and to authorize and direct the personal representative to transfer the Decedent's interest in the Mt. Vernon Property to the Petitioner.
10. Need proof of **personal** service for Rodolfo Hernandez per Pr. C. §851.
11. ~Proposed order 01/23/18.

RECOMMENDATION:

Need to clear note 10 then Court's discretion
(nb)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

SEE ALSO 33, 35, 36

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

JOHN G HERNANDEZ	(DEC)...
RONALD MACIAS	(BEN)...PRO/PER
RUDOLFO HERNANDEZ	(PET)...LAW OFFICE OF FD WHITLEY
TRACEY E GONZALEZ	(OBJ)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION

Continued from **10/03/17**. Bond had not been posted.

Continued from **11/14/17** to trail M.S.C.

Continued from 01/31/18. Court not available.

THIS CASE SET FOR HEARING ON Receipt of Bond

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

1. Matter set on 08/15/17 requiring bond of \$79,200 was set on 08/15/17 pending receipt of supplement clearing notes. See next matter.
2. **Need** proof of bond.

RECOMMENDATION

Inquire status.

(cs/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

SEE ALSO 33, 34, 36

HEARING:

Petition for PROBATE LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JOHN G HERNANDEZ	(DEC)...
RONALD MACIAS	(BEN)...PRO/PER
RUDOLFO HERNANDEZ	(PET)...LAW OFFICE OF FD WHITLEY
TRACEY E GONZALEZ	(OBJ)...FULLERTON LEMANN SCHAEFER

GENERAL INFORMATION:

Continued from **05/02/17**. Notice to be given by Mr. Whitely.

Continued from **08/15/17** \$79,200 bond required. Supp clearing notes to be filed today.

Court appoints J. David Horspool as guardian ad litem for Ronald Macias.

Continued from **10/03/17 and 11/14/17** to trail mediation hearing.

Continued from 01/31/18. Court not available.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Rudolfo Hernandez, brother.

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

1. Supplement filed 08/15/17 amends relatives section to include decedent's deceased siblings; however, does not include information as to issue of decedent (Ronald Macias). Does court wish to require verified supplement. JTD
2. Notice filed.
3. ~Proposed order submitted: 08/28/17

RECOMMENDATION:

Court's discretion re note 1. If approved, set future hearing for Accounting/Status Review on **05/09/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh/cs/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 03/01/18 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1700129

CASE NAME: MTR OF JOHN G HERNANDEZ

SEE ALSO 33, 34, 35

HEARING:

Mediation Settlement Conference

COUNSEL:

JOHN G HERNANDEZ

(DEC)...

RONALD MACIAS

(BEN)...PRO/PER

RUDOLFO HERNANDEZ

(PET)...LAW OFFICE OF FD WHITLEY

TRACEY E GONZALEZ

(OBJ)...FULLERTON LEMANN SCHAEFER

M.S.C. – No notes – JTD *

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700137

CASE NAME: FINCH MINORS

SEE ALSO 2

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

ALYSSA FINCH	(MIN)...
DAVID FINCH	(PRO/PER
DAVID SHYNOVICK	(PET)...PRO/PER
DERICK FINCH	(MIN)...
MONICA FINCH	(MIN)...
ROSEMARY SHYNOVICK	(PET)...PRO/PER
SANDRA LEONARD	(OBJ)...TERA D LEE

GENERAL INFORMATION

Rosemary Shynovick and David Shynovick appointed temporary guardians on 03/27/17. Mother served in court. Mother is ordered to file and serve written objections by 04/24/17, or objections will be deemed waived.

Continued from **05/02/17**. Court deems all parties served by their appearances. Mother has filed objections; father will file objections. Father to show the Court proof of a valid CA driver's license. Court makes interim visitation orders as to father and mother. Referred to FCS. Referred to Court Investigator.

Continued from 9/12/17. Tentative decision of denying request for guardianship. Mother's housing is an issue. Father and maternal grandmother to have unsupervised contact with minor. No contact with Valerie and Scotty. Mother ordered to drug test by 5PM this date. Drug results to be served prior to next hearing and filed with Court at next hearing. Neither party to discuss facts of case with minor children. Any declarations to be filed with Court in advance of next hearing. Temporary guardians may supervise visitation pending next hearing. Court made visitation orders as to mother.

Continued from 10/03/17. Temporary guardianship terminated. Mother's drug test is negative. Minors returned to mom. Father to have visitation 1st, 3rd and 5th Weekends; 3 day weekends include 3rd day. Minors to have no contact with Valerie & Scottie. Minors to be enrolled in therapy and have daily contact with parents; twice a week with former guardians on Saturday and Wednesday. Holiday schedule in minute order.

On 12/21/17 court modified order: When father is picking up minor, exchange to be at Chevron in Ludlow. When father is dropping off, exchange to be at Barstow Sheriff's Substation. No party to discuss case with minors. Mother to contact IRC to

attempt to obtain services for Alyssa. If phone calls/following minors continue, mother to seek restraining order.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Rosemary and David Shynovick, paternal aunt and spouse; minors Derick 12, Monica 10, Alyssa 9.

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

1. UCCJEA Declaration indicates minors reside with father at an unknown address in Victorville.
2. Declarations in support of Petition filed 03/20/17.
3. Declaration of father David Finch filed 09/27/17.
4. CI report filed 08/23/17.
5. FCS report filed 05/30/17.
6. Various Declarations filed 05/11/17.
7. **Objections by father David Finch filed 04/25/17.**
8. **Objections filed by mother Sandra Leonard filed 04/25/17. Supplemental filed 09/29/17.**
9. **Reply to Objections by Rosemary Shynovick filed 06/20/17. Need proof of service.**
10. ~Proposed form Order: 03/20/17

RECOMMENDATION

Matter is contested.

(lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700137

CASE NAME: FINCH MINORS

SEE ALSO 1

HEARING:
Readiness Calendar

COUNSEL:

ALYSSA FINCH	(MIN)...
DAVID FINCH	(PRO/PER
DAVID SHYNOVICK	(PET)...PRO/PER
DERICK FINCH	(MIN)...
MONICA FINCH	(MIN)...
ROSEMARY SHYNOVICK	(PET)...PRO/PER
SANDRA LEONARD	(OBJ)...TERA D LEE

Readiness – 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

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 4, 5, 6, 15

HEARING:

Hearing Re: PETITION FOR INVALIDITY OF SPECIFIC DIRECTIVE ETC

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
JANET WILKINSON	(PET)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

Currently under review by legal research.

(LR)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 3, 5, 6, 15

HEARING:

Petition for LINDSEY NAYLOR TO ESTABLISH RIGHTS TO SHARE OF
DECEDENT'S ESTATE AS AN OMMITED CHILD ETC

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
JANET WILKINSON	(PET)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

Currently under review by legal research.

(LR)

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

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 3, 4, 6, 15

HEARING: Petition for PROBATE OF WILL & FOR LETTERS TESTAMENTARY
W/FULL IAEA

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
JANET WILKINSON	(PET)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

GENERAL INFORMATION

Continued from 08/04/16. Written objections to be filed or objections will be waived. Rodney Lee's client to file the original will within 20 days.

Continued from 11/10/16. Deborah Wilkinson appointed special administrator; \$2,150,000 bond.

Continued from **01/26/17.** Written objections filed to the codicil but will contest has not been filed. Will contest to be filed and served by 03/30/17. Objector notes that the copy of the will provided does not appear to be the copy of the original. Counsel to meet and confer regarding marshalling of assets by Special Administrator. Counsel to report on status of discovery at next hearing. All existing orders remain in effect.

Continued from 05/25/17. Amended order re special administration signed for Deborah Wilkinson; \$2,150,000 bond. Mr. Bochnewich newly retained. This matter has been delayed and advised counsel appropriate steps needed to be taken to get case moving.

Continued from **07/27/17.** Will contest will be filed by 7/31/17. No response or objection on any filings needed after mediation.

Continued from 08/31/17, 10/05/17 and 10/24/17 M.S.C.s.

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost** Will, Letters Testamentary with Full Authority under IAEA by Deborah Wilkinson, daughter.

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

1. Petitioner, Deborah Wilkinson, is named executor in codicil. However, codicil does not waive bond as to petitioner. Petitioner waives bond; however, no other beneficiaries waived bond. **Supp 07/29/16:** Petitioner alleges that decedent intended the will terms did not change. However, petitioner is not named as executor in the will. Supplement does not cure deficiency. **Supp11/07/16:**

Petitioner requests bond of \$200,000 as bulk of the personal property is to go to petitioner. **Estate value \$2,150,000. JTD**

2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Supp 07/29/16: Petitioner alleges that decedent's wife has confirmed having original will.** Declarations filed **11/23/16** indicating that Janet Wilkinson **does not** have the original will.
3. Petitioner alleges she has the original codicil.
4. Decedent and spouse were legally separated at time of death. See declaration filed 05/27/16.
5. **Objections filed by Janet Wilkinson, surviving spouse, on 09/22/16.**
6. **Response filed by Deborah Wilkinson on 11/07/16.**
7. ~Proposed Form Order: 05/27/16.

RECOMMENDATION

Court's discretion re bond; matter is contested. If approved, set Accounting/Status Review for **05/09/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 3, 4, 5, 15

HEARING:

Readiness Calendar

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
JANET WILKINSON	(PET)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

Readiness – 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**

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300769

CASE NAME: Mary S Lazar

HEARING: Accounting Review

COUNSEL:

MARY S LAZAR (DEC)...
SHAIKH M AHMED (PET)...NOREEN T FONTAINE

XREF: PROPS120798 (Mary S Lazar Trust)
CIVDS1312004(Safaraz-v-Lazar)

GENERAL INFORMATION

Continued from **2/3/16** and **4/5/16** No appearances. Notice mailed.

Continued from 05/18/16, 06/20/16, 08/30/16, 02/23/17, 04/13/17, 05/04/17 and 07/06/17.

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

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

1. Letters Testamentary issued to Shaikh Ahmed on 6/17/14, \$20,000 bond.
2. Final Inventory and Appraisal filed 07/06/17.
3. **Need** an accounting or status report.

RECOMMENDATION:

Inquire status of accounting. 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/nb/dl/nb/lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400709

CASE NAME: Maria Gutierrez

HEARING:
Probate status report filed.

COUNSEL:

MARIA GUTIERREZ (DEC)...
ROMELIA GUTIERREZ (PET)...RICHARD G ANDERSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Romelia Gutierrez, daughter, on 10/06/14; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. Administrator seeks an additional 6 months to close the estate in order for personal injury litigation to resolve.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 2. If approved, set Accounting/Status Review for **09/13/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400938

CASE NAME: THOMAS EDMUND KNOX

HEARING:
Accounting Review

COUNSEL:
JAMES W MCLAUGHLIN Jr (PET)...PRO/PER
THOMAS EDMUND KNOX (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to James McLaughlin Jr., nominee, on 10/20/15; full authority, no bond.
2. Final Inventory and Appraisal filed 03/03/17 indicating \$69,000 50% interest in real property.
3. Previous status report approved on 07/06/17. **Need** order.
4. **Need** accounting or next status report.

RECOMMENDATION

Inquire status of order and accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 11, 12

HEARING:

Hearing Re: Status of Mediation

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
GARY N ROBERTSON	(BROWN WHITE & OSBORN
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

Status – No notes – JTD *

Future Hearing: 03/26/18 Motion re: Disqualify Thomas Dominick as counsel of records etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 10, 12

HEARING:

Petition for TO DETERMINE INVALIDITY OF TRUST

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
GARY N ROBERTSON	(BROWN WHITE & OSBORN
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

03/26/18 Motion re: Disqualify Thomas Dominick as counsel of records etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600057

CASE NAME: CASSIE C SHARP TRUST

SEE ALSO 10, 11

HEARING:

Trial Setting Conference

COUNSEL:

DARCY CLOUTIER-FERNALD	(PET)...FULLERTON LEMANN SCHAEFER
GARY N ROBERTSON	(BROWN WHITE & OSBORN
IRIS ROBERTSON	(OBJ)...JACK B. OSBORN
THE CASSIE C SHARP TRUST	(TRU)...PRO/PER

T.S.C – No notes – JTD *

Future Hearing:

03/26/18 Motion re: Disqualify Thomas Dominick as counsel of records etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600179

CASE NAME: MTR OF RITA S COTTINGHAM

HEARING:
Hearing re Final Discharge

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

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Catherine Blue, daughter approved on 02/23/17.
2. Receipts filed.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of discharge order.
(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600290

CASE NAME: MTR OF ALFRED GEORGE CHARLTON, JR.

HEARING:

First & Final Account and Report of KELLIE LYNNE MENENDEZ and
Petition for allowance of fees filed.

COUNSEL:

ALFRED GEORGE CHARLTON JR (DEC)...
KELLIE LYNNE MENENDEZ (PET)...PRO/PER

GENERAL INFORMATION

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

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

1. Caption does not state waiver of accounting; however, as there is one waiver filed and no accounting attached, court may wish to deem as a waiver of accounting.
2. Administrator waives compensation.
3. Partial and Amended Inventory and Appraisal filed 03/28/16 & 10/07/16.
 - a. Truck not appraised by probate referee on partial.
 - b. No bank statements supporting per local rule 20-908.
 - c. Report indicates \$10,000 and Inventory and Appraisal filed states \$7,677.67.
 - d. Amended Inventory and Appraisal does not indicate date of death, or have any attachments. **Need** proper Inventory and Appraisal.
4. Report states there is no cash. **Need** assets on hand.
5. **Need** waiver of account for Carrie Charlton.
6. **Need** notice of hearing and proof of service to other heir Carrie Charlton.
7. No Proposed Order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing on the filing of receipts and final discharge for **03/07/19**.

(lc)

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 3, 4, 5, 6

HEARING: Petition for ORDER TO COMPEL BENEFICIARY FOR TURN OVER
PERSONAL PROPERTY

COUNSEL:

DEBORAH WILKINSON	(PET)...MORTENSEN & REINHEIMER, PC
EUGENE L WILKINSON	(DEC)...
JANET WILKINSON	(OBJ)...PETER M BOCHNEWICH
JANET WILKINSON	(PET)...PETER M BOCHNEWICH
LINDSEY NAYLOR	(PET)...PETER M BOCHNEWICH

GENERAL INFORMATION

Continued from 04/27/17. Janice Wilkinson ordered to comply with requests to turn over truck, computer, TV and guns. Assets not to be disposed of pending further order of the court. Counsel stated will contest was served is not sufficient. Petition requesting codicil be stricken may be filed. Counsel states Pr.C. § 850 Petition is not appropriate in this matter.

Continued from 05/25/17. Mr. Bochnewich newly retained. This matter has been delayed and advised counsel appropriate steps needed to be taken to get case moving. Legal separation has been filed in last supplement and judgment includes property division.

Continued from **07/27/17 and 08/31/17**. Mediation settlement held.

Continued from **10/05/17**. No settlement was reached.

Continued from **10/24/17** by stipulation. Petition regarding the real property lot may be filed and set for 12/12/17.

Continued from 12/12/17.

THIS CASE SET FOR HEARING ON Petition for order to Compel Beneficiary for Turnover of Personal property Pr.C. § 9650, 9654 by Deborah Wilkinson.

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

1. Petitioner is **special administrator**, letters issued 01/30/17, \$2,150,000.00 bond.
2. Petitioner is seeking an order for the return of personal property allegedly taken by respondent Janet Wilkinson, surviving spouse. Petitioner believes that Janet is in possession of the following:
 - a. 2000 Ford Dully Truck
 - b. Glock G27 .40 Caliber handgun

- c. CHP Limited Edition Ruger .38 rifle
- d. Flat Screen TV
- e. Computer

Petitioner alleges that parties have met with counsel to confer and has attempted to recover the personal property. Respondent has reportedly unreasonably refused. Copies of letters attached. [Pet.02/27 LFPg9 et.seq].

3. Petitioner alleges in Supplement filed 04/20/17 that he is unsure of whether there is a statute allowing him to maintain this action. Petitioner alleges he is attempting to regain possession of estate property, but that Probate Code § 850(2)(D), which allows the personal rep to maintain an action where “the decedent died having claim to real or personal property, title to or possession of which is held by another,” does not apply. – JTD
4. **Supp 05/22/17:** Petitioner attaches dissolution judgment with assets awarded to decedent [respondent in dissolution]. [Sup. 05/22/17 LFPg 10-13].
5. In as much as the Court has ordered Janet Wilkinson to turn over the property, per minute order of 04/27/17, it appears that this part of the petition has in fact been granted and is now enforceable under contempt proceedings. So the search for an applicable statute to regain possession may in fact be moot, and the only part of the prayer to be determined is recovery of attorney fees.
6. Janet Wilkinson, who is in possession of the property, appeared at the 04/27/17 hearing. It would therefore appear that service is unnecessary as to her on this particular claim.
7. Not clear whether Janet Wilkinson complied with Penal Code §§ 27875 and/or 27920 for the alleged firearm transfers.
8. Declarations by Janet Wilkinson and adopted daughter Lindsey Naylor regarding firearms filed on 12/07/17.
9. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion.

(lc/jm/lc/nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600738

CASE NAME: PAUL BARCELONA SPECIAL NEEDS TRUST

SEE ALSO 17

HEARING:

Hearing Re: STATUS OF PURCHASE OF HOME

COUNSEL:

CLARISSE VILLALPANDO	(PET)...MICHELS & LEW
PAUL BARCELONA	(MIN)...PRO/PER
PAUL BARCELONA SPECIAL NEEDS T	(TRU)...
WESTAMERICA BANK	(PET)...RANDOLPH M SHARON

XREF: CIVDS1506803 (*Paul Barcelona-v-Barstow Community*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Purchase of Home.

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

1. On 11/28/17, Westamerica Bank, Trustee, authorized to purchase home up to \$700,000.
2. Carolyn Michaelson appointed as 730 expert to assist in home selection.

RECOMMENDATION

Inquire status.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700980

CASE NAME: MTR OF STANLEY ROSS BRODY

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

MARILYNN R BRODY (PET)...PRO/PER

STANLEY ROSS BRODY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Marilyn Brody, daughter, appointed administrator on 01/31/18; full authority \$20,000 bond.
2. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Future Hearing: 04/10/189 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 16B

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701137

CASE NAME: WINSTON TUCK LOOMIS

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

WILLIAM M. LOOMIS (PET)...LAW OFFICE OF SOLOMON A. CHEIF
WINSTON TUCK LOOMIS (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. William Loomis, son/Trustee, appointed executor on 01/31/18; full authority \$50,000 bond. Order does not appear in LF at time of review.
2. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Future Hearing: 04/10/19 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 16C

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

DATE: 03/01/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701279

CASE NAME: MTR OF CLEOFAS VILLARREAL

HEARING:
Hearing Re: RECEIPT OF BOND

COUNSEL:
CLEOFAS VILLARREAL (DEC)...
RICARDO GARCIA (PET)...JASON L GAUDY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Receipt of Bond.

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

1. Ricardo Garcia, son, appointed administrator on 02/01/18; full authority \$20,000 bond.
2. **Need** bond in order for letters to issue.

RECOMMENDATION

Inquire status of bond.
(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AN MOTIONS

DATE: 03/01/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1600738

CASE NAME: PAUL BARCELONA SPECIAL NEEDS TRUST

SEE ALSO 16

HEARING:

PETITION FOR APPROVAL OF FIRST Account and Report of WESTAMERICA BANK and Petition for allowance of fees filed.

COUNSEL:

CLARISSE VILLALPANDO

(PET)...MICHELS & LEW

PAUL BARCELONA

(MIN)...PRO/PER

PAUL BARCELONA SPECIAL NEEDS T

(TRU)...

WESTAMERICA BANK

(PET)...RANDOLPH M SHARON

XREF: CIVDS1506803 (*Paul Barcelona-v-Barstow Community*)

GENERAL INFORMATION

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

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

1. Accounting period 10/26/16 – 09/30/17.
2. Assets on hand \$3,775,994.26 of which \$15,993.26 is cash and remainder in mutual funds.
3. Trustee seeks ratification of fees already taken of \$43,231.25 at a rate of greater than \$2,500 or 1.4% up to \$1M, 1.25% the next \$1M and 1% on assets above \$2M based on fee schedule.
4. Attorney seeks fees of \$7,245 for 16.1 hours at \$450 per hour, plus costs of \$230. [Acct.10/27/17 LFpg8].
5. Petition to establish trust indicated net amount to be transferred to trust is \$3,880.479.91; however, beginning balance of accounting states \$3,851.004.76. **Need** reconciliation or amended accounting.
6. Disbursements indicate reimbursement for Toyota Sienna, \$10,219.05 and payoff of \$28,791.58; however, it does not appear to be an asset of the trust [LFpg23&30]. **Need** verified supplement explaining Inventory adjustments for Toyota, payoff and reimbursement.

7. Disbursements indicate reimbursement of \$6,972.32 for airfare re Paul Barcelona, caregiver [LFpg30]. **Need** verified supplement further explaining expense.
8. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-7. If approved, set Accounting/Status Review for **02/21/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 03/01/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800019

CASE NAME: GREGORY S. WILSON SPECIAL NEEDS TRUST

HEARING:

Petition for INSTRUCTION TO THE SUCCESSOR TRUSTEE OF AN
IRREVOCABLE TRUST

COUNSEL:

GREGORY S. WILSON SPECIAL NEED (TRU)...
MEMBERS TRUST COMPANY (PET)...JAMES B CHURCH

Currently under review by legal research.

(LR)

NOTICE: Need 30 days' notice of hearing and proof of service for Kathleen Henkel,
Jennifer and Pamela Wilson *if surviving*.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 03/01/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500359

CASE NAME: LUIS CARRANZA RANDALES

HEARING:

Accounting Review

COUNSEL:

LUIS CARRANZA RANDALES.	(CEE)...
MARTHA MAFUD	(PET)...MELINDA S BELL
MARTHA MAFUD	(PET)...PHILLIP LEMMONS ATTORNEYAT
SANDRA L. TURNER	(PET)...SANDRA L. TURNER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st Account for Martha Mafud, sister, approved on 06/28/17.
2. **Need** 2nd Account beginning with 12/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)