



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 03/22/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

02/22/18lc03/16/18

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300643

CASE NAME: Anna Jane Franco Special Needs Trust

HEARING: Third Account and Report of LARRY E HOOVER and Petition for allowance of fees filed.

COUNSEL:

ANNA JANE FRANCO

(PET)...JEANNE E KENNEDY

ANNA JANE FRANCO SPECIAL NEEDS

(TRU)...

LARRY E HOOVER

(PET)...SU P CHEAH

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 3rd SNT Account Current and Petition for Fees and Bond Reduction by Larry Hoover, Trustee/PPF.

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

1. Account period covers 12/02/15 – 12/02/17.
2. Assets on hand \$25,988.13 in cash.
3. Trustee seeks fees of \$2,850 for 29.1 hours at \$100 per hour. [Acct. 12/19/17 LFpg 13].
4. Attorney Cheah requests fees of \$1,540 for 7 hours at \$220 per hour. [Acct. 12/19/17 LFpg 14].
5. Supp. 01/02/18: Trustee seeks to pay Attorney Kennedy fees of \$540 for 1.8 hours at \$300 per hour.
6. Trustee seeks current bond of \$38,000 be reduced to \$29,000. Appears adequate.
7. Trustee seeks biennial accountings due to the size of estate.
8. **Need** bank statements per local rule 20-908.
9. ~Proposed order: 01/02/18.

RECOMMENDATION:

Need to clear note 8. If approved, set hearing on the next accounting review for **02/07/19** (if one year) or **02/06/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600382

CASE NAME: ALICE A PAT

HEARING:

Accounting Review by ***

COUNSEL:

ALICE A PAT	(DEC)...
KIMBERLY WHITE	(PET)...CRAIG M PARKER
KIMBERLY WHITE	(PET)...CRAIG M PARKER
STATE OF CALIFORNIA FRANCHISE	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration WWA issued to Kimberly White, daughter, on 04/13/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600513

CASE NAME: MTR OF KATHE DENTMAN

HEARING:

Accounting Review by ***

COUNSEL:

JOHNNIE DENTMAN (PET)...LAW OFFICES OF ROBIN E PALEY A
KATHE DENTMAN (DEC)...

GENERAL INFORMATION

Continued from 02/15/18. No appearance. Administrator or counsel to appear at next hearing.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Johnnie Dentman, step child, on 11/14/16; full authority, \$100,000 bond.
2. Final Inventory and Appraisal filed 09/05/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600623

CASE NAME: MTR OF JACQUELYN M REDFORD

HEARING: Petition for final distribution on waiver of Account and Report
of HEATHER NORWOOD and Petition for allowance of fees filed.

COUNSEL:

HEATHER NORWOOD (PET)...PRO/PER
JACQUELYN M REDFORD (DEC)...

Request for Waiver of Court Fees and Costs filed by HEATHER NORWOOD is GRANTED
Fee waiver amount due \$930.00 \$465.00 for petition for probate on 06/21/16 \$465.00 for waiver of
account etc on 12/14/17

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for
Allowance of Fees by Heather Norwood, daughter.

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

1. Assets on hand \$332,385.98 in real property, IRA and personal property.
2. Administrator waives statutory compensation.
3. Both heirs waive bond.
4. Administrator seeks a reserve of \$3,000.
5. **Need** IRA/investment statements to support attachment 1 of Inventory and
Appraisal per local rule 20-908.
6. Notice of hearing and proof of service filed; however, proof of service is not dated at
signature. **Need** dated proof of service.
7. ~Proposed Order: 12/14/17

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing on the filing of receipts and final
discharge for **03/28/19**.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600643
CASE NAME: MTR OF BETTE RUIE DAVIS
HEARING: Petition on wavier of final Account and Report of RONALD DAVIS
and Petition for allowance of fees filed.

COUNSEL:

BETTE RUIE DAVIS (DEC)...
RONALD DAVIS (PET)...MATTHEW E SHEASBY

XREF: PROPS1501045 (McNeal family trust)

GENERAL INFORMATION

**Continued from 02/15/18. Counsel stated she has final Inventory and Appraisal;
however, expressed concern regarding funds obtained.**

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

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

1. All heirs waive accounting.
2. \$0 assets on hand; assets are held in trust [\$179,588.74]. See next two notes.
3. Executor and counsel seek statutory fees of \$6,387.64 each [balance of \$3,645.64 for counsel] based on assets to be distributed from the McNeal Family Trust.
4. The estate has not yet received any assets from Trust. Supplemental Inventory and Appraisal filed 03/01/18 with Trust assets and order.
5. Receipts are filed for preliminary distribution; however, there does not appear to be an order directing distribution. Though, there does not appear to be any harm to the estate.
6. Executor has paid attorney's fees for Trust matter of \$2,742. [Acct.10/30/17 LFpg5].
7. Executor has incurred attorney's fees of approximately \$10,560.50 for 29.1 hours at \$360/400 per hour in related to Petition for Removal of Trustee. Itemized in declaration 10/30/17.
8. Executor seeks reimbursement of bond costs totaling \$690.
9. Counsel seeks reimbursement of costs of \$2,052. [Acct.10/30/17 LFpg6].
10. ~Proposed Order: 03/05/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **03/28/19.**

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600741
CASE NAME: FREDERICK ALLAN FITZGERALD
HEARING: First & Final Account and Report of ROBERT ANDREW FITZGERALD
and Petition for allowance of fees filed.

COUNSEL:
FREDERICK ALLAN FITZGERALD (DEC)...
ROBERT ANDREW FITZGERALD (PET)...WILLIAM K SWEENEY

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Robert Fritzgerald, brother.

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

1. Assets on hand \$3,137,752.61 of which is cash and \$107,573 in judgment from Riverside Court **INC1105383**.
2. All heirs waive accounting.
3. Administrator and counsel seek statutory fees of \$52,029 each. Ok.
4. Administrator seeks extraordinary fees of \$6,800 re sale of real property for 80 hours at \$85 per hour. The court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have actually been earned. *Walker's Estate* (1963) 221 Cal. App. 2d 792). **Need** itemization per local rule 20-904 as supplement clarifying if statutory fees of \$52,029 have actually been earned. **Supp 03/13**: Petitioner did not itemize; however, believes they earned all \$52,029 of statutory fees in order to receive additional fees. JTD
5. Administrator seeks reimbursement of costs totaling \$943.10. [LFpg31]
6. Heir John Fitzgerald seeks reimbursement of costs totaling \$39,315.08. [LFpg34]
7. Heir David Fitzgerald seeks reimbursement of costs totaling \$6,987.37[LFpg31]
8. Administrator seeks a reserve of \$100,000 for 2017 taxes. Court will require an accounting of the reserve due to the amount.
9. ~Proposed Order: 12/14/17.

RECOMMENDATION

Court's discretion re note 4. If approved, set hearing on the filing of receipts and final discharge for **03/28/19**

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600810

Vacated

CASE NAME: MTR OF MICHELLE CHERE SESSIONS

HEARING:

Accounting Review by ***

COUNSEL:

CHIA CHRISTINE COLLINS (PET)...PRO/PER

FRANCHISE TAX BOARD (TP)...PRO/PER

MICHELLE CHERE SESSIONS (DEC)...

Future hearing dates: 05/02/18 Final Waiver of Account by Chia Collins

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701031

Vacated

CASE NAME: MTR OF RAUL PICAZO II

HEARING: Spousal Property Petition hearing.

COUNSEL:

LISA PICAZO

(PET)...ROBERT W CANNON

RAUL PICAZO II

(DEC)...

Approved on 02/01/18.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800010

CASE NAME: MITCHELL A. MCDONALD

HEARING:

Hearing Re: Bond Review

COUNSEL:

KAREN MARIE MCDONALD (PET)...HEDTKE LAW GROUP
MITCHELL A. MCDONALD (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Bond Review.

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

1. Karen McDonald, sister, appointed executor on 02/15/18, full authority \$212,000 bond. **Need** order.
2. Karin Horspool appointed GAL. **Need** report.
3. **Need** bond in order for letters to issue.

RECOMMENDATION

Need to clear notes 1-3.

(lc)

Future Hearing: 04/25/19 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 03/22/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800143

CASE NAME: ANN EIERMAN

HEARING:

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

COUNSEL:

ANN EIERMAN (DEC)...
CAROLINE VAN BATTUM (PET)...COURTNEY F WRITER

GENERAL INFORMATION

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

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

1. Petitioner seeks bond of \$269,500. Ok.
2. **Need** proof of publication.
3. ~Proposed Form Order: 02/15/18.

RECOMMENDATION

RFA subject to note 2, \$269,500 bond. If approved, set Accounting/Status Review for
05/30/19. Any accounting to be filed 30 days in advance local rule 20-901. Note
requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 03/22/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700120

See matter 11A

CASE NAME: LUIS TOOLE CASILLAS

HEARING:

OSC re Sanctions of \$500 for Failure to Appear

COUNSEL:

LUIS TOOLE CASILLAS (CEE)...

MARIA B CASILLAS (PET)...PRO/PER

GENERAL INFORMATION

OSC set on 02/01/18 when there was no appearance.

THIS CASE SET FOR HEARING ON **OSC re Sanction of \$500/FTA/Compliance Review.**

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

1. Maria Casillas, mother, appointed conservator of the person only on 06/29/17.
2. Notification of Conservatee's rights filed 07/27/17.
3. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.
4. **Need** Care Plan in accord with Pr.C.§2352.5, local rule 20-1403.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 3-4.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 03/22/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700120

See matter 11

CASE NAME: LUIS TOOLE CASILLAS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA B CASILLAS

COUNSEL:

LUIS TOOLE CASILLAS (CEE)...
MARIA B CASILLAS (PET)...PRO/PER

See notes on matter 11.

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 03/22/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700393

CASE NAME: ANTHONY SEBASTIAN RAZO ARGONANIZ

HEARING:
Petition for Appointment of Conservator

COUNSEL:
ANTHONY SEBASTIAN RAZO ARGONAN (CTP)...MITCHELL I ROTH
MARIA L ARGOMANIZ (PET)...PRO/PER

GENERAL INFORMATION

Continued from 12/14/17. *Interpreter*. Mitchell Roth's first appearance.

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 03/08/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Roth.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. Court Investigator report filed 11/30/17.
7. Citation returned served.
8. Certificate of Completion of the Conservatorship Training Class filed 11/01/17.
9. ~Proposed Form Order: 10/25/17.

RECOMMENDATION

Need to clear notes 4-5. If approved, set hearing for Compliance Review for **10/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700422

CASE NAME: APRIL LEE NONNEMAKER

HEARING:

Petition for Appointment of Conservator

COUNSEL:

APRIL LEE NONNEMAKER (CTP)...PRO/PER
DEBORAH KAREN NONNEMAKER (CP)...JEFFREY A GOTTLIEB

GENERAL INFORMATION

Continued from 02/01/18. Conservatee present. Court will accept declaration in lieu of Training Class. Walter Moore appointed counsel.

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 11/15/17.
4. Proposed conservatee is developmentally disabled. IRC report filed 01/26/18.
5. Proposed conservatee is developmentally disabled. **Need** report of Counsel Moore.
6. **Need** notice of hearing and proof of service including 30 days' notice to IRC per Pr.C. § 1822(e).
7. Declaration in lieu of conservatorship class filed 02/26/18.
8. Court Investigator report filed 01/25/18.
9. Citation returned served.
10. ~Proposed Form Order: 11/15/17.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing for Compliance Review for **10/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. § 1830(c); Level of Care and Care Plan per Pr.C. § 2352.5.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800023

CASE NAME: LHAREE C. CAMBRONERO

HEARING:
Petition for Appointment of Conservator

COUNSEL:
LHAREE C. CAMBRONERO (CTP)...
MARICAR CAMBRONERO (CP)...SHEELA A. STARK

GENERAL INFORMATION

Sandy Turner appointed counsel on 02/08/18.

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

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 01/26/18.
4. Citation returned served.
5. Proposed conservatee is developmentally disabled. Report of Counsel Turner filed 03/07/18.
6. Certificate of completion of Conservatorship Training class filed 03/07/18.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. **Need** Court Investigator report.
9. ~Proposed Form Order: 01/26/18

RECOMMENDATION

Need to clear notes 7-8. If approved, set hearing for Compliance Review for **10/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO San Bernardino District - Civil
PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC**

DATE: 03/22/18 TIME: 1:30 DEPT: S35P

CASE#: CIV BS1200309

CASE NAME: ACJ TRUE GRIT-V-SCOTT MARTIN, ET AL

HEARING:

Hearing Re: MANDATORY SETTLEMENT CONFERENCE

COUNSEL:

ACJ TRUE GRIT, LLC (CC)...LAW OFFICE OF TIMOTHY L MCCAND
ACJ TRUE GRIT, LLC. (PLA)...LAW OFFICE OF TIMOTHY L MCCAND
BAKER XLT DEVELOPMENT, LLC (CC)...SINGLE OAK LAW OFFICES, APC
GINGER JACOBSON (PRO/PER)...PRO/PER
JACK HALL (LAW OFFICE OF TIMOTHY L MCCAND).
JONI JACOBSON (LAW OFFICE OF TIMOTHY L MCCAND)..
SCOTT MARTIN (CC)...SINGLE OAK LAW OFFICES, APC
SCOTT MARTIN (DEF)...SINGLE OAK LAW OFFICES APC
TIM MCCANDLESS ()...

XREF: PROPS1300285 (*Robert Lyle Mee*)

M.S.C. – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 03/22/18 TIME: 1:30 DEPT: S35P

CASE#: CIV DS1601912

CASE NAME: BAKER P.M.J. -V- TRUE GRIT,LLC, ET AL

HEARING:

Hearing Re: MANDATORY SETTLEMENT CONFERENCE

COUNSEL:

ACJ TRUE GRIT,	()...
ACJ TRUE GRIT, LLC	(DEF)...
ALL PERSONS UNKNOWN, CLAIMING ()...
BAKER P.M.J., L.P.	(OFFICES OF TIMOTHY L MCCAN)..
BAKER P.M.J., L.P.	(PLA)...TIMOTHY L. MCCANDLESS
BAKER XLT DEVELOPMENT, LLC	(REID & HELLYER
GINGER JACOBSON	(PRO/PER
JAMES JACOBSON	(PRO/PER
JANELL MORA	(PRO/PER
JARI DIKES	(PRO/PER
JAY JACOBSON	(PRO/PER
JOHN JACOBSON	(PRO/PER
JONI JACOBSEN	(PRO/PER
JULIE STEWART	(CC)...PRO/PER
SCOTT MARTIN	(REID & HELLYER

XREF: PROPS1300285 (Robert Lyle Mee)

PROPS1400042 (Carolyn Jacobson)

M.S.C. – No notes – JTD

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

DATE: 03/22/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 18, 19, 20, 21, 22, 23

HEARING:

Hearing Re: MANDATORY SETTLEMENT CONFERENCE

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND	()...

XREF: CIVBS1200309 (ACJ True Grit-v-Scott Martin et al)

PROPS1300285 (Robert Lyle Mee)

M.S.C. – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 03/22/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 19, 20, 21, 22, 23

HEARING:

Hearing Re: Petition for ORDERS TO DETERMINE: 1 INTEREST, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND	()...

XREF: CIVBS1200309 (ACJ True Grit-v-Scott Martin et al)

PROPS1300285 (Robert Lyle Mee)

Currently under review by legal research.

(lc)

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

DATE: 03/22/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 18, 20, 21, 22, 23

HEARING: Accounting Review by ***

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND()...

XREF: PROPS1300285, (Robert Lyle Lee) **CIVBS1200309** (ACJ True Grit v Scott Martin etal)

GENERAL INFORMATION:

Continued from **9/22/15, 12/2/15, 01/20/16, 04/19/16, 06/14/16, 09/08/16, 11/09/16, 02/09/17 and 03/29/17**. Waiting for the sale of 8 properties.

Continued from **06/07/17**. Attorney Timothy McCandless indicates that his clients are ready to provide documentation regarding the accounting today; a copies to be provided to Attorney Duane Booth today. Court noted that the parties cited to appear today are to be present in court on June 23, 2017 at in S35 to provide testimony regarding accounting as specified on Citations. Client of Christopher Johnson ordered to be appear at next hearing date of June 23, 2017 in S35.

Continued from 06/29/17 and 01/10/18. CIVDS1601912, CIVBS1200309 and this matter will be related and counsel waive jury. All matters reset for 03/22/18.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration with Will Annexed issued to Julie Stewart, daughter, 10/28/14, no bond.

2. Partial Inventory and Appraisal filed. Need final inventory & appraisal.
3. **Need** accounting or status report.

RECOMMENDATION:

Inquire status.

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

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/22/18 TIME: 1:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 18, 19, 21, 22, 23

HEARING:

Hearing Re: MTN RE SPCL DEMURRER BY RES/DEF BAKER TO 5TH, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND()...

XREF: CIVBS1200309 (*ACJ True Grit-v-Scott Martin et al*)

PROPS1300285 (*Robert Lyle Mee*)

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 21

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

DATE: 03/22/18 TIME: 1:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 18, 19, 20, 22, 23

HEARING:

Hearing Re: MT RE NTC OF MTN, MTN TO STRIKE PORTION, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND	()...

XREF: CIVBS1200309 (ACJ True Grit-v-Scott Martin et al)

PROPS1300285 (Robert Lyle Mee)

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 03/22/18 TIME: 1:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 18, 19, 20, 21, 23

HEARING:

Hearing Re: MTN RE 2ND MTN TO STRIKE PORTIONS OF PTN, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND	()...

XREF: CIVBS1200309 (ACJ True Grit-v-Scott Martin et al)

PROPS1300285 (Robert Lyle Mee)

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 23

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

DATE: 03/22/18 TIME: 1:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 17, 18, 19, 20, 21, 22

HEARING:

Hearing Re: MTN RE NTC OF HRG ON MTN & ITS 3RD MTN TO, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.LP	(PET)...TIMOTHY L. MCCANDLESS
CAROLYN JACOBSON	(DEC)...
CD&G INC.	()...
ESTATE OF JACK HALL	()...
JONI JACOBSON	(TIMOTHY L MCCAN)...
JULIE STEWART	(PET)...DUANE P BOOTH
KATHERINE HALL	(PRO/PER
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)...
TIMOTHY L MCCANDLESS	()...
WESTERN STATES DEVELOPMENT AND	()...

XREF: CIVBS1200309 (ACJ True Grit-v-Scott Martin et al)

PROPS1300285 (Robert Lyle Mee)

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

Readiness Calendar

DATE: 03/22/18 TIME: 8:29 DEPT: S36P

CASE#: PRO PS1500595

CASE NAME: ORENE KNIGHT FAMILY TRUST

SEE ALSO 5, 6

HEARING:

Readiness Calendar

COUNSEL:

JAMES LOWERY

(PET)...ROBERT A KRASNEY

JULY SPEAR

(PET)...PRO/PER

ORENE KNIGHT FAMILY TRUST

(TRU)...PRO/PER

WILLIAM KNIGHT

(MIN)...

Readiness – No notes – JTD

Future Hearing:

04/06/18 Hearing re: Petition to compel accounting and instruct trustee

04/06/18 *Court Trial*

04/06/18 *First and final account etc.*

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300056

CASE NAME: THE DOROTHY FAYE GOFORTH SPECIAL NEEDS TRUST

HEARING:

Accounting Review by ***

COUNSEL:

DOROTHY FAYE GOFORTH (BEN)...E. JOAN NELMS
MARY L MANNING (PET)...DENNIS M SANDOVAL
THE DOROTHY FAY GOFORTH SPECIA (TRU)...
THE DOROTHY FAYE GOFORTH SPECI (PET)...BROWN WHITE &

GENERAL INFORMATION

Continued from 11/02/17 and 01/11/18 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. **Beneficiary, Dorothy Goforth, passed away on 05/11/17.**
2. 2nd SNT Account for Mary Manning, Trustee, approved on 02/25/16.
3. **Need 3rd** and final Account beginning with 08/31/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300206

CASE NAME: MTR OF KENNETH P BURRES

HEARING:

Accounting Review by ***

COUNSEL:

JEFFREY BURRES	(PET)...PHILIP K FIFE
KENNETH P BURRES	(DEC)...
PHILLIP K. FIFE	(PET)...PHILLIP K FIFE
STEVEN BURRES	(PET)...

GENERAL INFORMATION

Continued from 05/17/17, 08/02/17, 09/27/17, 12/14/17 and 01/25/18. Jerry Morgan relieved as counsel for Steven Burres. No appearance by administrator on 01/25/18. Steven Burres ordered to appear and file an accounting or Pr.C. § 12251 petition.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of **Successor** Administration issued to Steven Burres, brother, on 04/05/16; limited authority, bond issue deferred.
2. Final Inventory and Appraisal indicating \$0 assets.
3. **Need** accounting/status report or Pr.C. § 12251 petition.

RECOMMENDATION

Inquire status of accounting.

(lc/ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300386

CASE NAME: MARY ELIZABETH INSKEEP

HEARING:

Hearing re Final Discharge

COUNSEL:

LARRY CARPENTER (PET)...MATTHEW E SHEASBY
MARY ELIZABETH INSKEEP (DEC)...
MARY ELIZABETH INSKEEP (PET)...SANDRA TURNER

GENERAL INFORMATION

Continued from 12/21/17 and 01/25/18. No appearance. Matthew Sheasby to appear unless all documents are filed.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Larry Carpenter approved on 12/19/16.
2. **Need** receipts for Christie Davidson, Successor Trustee of Gary and Mary Inskeep Trust and Counsel Sandy Turner.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipts and discharge.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500595

CASE NAME: ORENE KNIGHT FAMILY TRUST

SEE ALSO 1, 6

HEARING: Hearing Re: PETITION TO COMPEL ACCOUNTING AND INSTRUCT TRUSTEE

COUNSEL:

JAMES LOWERY	(PET)...ROBERT A KRASNEY
JULY SPEAR	(PET)...PRO/PER
ORENE KNIGHT FAMILY TRUST	(TRU)...PRO/PER
WILLIAM KNIGHT	(MIN)...

GENERAL INFORMATION:

Continued from **08/30/16, 11/08/16 and 01/24/17**. Court orders James Lowery to file an accounting by 3/11/17. Petitioner to submit order.

Continued from **04/11/17**. Court finds that July Spear and William Knight have standing.

Court orders Jim Lowery to file a trust accounting by 05/11/17. Citation issued to: Jim Lowery who is cited and required to appear on 06/20/17.

Continued from **06/20/17**. Court recites Jim Lowery to appear and is ordered to file a trust accounting by 07/29/17. Citation issued to: Jim Lowery who is cited and required to appear on 08/29/17.

Continued from 08/29/17 and 12/27/17.

Continued from 01/23/18. Court suggests going to mediation to resolve some issues.

Counsel is amenable to mediation and so is Ms. Spear. Court set MSC for 01/31/18.

Continued from 01/31/18. Matter is contested, trial requested.

THIS CASE IS SET FOR HEARING ON Petition to Compel Accounting

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

1. Petitioner alleges that William Knight is a beneficiary of the Orene Knight Family Trust dated 1/2/07 and a beneficiary of life insurance policy from William's deceased father, Kurtis Knight (DOD: 10/1/13). Petitioner alleges that all funds are being held in California.
2. **William was born on 10/18/1997**, which makes him nearly 19 years old. He is no longer a minor. **Question how petitioner has standing under Pr. C. §3919(a). Petition to join petition filed by William Knight on 06/21/16. See next matter.**

3. Petitioner alleges that the Orene Knight Trust distributed 30% to Jim Lowery as trustee/custodian for William Knight. Petitioner separately attaches a copy of a proposed distribution letter and a copy of the Trust [6/25/15 Supplement LF p.5, 6].
4. The Trust provides that all funds left to minor, William, be held by Jim Lowery as custodian under the "Texas Uniform Transfer to Minors Act (UTMA)" and distributed upon William attaining age 21. The Trust designates Tami Price as alternate custodian. [6/25/15 Supplement LF p.9]. Although the transfer is made in another state, the transfer falls within the scope of Pr.C. §3902 as the transferring instrument uses the designation under UTMA per Pr.C. §3922(b).
 - a. Petitioner requests the court instruct Mr. Lowery to designate the distributed funds as under UTMA. **Bank statements attached are not clear as to whether the accounts are held by a custodian under UTMA.**
5. Petitioner alleges that Jim Lowry also received proceeds of a life insurance on behalf of minor, William. Petitioner provides a copy of a life insurance policy, but it is unclear if the policy was in effect and/or paid out and who was the designated beneficiary. [6/25/15 Petition LF p.6-16].
6. Petitioner requests the Court compel Jim Lowery to account for the received trust assets and insurance proceeds. Petitioner attaches copies of bank statements, but no accounting is provided (Pr.C. §3912).
7. Petitioner requests the Court determine the reasonableness of the fees taken as petitioner alleges that Jim Lowery has received compensation. However, petitioner does not state the amounts received (Pr.C. §3915).
8. Notice is complete.
9. Proof of served citation filed.
10. No proposed order. Submit Order after Hearing per Court on 01/24/17.

RECOMMENDATION:

Need Order after Hearing.

(oc/lc/nb)

Future Hearing:

04/06/18 Hearing re: Petition to compel accounting and instruct trustee

04/06/18 *Court Trial*

04/06/18 *First and final account etc.*

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500595
CASE NAME: ORENE KNIGHT FAMILY TRUST

SEE ALSO 1, 5

HEARING: FIRST AND FINAL Account and Report of JAMES LOWERY and Petition for allowance of fees filed.

COUNSEL:

JAMES LOWERY	(PET)...	ROBERT A KRASNEY
JULY SPEAR	(PET)...	PRO/PER
ORENE KNIGHT FAMILY TRUST	(TRU)...	PRO/PER
WILLIAM KNIGHT	(MIN)...	

GENERAL INFORMATION:

Continued from 12/27/17. July Spear provides a copy of objection to the First and Final Accounting to Attorney Robert Krasney in open court. Court orders July Spear to serve ALL parties with the objection by 4:00pm tomorrow, December 28, 2017. Court further orders July Spear to file the proof of service by Tuesday, January 2, 2018 with the Court.

Continued from 01/23/18 for parties to participate in mediation.

Continued from 01/31/18.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by James Lowers, custodian of funds

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

1. Accounting period: 07/07/07 to 03/31/17
2. Assets on hand: \$1,463.70
3. Petitioner, James Lowery, was assigned the "custodian" of funds for William Knight, a minor beneficiary of the Orene Knight Family Trust, on or about 04/06/07. Petitioner was appointed by Orene Knight despite the availability of Juli Spear (mother of minor) and became the equivalent of a trustee.
4. On 04/06/07, \$33,070.81 was deposited into Arrowhead Credit Union into two accounts: a savings account of \$30,058.60, and a 12-month CD of \$3,012.21. Later on 09/08/09, \$25,000 from the savings account was transferred to a 60-month CD due to interest rate reduction.
5. William reached the age of 18 on 10/18/15 though petitioner continued to act in his capacity as a custodian/trustee under terms of the Trust Restatement [LFpg16, 18].

6. From 12/29/15 to 04/14/17, petitioner made ongoing cash withdrawals given directly to William in order to support William's two children fathered over this time period. There remains a balance of **\$141** in the 60-month CD account, and a balance of **\$1,330.67** in the 12-month CD as of 03/31/17. [LFpg36]
7. Petitioner seeks statutory compensation of **\$1,330.67** for trustee services at 4% of \$33,070.81 per Pr. C. §10800, and as authorized in Trust Restatement [LFpg16], plus reimbursement of \$465.00 for filing fees. JTD.
8. Supplement filed 12/04/17 addresses Juli Spear's question regarding a \$600 withdrawal which she claimed William Knight did not receive. Petitioner alleges Arrowhead Credit Union mistakenly withdrew \$600 from petitioner's personal account which was given to William. On 12/12/15, petitioner discovered the error and Arrowhead Credit Union transferred the funds back to petitioner. See attached Arrowhead Credit Union letter acknowledging error. [Supp 12/04/17, LFpg6].
9. Notice was given.
10. **Objection to First and Final Accounting by Julie Spear filed 12/19/17.**
11. **Reply to objections filed by James Lowery on 01/16/18.**
12. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Matter is contested. If approved, court to set hearing on final discharge for **03/28/19**.
(lh/nb/lh)

Future Hearing:

04/06/18 Hearing re: Petition to compel accounting and instruct trustee

04/06/18 *Court Trial*

04/06/18 *First and final account etc.*

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501156

CASE NAME: PAMELA JEAN KEENE

HEARING:

Hearing Re: Status Conference

COUNSEL:

BARBARA BATES	(PET)...MATTHEW D FISCHER
NANCY DRUMMON	(PET)...MATTHEW D FISCHER
PAMELA JEAN KEENE	(DEC)...
WAYNE ZEI	(OBJ)...KEITH S WALKER

GENERAL INFORMATION

Continued from 09/21/17. Florida matter still pending.

THIS CASE SET FOR HEARING ON Status Conference.

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

1. Matter set at 02/23/17 readiness hearing regarding Petition to Determine Succession to Real Property.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600874

CASE NAME: MTR OF MICHAEL J EFSEAFF

HEARING:

First and Final Account and Report of SONYA EFSEAFF and Petition
for allowance of fees filed.

COUNSEL:

LIBERTY MUTUAL INSURANCE CO	(TP)...
MICHAEL J EFSEAFF	(DEC)...
SONYA EFSEAFF	(PET)...SCOTT M SHIELDS

GENERAL INFORMATION

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

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

1. Assets on hand \$811,011.02 in cash and personal property.
2. Administrator and counsel seek statutory fees of \$19,690.46 each. Ok.
3. Counsel seeks reimbursement of costs remaining of \$1,924 [LFpg20]
4. Administrator seeks a reserve of \$5,000.
5. Administrator seeks to distribute to the two minor heirs, Jacob and Sage Levier, via CUTMA account for minor Jacob; custodian administrator/Sonya and for minor Sage and custodian Aaron Levier, father of Sage for the benefit of the minor. As the amounts for each minor appear to be approximately \$200,000 each and a custodian has complete control of funds, question if a guardianship with bond or a blocked account wouldn't be more appropriate? **Need** verified supplement.
6. **Need** notice of hearing and proof of service
7. Proposed Order: 01/18/18 not pre-approved until note 5 cleared.

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing re proof of CUTMA or Guardianship on
05/31/18 on the filing of receipts and final discharge for **03/28/19**

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601044

CASE NAME: VIOLET L. STEWARD

HEARING:

First and Final Account and Report of DWAYNE O STEWARD and
Petition for allowance of fees filed.

COUNSEL:

DWAYNE O STEWARD (PET)...LEON A OPOLSKI
VIOLET L STEWARD (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Dwayne Steward, son/Trustee.

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

1. Assets on hand \$214,814.32 in cash.
2. Executor waives statutory compensation.
3. Counsel seeks statutory fees of \$7,500.82. Ok.
4. Counsel seeks reimbursement of costs totaling \$1,115. [LFpg6]
5. Executor seeks a reserve of \$2,000.
6. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/28/19**

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700674

CASE NAME: ROBERT OSCAR CLARK

HEARING:

Petition for the termination of further probate proceedings
and for discharge of the personal rep

COUNSEL:

DALE CRAIG CLARK (PET)...MICHAEL C MADDUX
NICOLE CARTER (OBJ)...FULLERTON LEMANN SCHAEFER & DO
ROBERT OSCAR CLARK (DEC)...

XREF: CIVDS1720709 (In re: 6743 Merito Ave, San Bernardino, CA 92404)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Terminate Further Proceedings and Discharge of Personal Representative per Pr.C. § 12251 by Dale Clark, son/sole heir.

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

1. Letters of special administration issued to Dale Clark, son, on 7/17/17. General appointed has never been granted. **03/14/18 appointment hearing not heard at time of review on 2/28/18.**
2. Administrator seeks court terminate estate for lack of assets. The real property was sold at Trustee's sale leaving a surplus of \$16,325.64 [which were sent to Nicole Carter in "capacity as executrix" through civil matter]. Petitioner alleges that these assets can be handled through a Pr.C. § 13101 declaration. The problem with this statement is that the assets have not yet been handled through a declaration, which means that the estate is **not a no asset estate** at this juncture. It would therefore appear that the petition is premature and question how Nicole received surplus if she is not appointed as executor? **Need** verified supplement further explaining along with Pr.C.§ 13100 affidavits.
3. No proposed order.

RECOMMENDATION

Need to clear note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701084

CASE NAME: JAMES MANUAL SMITH

HEARING:

Petition for Letters of Administration with Full IAEA

COUNSEL:

JAMES MANUAL SMITH (DEC)...
JOSEPH FRANKLIN SICA (PET)...GABRIELLE R RANSELL

GENERAL INFORMATION

Continued from 01/25/18. No appearance. Attorney Ransdell to appear.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Joseph Sica, son.

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

1. All heirs waive bond. Net estate value is \$183,800 in real property.
2. **Need** proof of publication.
3. ~Proposed Form Order: 10/27/17.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800144

CASE NAME: DOROTHY GERALDINE SERAFIN AKA DOROTHY G. SERAFIN

HEARING:

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

COUNSEL:

DOROTHY GERALDINE SERAFIN
EVELYN QUINONES

(DEC)...

(PET)...NANCY W. ANDRUS

GENERAL INFORMATION

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

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

1. All heirs waive bond; however, **need** bond waivers for remaining 5 grandchildren; Josephine, Rony, Gabriel, Cristen and Jesse. Net estate value is \$31,000 of which \$5,000 is personal property.
2. ~Proposed Form Order: 02/15/18.

RECOMMENDATION

RFA subject to note 1, Court's discretion re bond. If approved, set Accounting/Status Review for **05/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 03/22/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800145

CASE NAME: ARLENE A. BISHOP AKA ARLENE BISHOP AKA ARLENE

HEARING:

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

COUNSEL:

ARLENE A. BISHOP (DEC)...
DANIEL BISHOP (PET)...JOSEPHINE A RICH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Daniel Bishop, son.

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

1. All heirs waive bond and nominate petitioner. Net estate value is \$120,000 in real property.
2. Notice to Petition to Administer Estate and proof of service filed 02/21/18; however, proof of service is incomplete as to place mailed. **Need** completed proof of service.
3. **Need** proof of publication.
4. ~Proposed Form Order: 2/15/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

Page: 14

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 03/22/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1701260

CASE NAME: MTR OF THE ALEX A. AVILA TRUST

HEARING:

Petition for ORDER CONFIRMING ASSETS

COUNSEL:

ALEX A AVILA TRUST, DATED JANU

(TRU)...

CLARA A AVILA

(PET)...DAVID PHILIPSON

Currently under review by legal research.

30 days' notice filed per Pr.C. § 17203.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 03/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS0900066

CASE NAME: WILLIAM BENFORD

HEARING: 23rd & Final Account and Report of LARRY E HOOVER and Petition for allowance of fees filed.

COUNSEL:

LARRY E HOOVER

(CE)...SU P CHEAH

MARY BANKS

(PCR)...ROBERT A. FAIRFIELD

ROSALIND HATCHER

(CPE)...JANET M HERRING

VETERANS ADMINISTRATION

(TP)...

WILLIAM BENFORD

(CEP).. SHERRI L KASTILAHN.

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 23rd and Final Account, Petition to Terminate and Approval of Fees by Larry Hoover, PPF.

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

1. **Conservatee passed away on 12/15/17.**
2. Accounting period 04/03/17 – 12/15/17 and post-death 12/15/17 – 01/17/18.
3. Assets on hand \$44,752.41 of which \$43,339.91 is cash.
4. Conservator seeks fees of \$6,120, \$5,400 already inadvertently paid, for 61.2 hours at \$100 per hour. [Acct. 01/23/18 LFpg22-23].
5. Attorney Cheah seeks fees of \$6,187 for 30.4 hours at \$230 per hour. [Acct. 01/23/18LFpg24].
6. Attorney seeks reimbursement of costs totaling \$18.95.
7. Conservator provided advanced distribution for Rosalind Hatcher of \$5,000 in order to travel for funeral. Rosalind is sole beneficiary of conservatee's will.
8. Conservator seeks to distribute per Pr.C. § 13100 Affidavit; filed 02/21/18.
9. Current bond is \$156,000.
10. ~Proposed Order: 01/23/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the filing of receipts and final discharge for **03/28/19.**

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285
CASE NAME: GILBERT E. MADRID
HEARING: FOURTH Account and Report of GILBERT MADRID and Petition for allowance of fees filed.

COUNSEL:

GILBERT E MADRID	(CEP)...MITCHELL I ROTH
GILBERT MADRID	(CPE)...DAVID M GROSSMAN
MITCHELL I. ROTH	(CPE)...MITCHELL I ROTH
W. A. HLAVATY	(SC)...RICHARD W S PERSHING

GENERAL INFORMATION

Continued from **07/06/17 and 07/13/17**. Gilbert Madrid to pay \$72 overdraft fees and get his rent up to date. Rent is payable monthly on the 15th. Declaration to be filed as to payments made. Gilbert Madrid suspended as Conservator and trustee on 07/27/17. **Continued from 08/31/17, 10/12/17, 12/07/17 and 01/11/18.**

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Gilbert Madrid, son.

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

1. Accounting period 07/03/15 – 01/05/17.
2. Assets on hand \$369,873.76 of which \$73,614.03 is cash and remainder in investment accounts. **Supp 10/12/17: amended** cash amount is \$68,658.88; however, no amended accounting submitted. **Need** same.
3. No request for fees made.
4. Disbursements indicate two overdraft fees totaling \$72.00. Petitioner has since deposited his own funds to prevent a reoccurrence.
5. Charges are not totaled and appear to total as \$424,421.79 which is off from the Credits of \$408,502.76. **Need** accounting that balances.
6. Prayer is incomplete and does not match report for items 2 & 4 re balance and fee request. **Supp 07/03/17 indicates assets of \$408,502.76; however, the assets are incorrect.**
7. Supplemental report of Counsel Roth filed 05/31/17.
8. Declaration filed **07/27/17** indicating \$45,000. \$17,000 and \$72 deposit into conservatee's account.
9. **Objections filed by conservatee through counsel on 05/02/17. Need** proof of service for bonding company.

10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 2, 5-6 & 9. If approved, set hearing on the next accounting review for **05/09/18** (if one year) or **04/10/19** (if two years). Accounting to be filed 30 days in advance.

(lc/lh/lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S36P

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

COUNSEL:

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

GENERAL INFORMATION:

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

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

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

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

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

Referred to PG as conservatorship is necessary.

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

Continued from 11/09/17, 11/16/17, 12/21/17 and 01/18/18.

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

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

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

RECOMMENDATION

Need to clear notes 5-6. If approved, set hearing for Compliance Review for **10/25/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§ 1830(c); and Level of Care and Care Plan per Pr.C.§ 2352.5.

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

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 03/22/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS02536

CASE NAME: MTR OF BRANDY LITTLES

HEARING:

Accounting Review by ***

COUNSEL:

BRANDY LITTLES (CEP)...
VERDELL LITTLES (CPE)...BRYAN C. HARTNELL

GENERAL INFORMATION

Continued from 12/21/17. Conservatee passed away on 12/15/17. Final accounting to be filed.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. Waiver of Account for Verdell Littles, mother, approved on 03/14/16.
2. **Need** final account beginning with 11/25/15.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 03/22/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700248

CASE NAME: LEAH JAMES

SEE ALSO 1A

HEARING:

Readiness Calendar

COUNSEL:

Readiness – No notes – JTD

Superior Court of Calif, County of San Bernardino

Page: 1A ADD ON

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

DATE: 03/22/18 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1700248
CASE NAME: LEAH JAMES

SEE ALSO 1

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

DALONTE JAMES	(PET)...PRO/PER
LEAH JAMES	(MIN)...
LAQUESHA HAMMER	(MOT)...PRO/PER

GENERAL INFORMATION:

Temporary Orders granted on 05/18/17. Dalonte James is appointed Temporary Guardian of the person. Court waives notice to maternal grandfather
Continued from 06/14/17. Mother and father deemed served. Petitioner advised maternal grandmother needs to be re-served giving at least 15 days' notice. Witness Dalonte James sworn and examined; no further notice needed as to paternal grandmother. Mother and father to file written objections. Court recommends father attend parenting class and find a job. Jeanne Kennedy appointed GAL for mother. Referred to Court Investigator.. Court makes visitation orders as to mother.

Continued from 10/11/17. Paternal grandmother present. J Kennedy's report filed 10/04/17. Referred to Court Investigator. Parents to have visitation every Thursday from 3-7 pm supervised by Shantal Robins. Parents to have additional 4 hours each week supervised by Brandy Patterson. Visitation need not be in one 4-hour period, but shorter increments are ok. Parents responsible for food, clothing etc. during visitation.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Dalonte James, paternal grandfather, minor: Leah 1.

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

1. Report of Jeanne Kennedy, GAL, filed 10/04/17.
2. CI Reports filed 10/04/17, 10/05/17 and 01/05/18.
3. Declaration of Petitioner, Dalonte James, Sr. filed 06/07/17 in support of guardianship.
4. Petition alleges related juvenile, custody and domestic matters in Las Vegas.
5. Court to review attachment to petition re letter from father giving up rights of minor to petitioner and a letter from petitioner re parents, LF p. 11-13.
6. Petitioner indicates willingness to adopt.
7. **Need** proper timely notice for maternal grandmother Jesse Jones.

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

8. ~Proposed form Order submitted: 05/11/17

RECOMMENDATION:

Need to clear note 7.

(cs/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 03/22/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600438

CASE NAME: JUDITH DEE CUSHMAN YEAR 2010 LIVING TRUST

SEE ALSO 3

HEARING:

Hearing Re: BIFURCATED ISS OF SURCHARGE, DOUBLE DAMAGES ETC.

COUNSEL:

JUDITH DEE CUSHMAN YEAR 2010 L (TRU)...
JULIE D CORDARO (PET)...SCOTT

GENERAL INFORMATION

Continued from 01/31/18. Set for default proveup.

THIS CASE IS SET FOR HEARING ON Hearing Re Bifurcated Issue of Surcharge,
Double Damages, Etc

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

1. Matter set on 06/28/17 by Court, wherein, Court bifurcated the issues of surcharge, amount of double damages and attorney's fees for Mr. Aday. Court removed David Aday as Trustee and appointed Julie Cordaro as successor trustee. Court granted request to impost constructive trust and to determine title on personal property in the name of the trust. Court ordered former Trustee to turn over any and all monies, books, documents, etc to Julie Cordaro. Court ordered all accounts containing monies/funds transferred from Trust or deposited from Trust be unfrozen and released to Successor Trustee, Julie D Cordaro.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 03/22/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1600438

CASE NAME: JUDITH DEE CUSHMAN YEAR 2010 LIVING TRUST

SEE ALSO 2

HEARING:
Readiness Calendar

COUNSEL:
JUDITH DEE CUSHMAN YEAR 2010 L (TRU)...
JULIE D CORDARO (PET)...SCOTT

Readiness – No notes – JTD

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: GAR SS1500518

See also 8

CASE NAME: JESSE DELGADILLO
HEARING: Probate status report filed.

COUNSEL:

JESSE DELGADILLO (MIN)...MARK J. FLORY
MARIA DELGADILLO (OBJ)...PRO/PER
OLIVIA ACUNA DE VASQUEZ (PET)...FRED HANASSAB

GENERAL INFORMATION

Accounting review hearing held 09/06/17. Matter continued to 10/04/17.
Continued from 10/04/17 at request of attorney. Worker's Comp still pending/bankruptcy
has been filed. Notice to be given by Mr. Hanassab.

**Continued from 01/10/18. *Interpreter* Need supplement re bankruptcy and workers
compensation claim. Counsel to personally appear.**

THIS CASE IS SET FOR HEARING ON Status Report

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

1. Olivia Acuna de Vasquez, paternal aunt, appointed guardian of person and estate on 09/13/16, no bond.
2. Status reports per Pr.C.§ 12201 [probate administration] are not accepted in guardianship or conservatorship matters. An accounting must be filed; however, assets have not yet been received in the estate. Court to see **PROPS1501098, father of minor. Court to cross reference cases.**
3. Report is not verified. **Need** verification per Pr.C.§ 1021. Alternatively, court to clarify on record.
4. Guardian alleges the only assets received are public benefits and social security benefits used for support and maintenance of minor.
 - a. Question status of worker's compensation case mentioned in minute order on 09/06/17? **Need** verified supplement.
5. Proof of service attached; however, **need** notice of hearing and proof of service.
6. No proposed Order submitted.

RECOMMENDATION

Need to clear notes 3-5. Set Accounting/Status Review for **09/06/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(/lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900650

CASE NAME: linn weiss derickson

SEE ALSO 6

HEARING: Hearing Re: FIRST AMENDED ACCOUNTING/ACCOUNTING REVIEW

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PRO/PER	
G. MITCHELL LIPPERT	(PET)...THOMAS W DOMINICK
JANET BENNINGHOFF	(HARTNELL LAW GROUP
JANET C WHELAN	(ROBERT L KERN
JANET WHELAN	(APP)...ROBERT L KERN
JUDITH A HUGHES	(ALLAR, SHELTON & O'CONNOR
KEITH S WALKER	(ALLAR, SHELTON & O'CONNOR
LINN W DERICKSON JR	(PET)...RICHARD G ANDERSON
LINN W. DERICKSON JR.	(PET)...ANDERSON LEBLANC
LINN WEISS DERICKSON	(DEC)...
LINN WEISS DERICKSON SR	(DEC)...
MARY SUE DERICKSON	(OBJ)...KIBRE & HORWITZ LLP
UNITED STATES OF AMERICA	(THOMAS

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

XREF: FAMRS702581(Linn Derickson-v-Mary S Derickson)

GENERAL INFORMATION

Continued from 12/08/15, 05/09/16, 11/07/16 and 04/06/17. Court and Counsel agree this hearing should be a hearing on the amended first accounting. Written objections to that accounting are to be filed and served by 5/15/17 and any reply thereto to be filed by 6/16/17. The Court orders an amended accounting be filed by 7/28/17.

Continued from 08/28/17.

THIS CASE IS SET FOR HEARING ON **Amended (07/28/17)** First Account and Petition for Fees by Linn W. Derickson, Jr., son.

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

1. Accounting period 08/13/09 to **06/30/17**.

2. Assets on Hand **\$3,336,774.21**, consisting of cash in amount of \$236,774.21 in cash and remaining in real properties and ongoing business.
3. No compensation requested.
4. Petition indicates the estate is not in a condition to be closed at this time as there are tax returns which must be completed, along with estate proceedings in the State of Ohio and State of Indiana, all of which cannot be completed until proceedings are concluded. Further, the estate is obligated, pursuant to the settlement agreement reached in the dissolution proceedings to pay Mary Sue Derickson certain sums of money over the next 3 years. **Also at this time, Janet Whelan has filed an Appeal in this matter with regard to the Court's Order and Finding re: Determination of Entitlement to Estate Distribution which is currently pending. Request/Waiver of oral argument re Fourth Appellate case filed 10/30/17.**
5. **Objections filed 05/15/17 by Janet Whelan.**
6. No proposed order. Submit Order after Hearing.

RECOMMENDATION: Matter is contested.

Need to address note 4. If approved, set next hearing for Accounting Review for **08/28/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules. (vet/dl/lc/nb)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900650

CASE NAME: linn weiss derickson

SEE ALSO 5

HEARING:

Hearing Re: STATUS OF APPELLATE MATTER

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PRO/PER	
G. MITCHELL LIPPERT	(PET)...THOMAS W DOMINICK
JANET BENNINGHOFF	(HARTNELL LAW GROUP
JANET C WHELAN	(ROBERT L KERN
JANET WHELAN	(APP)...ROBERT L KERN
JUDITH A HUGHES	(ALLAR, SHELTON & O'CONNOR
KEITH S WALKER	(ALLAR, SHELTON & O'CONNOR
LINN W DERICKSON JR	(PET)...RICHARD G ANDERSON
LINN W. DERICKSON JR.	(PET)...ANDERSON LEBLANC
LINN WEISS DERICKSON	(DEC)...
LINN WEISS DERICKSON SR	(DEC)...
MARY SUE DERICKSON	(OBJ)...KIBRE & HORWITZ LLP
UNITED STATES OF AMERICA	(THOMAS

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

XREF: FAMRS702581(Linn Derickson-v-Mary S Derickson)

Status – No notes – JTD

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400279

CASE NAME: Kikuyo Richardson

HEARING:
Hearing re Final Discharge

COUNSEL:
KIKUYO RICHARDSON (DEC)...
KIM DAVIS (PET)...DAVID D WADE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Kim Davis, daughter, approved on 05/16/17.
2. **Need** receipt for Norman Richardson, II.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of receipt and discharge order.
(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501098

See also 4

CASE NAME: GILBERTO ACUNA

HEARING:
Probate status report filed.

COUNSEL:

GILBERTO ACUNA (DEC)...HORSPPOOL & HORSPPOOL
OLIVIA ACUNA DE VASQUEZ (PET)...FRED HANASSA B

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of administration issued to Olivia De Vasquez, sister, on 06/03/16, full authority no bond.
2. Administrator alleges that the estate is not ready to close as the wrongful death/minor's compromise has not yet been dismissed [Fresno 15CECG03738]. However, amount of time sought is not stated.
3. Status report is not verified by administrator per Pr.C. § 1021. **Need** verification.
4. **Need** notice of hearing and proof of service for David Horspool who requested special notice; Pr. C. § 12201(b).
5. Court to see **GARSS1500518, decedent's minor issue Court to cross reference cases.**
6. No proposed order. Submit after hearing.

RECOMMENDATION

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

(lc)

Future Hearing: 03/26/18 status report

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600737

CASE NAME: MTR OF MARILYN E JANOE

HEARING:

Accounting Review by ***

COUNSEL:

BRIAN SCOTT JANOE (PET)...DAMIAN G GARCIA
MARILYN E JANOE (DEC)...

GENERAL INFORMATION

Continued from 12/21/17. Property tax bill just received.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Brian Janoe, son, on 10/13/16; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600807

CASE NAME: MTR OF DENNIS M BROWN

HEARING:

Accounting Review by ***

COUNSEL:

DENNIS M BROWN (DEC)...
GARY BROWN (PET)...JEREMIAH RAXTER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Gary Brown, son, on 01/10/17; full authority, no bond.
2. Final Inventory and Appraisal filed 09/11/17.
 - a. **Need** bank statements to support cash per local rule 20-908. **Need** property tax certificate information re section 5.,
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601087

CASE NAME: MTR OF PAULO BUSTOS

HEARING:

Petition for final distribution on waiver of Account and Report
of PAULO ASCENCIO and Petition for allowance of fees filed.

COUNSEL:

MARCOS BUSTOS	(MIN)...PRO/PER
PAULO ASCENCIO	(PET)...MITCHELL I ROTH
PAULO BUSTOS	(DEC)...

GENERAL INFORMATION

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

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

1. Assets on hand \$160,000 in real property.
2. All heirs waive accounting.
3. Counsel seeks statutory fees of \$5,800 to be paid by administrator as no cash remains.
4. Administrator has advanced costs; however, does not appear to seek reimbursement.
5. ~Proposed Order: 01/22/18.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/28/19**.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601287

CASE NAME: CHRISTINA CAMERON

HEARING:

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

COUNSEL:

CHRISTINA CAMERON (DEC)...
JAMES KANE (PET)...JENNIFER L FIELD

GENERAL INFORMATION

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

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

1. Assets on hand \$58,607.96 in cash.
2. Administrator and counsel seek statutory fee of \$10,050.24 each. Ok.
3. Administrator seeks a reserve of \$2,500.
4. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **03/28/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700347

CASE NAME: PRESTON FLOYD STIFFLER

HEARING:

Petition for ORDER DETERMINING INTEREST IN PROPERTY AND
DIRECTING IN PROPERTY AND DIRECTING TRANSFER ETC

COUNSEL:

LAURIE CHISM (PET)...JAMES B CHURCH
PRESTON FLOYD STIFFLER (DEC)...

Currently under review by legal research.

Notice filed 01/02/18; however, Notice is not proper.

Probate Code section 851 was amended [eff. Jan. 1, 2018] and contains a new subdivision (c) which requires the Notice of Hearing to include:

- (1) a description of the property, and for real property mandates the notice state the street address or, if none, a description of the property's location and assessor's parcel number;
- (2) a description of relief sought pursuant to Section 859 if applicable; and
- (3) a statement advising any interested person that he or she may file a response.

The Notice of Hearing filed does not comply with one of more of these mandatory requirements.

Petitioner or counsel may request a continuance to correct the Notice deficiency.

(lc)

Future Hearing: 09/06/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

Page: 13A ADD ON

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700538

CASE NAME: MTR OF DOROTHY ANN ST. JOHN

HEARING:
Petition for Letters of Administration (Amended)

COUNSEL:

DOROTHY ANN ST JOHN	(DEC)...
JEFFREY E PAPCIAK	(PET)...J BENJAMIN SELTERS III
JOSEPH T BLAUM	(PET)...J BENJAMIN SELTERS III

XREF PROPS1501040 (Estate of Robert St. John)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Jeffrey Papciak,

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

1. Letters of administration issued to Jeffrey Papciak and Joseph Blaum on 09/06/17 full authority \$902,000 bond. Joseph Blaum passed away on 01/19/18. It appears petitioner is seeking removal of Joseph Blaum and remain as sole administrator.
2. Petitioner seeks bond of \$902,000. Ok
3. ~Proposed Form Order: 02/21/18.

RECOMMENDATION

RFA. Accounting review already set from previous appointment.

(lc)

Future Hearing: 10/30/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700757

CASE NAME: THE DOMINICK FAMILY TRUST DATED 9/21/05

HEARING:

Petition for Confirm real property belongs to trust at settlor's
death etc

COUNSEL:

THE DOMINICK FAMILY TRUST DATE (TRU)...
VICTOR DOMINICK (TEE)...GAUDY LAW, INC

Currently under review by legal research.

Beneficiary Jon Dominick, son, consents and waives future notice.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700839

Vacated

CASE NAME: MTR OF: FRANK ARTHUR ARNOLD

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

FRANK ARTHUR ARNOLD (DEC)...

JAMES ARNOLD (PET)...DIANA J CARLONI

Bond filed and letters issued

Future Hearing: 01/29/19 *Accounting Review.*

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701139
CASE NAME: CRISPIN DIAZ VILLAFANA
HEARING: Hearing re: Petition for Letters of Administration w/WA W/Full
Authority under IAEA.

COUNSEL:

CRISPIN DIAZ VILLAFANA (DEC)...
FERMIN EVANGELISTA (PET)...RICHARD L FRANCIS

GENERAL INFORMATION

Continued from 12/21/17.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters of Administration WWA, with Full Authority under IAEA by Fermin Evangelista, nephew.

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

1. Decedent was domiciled in Mexico. This appears to be an ancillary proceeding. Question if there is a proceeding in Mexico, if so need exemplified copy of order/letters.
2. Sole beneficiary/named executor waives bond. Net estate value is \$88,600 of which \$3,600 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
3. Named executor Adriana Evangelista Diaz declines to act and nominates petitioner.
4. Petitioner is not listed in section 8, nor is named executor/sole beneficiary. However, neither appear to be beneficiaries. JTD if supplement needed.
5. Will was executed in Mexico. **Need** verified supplement attesting that the will is valid under Mexico law.
6. Copy of interpretation of foreign Will attached with Certification of Interpreter an English translation must be attached to the petition as Attachment 3e(2). Pr.C. § 8002(b)(2). [LFpg9-13].
 - a. However, **need** authenticated copy of will per Pr.C. § 12521 (a).
7. **Need** Notice to Petition to Administer Estate to Mexico Consulate.
8. **Need** proof of publication.
9. Duties form is missing petitioner's phone number. **Need** same.
10. ~Proposed Form Order: 11/14/17.

RECOMMENDATION

Need to clear notes 5-9, Court's discretion re bond If approved, set Accounting/Status Review for **05/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. (lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800157

CASE NAME: MTR OF ALBERTO TOVAR

HEARING:

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

COUNSEL:

AGUSTINA VEGA TOVAR (PET)...PRO/PER
ALBERTO TOVAR (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Agustina Tovar, mother.

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

1. Decedent left 3 minor issue ages 8-16 and petitioner alleges she cannot locate them.
2. Notice to Petition to Administer Estate and proof of service filed 03/01/18; however, proof of service is not dated at signature. **Need** corrected proof of service.
3. All heirs waive bond; however, **need** bond waivers for custodian/guardian of minors and eldest minor Jennifer 16. Net estate value is \$137,222.57 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
4. **Need** proof of publication.
5. ~Proposed Form Order: 02/20/18.

RECOMMENDATION

Need to clear notes 2-4. If approved, set Accounting/Status Review for **05/30/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: RPR RS02358

CASE NAME: ***MF*** JEANNE MARIE FLYNN

SEE ALSO 19

HEARING: Petition for PAYMENT OF ATTY'S FEES AND FOR REIMBURSEMNT OF COSTS ADVANCED

COUNSEL:

CHARLES S ALTHOUSE	(PET)...PRO/PER
DONNASUE SMITH ORTIZ	(TP)...DONNASUE ORTIZ
EILENE M DEROSE	(PET)...ROBERT L KERN
JEANNE MARIE FLYNN	(DEC)...
JEANNE MARIE FLYNN	(PET)...ALTHOUSE & MCDONOUGH
KELLI A LINDSTROM	(PET)...ALLAR, SHELTON & O'CONNOR
KELLI A LINDSTROM	(PET)...KEITH S WALKER
MICHELE QUIGLEY	(CPE)...

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

XREF: RCRS00300 (*Jeanne Marie Flynn*) **RPRRS02744** (*Jeanne Marie Flynn*)

GENERAL INFORMATION

Continued from **9/22/09** Counsel and real estate agent awaiting appraisal on property and offer on table for \$175,000 from current residents of the home.

Continued from **10/27/09** due to pending sale of property.

Continued from **12/1/09** and **1/12/10** for Attorney Walker to file written objections.

Continued from **4/13/10, 8/24/10, 10/05/10, 1/11/11** and **4/19/11** still handling issues re Oklahoma property.

Continued from 8/30/11, 12/13/11, 1/17/12, 5/16/12, 9/18/12, 1/8/13, 4/02/13, 5/7/13, 11/5/13, 2/4/14, 6/10/14, 12/16/14, 5/27/15, 08/26/15, 10/29/15, 01/12/16, 01/18/17, 04/05/17 and 10/11/17. Issues re Oklahoma property pending.

Nothing new filed by petitioner since 10/27/09

THIS CASE IS SET FOR HEARING ON Petition for fees, compensation and costs

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

1. Petitioner, Charles Althouse, was appointed as Special Administrator of the Estate on two separate occasions specifically, 02-15-07 - 06-15-08 and 06-02-09 - 08-17-09, for which counsel has not been compensated. Petitioner maintains that the bulk of the probate process was completed by him. Question if fee request is premature

as potential gains/losses, split/percentage between attorneys and statutory fees cannot be determined at this stage? JTD

2. Letters of administration WWA issued to Kelli Lindstrom on 08/17/09.
3. Attorney requests reimbursement of costs advanced of \$1,547.75. Itemized.
4. Attorney requests fees of \$8,242.50. Billed at \$250/hour for 35.2 hours attorney time and \$75/hour for 10.9 hours paralegal time. Itemized. **Need** further clarification via verified supplement as to the following:
 - a. Fees are statutory, question if the fees are extraordinary? **Need** verified supplement.
 - b. **Need** statements of qualifications establishing biller as a paralegal per CRC Rule 7.703(e), otherwise suggest court disallow that billing (reduction by \$817.50 to \$7,425.00);
 - c. Attorney's compensation shall be apportioned among the attorneys by the court according to the services actually rendered by each attorney or as agreed by the attorneys. Pr. C. § 10814. Question if requested fees are by agreement? **Need** verified supplement.
5. Final I & A filed 07/12/07 indicate assets on hand of \$275,000 consisting of real property. Question how counsel intends to be compensated as there appear to be no cash assets? **Need** verified supplement.

RECOMMENDATION:

Need to clear notes 4-5, then Court's determination re: fees.

(vet/cbr/vet/cbr/gls/cbr/kra/lc/nb/lc/lh/lc)

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

DATE: 03/22/18 TIME: 8:30 DEPT: S37P

CASE#: RPR RS02358

CASE NAME: ***MF*** JEANNE MARIE FLYNN

SEE ALSO 18

HEARING: Accounting Review by ***

COUNSEL:

CHARLES S ALTHOUSE	(PET)...PRO/PER
DONNASUE SMITH ORTIZ	(TP)...DONNASUE ORTIZ
EILENE M DEROSE	(PET)...ROBERT L KERN
JEANNE MARIE FLYNN	(DEC)...
JEANNE MARIE FLYNN	(PET)...ALTHOUSE & MCDONOUGH
KELLI A LINDSTROM	(PET)...ALLAR, SHELTON & O'CONNOR
KELLI A LINDSTROM	(PET)...KEITH S WALKER
MICHELE QUIGLEY	(CPE)...

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

XREF: RCRS00300 (Jeanne Marie Flynn) **RPRRS02744** (Jeanne Marie Flynn)

GENERAL INFORMATION

Continued from 01/18/17, 04/05/17 and 10/11/17. Oklahoma property still pending.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Kelli Lindstrom, on 08/17/09; full authority, no bond.
2. Previous account approved on 01/12/16.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc/lh/lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 03/22/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS0900607

CASE NAME: ETHEL J GROSS

SEE ALSO 21

HEARING: Petition for REQUEST FOR STAY OF ACTIONS

COUNSEL:

CHRISTOPHER R O'LEARY SR	(PET)...DAVID L NAPLES
CHRISTOPHER R. OLEARY SR	(RES)...DAVID L NAPLES
ETHEL . GROSS TRUST	(TRU)...
ETHEL J GROSS	(DEC)...
MARY LEMOS	(PET)...JERRY LA CUES
SHARON L. VOLLA	(PET)...RICHARD A HIGBIE
WILLIAM SEEFELDT	(PET)...DAVID HIERSEKORN
WILLIAM SEEFELDT	(PET)...PRO/PER

GENERAL INFORMATION:

Continued from 11/28/17 and 12/21/17. Matter referred to legal research.

THIS CASE IS SET FOR HEARING ON Request for Stay of Actions by son, William Seefeldt ["Petitioner"].

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

1. Petitioner requests that the Court appoint a Public Administrator; alleges the Administrator has failed in his fiduciary duties and distributed money to numerous other parties not mentioned in his "Will"[LF, p.6]; and protests any payment without an accounting of what Christopher O'Leary already billed along with his attorney David Naples.
2. Petitioner further requests that the Surety Bond for \$330,000 issued by US Specialty Insurance c/o Bond Services of California be granted to him; and requests the Court release any portion of the remaining \$54,000 to him, while he pursues the remaining missing funds of \$400,000.
3. Response to letter of "objection" filed by Administrator, Christopher R. O'Leary, Sr. on 10/30/17.

RECOMMENDATION:

Court's discretion

(nb)

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

DATE: 03/22/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS0900607
CASE NAME: ETHEL J GROSS

SEE ALSO 20

HEARING: AMENDED FIRST Account and Report of CHRISTOPHER R. O'LEARY SR and Petition for allowance of fees filed.

COUNSEL:

CHRISTOPHER R O'LEARY SR	(PET)...DAVID L NAPLES
ETHEL . GROSS TRUST	(TRU)...
ETHEL J GROSS	(DEC)...
MARY LEMOS	(PET)...JERRY LA CUES
SHARON L. VOLLA	(PET)...RICHARD A HIGBIE
WILLIAM SEEFELDT	(PET)...PRO/PER

GENERAL INFORMATION

Continued from 04/06/17 and 06/22/17. Final Inventory and Appraisal to be filed. Bond premium to be paid by 4pm or letters will be suspended.

Continued from 09/07/17. Letter filed on 07/18/17 deemed as objections. Examiners to review current accounting once Special Administration accounting is filed. No new accounting filed at time of review.

Continued from 11/02/17 and 12/21/17. Mr. Naples to contact Mr. Seefeldt first week in January.

THIS CASE SET FOR HEARING ON **Amended (01/30/17)** First Account Current and Petition for Allowance of Fees by Christopher O'Leary Sr.

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

1. Accounting period 12/12/13 to 12/31/16. **Accounting for Christopher O'Leary Sr as to special administration does not appear to have been approved; Accounting needs to start at date of death 08/14/09.**
2. **Email confirmation receipt re bond payment filed 06/22/17.**
3. Assets on hand \$54,269.54.
4. Partial Inventory and Appraisal filed on 08/16/15.
 - a. **Need** Final Inventory and Appraisal.
 - b. Attachment 1 lists "claims" against Mary Lemos re Trust. As these are not marshalled assets, question how these assets may be inventoried per Pr.C.§8800. **Need** corrected/final Inventory and Appraisal.

5. Petitioner requests \$10,000 for his services. However, this is an account current and probate is statutory per Pr.C. § 10800.
6. Beginning account balance does not match the Inventory and Appraisal. Need an amended accounting.
7. Estate is not ready to close due to delay in marshalling assets with the California Secretary of State.
8. **Letter filed on 07/18/17 by William Seefeldt which appears to be objections. Deemed as objections. Need proof of service.**
9. Proposed order submitted on 08/31/17; however, not preapproved as notes remain not cleared.
10. **NOTE:** a Request for Stay of Actions was filed by William Seefeldt on 08/28/17 seeking appointment of Public Administrator; not verified or noticed. It appears William is seeking removal; however, no actual petition for removal filed.
11. **NOTE:** William has also filed a letter to Judge on 12/19/17 that appears to be exparte communication. Court may wish to direct William to file formal written objections.

RECOMMENDATION:

Need amended accounting. If approved, set Accounting/Status Review for **06/28/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 22

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

DATE: 03/22/18 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1601199

CASE NAME: SUSAN KATHRYN HIRSCH

HEARING:

Petition for INJUNCTION AGAINST TRUSTEE FROM SELLING REAL
PROPERTY AT TRUSTEES SALE

COUNSEL:

MCCARTHY & HOLTHUS, LLP (TP)...MCCARTHY & HOLTHUS
MICHAEL D AYALA (PET)...HORSPOOL & HORSPOOL
SUSAN KATHRYN HIRSCH (DEC)...

Currently under review by legal research.

Future Hearing: 05/02/18 *Accounting Review.*

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0700245

CASE NAME: CLARA M MALOOLY

HEARING:

Accounting Review by ***

COUNSEL:

CLARA M MALOOLY

(CEP)...WALTER T. MOORE

CLARA M MALOOLY

(CEP)...WHITE, BROWN & NEWHOUSE, LP

CLARA MALOOLY

(DEC)...

JACK B OSBORN

(PET)...JACK B OSBORN

MARJORIA K. HANNA

(PET)...DONNASUE ORTIZ

MICHAEL F MALOOLY

(CPE)...LAYNE A BARTHOLOMEW

WALTER T MOORE

(PET)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. **Conservatee passed away on 10/10/16.**
2. 5th Conservator and Trust Account for Michael Malooly, Conservator/Trustee, approved on 06/22/16.
3. **Need** 6th and final account beginning with 01/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900053

CASE NAME: MTR OF JORGE CAMPOS PEREZ

HEARING:

Third account and Fifth report of conservator Account and Report of MARIA ESTELA PEDROZA and Petition for allowance of fees filed.

COUNSEL:

JACK B. OSBORN	(PET)...JACK B OSBORN
JORGE CAMPOS PEREZ	(CEP)...WALTER T. MOORE
LETICIA PEREZ	(OBJ)...WILLIAMS BECK & FORBES
MARIA ESTELA PEDROZA	(CPE)...BRYAN C HARTNELL
WALTER T MOORE	(PET)...WALTER T. MOORE

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3rd Account Current and 5th Report and Petition for Allowance of Fees by Maria Pedroza, sister.

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

1. Accounting period 03/05/15 – 03/04/17.
2. Assets on hand \$210,410.83 of which \$10,874.02 is cash.
3. Conservator Seeks fees of \$8,400 for approximately 20 hours per month. **Need** summary/itemization per Cal Rules of Ct 7.751(b).
4. Attorney Hartnell seeks fees of \$6,865 for 40.5 hours at \$50/425 per hour for paralegal and attorney services. [Acct.01/02/18 LFpg37-41].
5. Bond is waived in this matter.
6. ~Proposed Order: 01/02/18.

RECOMMENDATION

Need to clear note 3. If approved, set hearing on the next accounting review for **05/31/18** (if one year) or **05/30/19** (if two years). Accounting to be filed 30 days in advance.
(lc)

Superior Court of Calif, County of San Bernardino

Page: 25

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700149

CASE NAME: MTR OF DOROTHY BARBA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARLENA BARBA

COUNSEL:

DOROTHY BARBA (CTP)...E JOAN NELMS
MARLENA BARBA (CP)...MCCLELLAN & WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Marlena Barba, mother, appointed conservator of the person only on 08/17/17.
2. Notification of Conservatee's rights filed 09/22/17.
3. Care Plan filed 09/5/17.
4. **Need** Determination of Conservatee's Appropriate Level of Care form GC-355.

RECOMMENDATION

Need to clear note 4.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700177

CASE NAME: MTR OF JAMES CURTIS CUNNINGHAM JR

HEARING:

Hearing Re: ACCOUNTING OF TEMPORARY CONSERVATOR

COUNSEL:

JAMES C CUNNINGHAM III (CPE)...PRO/PER
JAMES CURTIS CUNNINGHAM JR (CEP)...

GENERAL INFORMATION

Continued from 12/21/17. Counsel will assist in preparing declaration re no asset estate.

THIS CASE SET FOR HEARING ON Accounting of Temporary Conservator.

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

1. James Cunningham III appointed temporary Conservator on 05/18/17, person and estate no bond.
2. **Need** final Inventory & Appraisal per Pr.C.§2610. Court has discretion not to require Inventory and Appraisal and require an accounting covering only those assets of the estate which Conservator has possession of Pr.C. § 2633. JTD
3. Exparte Petition to Dispense Accounting submitted 10/19/17 and ~02/13/18 indicating no assets. Final waivers of accountings are not permitted per local rule 20-1406(b); ***however, as there does not appear to be any assets to distribute per waiver and 09/07/17 minute order, does court wish to accept and terminate conservatorship? JTD***

RECOMMENDATION

Court's discretion re notes 2 & 3.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700359
CASE NAME: MTR OF CHARLES KNIGHT
HEARING: Petition for Appointment of Conservator

COUNSEL:

ARTINA MCINTOSH (CPE)...PRO/PER
CHARLES KNIGHT (CEP)...WALTER T. MOORE

GENERAL INFORMATION

Artina McIntosh appointed temporary Conservator of person and estate on 10/12/17.

Continued from 12/21/17. Walter Moore appointed counsel. Petition modified on the record for person only. Supplement re medical and dementia powers along with Capacity Declaration to be filed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Artina McIntosh, friend.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc. per Pr.C. § 2351-2358 JTD
2. Address for Charles Knight is incomplete on Notification of Conservatorship address. However, is listed in Court Investigator referral report. JTD if sufficient.
3. Court to see Confidential Screening Form attachment.
4. Petitioner does not seek medical powers. **Need** supplement and Capacity Declaration.
5. **Need** report of Counsel Moore.
6. List of required contacts does not list son Phillip. **Need** updated form.
7. **Need** return of citation.
8. **Need** notice of hearing and proof of service to son John and Veteran's Administration.
9. Court Investigator report filed on 12/20/17.
10. Certificate of Completion of the Conservatorship Training Class filed 12/07/17.
11. ~Proposed Form Order: 10/04/17.

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **10/25/18** for the filing of the required documents and hearing re Accounting Review for **05/30/19**. Any accounting to be filed 30 days in advance.

(lc)

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: RC RS00411

CASE NAME: EFRAIN CORDEZ DOMINGUEZ

HEARING:

Accounting Review by ***

COUNSEL:

EFRAIN CORDEZ DOMINGUEZ	(CEP)...
LAWRENCE A DEAN II	(CE)...SHERRI L KASTILAHN
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN
MELODIE Z SCOTT	(TP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 14th conservatorship Account for Larry Dean, PPF, approved on 05/10/17.
2. **Need** 15th Account beginning with 01/01/17.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 29 ADD ON

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

DATE: 03/22/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800028

CASE NAME: TORRES VS NANEZ

HEARING:
HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

COUNSEL:
DANIEL NANEZ (RP)...PRO/PER
TONY TORRES (PP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Temporary orders granted on 02/14/18. Notice served on respondent, filed 02/15/18.

(lc)

Future Hearing:
03/29/18 Hearing re: Elder abuse restraining order