



## First Check

Superior Court of California  
County of San Bernardino  
Probate Department

### **Probate Notes for Calendar Date: 03/07/18**

All corrections/supplements addressing these notes should be filed by 02/28/17.

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](mailto:ProbateNotes@sb-court.org)

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

02/16/18lh

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO San Bernardino District - Civil  
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CIVIL**

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: CIP DS1700104

CASE NAME: IN RE: ESTATE OF ANGELA LIZETTE ALBA

**SEE ALSO 5 6 7 8**

HEARING:

Order to show cause re: verification of deposit

COUNSEL:

JEFFREY G. PRENTICE (PET)...LAW OFFICE OF PETER R NASMYTH  
ISSABELLA PRENTICE (M/P)...LAW OFFICE OF PETER R NASMYTH  
ANNELISE PRENTICE (M/P)...LAW OFFICE OF PETER R NASMYTH

**XREF: PROPS1500171** ANGELA LIZETTE ALBA

GENERAL INFORMATION

Continued from 09/06/17. No appearance. Court sets OSC re surcharge of \$5,000.00 each on Jeffrey Prentice and Issabella Prentice payable to the estate for failure to appear/file.

**On 09/21/17**, Court vacated OSC re surcharge of \$5,000.00 hearing per 09/21/17 minutes of PROPS1500171.

**Continued from 11/01/17** at request of Counsel. Later, after matter was called, Court directed Judicial Assistant to contact Counsel to determine counsel's availability for a Wednesday hearing, as the originally given date was a Thursday. Judicial Assistant contacted Counsel and date of 01/24/18 was chosen.

**Continued from 01/24/18.**

THIS CASE IS SET FOR HEARING ON OSC re Verification of Deposit

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

1. Matter set on 08/03/17, wherein, Court granted settlement of \$9,333.33 and ordered deposited in a trust account with no funds to be withdrawn without court approval.
2. Court to see Declaration of Peter Nasmyth re: failure to appear at OSC hearing filed 09/19/17.
3. **Need** proof of deposit.

RECOMMENDATION

Inquire status.

(lh/ww/lh)

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

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

**SEE ALSO 21 22**

HEARING:

Hearing Re: Status Re: Completion of Terms of Agreement

COUNSEL:

HOLLY NOEL

(PET)...DIANA J CARLONI

CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST (TRU)...

GREGORY NOEL

(PET/OBJ)...HILL FARRER & BURRILL LLP

**XREF: PROPS1501096** *CLAUDE E NOEL*

No notes—status only

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400663

CASE NAME: ERWIN B. KOWALSKI

HEARING:

AMMENDED Account and Report of MICHAEL J. KOWALSKI and Petition  
for allowance of fees filed.

COUNSEL:

MICHAEL J. KOWALSKI (PET)...PRO/PER  
ERWIN B. KOWALSKI (DEC)...

Waiver of Court Fees and Costs filed by MICHAEL J. KOWALSKI is GRANTED  
TOTAL FEES WAIVED TO DATE: \$555.00

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended** [filed 11/03/17] First Account Current, by  
executor, Michael Kowalski, son

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

1. **Need** amended account report, and schedule in compliance with Pr. C. §1060-1064.
2. Beginning assets on hand do not reflect assets indicated on amended Inventory and Appraisal filed 03/21/17. **Need corrected Summary of Account.**
3. Schedule F contains a refund check from AGI for decedent's 50% interest of \$226.20. However, it is reflected as a credit rather than a "charged" receipt. **Need amended Schedule A re receipts.**
4. **Need** findings regarding sole and separate property, per Local Rule 20-906.
5. **Need** manner of asset distribution per Local Rule 20-907.
6. **Need** bank statements supporting balance as of date of death, and supporting ending balance per Local Rule 20-908.
7. **Need** copy of closing escrow statement per Local Rule 20-910.
8. **Need** statement regarding notice to Director of Health Care Services or notice per Pr. C. §9202(a).
9. **Need** Statement regarding notice to Director of California Victim's Compensation Board Pr.C. § 9202(b).
10. **Need** statement regarding notice to Franchise Tax Board or notice per Pr.C. §9202(c)(1).

11. **Need** statement regarding creditor's claims.
12. **Need** verification of administrator per Pr. C. §1021.
13. **Need** Notice of Hearing and proof of service on Rosemary Kowalski.
14. **Petitioner may wish to seek Counsel to produce a proper accounting.**
15. No proposed Order. Submit after hearing

#### RECOMMENDATION

Need proper, amended accounting per Pr. C. § 1060 et seq. to be set on first check calendar no sooner than **05/09/18**. Any account to be filed 30 days before hearing. Note requirements of Local Rule 20-901.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1400822

CASE NAME: Celia P Gutierrez

HEARING:

FIRST AND FINAL Account and Report of GILBERT GUTIERREZ and  
Petition for allowance of fees filed.

COUNSEL:

RACHEL FLORES (PET)...WILFRID C LEMANN  
CELIA P GUTIERREZ (DEC)...  
GILBERT GUTIERREZ (PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by  
Gilbert Gutierrez, administrator/son

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

1. Accounting period: 06/06/14 to 09/30/17
2. Assets on hand: \$ 637,132.13, consisting of \$387,132.13 in cash and remaining \$250,000 in real property on Van Koevering St, Rialto.
3. Statutory fees requested of **\$17,424.60** for administrator and attorney services. Calculated.
4. Attorney requests extraordinary fees for sale of real property and agreement between beneficiaries totaling **\$13,083.50**. Itemized. [Acct, 11/22/17, LFpgs 40-52].
5. Gilbert Gutierrez and the issue of deceased beneficiary, Rachel Flores (Rick Flores, Robert Flores and Ricardo Flores) assign their beneficial interest in decedent's real property (Van Koevering St, Rialto) to Caesar Gutierrez. Assignments attached [Acct, 11/22/17, LFpgs30-38].
6. Caesar Gutierrez' distributive share is reduced by \$9,600 for rents received from decedent's rental property (648 Pico Ave, San Bernardino).
7. Petitioner requests reserve of **\$2,500**. Note: if approved, need informal account for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge.
8. Notice was given.
9. ~Proposed order: 11/22/17

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

**RECOMMENDATION:**

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **03/13/19**.

(lh)

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500171

CASE NAME: ANGELA LIZETTE ALBA

**SEE ALSO 1 6 7 8**

HEARING:

Hearing Re: Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

GOOD DEEDS, INC.	(PET)...JEFFREY A COLEMAN
KATHERINE PRENTICE	(MIN)...PETER R NASMYTH JR
ANNELISE PRENTICE	(MIN)...PETER R NASMYTH JR
ISABELLA PRENTICE	(MIN)...PETER R NASMYTH JR
JEFFREY PRENTICE	(PET/OBJ)...PETER R NASMYTH JR
CHRISTINA ERICKSON-TAUBE	(SPA)...BORDEN LAW OFFICE
ANGELA LIZETTE ALBA	(DEC)...

**XREF: CIPDS1700104** *IN RE ISABEL DELGADO*

GENERAL INFORMATION

Continued from **4/9/15** and **6/26/15** Bradley Damron appointed Special Administrator. Continued from **7/30/15**, **9/17/15** and **10/29/15** for parties to meet and confer. Jeffrey Prentice appointed GAL for Katherine Prentice.

Continued from **1/20/16**, **03/16/16**, **05/18/17**, **07/20/17** and **09/21/17**.

Continued from **11/01/17** at request of Counsel. Court reset hearing from 01/29/18 to 01/24/18.

**Continued 01/24/18. Court set deadline for Alex Borden to file a Petition for Letters of Administration for Christina Erickson-Taube by 4PM on 01/31/18. Clerk's office to set for 03/07/18 in Dept S35P.**

THIS CASE SET FOR HEARING ON

- **Petition 1** - Petition for Probate, Letters Testamentary with Full Authority under IAEA by Bradley Damron (fiancé)
- **Petition 2** – Petition for Letters of Administration with full authority under IAEA by Jeffery Prentice (former spouse)
- **Petition 3** – Petition for Probate of Will and Letters of Administration with Will Annexed, Full Authority, by Christina Erickson-Taube (unknown relation)



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

**Petitioner 1 – Bradley Damron, fiancé.**

- 1 Will waives bond. The court may for good cause require that a bond be given, either before or after issuance of letters per Pr.C. § 8481(c).
- 2 Decedent left 3 minors age 13 and under.
- 3 **Objection and will contest filed on 03/25/15 by Jeffrey Prentice, former spouse. Need summons issued and set for hearing Pr.C. § 8250.**
- 4 **Answer to will contest filed by Good Deeds Inc. on 04/13/16.**
- 5 ~Proposed Form Order: 02/23/15.

**Petitioner 2 – Jeffrey Prentice, former spouse.**

6. Petitioner is seeking bond of \$296,000.
7. Decedent left 3 minors age 13 and under.
8. ~Proposed Form Order: 05/18/15

**Petitioner #3 – Christina Erickson-Taube, unknown relation**

9. Petitioner is seeking bond of \$102,000. JTD
10. Duties and Liabilities filed 06/08/15 is missing petitioner's address and telephone number. **Need** completed form.
11. ~Proposed Form Order: 01/31/18

RECOMMENDATION

Need summons. Need to clear note 10.

Matter is contested; petitioner 1 appears to have higher priority. If approved, need determination re bond and set hearing for Accounting/Status Review on **05/15/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

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

Superior Court of Calif, County of San Bernardino

Page: 6

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500171

CASE NAME: ANGELA LIZETTE ALBA

**SEE ALSO 1 5 7 8**

HEARING:

Hearing Re: STATUS OF SETTLEMENT

COUNSEL:

GOOD DEEDS, INC.	(PET)...JEFFREY A COLEMAN
KATHERINE PRENTICE	(MIN)...PETER R NASMYTH JR
ANNELISE PRENTICE	(MIN)...PETER R NASMYTH JR
ISABELLA PRENTICE	(MIN)...PETER R NASMYTH JR
JEFFREY PRENTICE	(PET/OBJ)...PETER R NASMYTH JR
CHRISTINA ERICKSON-TAUBE	(SPA)...BORDEN LAW OFFICE
ANGELA LIZETTE ALBA	(DEC)...

**XREF: CIPDS1700104** *IN RE ISABEL DELGADO*

GENERAL INFORMATION:

**Continued from 09/21/17.** Court vacates OSC re surcharge.

**Continued from 11/01/17.** Off-Calendar. Petition re status of settlement filed

**Continued from 01/24/18.**

THIS CASE IS SET FOR HEARING ON Status of Settlement.

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

1. Matter set on 05/18/17 competing matter for petition for administration/probate.

RECOMMENDATION:

Inquire status of settlement.

(lc/ww/lh)

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500171

CASE NAME: ANGELA LIZETTE ALBA

**SEE ALSO 1 5 6 8**

HEARING:

Hearing Re: PETITION TO APPROVE SETTLEMENT

COUNSEL:

GOOD DEEDS, INC.	(PET)...JEFFREY A COLEMAN
KATHERINE PRENTICE	(MIN)...PETER R NASMYTH JR
ANNELISE PRENTICE	(MIN)...PETER R NASMYTH JR
ISABELLA PRENTICE	(MIN)...PETER R NASMYTH JR
JEFFREY PRENTICE	(PET/OBJ)...PETER R NASMYTH JR
CHRISTINA ERICKSON-TAUBE	(SPA)...BORDEN LAW OFFICE
ANGELA LIZETTE ALBA	(DEC)...

**XREF: CIPDS1700104** *IN RE ISABEL DELGADO*

GENERAL INFORMATION

**Continued from 01/24/18.**

THIS CASE IS SET FOR HEARING ON Petition to Approve Settlement of Will Contest by Good Deeds, Inc

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

1. Petitioner, Good Deed, Inc, is the assignee of record of the sole beneficiary, Bradley Ethan Damron. Respondent, Jeffrey Prentice, is the guardian ad litem of Decedent's three minor children: Annelise Prentice, Issabella Prentice, Katherine Prentice, and Jeffrey Prentice, who filed a contest of will alleging the will was invalid.
2. Petitioner, Good Deeds, Inc, seeks approval of settlement of a will contest previously approved on 08/03/17 by Court via Order Approving Compromise of Pending Action [Petition, 10/10/17, LFpgs20-42]. JTD
3. Petitioner is to receive 60% of the net assets of the estate, and respondent is to receive the remaining 40% of the net assets upon approval of final account and request for distribution.
4. Respondent, Jeffrey Prentice, in his individual capacity, had a judgment lien against real property and will receive \$10,216.68 from the personal representative. JTD

5. Cash held by petitioner's counsel, and not by the personal representative, will be released to the lender who lent the estate representative money. Question who is the name of the lender due funds? **Need** verified supplement.
6. Notice was given.
7. Proposed Order field 10/10/17 contains incorrect hearing date. Proposed order provides for petitioner to release funds to an unspecified lender. Orders must be complete within themselves per Local Rule 20-614.

#### RECOMMENDATION

Need to clear note #5, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 8

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500171

CASE NAME: ANGELA LIZETTE ALBA

**SEE ALSO 1 5 6 7**

HEARING:

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

COUNSEL:

GOOD DEEDS, INC.	(PET)...JEFFREY A COLEMAN
KATHERINE PRENTICE	(MIN)...PETER R NASMYTH JR
ANNELISE PRENTICE	(MIN)...PETER R NASMYTH JR
ISABELLA PRENTICE	(MIN)...PETER R NASMYTH JR
JEFFREY PRENTICE	(PET/OBJ)...PETER R NASMYTH JR
CHRISTINA ERICKSON-TAUBE	(SPA)...BORDEN LAW OFFICE
ANGELA LIZETTE ALBA	(DEC)...

**XREF: CIPDS1700104** *IN RE ISABEL DELGADO*

See notes on prior matter #5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 9

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

**SEE ALSO 10**

HEARING:

Hearing Re: OSC RE SANCTIONS/SURCHARGE OF \$500.00

COUNSEL:

CHERYL TRAYLOR (PET)...DENISE ADIGUN  
MILDRED B SHAW (DEC)...

GENERAL INFORMATION

**Continued from 12/06/17.** Court sets OSC re Surcharge of \$500 for FTA.

**Continued from 01/17/18. Court denies Counsel's oral request to be relieved as Counsel and Court indicates that the Court will not permit Counsel to be relieved any earlier than 03/07/18. Court orders Counsel and Administrator to be present in Court on 03/07/18 at 8:#0 AM in Dept S35P as Court has set OSC re sanctions for \$500 on both Counsel and Administrator for failure to file.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge of \$500/Accounting Review**

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

1. Letters of Administration issued to Winda Morford on 09/27/16 with full authority and no bond.
2. **Need Final Inventory and Appraisal** to include real property which was purportedly lost to foreclosure on 04/24/17.
3. **First and Final Account filed 02/20/18.**

RECOMMENDATION

Court's discretion.

(lh)

***Future hearing date: 04/24/18: First and Final Account by Cheryl Traylor***

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/07/18    TIME: 8:30    DEPT: S35P  
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CASE#: PRO PS1500810

CASE NAME: MTR OF MILDRED B SHAW

**SEE ALSO 9**

**VACATED**

HEARING:

Accounting Review

COUNSEL:

CHERYL TRAYLOR

(PET)...DENISE ADIGUN

MILDRED B SHAW

(DEC)...

Waiver of Court Fees and Costs filed by CHERYL TRAYLOR is GRANTED

See notes on prior matter #9.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 11

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1501096

CASE NAME: CLAUDE E NOEL

**VACATED**

HEARING:

Accounting Review

COUNSEL:

HOLLY NOEL

(PET)...DIANA J CARLONI

CLAUDE E NOEL

(DEC)...

GREGORY NOEL

(OBJ)...HILL FARRER & BURRILL LLP

**XREF: PROPS1400484** *CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST*

GENERAL INFORMATION

**Continued from 01/31/18. No appearance. Notice given by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters Testamentary issued to Holly Noel on 09/05/17 with limited authority and \$220,000 bond.
2. Final Inventory and Appraisal filed 07/14/16.
3. No accounting or status report of administration. **Need** same.

RECOMMENDATION

Inquire status.

(lh)





Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/07/18      TIME: 8:30      DEPT: S35P  
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CASE#: PRO PS1600193

CASE NAME: MARILYN DOSKOCIL

**SEE ALSO 12**

HEARING:

Hearing Re: STATUS CONFERENCE

COUNSEL:

NORMAN GIEBELER

(PET)...LAW & STEIN

MARILYN DOSKOCIL

(DEC)...

AUCTION-CA FINANCIAL SRVS

(TP )...

Status—No notes—JTD

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

Superior Court of Calif, County of San Bernardino

Page: 14

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600761

CASE NAME: THE SHROYER FAMILY TRUST

**SEE ALSO 15 16**

HEARING:

Hearing Re: STATUS OF ACCOUNT OF JERRY LEISURE

COUNSEL:

JERRY LEISURE JR (PET)...MARIVEL M ZIALCITA  
SHROYER FAMILY TRUST (TRU)...

See notes on next matter #16.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 15

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600761

CASE NAME: THE SHROYER FAMILY TRUST

**SEE ALSO 14 16**

HEARING:

Hearing Re: OSC RE \$1,500.00 SURCHARGE

COUNSEL:

JERRY LEISURE JR (PET)...MARIVEL M ZIALCITA  
SHROYER FAMILY TRUST (TRU)...

GENERAL INFORMATION

**Continued from 01/31/18.**

THIS CASE IS SET FOR HEARING ON OSC RE \$1,500.00 SURCHARGE

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

1. Matter set by Court on 09/20/17, wherein, Court set deadline to file a supplement to the account, or an amended accounting by 4PM on 12/29/17. Court noted that if deadline is not met, Court will impose surcharge of \$1,500.
2. See next matter #16 regarding amended accounting filed 12/28/17.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 16

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1600761

CASE NAME: THE SHROYER FAMILY TRUST

**SEE ALSO 14 15**

HEARING:

Account and Report of JERRY LEISURE JR & Petition for allowance of fees filed.

COUNSEL:

JERRY LEISURE JR (PET)...MARIVEL M ZIALCITA  
SHROYER FAMILY TRUST (TRU)...

GENERAL INFORMATION

**Continued from 01/31/18 for supplement to be reviewed.**

THIS CASE SET FOR HEARING ON **FIRST AMENDED** [filed 12/28/17] Account and Request for Appointment of Successor Trustee Jerry Leisure and petition for fees and distribution

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

1. Petitioner, David Almquist is listed as the Successor Trustee of the Restatement Trust, Article 7.2. He signed a resignation ["effective immediately"] on July 24, 2016, allegedly without marshalling Trust assets. Jerry Leisure, Jr appointed successor Trustee on 01/05/17 with \$520,000.
2. Accounting period **06/23/16 – 09/30/17**; account period begins 06/23/16 as of date of appointment of prior trustee, David Almquist.
3. Assets on hand: **\$366,031.44**, cash on hand and remaining \$5,000 in miscellaneous personal property.
  - a. **Need verified supplement** with bank statements and/or letter from banks verifying balance for Bank of the West accounts x2185 and x5351, and Bank of America account x8751 **as of 09/30/17** per Local Rule 20-908. **Supp. filed 01/24/18 does not clear note with supporting balances as of 09/31/17.**

4. Petitioner requests compensation as trustee in the sum of **\$7,391.56**, which includes a deduction for \$63 and \$167.66 for expenses inadvertently paid for by trust. **Itemization of services provided in supp. filed 01/24/18, LFpg11. JTD**
5. Petitioner requests attorney fees of \$7,324.60, which includes 2 hours at \$220/hour for anticipated time spent at hearing, minus \$3,386 already paid for services held in attorney-client trust account, **for a total of \$3,938.60**, plus reimbursement of **\$643.15** for advanced costs. Itemized. [See Acct, 12/28/17, LFpgs46-50]. **JTD**
6. Petitioner requests reserve of \$5,000 for any taxes or closing expenses. **JTD**
7. Petitioner alleges decedent was a hoarder, and the real properties required extensive cleaning and preparation for marketing. Family members were hired to assist with clean-up. Petitioner paid \$10.00/hour, plus lodging, food, and reimbursement of materials. **Need verified supplement with itemization of costs and receipts for the following Schedule C Disbursements [Acct, 12/28/17, LFpgs33-34]:**
  - a. Dianna Heiner for \$4,355 and Kristin Kator for \$8,566 on 07/11/17; Kaye Moore for \$1,364, Shelley Reyes for \$700, and Jennifer South for \$2,800 on 07/13/17. **Supp. 01/24/18 provides itemization of costs. No receipts are available. JTD.**
8. Schedule C Disbursements also include purchases at Sephora; Bed, Bath & Beyond; Office Max on 05/22/17 for materials to market real property. **Need verified supplement with itemization of costs and receipts. Supp filed 01/24/18 indicates no receipts are available. Question what specific purchases were made at Sephora (a cosmetic store), Bed Bath & Beyond, and Office Max? Court to inquire.**
9. No proposed Order submitted.

#### RECOMMENDATION

Need to clear notes #3; #7-8. If approved, Court to set hearing re Final Discharge for **03/13/19.**

(lh)

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601232

CASE NAME: Mary Clouser

HEARING:

Petition for ORDER VACATING SALE OF REAL PROPERTY ETC

COUNSEL:

MARNIE KING (PET)...PRO/PER  
MARY CLOUSER (DEC)...

GENERAL INFORMATION

**Continued from 01/31/18. Prior to matter being called, Judicial Assistant received message from petitioner that a continuance is being requests to file Amended Petition and Notice/Proofs of Service. Notice given by Judicial Assistant.**

THIS CASE IS SET FOR HEARING ON **Amended [filed 10/02/17]** Petition for ORDER VACATING SALE OF REAL PROPERTY ETC by Marnie King, administrator

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

1. Petitioner, Marnie King, was appointed administrator with limited authority on 02/15/17.
2. Petitioner Marnie sold estate's real property at Court hearing on 09/07/17 for \$205,000 to Vincent and Caitlin Sanchez. Order signed and filed 09/07/17. However, buyers have backed out of sale due to death on the property.
3. Petitioner requests Order Confirming Sale to be vacated so that property may be sold to another buyer. Petitioner further requests to shorten time for the setting of a Report of Sale and Petition to Confirm Sale of Real Property. **JTD**
4. Petitioner alleges the buyers, Vincent Sanchez and Caitlin Sanchez, made an initial deposit of \$3,000 held by Bayside Escrow. Petitioner requests funds to be released to Vincent Sanchez and Caitlin Sanchez. **JTD**
5. **Need** Notice of Hearing and Proof of Service as to amended petition, and include separate mailed service to buyers, Vincent and Caitlin Sanchez per CRC 7.51(a)(3).
6. Proposed Order submitted 02/13/18 does not provide for vacating sale or shortening time as requested in prayer of amended petition.

RECOMMENDATION

Need notice.

(lh) Future Hearing: 4/25/18 Accounting Review

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

Superior Court of Calif, County of San Bernardino

Page: 18

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1601251

CASE NAME: Martin Williamson

HEARING:

Petition for /to Remove and Replace Administrator and Appoint  
Successor Trustee

COUNSEL:

CHRISTINA MUCHA	(PET)...SHARON GRIER
MARTIN WILLIAMSON	(DEC)...
RENE M. BANKS	(PET)...JACKSON & EFTING
SURETEC INSURANCE CO	(TP )...

Currently under review by Legal Research.

(LR)

Future Hearings: 5/03/18 Accounting Review

11/13/18: Readiness Calendar, Petition for Determination of Entitlement to Estate  
Distribution



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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1700372

CASE NAME: MTR OF MELANIE ZIPPERSTEIN

HEARING:

First and Final Account and Report of SANDRA BARLOW and Petition for allowance of fees filed.

COUNSEL:

SANDRA BARLOW (PET)...GUAY P WILSON  
MELANIE ZIPPERSTEIN (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees and Final Distribution by Sandra Barlow, administrator/mother

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

1. Assets on hand: **\$217,031.26, cash**
2. Statutory fees of **\$7,800**, each, requested for administrator and attorney services. Calculated.
3. **Need** bank statement re Citibank account #x3166 verifying final ending balance per Local Rule 20-908.
4. Petitioner alleges all 3 creditors' claims of Ascension Point Services have been settled and paid. However, no releases by creditor have been filed. **Need proof of satisfaction of claims.**
5. Notice was given.
6. ~Proposed order: 11/16/17

RECOMMENDATION:

Need to clear notes #3-4, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **03/13/19**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 20

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701138

CASE NAME: JOSE LORENZO VASQUEZ

HEARING:

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

COUNSEL:

LAURA ALICIA RODRIGUEZ (PET)...MICHAEL C MADDUX  
JOSE LORENZO VASQUEZ (DEC)...

**XREF: PROPS1600462** VASQUEZ TRUST

GENERAL INFORMATION:

**Continued from 01/03/18 at request of petitioner to address notice/service issues.**

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with  
Full Authority under IAEA by Laura Rodriguez (executor/caregiver/niece)

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

1. Petitioner requests assets to be placed in blocked account upon sale of real property. Estate assets consist of real property estimated at \$250,000, and remaining \$6,000 in personal property. **JTD.**
2. Petitioner is identified within decedent's will as a caregiver and beneficiary.
3. **Need** verified supplement to amend list of relatives in item #8 of petition to include issue of predeceased son, Richard Vasquez. **Supp filed 01/03/18** indicates Richard Vasquez has two children whose names and whereabouts are unknown. **Need Due Diligence Declarations.**
4. **Need** Notice of Petition to Administer Estate with proof of service at to Ronald T. Vera, mentioned in will, and to the issue of predeceased son Richard, who were intentionally omitted from will.
  - a. Notice of Hearing filed 01/04/18 is an improper form. **Need mandatory form DE-121 Notice of Petition to Administer Estate.**
  - b. Amended Notice of Petition to Administer Estate filed 01/02/18; however, proof of service does not include Ronald T. Vera, and only 8 days' notice given. **Need proper service to Ronald T. Vera.**
5. ~Proposed form Order: 11/14/17

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

RECOMMENDATION:

Need to clear notes 3-4. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **05/15/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

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DATE: 03/07/18 TIME: 8:30 DEPT: S35P  
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CASE#: PRO PS1701232

CASE NAME: MTR OF SI-YUAN CHI

HEARING:  
Spousal Property Petition hearing.

COUNSEL:  
SUNG-TZU LU (PET)...WIE C WONG  
SI-YUAN CHI (DEC)...

GENERAL INFORMATION

**Continued from 01/17/18 to clear probate notes.**

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Sunb-Tzu Lu, wife

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

1. Decedent died intestate testate on 03/19/08 and is survived by a spouse and two daughters.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. Petitioner alleges that she and decedent were married in 1961 and that the property was acquired during the marriage with community assets in 1991.
4. See attached affidavits by daughters, Tienpei Chi and Tienwei Chi, confirming community assets [LFpgs19-25].
5. **Notice was given.**
6. ~Proposed Form Order: 01/24/18

RECOMMENDATION:

Court's discretion.

(lh)

HONORABLE: STANFORD E. REICHERT

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DATE: 03/07/18 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

**SEE ALSO 2 22**

HEARING:

Petition for Settlement and Approval of First Trust Accounting  
for Period from 06/17/11 through 12/31/14

COUNSEL:

HOLLY NOEL (PET)...DIANA J CARLONI  
CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST (TRU)...  
GREGORY NOEL (PET/OBJ)...HILL FARRER & BURRILL LLP

**XREF: PROPS1501096** *CLAUDE E NOEL*

GENERAL INFORMATION

**Continued from 04/21/15, 5/26/15, 7/27/15, 10/05/15, 11/30/15, 4/18/16, 04/26/16, 05/24/16, 08/04/16, 01/09/17, 01/17/17, 02/24/17, 03/03/17 and 03/15/17.** Settlement reached. Terms of settlement are recited into the record. Counsel and parties state their consent and agreement to the terms of the settlement. Mandatory Settlement Conference was held on today's date. A settlement agreement was reached which resolves this petition. Counsel indicate at completion of terms of settlement, this petition will be dismissed. Attorney Diana Carloni to prepare order.

**Continued from 01/31/18.**

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Greg Noel, Trustee.

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

1. Accounting period: 6/17/11 – 6/22/15
2. Assets on Hand: \$75,154.23 (consisting of \$117.23 cash and remaining in carry value of real property)
3. Petitioner does not request compensation.
4. Attorneys do not request compensation.
5. Supplement filed 6/25/15 with updated accounting, including receipts, rental income, disbursements (including distributions-LFp14) and schedule of property on

hand (LFp16), including copies of investment statements. Copies of statements are also provided under supplement filed 7/17/15.

6. **Objections to original accounting by Holly Noel filed 03/25/15 and again on 5/7/15 as well as on 7/8/15** alleges the trustee mismanaged the assets and the accounting is deficient in that it does not reflect assets nor an inventory, appraised as of date of death, does not show where cash was obtained – yet reflects significant cash being paid, does not reflect parcel numbers for real property, fails to reflect all of the transactions of the trustee, fails to reflect all separate property belonging to Claude Noel, fails to indicate if the real property, outside of the trust (the LA County Property), is subject of probate, fails to account for any personal property, distributes assets without providing for costs of administration and wrongfully values an asset distributed to the Objector, because there is insufficient cash in the estate to equalize the other distributions. Objector objects to the Seminole House expense and applied distribution of \$1,826.86 stating there was no such expense incurred and no special requests made. Furthermore, objector believes the amounts of rents reported on the accounting do not match the amounts of rents attributed to the beneficiary on tax reporting documents. Additionally, objector believes the trustee has committed self-dealing, and claims the trustee continues to fail to identify the property that lies outside of the trust for which a probate is required (i.e., 50% interest in Los Angeles County APN: 4070-4-6). Objector request the accounting NOT be approved, that Trustee be compelled to properly inventory and account for all trust assets and be surcharge for the mismanagement of any trust assets, as may be established by a proper accounting.
7. No proposed Order submitted.
8. **Notice of settlement of entire case filed 03/17/17.**

**RECOMMENDATION:**

Court's discretion as matter is settled.

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

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

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DATE: 03/07/18      TIME: 8:35      DEPT: S35P  
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CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

**SEE ALSO 2 21**

HEARING:

Petition for to Compel the Trustee to Report Information about the Trust, etc

COUNSEL:

HOLLY NOEL

(PET)...DIANA J CARLONI

CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST (TRU)...

GREGORY NOEL

(PET/OBJ)...HILL FARRER & BURRILL LLP

**XREF: PROPS1501096** *CLAUDE E NOEL*

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

Page: 23

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

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DATE: 03/07/18 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1501192

CASE NAME: MASTER MUHAMMAD SPECIAL NEEDS TRUST

**SEE ALSO 24**

HEARING:

Hearing Re: petition for withdrawal of funds special needs trust

COUNSEL:

SEANNA LACKEY (PET)...NEIL J DE LEON  
MASTER MUHAMMAD (PET)...THE BOUTIQUELAW GROUP  
MASTER MUHAMMAD SPECIAL NEEDS TRUST (TRU)...

**XREF: CIVVS1201743 MUHAMMAD VS VVUSD**

GENERAL INFORMATION

**Continued from 01/31/18. Recent supplement filed.**

THIS CASE IS SET FOR HEARING ON Petition for Withdrawal of Funds from Special Needs Trust by Trustee, Seanna Lackey

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

1. The Master Muhammad Special Needs Trust was established on 06/13/16 appointing Seanna Lackee as trustee, \$150,000 bond.
2. Assets on hand: \$139,131.64, cash
3. Petitioner, Seanna Lackey, seeks court approval of withdrawals from Master Muhammad Special Needs Trust totaling **\$4,822.75**, as follows:
  - a. Reimbursement of **\$1,122.75** for creation of SNT. Trustee previously paid attorneys of Obago Law Group, P.C. and Miller, Washington & Kim, LLP for drafting and obtaining an Order establishing SNT.
  - b. Reimbursement of **\$200** for purchase of computer supplies for beneficiary's use related to school work and activities.
  - c. Compensation of **\$3,500** to The Boutique Law Group, APLC for retainer and payment for work conducted to obtain bond, prepare notice for opening balance of SNT, prepare accounting, clear notes, and for Court appearance.  
**Supp. 02/28/18. Itemization LFpg6-9. JTD**
4. No proposed Order submitted.

RECOMMENDATION

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

(lh)

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



Superior Court of Calif, County of San Bernardino

Page: 24

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

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DATE: 03/07/18 TIME: 8:35 DEPT: S35P  
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CASE#: PRO PS1501192

CASE NAME: MASTER MUHAMMAD SPECIAL NEEDS TRUST

**SEE ALSO 23**

HEARING:

SPECIAL NEEDS TRUST Account and Report of SEANNA LACKEY and  
Petition for allowance of fees filed.

COUNSEL:

SEANNA LACKEY (PET)...NEIL J DE LEON  
MASTER MUHAMMAD (PET)...THE BOUTIQUELAW GROUP  
MASTER MUHAMMAD SPECIAL NEEDS TRUST (TRU)...

**XREF: CIVVS1201743 MUHAMMAD VS VVUSD**

GENERAL INFORMATION

**Continued from 11/08/17 and 01/10/18 to clear notes.**

THIS CASE IS SET FOR HEARING ON First and Current Account of Special Needs Trust  
by Seanna Lackey, GAL/trustee

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

1. Accounting period: 11/17/16 to 03/23/17
2. Assets on Hand \$134,152.58, cash
3. Current bond: \$150,000 appears sufficient.
4. Petitioner does not request trustee fees or attorney fees.
5. Schedule C disbursements include compensation paid to trustee for computer supplies and creation of SNT totaling \$1,322.75 and payment attorney's fees totaling \$3,500 per Order allegedly entered 11/18/16 [Acct, 08/03/17, LFPgs12-13].  
**Supp 01/23/18 trustee has file a petition to release funds. See prior matter #23.  
Note: Fees have not yet been approved. See supplement regarding itemized services.**
6. No proposed Order submitted. Submit after hearing.

## RECOMMENDATION

Court's discretion. If approved, set future hearing for Accounting/Status Review on **05/30/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 25

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

**CONSERVATORSHIPS**

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DATE: 03/07/18      TIME: 9:30      DEPT: S35P  
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CASE#: CON PS1400223

CASE NAME: ASHLEY MORGAN CIMINSKI

**SEE ALSO 26**

HEARING:

Hearing Re: OSC RE TRANSFER TO RIVERSIDE COUNTY

COUNSEL:

SANDRA L CIMINSKI                      (CP )...LOCKHART LAW FIRM, P.C.

ASHLEY MORGAN CIMINSKI              (CTP)...

Waiver of Court Fees and Costs filed by SANDRA L CIMINSKI is GRANTED

#### GENERAL INFORMATION

**Continued from 01/17/18.** No appearance. Court orders Counsel and Coservator to ve personally present in Court on 03/07/18 at 9:30AM in Dept S35. Court also set OSC re sanctions in the amount of \$500 on both for failure to appear.

THIS CASE IS SET FOR HEARING ON OSC Re \$500 Sanctions/ Transfer to Riverside County

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

1. Matter set on Court's own motion on 12/26/17 upon receipt of Court Investigator Report and Request for Action indicating conservatee, Ashley Ciminski, now resides in Norco, California, County of Riverside.
2. Opposition to OSC re Sanctions with Declaration in Support of Opposition filed 01/29/18.
3. **Need** receipt and acknowledgment of transfer from Riverside County Superior.

#### RECOMMENDATION

Court's discretion re OSC.

Need receipt of transfer from Riverside County Superior.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 26

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1400223

CASE NAME: ASHLEY MORGAN CIMINSKI

**SEE ALSO 25**

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 ON COUNSEL & C'TOR

COUNSEL:

SANDRA L CIMINSKI (CP)...LOCKHART LAW FIRM, P.C.  
ASHLEY MORGAN CIMINSKI (CTP)...

Waiver of Court Fees and Costs filed by SANDRA L CIMINSKI is GRANTED

See notes on prior matter #25.

(lh)

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700091

CASE NAME: MIGUEL ANTONIO CARRILLO GOMEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MIGUEL A CARRILLO

COUNSEL:

MIGUEL A CARRILLO	(CP )...GISSELLE M AMINI
DAMARES M CARRILLO	(CP )...GISSELLE M AMINI
MIGUEL ANTONIO CARRILLO GOMEZ	(CTP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Miguel A Carrillo and Damares M Carillo appointed Limited Co-Conservators of the person on 08/02/17.
2. Notification of Conservatee's Rights filed 11/30/17.
3. Determination of Conservatee's Appropriate Level of Care filed 08/28/17.
4. Care Plan filed 08/28/17.

RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 28

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700143

CASE NAME: MTR OF TERESA CARLSON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of BRYAN H WOODS

COUNSEL:

BRYAN H WOODS (CPE)...PRO/PER  
TERESA CARLSON (CEP)...WALTER T. MOORE

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Bryan H Woods appointed Conservator of the person and estate on 08/02/17; no bond.
2. Notification of Conservatee's Rights filed 01/26/18.
3. Determination of Conservatee's Appropriate Level of Care filed 10/25/17.
4. **Need** Care Plan in accord with Pr. C. §2352.5.
5. **Need** final Inventory and Appraisal per Pr. C. §2610.
6. **Need** proof of service Inventory and Appraisal including Instructions for Objections per Pr. C. §2610.
7. (If real property is owned) **Need** proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr. C. §2323.

#### RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 3/06/19: Accounting Review

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1700423

CASE NAME: MTR OF JOAN LETTERLY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HAROLD LETTERLY (CEP)...FULLERTON LEMANN SCHAEFER & DO  
JOAN LETTERLY (CEP)...BRYAN C HARTNELL

GENERAL INFORMATION

**Continued from 12/15/17.** Attorney Bryan Hartnell appointed for Joan Letterly. Notice given by Judicial Assistant.

**Ex parte orders entered 01/08/18. Oral Report given by Bryan Hartnell. Harold Letterly appointed Temporary Conservator; \$519,200 bond.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Harold Letterly, spouse

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

1. Petitioner seeks bond of \$1,489,440. Appears sufficient.
2. Petitioner seeks powers under Pr. C. §2591(c)(1) and (c)(2) to sell real property at public or private sale without Court confirmation, including personal residence, in the interest of proposed conservatee. JTD
3. Petitioner seeks medical powers, including exclusive authority to make medical decisions based on proposed conservatee's best interests and personal values pursuant to Pr. C. §2355(a). JTD
  - a. **Need** Capacity Declaration.
4. Petitioner seeks dementia powers.
  - a. **Need** Dementia Attachment (form GC-313).
  - b. **Need** report of appointed Counsel Hartnell.
5. **Need** return of citation. **Appointed Counsel Bryan Hartnell appeared on 01/018/18. Does Court wish to waive Citation?**
6. Proof of Completion of the Conservatorship Training Class filed.
7. CI Report filed 12/13/17.

8. Petition lists proposed conservator, Harold Letterly (spouse), as the only relative within 2<sup>nd</sup> degree, and also in List of Required Contact Information.
9. ~Proposed Form Order: 11/14/17

#### RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **10/10/18** for the filing of the required documents and hearing re Accounting Review for **05/15/19**. Any accounting to be filed 30 days in advance.

(lh)



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

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DATE: 03/07/18 TIME: 9:30 DEPT: S35P  
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CASE#: CON PS1800013

CASE NAME: MTR OF TOLIVER THOMAS JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

TIRA A HAWTHORNE (CPE)...PRO/PER  
TOLIVER THOMAS JR (CTP)...

#### GENERAL INFORMATION

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract. **JTD**
2. Petitioner seeks civil rights to not be limited without court order.
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Proposed conservatee is developmentally disabled.
  - a. **Need** appointment of counsel for report.
  - b. **Need** IRC report.
5. Confidential Screening Form filed 01/19/18 is incomplete at item #16 re adverse interests to conservatee. **Need** completed form.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. List of required contacts form is missing Toliver Thomas, Sr (father). **Need** completed form.
8. **Notice of Hearing and Proof of Service filed 02/21/18. However, proof of service is incomplete at item #4 re date of mailing.** Note: date of signature is 02/06/18. If mailing was same date, notice is complete as to relatives; however, need at least 30 days' notice to Inland Regional Center. **Court to inquire.**
9. **Due Diligence Declaration filed 02/21/18as to Toliver Thomas, Sr (father). JTD**
10. **CI Report filed 02/28/18.**

**11. Return of Citation filed 02/21/18.**

12. ~Proposed Form Order: 01/19/18

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **10/10/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 31

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC.**

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DATE: 03/07/18 TIME: 1:30 DEPT: S35P  
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CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

**VACATED**

HEARING:

Hearing Re: COURT TRIAL (THIRD DAY OF TRIAL)

COUNSEL:

PATRICIA A BROWN

(PET)...PRO/PER

IONA FAYE MCKNIGHT JAMES

(DEC)...

SAULETA JAMES

(PET/OBJ)...GUAGENTI & DAMSKY

Waiver of Court Fees and Costs filed by PATRICIA A BROWN is GRANTED

Court trial—no notes-JTD

Future Hearings: 3/08/18-3/09/18: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

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DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

**SEE ALSO 2 3 4**

HEARING:

Hearing Re: Confirmation of Settlement/Completion of Terms

COUNSEL:

THE MICHAEL J PEPITONE TRUST

(TRU)...

DIANE BARBAGALLO

(PET)...BARNETT & RUBIN

WILLIAM J. SIMON

(PET)...HARTNELL LAW GROUP

WM J SIMON

(STE)...HARTNELL LAW GROUP

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Confirmation of Settlement/Completion of Terms

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

1. Matter set on 11/29/17, wherein, Court and Counsel conferred in chambers off the record. A conditional settlement was reached.

#### RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 2

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

**SEE ALSO 1 3 4**

HEARING:

Petition for REMOVAL OF DIANE BARBAGALLO AS TRUSTEE FOR BREACH  
OF HER FIDUCIARY DUTIES

COUNSEL:

THE MICHAEL J PEPITONE TRUST  
DIANE BARBAGALLO  
WILLIAM J. SIMON  
WM J SIMON

(TRU)...  
(PET)...BARNETT & RUBIN  
(PET)...HARTNELL LAW GROUP  
(STE)...HARTNELL LAW GROUP

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

Page: 3

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

**SEE ALSO 1 2 4**

HEARING:

Petition for INSTRUCTIONS AND FOR AN ORDER AUTHORIZING SURCHARGE  
OF LEO WINER'S INTEREST

COUNSEL:

THE MICHAEL J PEPITONE TRUST  
DIANE BARBAGALLO  
WILLIAM J. SIMON  
WM J SIMON

(TRU)...  
(PET)...BARNETT & RUBIN  
(PET)...HARTNELL LAW GROUP  
(STE)...HARTNELL LAW GROUP

Currently under review by Legal Research.  
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

**SEE ALSO 1 2 3**

HEARING:

FIRST AND FINAL Account and Report of WM J SIMON and Petition  
for allowance of fees filed.

COUNSEL:

THE MICHAEL J PEPITONE TRUST	(TRU)...
DIANE BARBAGALLO	(PET)...BARNETT & RUBIN
WILLIAM J. SIMON	(PET)...HARTNELL LAW GROUP
WM J SIMON	(STE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from **03/27/17**. Parties state that mediation was not successful.

**Continued from 06/12/17 and 07/31/17**. Court orders Attorney Bryan Hartnell to submit a verified list to Attorney Barnett within 10 days or court will impose sanctions in the amount of \$250 as to Attorney Hartnell. Court states that if William Simon does not appear on the deposition scheduled for 08/10/17

he will be subject to sanctions. Matter is contested; court trial requested.

**Continued from 09/25/17**

**Continued from 11/16/17**. Parties announce ready.

**Continued from 11/29/17. Court and Counsel conferred in chambers on off the record. A conditional settlement was reached.**

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by William Simon, personal representative of Leo Winer [DOD: 09/06/14], the deceased Successor Trustee of the Michael Pepitone Revocable Trust dated 09/15/97, as amended.

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

1. Accounting period 04/02/12 to 09/06/14.
2. Assets on Hand **\$528,215.31** consisting of \$359,215.31 cash and remaining in real estate and loan.
3. Petitioner requests the issue of compensation to personal representative and counsel to be reserved.

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

4. Disbursements – Schedule B [LF, pgs. 18-20] include travel expenses; various “unknown” items from different bank accounts; credit card expenses and do not identify or specify identity of the payor, the date of receipts, the nature and amount of the deposit. Further, disbursements do not include the identity of the payee, date of disbursement and the amount and specific purpose of the same. **Supp. 11/14/17 LFpgs18-22 distributions to Dianne Barbagallo \$437,204.63; Dorothy DeGrado \$25,000; John Lando Estate \$243,454.63; John Langone \$125,000, Leo Winer \$826,933.43; Mary Jane Rugerri \$5,000, Roxanne Pennitti \$25,000, Siri Langoni \$34,375.00. Court to inquire.**
5. Cash Disbursements made totaling \$1,781,342.69 [LF, pgs. 20-21].
6. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Supp 11/14/17 William Simon is the nephew of deceased Successor Trustee, Leo Winer; Michael J. Pepitone hired Winer’s nephew, Martin Mushkin, to assist with Eagle bullion litigation.**
7. **Objections filed 01/30/17 by Trustee, Diane Barbagallo.**
8. **Verified list of documents (202 pages) filed 08/10/17.**
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Inquire status of Settlement Agreement.

Court’s discretion. If approved, as second account period is overdue, Court to set next accounting review for **05/09/18**, or other Wednesday calendar.

(nb/lh)



Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

-----  
DATE: 03/07/18      TIME: 8:30      DEPT: S36P  
-----

CASE#: PRO PS1600905

**VACATED**

CASE NAME: THOMAS EDWARD WILSON

HEARING:

Accounting Review

COUNSEL:

LAWRENCE PAUL WOLFF

(PET)...CURTIS R AIJALA

THOMAS EDWARD WILSON

(DEC)...

Waiver of Accounting filed 01/23/18.

***Future Hearing: 3/21/18: Waiver of Account & Report***

Superior Court of Calif, County of San Bernardino

Page: 6

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
-----

CASE#: PRO PS1700295

CASE NAME: MONTE LAMONT TATGE

HEARING:

Petition for final distribution & wvr of Account and Report of  
TOM JORDAN and Petition for allowance of fees filed.

COUNSEL:

TOM JORDAN (PET)...ZUMBRUNN LAW CORPORATION  
MONTE LAMONT TATGE (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report and  
Petition for Final Distribution by Tom Jordan, administrator/sole beneficiary

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

1. Assets on hand: \$130,713.26 in cash and remaining \$4,800 in personal property.
2. Attorney requests statutory fees of **\$8,318.28**. Calculated.
3. Shawn Meehan and Steve Carlisle assigned their interest in estate to administrator, Tom Jordan, with exception of the travel trailer given to Steve Carlisle, and the Harley Davidson Roaster assigned by Tom Jordan to Shawn Meehan. Assignments attached to Petition for Probate filed 03/21/17, LFPgs15-16.
4. **Need** waivers from Shawn Meehan and Steve Carlisle.
5. Notice was given.
6. ~Proposed order: 12/27/17

RECOMMENDATION:

Need to clear note #4, then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge on **03/13/19**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 7

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S36P  
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CASE#: PRO PS1800095

CASE NAME: CHRISTINE E. REYNOLDS

HEARING:

Spousal Property Petition hearing.

COUNSEL:

CHERI L. GATTSHALL (PET)...LAYNE A BARTHOLOMEW  
CHRISTINE E. REYNOLDS (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Cheri L. Gattshall, spouse/executor

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

1. Decedent died testate on 05/20/16 and is survived by a spouse and mother.
2. Petitioner Cheri L. Gattshall requests determination of decedent's property passing to the surviving spouse without administration and confirmation of property belonging to the surviving spouse.
3. Attachment 7 alleges decedent acquired real property on 02/27/1981 as "Craig E. Reynold." Decedent later transferred property to herself as "Christine E Reynolds" by Quitclaim Deed on 02/27/1981, said Quitclaim Deed was recorded 03/09/1981. Petitioner Cheri L. Gattshall married decedent in the state of Florida on 04/17/15. *Will bequeaths all property to petitioner/spouse Cheri L. Gattshall; however, Will is not self-proving as witnesses did not sign under penalty of perjury. JTD*
4. ~Proposed form order: 01/31/18

RECOMMENDATION:

Court's discretion.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

**CONSERVATORSHIPS**

-----  
DATE: 03/07/18      TIME: 9:30      DEPT: S36P  
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CASE#: CON PS1700336

CASE NAME: HERMAN JORDAN JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HERMAN JORDAN III

(PET)...PRO/PER

HERMAN JORDAN JR

(CEE)...MARIVEL M ZIALCITA

#### GENERAL INFORMATION

Temporary orders denied on 09/19/17. Marivel Zialcita appointed counsel.

**Continued from 10/19/17.** Public Guardian to be notified for possible appointment.

**Continued from 11/30/17.** Court and Counsel confer on the record. Public Guardian relieved from future hearings. Petitioner to file an amended petition requests estate powers also.

**Continued from 01/05/18 at request of Counsel. Counsel intends on assisting petitioner to clear probate notes.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Herman Jordan III, son.

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

1. Petitioner seeks medical powers. **Need** Capacity Declaration.
2. Petitioner does not request dementia powers; however, dementia attachment is included. **Need** verified supplement clarifying requested powers.
3. Petition indicates proposed conservatee is developmentally disabled; however, this is not a petition for limited conservatorship. **Need** verified supplement clarifying.
4. Report of Counsel Zialcita filed 11/30/17.
5. List of required contacts is missing Jaysan Jordan. **Need** completed form.
6. **Need** return of Citation.
7. **Need** Notice of Hearing and Proof of Service.
8. Court Investigator report filed 10/17/17.
9. Certificate of Completion of the Conservatorship Training Class filed 09/12/17.
10. Note: **Amended Petition for estate powers not filed as of review. Need same.**
11. ~Proposed Form Order: 09/08/17

## RECOMMENDATION

Need to clear notes 1-7, 10. If approved, set hearing for Compliance Review for **10/10/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5

(lh/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 9

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

-----  
DATE: 03/07/18 TIME: 9:30 DEPT: S36P  
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CASE#: SC SS02815

CASE NAME: MTR OF JAMES HILLYER

HEARING:  
Hearing re Final Discharge

COUNSEL:  
INLAND COUNTIES REG CNTR (CE)...LAW OFFICE OF STEVEN K BECKETT  
JAMES HILLYER (CTE/CEP)...

GENERAL INFORMATION

**Continued from 12/20/17. Receipts and Ex Parte Petition for Final Discharge were filed and pending review.**

THIS CASE IS SET FOR HEARING ON Hearing Re Final Discharge

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

1. Receipts filed.
2. Declaration regarding distribution of reserve filed.
3. Ex Parte Petition for Final Discharge reviewed by examiner and forwarded to department for signature.

RECOMMENDATION

None.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**PROBATE**

-----  
DATE: 03/07/18      TIME: 8:30      DEPT: S37P  
-----

CASE#: PRO PS1400387

CASE NAME: Bessie Marie Brown

HEARING:

Hearing re Final Discharge

COUNSEL:

JOSEPH CHARLES BROWN      (PET)...PRO/PER

BESSIE MARIE BROWN      (DEC)...

GENERAL INFORMATION

OSC set on 02/03/16 when notes were not cleared and it was noted that Attorney fees have not been paid to Joseph Brown.

**Continued from 04/13/16.** Order to show cause dismissed. Counsel to submit order re attorney fees.

**Continued from 12/13/17 at request of Court for petition to be filed by Counsel regarding attorney fees. Oral report given by Attorney Leslie Riley.**

THIS CASE IS SET FOR HEARING ON Final discharge

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

1. Final distribution approved 2/3/15
2. No receipts required as petitioner is the sole heir.
3. **Need** Petition and Order re attorney fees.
4. Ex-parte petition for final discharge order submitted 02/23/18.

RECOMMENDATION:

Inquire status.

(sa/lc/lh)

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
-----

CASE#: PRO PS1500580

CASE NAME: MARGARET A. CLEMENTS

## **VACATED**

HEARING:

Petition for Removal of Co-Executor

COUNSEL:

CLARE E CLEMENTS (PET)...RICHARD S PRICE

DINO L. CLEMENTS

MARGARET A CLEMENTS (DEC)...

### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Removal of Co-Executor by Claire E. Clements, co-executor

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

1. Claire E. Clements (petitioner) was appointed co-executor with limited authority on 08/23/17 with letters issued same date.
2. Petitioner Claire E. Clements seeks Court to remove Dino L. Clements as co-executor and revoke letters as he has neglected to perform any acts as co-executor, has not communicated with petitioner or Counsel in over three years, nor has he attempted contact with petitioner or Counsel.
3. Petitioner requests Court issue a Citation to Dino L. Clements as co-executor of decedent's estate to show cause why he should not be removed and his Letters revoked.
4. **Need** Notice of Hearing and Proof of Service as to Dino L. Clements, Clare R. Smartwood and David A. Gonzales.
5. No proposed Order submitted.

### RECOMMENDATION

Need notice, then Court's discretion.

(lh)



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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1501037

CASE NAME: CLARE IRENE BLOXHAM

HEARING:

SECOND AND FINAL Account and Report of SANDRA SPACHTHOLZ and  
Petition for allowance of fees filed.

COUNSEL:

MALCOLM VICTOR SMITH	(PET)...CRAIG E WILSON
CLARE IRENE BLOXHAM	(DEC)...
SANDRA SPACHTHOLZ	(PET)...CRAIG E WILSON
LIBERTY MUTUAL INSURANCE	(TP )...

GENERAL INFORMATION

**Continued from 12/13/17 at request of Counsel to file supplement with calculation of statutory fees.**

THIS CASE SET FOR HEARING ON 2<sup>nd</sup> and Final Account, Distribution and Petition for Allowance of Fees by Successor Executor Sandra Spachtholz (friend)

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

1. Letters Testamentary were issued to prior executor, Macolm Smith (brother) on 03/09/16. Malcom passed away on 09/21/16 shortly after filing his first and final account and petition for fees which was subsequently approved by Court on 11/23/16, including reserve of \$10,000.
2. Letters Testamentary were issued to Sandra Spachtholz as successor executor on 11/09/17 with full IAEA, and \$464,000 bond.
3. Assets on hand: **\$10,107.60**, cash
4. **Need** bank statement to support assets on hand.
5. Petitioner requests statutory compensation under Pr. Code §10800 of **\$1,500** for reviewing petitions, completing bond application, trips to bank to obtain statements and distribution checks, and telephone calls with counsel. [2<sup>nd</sup> Acct, 10/23/17, LFpg5-6, 9]. Question how fees were calculated per code? **Supp 01/22/18. Executor Malcom Smith was previously awarded statutory compensation of \$11,408.16; however, he passed away before final distribution was made.**

**Successor Sandra Spachholz is requesting compensation for expending 15.5 hours for administrative work. Itemized [Supp. 01/22/18 LFpg4]. JTD**

6. Statutory attorney's fees are calculated at \$11,408.16, less \$4,795 for attorney fees and costs previously awarded in first account for a balance of \$6,613.16. Due to insufficient funds, **petitioner requests court approval of \$4,578.50 for attorney's fees** owing during second account period. [Supp.01/22/18,LFpg5] **JTD**
7. Pursuant to Order approving First and Final Account, petitioner distributed to Malcom V. Smith's estate at \$208,510.49; Patricia Murault, Jane Smith, and Mark A. Smith at \$65,700.78 each. Receipts filed.
8. Proposed Order: 10/23/17 indicates further relief as Court deems just and proper. All orders must be complete in themselves per Local Rule 20-614.

#### RECOMMENDATION

Need to clear note #4. If approved, set hearing on the filing of receipts and final discharge for **03/13/19**.

Future Hearing: 1/09/19: Accounting Review - VACATE

Superior Court of Calif, County of San Bernardino

Page: 4

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1600037

CASE NAME: HELEN M. GIDCUMB

HEARING:  
Hearing re Final Discharge

COUNSEL:  
DENNIS R GIDCUMB (PET)...GUAY P WILSON  
HELEN M GIDCUMB (DEC)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge of Dennis Gidcumb, executor

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

1. **Need** receipts from Dennis R. Gidcumb and Susan Strauss.
2. **Need** Ex Parte Petition for Final Discharge and Order.

#### RECOMMENDATION

Inquire status.

(lh)

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1700699

CASE NAME: YOLANDA BARRERA

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

BIANCA ZUBIA	(PET)...C.S SCARCELLA & ASSOCIATES
ALYSSA ZUBIA	(PET)...C.S SCARCELLA & ASSOCIATES
YOLANDA BARRERA	(DEC)...

GENERAL INFORMATION

**Continued from 10/11/17.** Need bond waiver by surviving spouse.

**Continued from 12/13/17 at request of Counsel to clear probate notes. Court will require \$25,000 bond.**

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with Full Authority under IAEA by Bianca and Alyssa Zubia, daughters

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

1. Court will require \$25,000 bond.
2. It appears that there is a person with higher priority per Pr. C. § 8461(p); however no objections have been filed.
3. Section 5 is incomplete as to whether there is or is not a domestic partner; however it is clear that decedent had a spouse. JTD
4. Section 5 is incomplete as to whether there is or is not issue of a predeceased child. **Need** verified supplement. JTD
5. Section 8 fails to list the relationships to the decedent. **Need** verified supplement.
6. Duties form is missing telephone numbers and addresses of petitioners. **Need** same.
7. **Need** Notice to Petition to Administer Estate and proof of service.
8. Proof of Publication filed 10/11/17 in which notice was published with Adelanto Bulletin. However, publisher does not appear to service city of Ontario, where decedent resided. **Need proper publication per Pr. C. §8124(b).**
9. No proposed order submitted.

## RECOMMENDATION

Need to clear notes 4-8. Court's discretion re bond. If approved, set Accounting/Status Review **05/15/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1701267  
CASE NAME: WARREN ROSCELL STOCKTON

HEARING:  
Petition for SPOUSAL PROPERTY

COUNSEL:  
MARIA CELIA STOCKTON (PET)...ILIANA MADRIGAL  
WARREN ROSCELL STOCKTON (DEC)...  
SALEA NELSON (OBJ)...

#### GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property Petition

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

1. Decedent died intestate on 02/22/17, and is survived by a spouse and 6 children.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration.
3. Petitioner alleges she and decedent were married on 04/12/1984. On or about 06/05/02, decedent and petitioner purchased the real property known as 13894 Palomino Court, Victorville, with title held as "husband and wife as community property;" however, the deed failed to state "with rights of survivorship."
4. Decedent's separate property, which is part of probate estate, includes real property at 1600 W. 50<sup>th</sup> Street, Los Angeles, and 2 unimproved lots in Modoc County, California. Petitioner alleges community funds were used to purchase real properties, and requests 50% interest in real property to pass to her as surviving spouse. **Need Attachment 7A with legal descriptions and assessor parcel numbers.**
5. **Need** notice of hearing and proof of service as to decedent's issue: Warren Stockton, Jr, Gary Stockton, and Salea Nelson (objector re petition for letters).
6. **Note future hearing dates of 03/20/18 re contested Petition for Letters of Administration, and 04/12/18 re Petition for Quiet Title. Court may wish to trail to future hearing date.**
7. ~Proposed form order: 01/30/18

#### RECOMMENDATION:

Need to clear notes #4-#5.

(lh)

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

-----  
DATE: 03/07/18 TIME: 8:30 DEPT: S37P  
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CASE#: PRO PS1800128

CASE NAME: JOAN HAMILTON

HEARING:

Petition for Probate of Will and for Letters Testamentary

COUNSEL:

PATRICIA KORANDA  
JOAN HAMILTON

(PET)...FORREST F. WOLFE  
(DEC)...

#### GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Patricia Koranda (executor/successor trustee)

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

1. Will waives bond. Estimated value of estate is \$517,384, personal property only. The court may for good cause require that a bond be given, either before or after issuance of letters. Prob. Code, § 8481(b). **JTD**
2. **Need** Notice to Patricia Koranda in her capacity as successor Trustee of The Joan D. Hamilton Trust, and as Successor Trustee of the Elline Diane Hamilton Special Needs Trust.
3. ~Proposed Form Order: 02/08/18

#### RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **05/15/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

-----  
DATE: 03/07/18      TIME: 8:30      DEPT: S37P  
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CASE#: SC SS03057

CASE NAME: MTR OF HELEANA HOSTETLER

HEARING:

SIXTH ACCOUNT CURRENT AND REPORT OF TRUSTEE Account and Report of ANGELA DECKER and Petition for allowance of fees filed.

COUNSEL:

ANGELA DECKER

(CPE)...CHRISTOPHER A POULOS

HELEANA HOSTETLER

(CEP)...ROGER E WALKER

HELEANA HOSTETLER COURT ORDERED TRUST (TRU)...

AMERICAN CONTRACTORS INDEMNITY (TP )...PRO/PER

**X-REF: SCVSS 247101**

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Sixth Account Current of SNT; Petition for Continued Family Allowance; Petition to Remove Blocked Account, Increase Bond and Petition for Fees by Angela Decker, Trustee.

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

1. Accounting period 10/01/15 to 09/30/17
2. Assets on Hand \$762,248.78 consisting of \$545,681.93 in cash (majority in blocked account) and \$216,566.85 in non-cash assets.
3. Petitioner requests authorization to continue the \$7,000/month family allowance for common living expenses of beneficiary which includes a \$3,000/month salary to petitioner for care giving services. Verification of caregivers filed. **JTD**
4. Attorney requests fees of **\$3,562.20** billed at \$225/hour for 4.10 hours' attorney time and \$100/hour for 24 hours' paralegal time. Itemized [LFpg83]. **JTD**.
  - a. Attorney hours include 3 hours of travel time for Court appearance that is not normally allowed. [LF, p.83] **JTD**.
5. Bond currently set at \$420,000. Petitioner requests the block on the Securities America Account RQT-400700 be removed to increase yield on trust assets, and for bond increase and consolidating to one bond of **\$946,000** (includes recovery). Appears adequate. **JTD**.

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



6. Petitioner requests the court set next accounting as a biennial accounting, for the period 10/01/17 to 09/30/19. **JTD**
7. Notice given, no objection.
8. **Declaration of Annette deBelleFeuille filed 02/13/18** alleges she is unable to determine if she was ever relieved as Counsel, thus requests Court relieve her as Counsel. **Note: Minute Order on 02/09/10 indicates Counsel debelleFeuille was relieved.**
9. ~Proposed Order: 11/09/17

RECOMMENDATION:

Court's discretion re: fees, bond and next accounting period. If approved, Court may wish to set the next hearing for a biennial Accounting Review for **01/22/20** or an annual Accounting Review for **01/23/19** per Pr.C.§2620(a). Any accounting to be filed 30 days' in advance.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 8

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

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DATE: 03/07/18 TIME: 8:35 DEPT: S37P  
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CASE#: PRO PS1300069

CASE NAME: THE STEVEN VEGO JR SETTLEMENT TRUST

HEARING:

Petition for Instructions to pay for necessary home modifications

COUNSEL:

THE STEVEN VEGO JR SETTLEMENT	(TRU)...
MELVIN L. FRIEDLAND	(PET)...MELVIN L FRIEDLAND
MIDLAND STATES BANK, TRUSTEE	(PET/TEE)...MELINDA S. BELL
SHIRLEY DOIDGE	(PET)...THOMAS W DOMINICK

**XREF: GARSS1100113** *IN MTR RE STEVEN REESE VEGO JR*  
**CIVDS1104100** *VEGO, ETAL -v- SOUTHERN CALIFORNIA EDISON*  
**PRODS1100084** *MTR OF SHARON SUE VEGO*  
**PRODS1100102** *STEVEN VEGO*

Currently under review by Legal Research.

(LR)

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

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DATE: 03/07/18 TIME: 8:35 DEPT: S37P  
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CASE#: SPR SS04478

CASE NAME: MICHAEL MONTOYA SPECIAL NEEDS TRUST

HEARING:

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

COUNSEL:

MELODIE Z SCOTT (PET)...HARTNELL HORSPOOL & FOX  
MICHAEL MONTOYA SPECIAL NEEDS TRUST (TRU)...  
INLAND COUNTIES REG CNTR (PET)...STEVEN K BECKETT

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 14<sup>th</sup> Account and Report of IRC and Petition for  
Approval of Trustee's Fees and for Attorney's Fees; Request to Amend Trust by Inland  
Counties Regional Center, Trustee

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

1. Accounting covers period: 09/01/16 to 09/30/17
2. Assets on hand: \$215,793.21, cash
3. Petitioner requests approval of trustee fees already taken by Master Trust of California in the amount of **\$4,072.79**. Billed at \$1,250 for the first \$50,000; 2% of the next \$250,000; 1.65% of the next \$450,000 and 1.50% of the next \$250,000.
4. Petitioner requests authority to allow Master Trust to continue taking its annual fee according to its fee schedule. JTD
5. Attorney requests fees of **\$1,270** for 8.8 hours at \$100/250 per hour for paralegal and attorney services. Itemized in separate declaration filed 11/16/17. JTD
6. Current bond set at \$220,000. Suggest bond increase of \$31,000 for total bond of **\$251,000** per bond calculation. JTD
7. Petitioner proposes revision to Master Trust to include language regarding reimbursement for benefits paid by any other state's Medicaid program and notice to appropriate agencies, if applicable. A copy of proposed revised Master Trust attached. [Acct, 11/16/17, LFPg34]. JTD
8. Notice was given.
9. ~Proposed Order: 11/16/17 includes bond of \$220,000.

## RECOMMENDATION

Court's discretion re bond and trust revision. If approved, set hearing on the next accounting review for **11/28/18** (if one year) or **11/27/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 10

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

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DATE: 03/07/18 TIME: 8:35 DEPT: S37P  
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CASE#: TRU PS1800018

CASE NAME: THE 2000 WILLIAM J DORAN JR AND MAXINE L. DORAN

HEARING:  
Hearing Re: HEGGSTAD PETITION

COUNSEL:  
PATRICK R DORAN (PET)...DIANA J CARLONI  
THE 2000 WILLIAM J DORAN JR AND MAXINE L DORAN TRUST (TRU)...

Currently under review by Legal Research

(LR)

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

**CONSERVATORSHIPS**

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DATE: 03/07/18      TIME: 9:30      DEPT: S37P  
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CASE#: CON DS1000115

**VACATED**

CASE NAME: MTR OF THOMAS SLOTA

HEARING:

Accounting Review

COUNSEL:

LEANNA SLOTA

(CP/CPE)...CALDWELL, KENNEDY & PORTER, A.

THOMAS HENRY SLOTA

(CTP/CEP)...EDWARD B FISCHER

BRIDGET PEEL

(CP/TEE)...JEANNE E KENNEDY

Second Account Current filed 02/20/18.

Future hearing date: 06/29/18 Second Account and Report of Leanna Slota

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON DS1000339

CASE NAME: MTR OF BRIAN Z YAUCHI

HEARING:  
Accounting Review

COUNSEL:

GLORIA Z YAUCHI	(CPE/CE)...LAYNE A BARTHOLOMEW
RYO YAUCHI	(CPE/CE)...LAYNE A BARTHOLOMEW
BRIAN Z YAUCHI	(CEP/CTE)...MITCHELL I ROTH
COUNTY OF SAN BERNARDINO	(PLA)...COUNTY COUNSEL
DONNASUE SMITH ORTIZ	(PET)...
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
LIBERTY MUTUAL INSURANCE	(TP )...PRO/PER
CONSERVATORSHIP ESTATE OF BRIAN Z YAUCHI (LAYNE A BARTHOLOME	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. 6<sup>th</sup> Account Current approved on 06/21/17 for period ending 12/20/16.
2. **Need** 7<sup>th</sup> Account Current for period commencing 12/21/16.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS0800058

CASE NAME: In re Matter of Gloria Feaster

HEARING:  
Accounting Review

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(PCR/CPE)...	ALEX R BORDEN
GLORIA FEASTER	(PCE/CEP)...	
KARIN E HORSPOOL	(PET)...	HORSPOOL & PARKER
GLORIA FEASTER S.N. TRUST	(TRU)...	
MELODIE Z SCOTT	(TP )...	PRO/PER

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

Waiver of Court Fees and Costs filed by CHRISTINA ERICKSON-TAUBE is GRANTED

GENERAL INFORMATION

**Continued from 10/11/17.** No appearance. Attorney's office contacted Court via telephone to advise that conservatee has passed away.

**Continued from 12/13/17 to clear probate notes. Waiver of accounting is not accepted by Court.**

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Ex parte petition to dispense with accounting for Christina Erickson-Taube, PPF, approved on 10/20/16.
2. Ex Parte Petition to Dispense with Accounting and Order returned on 12/11/17.  
**Need** Final Accounting for pre-death and post-death accounting periods per Pr. C. §2620.

RECOMMENDATION

Inquire status of final accounting.

(ww/lh)



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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS0900080

CASE NAME: MELVIN LEE WADE JR.

HEARING:

Petition for To Fix Residence Outside the State of California

COUNSEL:

MICHELLE A PORTIS	(CP )...PRO/PER
MELVIN LEE WADE JR	(CTP)...JEANNE E KENNEDY
MELANIE WADE	(CPE)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Fix Residence Out of California by Michelle Portis, conservator

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

1. Petitioner/Conservator Michelle Portis requests the Court authorize the residence for minors to be fixed outside the State of California to Las Vegas, Nevada because conservator's spouse obtained employment in Las Vegas, Nevada, requiring family to relocate.
2. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the guardianship of the person will be commenced in the place of the new residence.
3. Proof of Service of petition filed 01/31/18; however, Notice of Hearing not filed or served per Pr.C.§2352(c); Pr. C. §1460. **Need** same.
4. **Notice of Hearing and Proof of Service filed 02/26/18; however mailing list not attached as alleged.**
5. ~Proposed Form Order: 01/318/18

RECOMMENDATION

Need notice then Court's discretion. If approved, suggest Court set status hearing re proof of conservatorship in Nevada by **05/09/18**.

(lh)

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1300327

CASE NAME: RANSOM GEORGE BALLARD

HEARING:

THIRD Account and Report of GLORIA L MCFARLAND and Petition for allowance of fees filed.

COUNSEL:

GLORIA L MCFARLAND	(PET)...PRO/PER
RANSOM GEORGE BALLARD	(CEP)...DONNASUE ORTIZ
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
RANSOM GEORGE BALLARD	(CEE)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

**Continued from 12/13/17 at request of Court to clear probate notes.**

THIS CASE IS SET FOR HEARING ON 3rd Account Current and Petition for Fees by Gloria McFarland (cousin/conservator)

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

1. Account period covers 02/01/16 to 01/31/17
2. Assets on hand \$216,902.75 consisting of \$3,248.74 in cash and the balance in securities.
3. **Need** Notice of Hearing and Proof of Service to Ransom Ballard, conservatee.
4. **Need** mandatory Summary of Account on Judicial Council form GC-400(SUM).
5. **Need** supporting financial statements per Local Rule 20-908.
6. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Need** verified supplement.
7. Petitioner indicates conservatee borrows money from people; however does not indicate an amount, nor is it known whether these are legal/valid debts. Court may wish to inquire. [3<sup>rd</sup> Acct, 10/25/17, LFpg4].
8. Current bond is \$302,000. Petitioner requests bond reduced by \$46,000 for a total bond of \$256,000. Appears sufficient. **JTD**
9. Petitioner requests compensation of \$2,785 billed at \$35/hour for a total of 71hours. Itemized [3<sup>rd</sup> Acct, 10/25/17, LF p.43-44]. **JTD**

10. Petitioner requests reimbursement of \$1,294.02 for costs including airfare, car rental, lodging and meals. Itemized [3<sup>rd</sup> Acct, 10/25/17, LF p.46]. **JTD**
11. Petitioner requests an additional order under Pr. C. §2590 to purchase and vest real property in the name of the conservatorship pursuant to Pr. C. §2591(g). Proposed purchase consists of a condominium in Washington D.C. listed at \$55,000 via short sale. Purchase would require replacement of appliances and repairs totaling \$12,000, with management expenses at \$100/month. Current investments generate \$9,000 annually, and income will soon be reduced due to maturing of bonds. Expenses of estate currently exceed annual income. Rental income could replace and exceed current income. Declarations in support of request attached. [3<sup>rd</sup> Acct, 10/25/17, LFpg4, 38-41]. **JTD**
  - a. It appears petitioner intends to sell stock in order to purchase real property, use funds to improve the proposed real property, and in turn lease the proposed real property to generate income for the estate; however, these requests for orders [under Pr. C. §2591(c)(1), (h)] were not included within the prayer of petition, nor caption of petition. **Need verified supplement.**
12. No proposed Order submitted. Submit after hearing.

**RECOMMENDATION:**

Need to clear notes 3-6, 11. If approved, set hearing re next Accounting Review in **60 days** on Wednesday calendar (if one year) or **03/27/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 16

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700019

CASE NAME: RAVEN MONIQUE GONZALES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of MONIQUE GONZALES

COUNSEL:

MONIQUE GONZALES (CPE)...PRO/PER  
RAVEN MONIQUE GONZALES (CEE)...ROSE C ROSADO

GENERAL INFORMATION

**Continued from 12/13/17 at request of Court as parties were not present. Attorney Rosado present after hearing.**

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Monique Gonzales appointed limited conservator of the person on 05/10/17.
2. Notification of Conservatee's rights filed 02/28/18; however, Proof of Service does not indicate Order was served in item #5; Order not attached. **Need** same.
3. Determination of Conservatee's Appropriate Level of Care not dated at signature.  
**JTD**
4. **Care Plan filed 02/28/18.**

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700059

CASE NAME: LARDINE ROBINSON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of TYTIANA DAWSON

COUNSEL:

TYTIANA DAWSON (CPE)...PRO/PER  
LARDINE ROBINSON (CEP)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Tytiana Dawson appointed Conservator of the person on 08/02/17, letters issued same date.
2. Notification of Conservatee's rights filed 08/28/17; however, attached proof of service did not include service of order appointing conservator dated 08/02/17. **Need** same.
3. Determination of Conservatee's Appropriate Level of Care is incomplete at item #4b as to current residence of conservatee. **Need** completed form.
4. Care Plan filed 08/28/17.

RECOMMENDATION

Inquire status.

(lh)

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

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1700407

CASE NAME: MTR OF VIOLETA SANCHEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MARTHA A AGUILAR (CP)...PRO/PER  
VIOLETA SANCHEZ (CTP)...DONNASUE ORTIZ

GENERAL INFORMATION

**Continued from 12/13/17 at request of Court to clear probate notes. Attorney  
Donnasue Ortiz appointed for Violeta Sanchez.**

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. JTD
2. Petitioner seeks to limit civil rights. JTD
3. Proposed conservatee reached age of majority on 09/23/17.
4. Petitioner seeks medical powers. Capacity Declaration filed 11/13/17 is incomplete at item #2 re physician's address. **JTD**.
5. Proposed conservatee is developmentally disabled. **Need** report of Counsel Ortiz.
6. Proposed conservatee is developmentally disabled. **Need** IRC report. Letter received from IRC on 11/30/17, requesting additional 30 days to complete report.
7. **Need** notice of hearing and proof of service with 30 days' notice to Inland Regional Center.
8. CI Report filed 12/11/17.
9. Return of Citation filed 12/04/17.
10. Proof of Completion of the Conservatorship Training Class filed.
11. ~Proposed Form Order: 11/06/17

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

## RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **10/10/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 19 add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

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DATE: 03/07/18 TIME: 9:30 DEPT: S37P  
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CASE#: CON PS1600047

CASE NAME: VICTORIA ESQUIVEL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR  
CONSERVATORSHIP of STELLA ESQUIVEL

COUNSEL:

STELLA ESQUIVEL

(PET)...PRO/PER

VICTORIA ESQUIVEL

(CEE)...WALTER T. MOORE

GENERAL INFORMATION

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

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

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

**Continued from 02/21/18. Report of Court Investigator was read and considered by the Court. Attorney Moore has not received a copy of CI Report. Hearing continued at request of Court for attorney Moore to review CI report and visit client.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

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

RECOMMENDATION

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

(lc/ww/lh)

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



