



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 04/04/18

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.

03/16/18lh; 03/29/18lh

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIP

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: CON PS1100110

CASE NAME: MTR OF BERTHA MAE MATTHIAS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JUDY JACKSON

(CP/CPE)...PRO/PER

BERTHA MAE MATTHIAS

(CTP/CEP/CEE)...BRYAN C HARTNELL

PUBLIC GUARDIAN

(PCR)...COUNTY COUNSEL

CANDACE P HALL

(CP)...PRO/PER

GENERAL INFORMATION

Continued from 08/09/17. Judy Jackson objected to conservatorship of Estate; need complete written objections filed by 09/13/17. If not filed, then they will be permanently waived. If matter proceeds to trial, court will consider only evidence relevant to the objections that were filed with the court. Unless otherwise provided by law, the court will not consider any objections not set forth in your written objections, and will not consider any evidence thereon. Jennifer Daniel appointed counsel.

Continued from 10/04/17. Court directed Judy Jackson to report directly to the second floor clerk's office. Notice given by Judicial Assistant. Court relieved Jennifer Daniel and appointed Bryan Hartnell as appointed counsel.

Continued from 01/03/18. Candace Hall not present in Court. Court set OSC re Dismissal of petition. Court orders Candace Hall to be present at next hearing, or Court may dismiss petition.

Continued from 02/14/18.

THIS CASE SET FOR HEARING ON **OSC Re Dismissal** Petition for Appointment of **Successor** Conservator estate only by Candace Hall, daughter.

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

1. Judy Jackson was prior Conservator of estate. The estate was terminated and Judy was discharged on 10/15/12. **Petitioner is current Successor Conservator of person only**; appointed on 04/13/15.
2. Petition is not actually for successor as there is no current *conservator of estate*. **Need** return of citation for this purpose.
3. **Need** notice of hearing and proof of service including to Veteran's Administration.

4. Petitioner seeks dementia powers. However, this matter is for estate only. Report of Counsel Hartnell filed 01/17/17. **Report of Appointed Counsel Bryan Hartnell filed 02/14/18.**
5. Petitioner seeks no bond as conservatee receives pensions under \$1,000 per month. It appears benefits are from Veteran's Affairs and petitioner is representative payee. **JTD**
6. Petitioner seeks medical powers. However, this matter is for estate only.
7. CI report filed 09/20/17.
8. Certificate of Completion of the Conservatorship Training Class filed 11/06/14.
9. **Objection by Judy Jackson filed 09/07/17.**
10. **Declaration in the form of a response to objection with attached letters in support of Candace P. Hall filed 03/19/18.**
11. ~Proposed Form Order: 06/30/17.

RECOMMENDATION

Matter is contested.

Need to clear notes 2-3. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the required documents and hearing re Accounting Review for **06/12/19**. Any accounting to be filed 30 days in advance.

(lc/lh)

Future Hearings: 8/18/18: Readiness Calendar, 9/07/18: Court Trial

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300972

CASE NAME: MARY LOUISE KELLER ENGLE

HEARING

Accounting Review

COUNSEL:

JUDITH A ENGLE

(PET)...ZUMBRUNN LAW CORPORATION

MARY LOUISE KELLER ENGLE

(DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Letters testamentary issued to Judith Engle, daughter, on 01/08/14; full authority and no bond.
2. Court approved status report on 04/05/17 to give Executor an additional year to sell vacant real property.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

SEE ALSO 4 5

HEARING:

Hearing Re: POST TENTATIVE STATUS CONFERENCE

COUNSEL:

JANET K. HUNTER-GIBSON	(PET)...ALLEN M JOHNCOX
GIBSON FAMILY TRUST	(TRU)...
SANDRA LOUISE COBB	(PET/RES)...LAYNE A BARTHOLOMEW

Status—no notes—JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

SEE ALSO 3 5

HEARING:

Petition for to Determine Title of Real Property, Determine
Questions of Construction of Instrument, etc

COUNSEL:

JANET K. HUNTER-GIBSON (PET)...ALLEN M JOHNCOX
GIBSON FAMILY TRUST (TRU)...
SANDRA LOUISE COBB (PET/RES)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Continued from **05/15/14** action consolidated with PROPS1400125.
Continued from **08/21/14** and **10/16/14** by stipulation. Attempting to clear title.
Continued from **12/18/14, 3/19/15, 7/31/15, 9/4/15, 10/28/15, 12/16/15** and **02/24/16**.
Parties are still completing the settlement terms.
Continued from **4/13/16, 06/15/16, 11/17/16, 04/13/17** and **08/10/17**. Set for readiness.
Court does not accept stipulations to continue trials, nor provides interpreters for trials.
Continued from 11/02/17. Attorney Bartholomew announces ready for trial
Continued from 11/28/17.

THIS CASE IS SET FOR HEARING ON Petition for distribution of trust assets, to determine title to real property, and for determination of community property interest in trust assets by Janet Hunter-Gibson.

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

1. Petitioner is Janet Hunter-Gibson, surviving spouse of deceased trustor.
2. Petitioner states that the original trust was executed in 1994 by trustor Robert Gibson and his then-wife Irene Gibson; that both trustors are deceased; that the trust was amended several times, that petitioner and Robert married in 1999; and that upon Robert's death in 2011, petitioner Janet became the successor trustee of the resulting survivor's trust and respondent Sandra Cobb became successor trustee of the bypass trust.
3. Petitioner states that respondent Sandra asserts rights as a bona fide purchaser for value of a community interest in certain Newberry Springs, CA trust real property.

Petitioner asserts that upon Robert's death, Sandra became sole beneficiary of the remaining trust interest in that property.

4. Petitioner asserts community property interests in trust assets acquired during her 1999-2011 marriage with Robert, including rights to the Newberry Springs, CA real property, totaling \$157,000.
5. Petitioner asserts rights to reimbursement for expenses and improvements contributed to trust assets including the Newberry Springs real property, of at least \$286,000.
6. Petitioner makes allegations of an express partnership with Robert for early distribution of trust assets, as well as a net business loss to respondent and other trust beneficiaries.
7. Petitioner alleges the 2009 transfer of a real property for the benefit of the bypass trust that was not disclosed in the other trust petition/case filed by Sandra (see other page this date).
8. Petitioner alleges she is a bona fide purchaser for value of Adelanto, CA real property which was transferred from the trust in 2009. She also alleges a community property interest in the acquisition of the property.
9. Petitioner requests a determination that the Newberry Springs, CA real property should be distributed to her in its entirety; that the Adelanto, CA real property is owned by petitioner individual and free and clear of trust claims; that petitioner is entitled to \$157,000 (community property) reimbursement from the trust subject to proof; that petitioner is entitled to \$286,000 (expense/improvements) reimbursements from the trust subject to proof; that the remaining trust real properties are properties of the survivor's trust; that any balance of the survivor's trust be distributed according to its terms; that the court approve termination of the family trust after distribution and accounting; for an accounting by Sandra of her partnership affairs with decedent/trustor Robert involving bypass trust assets; for a determination of the character of the subject real properties and other trust assets as community property or separate trust property; for reimbursement of expenses paid by petitioner for trust expenses; and for unspecified fees and costs.
10. **Objection filed by Sandra Cobb, successor trustee.**

RECOMMENDATION

Matter contested. Inquire status re settlement.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400271

CASE NAME: GIBSON FAMILY TRUST***MASTER FILE*****

SEE ALSO 3 4

HEARING:

Petition for Distribution of Trust Assets

COUNSEL:

JANET K. HUNTER-GIBSON (PET)...ALLEN M JOHNCOX
GIBSON FAMILY TRUST (TRU)...
SANDRA LOUISE COBB (PET/RES)...LAYNE A BARTHOLOMEW

GENERAL INFORMATION

Continued from **05/15/14** action consolidated with PROPS1400125.

Continued from **08/21/14** and **10/16/14** by stipulation. Attempting to clear title.

Continued from **12/18/14, 3/19/15, 7/31/15, 9/4/15, 10/28/15, 12/16/15** and **02/24/16**.

Parties are still completing the settlement terms.

Continued from **4/13/16, 06/15/16, 11/17/16, 04/13/17** and **08/10/17**. Set for readiness.

Court does not accept stipulations to continue trials, nor provides interpreters for trials.

Continued from 11/02/17. Attorney Bartholomew announces ready for trial.

Continued from 11/28/17.

THIS CASE IS SET FOR HEARING ON Petition for distribution of trust assets, to determine title to real property, and for determination of community property interest in trust assets by Janet Hunter-Gibson.

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

1. Petitioner is Janet Hunter-Gibson, surviving spouse of deceased trustor.
2. Petitioner states that the original trust was executed in 1994 by trustor Robert Gibson and his then-wife Irene Gibson; that both trustors are deceased; that the trust was amended several times, that petitioner and Robert married in 1999; and that upon Robert's death in 2011, petitioner Janet became the successor trustee of the resulting survivor's trust and respondent Sandra Cobb became successor trustee of the bypass trust.
3. Petitioner states that respondent Sandra asserts rights as a bona fide purchaser for value of a community interest in certain Newberry Springs, CA trust real property.

Petitioner asserts that upon Robert's death, Sandra became sole beneficiary of the remaining trust interest in that property.

4. Petitioner asserts community property interests in trust assets acquired during her 1999-2011 marriage with Robert, including rights to the Newberry Springs, CA real property, totaling \$157,000.
5. Petitioner asserts rights to reimbursement for expenses and improvements contributed to trust assets including the Newberry Springs real property, of at least \$286,000.
6. Petitioner makes allegations of an express partnership with Robert for early distribution of trust assets, as well as a net business loss to respondent and other trust beneficiaries.
7. Petitioner alleges the 2009 transfer of a real property for the benefit of the bypass trust that was not disclosed in the other trust petition/case filed by Sandra (see other page this date).
8. Petitioner alleges she is a bona fide purchaser for value of Adelanto, CA real property which was transferred from the trust in 2009. She also alleges a community property interest in the acquisition of the property.
9. Petitioner requests a determination that the Newberry Springs, CA real property should be distributed to her in its entirety; that the Adelanto, CA real property is owned by petitioner individual and free and clear of trust claims; that petitioner is entitled to \$157,000 (community property) reimbursement from the trust subject to proof; that petitioner is entitled to \$286,000 (expense/improvements) reimbursements from the trust subject to proof; that the remaining trust real properties are properties of the survivor's trust; that any balance of the survivor's trust be distributed according to its terms; that the court approve termination of the family trust after distribution and accounting; for an accounting by Sandra of her partnership affairs with decedent/trustor Robert involving bypass trust assets; for a determination of the character of the subject real properties and other trust assets as community property or separate trust property; for reimbursement of expenses paid by petitioner for trust expenses; and for unspecified fees and costs.
10. **Objection filed by Sandra Cobb, successor trustee.**

RECOMMENDATION

Matter contested. Inquire status re settlement.

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

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500443

CASE NAME: LOUIS SCOTT WILLIAMSON

HEARING:

Hearing re Final Discharge

COUNSEL:

WAYNE WILLIAMSON (PET)...THE DLJ LAW FIRM
LOUIS SCOTT WILLIAMSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Court approved waiver on final accounting on 03/29/17. **Need order after hearing.**
2. Ex Parte Petition for Final Discharge and Order returned on 04/18/17 as Order on waiver of account has not been filed.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500651

CASE NAME: MTR OF DANIELLE TSCHAN RICHARDSON

SEE ALSO 8

HEARING:

Hearing Re: SPOUSAL PROPERTY PETITION

COUNSEL:

CHRISTOPHER GAGE RICHARDSON	(PET)...	MITCHELL I ROTH
DANIELLE TCHAN RICHARDSON	(DEC)...	
GAVIN REED WHITLEY	(MIN)...	MARK J. FLORY
GAGE KEATON RICHARDSON	(MIN)...	MARK J. FLORY
GRANT CHRISTOPHER RICHARDSON	(MIN)...	MARK J. FLORY
STATE OF CALIFORNIA FRANCHISE TAX BOARD	(AGN)...	
MARK J FLORY	(GAL)...	

XREF: FAMSS1407215 CHRISTOPHER G RICHARDSON N DANIELLE T RICHARDSON

See notes on next matter #8.

(lh)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500651

CASE NAME: MTR OF DANIELLE TSCHAN RICHARDSON

SEE ALSO 7

HEARING:

Hearing Re: OSC RE SETTLEMENT

COUNSEL:

CHRISTOPHER GAGE RICHARDSON	(PET)...	MITCHELL I ROTH
DANIELLE TCHAN RICHARDSON	(DEC)...	
GAVIN REED WHITLEY	(MIN)...	MARK J. FLORY
GAGE KEATON RICHARDSON	(MIN)...	MARK J. FLORY
GRANT CHRISTOPHER RICHARDSON	(MIN)...	MARK J. FLORY
STATE OF CALIFORNIA FRANCHISE TAX BOARD	(AGN)...	
MARK J FLORY	(GAL)...	

XREF: FAMSS1407215 CHRISTOPHER G RICHARDSON N DANIELLE T RICHARDSON

GENERAL INFORMATION

Continued from **9/17/15** to file objections. Mark Flory appointed GAL for three minors.
Continued from **11/19/15** Counsel reports that petitioner has no objection to the three minors having an equal distribution.

Continued from **01/27/16, 03/29/16 and 05/12/16**. Settlement reached needs to be signed.

Continued from **07/21/16** at request of all parties for settlement to be finalized and signed.

Continued from 11/22/16 and 03/07/17.

OSC set on 03/07/17 when matter was referred to mediation.

On 06/21/17 Procedural requirements to be completed pending next hearing; parties agreed.

Continued from **07/26/17**. OSC dismissed as to dismissal.

Continued from 10/25/17 Court indicates that the tentative is to authorize the settlement reached by parties. Continued at request of Counsel due to oral objection by Bryan Hartnell.

Continued from 01/24/18 at request of Counsel; counsel stipulated to completion date of briefing by 03/09/18. Counsel indicated they will accept emailed receipt of tax document to be emailed by 01/29/18.

THIS CASE SET FOR HEARING ON **OSC re Settlement/Spousal Property Petition**

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

1. Petitioner, Christopher Richardson, is seeking court confirm his half of the community property and determine decedent's half of community property, person and real, pass to petitioner.
2. Petitioner and decedent were in dissolution proceedings at the time of decedent Danielle Richardson's death. Petitioner does not set forth how the property was purchased, when decedent and petitioner were married or evidence that decedent's property should pass to petitioner when the will specifically intended to leave petitioner nothing [LFpg5]. Court to see sticky note on page 1 of petition. **Points and Authorities; Final Brief filed 03/09/18 referred to Legal Research for review.**
3. Decedent left two minor issues. **Need** report of GAL Mark Flory.
4. **Need** settlement.
5. **Amended** Creditor's claim filed **08/29/16** by FTB in the amount of **\$7,729.45**.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-4.

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

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600851

CASE NAME: MTR OF TONY ROMAN CARLOS

HEARING:
Accounting Review

COUNSEL:

TONI R PALAZZOLA	(PET)...JENNIFER M MEDEIROS
TONY ROMAN CARLOS	(DEC)...
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
MARGARET CARLOS	(OBJ)...PRO/PER
TONY ALVA CARLOS	(JEANNE E KENNEDY)
REBECCA YARBROUGH	(PRO/PER)
CAROL DIANA NARANJO	(JEANNE E KENNEDY)
CARMEN LEONARD	(PRO/PER)
PATSY MARTINEZ	(JEANNE E KENNEDY)
JOANNA SANCHEZ	(PRO/PER)
LINDA RAMIREZ	(PRO/PER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Donnasue Smith Ortiz was appointed Administrator with will annexed on 01/25/17 with full authority; \$1,500,000 bond filed.
2. Final Inventory and Appraisal filed 07/25/17; however probate referee's signature is not dated, and attachment #2 does not include 2012 Jeep Cherokee. **Need** verified supplement clarifying status of Jeep.
3. **Need** accounting and status report.

RECOMMENDATION

Inquire status.
(lh)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

SEE ALSO 11 12

HEARING:

Petition for PROBATE OF WILL & FOR LTRS OF ADMINISTRATION W/WILL
ANNEXED

COUNSEL:

PATRICIA A BROWN	(PET)...PRO/PER
IONA FAYE MCKNIGHT JAMES	(DEC)...
SAULETA JAMES	(PET/OBJ)...GUAGENTI & DAMSKY

GENERAL INFORMATION

Continued from **10/12/16**. Temporary orders denied on 12/06/16.

Continued from 04/19/17. Probate notes are cleared on the record. Matter is set contested.

Continued from 02/07/18.

THIS CASE IS SET FOR HEARING ON

- Petition 1 - Amended (9/12/16) Petition for Letters **Testamentary** with full authority under IAEA by Patricia Brown.
- Petition 2 - Petition for Letters of **Administration** with limited authority under IAEA by Sauleta James, daughter.

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

Petitioner 1 Patricia Brown, non-relative

1. Decedent's will names decedent's daughter, Sauleta James, and petitioner to "act as Agent/attorney-In-Fact over my estate under a Durable Power of Attorney." Will was executed **07/24/16, 31 days prior to death**.
 - a. If court finds this language sufficient intent to appoint executor, need declination to act by Sauleta James. **Supp10/05: Petitioner further states this was decedent's intent.**
 - b. Alternatively, Court may wish to appoint petitioner as Administrator with Will Annexed.
2. Petitioner requests minimum bond and proceeds placed in a blocked account. Estimated estate value is \$5000 in personal property and \$76,000 in real property.
JTD

3. **Objections and Will Contest filed by competing petitioner Sauleta James on 11/04/16.** Will Contest and summons must be served in the manner required in a civil action generally. Pr.C. §_§8250; CCP §§412.10–417.40. Proof of service filed 02/16/17.
4. **Answer to Will Contest filed by Patricia Brown.**
5. ~Proposed form order: 8/26/16

Petitioner 2 - Sauleta James, daughter

6. Petitioner seeks bond of \$6,000. As petitioner is seeking only limited authority, appears adequate. However, court may wish to require minimum bond of \$20,000.
7. ~Proposed Form Order: 11/04/16.

RECOMMENDATION:

Matter is contested.

If approved, set hearing for Accounting/Status Review on **06/12/19**. Any accounting to be filed at least 30 days in advance. Note Local Rule requirements.

(sa/lc/lh/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

SEE ALSO 10 12

HEARING:

Petition for Approval of Settlement Agreement Re: Will Contest
and Granting of Contestant's Petition etc

COUNSEL:

PATRICIA A BROWN	(PET)...PRO/PER
IONA FAYE MCKNIGHT JAMES	(DEC)...
SAULETA JAMES	(PET/OBJ)...GUAGENTI & DAMSKY

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Approval of Settlement Agreement Re:
Will Contest and Granting of Contestant's Petition by Sauleta James (daughter/proposed
administrator)

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

1. Sauleta James, contestant, and Patricia Brown, respondent, have reached a settlement agreement in which decedent's Will is deemed withdrawn and for estate to pass to decedent's heirs under the laws of intestate succession of the State of California. Settlement Agreement attached. [Petition, 02/21/18, LFpgs8-12]. **JTD**
2. James shall pay \$6,000 to Patricia Brown upon Probate Court's granting of James' First and Final Account and Report.
3. Notice was given.
4. Proposed order submitted 02/21/18; however, proposed order requests approval of settlement agreement attached to petition. Proposed Order does not comply with Local Rule 20-614(b); all orders must be complete within themselves without reference to petition which they are based.

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600862

CASE NAME: MTR OF IONA FAYE McKNIGHT JAMES

SEE ALSO 10 11

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority
Under IAEA

COUNSEL:

PATRICIA A BROWN

(PET)...PRO/PER

IONA FAYE MCKNIGHT JAMES

(DEC)...

SAULETA JAMES

(PET/OBJ)...GUAGENTI & DAMSKY

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

See notes on prior matter #10.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601110

VACATED

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

HEARING:

Hearing Re: STATUS OF SETTLEMENT CONFERENCE

COUNSEL:

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

SAME DAY HEARING: MEDIATION SETTLEMENT CONFERENCE @ 8:30 IN DEPT S34

Future Hearing: 7/12/18 Readiness Calendar
8/06/15 Court Trial

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700103

CASE NAME: ELYLINE FRANKIE SCHWEITZER

HEARING:

FIRST REPORT PETITION FOR SETTLEMENT AND WAIVER OF Account and Report of GARY L SCHWEITZER and Petition for allowance of fees filed.

COUNSEL:

GARY L SCHWEITZER (PET)...PRO/PER
ELYLINE FRANKIE SCHWEITZER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report and Petition for Final Distribution and Fees by Gary L. Schweitzer, executor

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

1. Assets on hand: \$164,871.28, of which \$144,871.28 is cash
2. Statutory fees of \$5,665 requested. Calculated.
3. All beneficiaries waive accounting.
4. **Need** copy of escrow closing statement for sale of real property per Local Rule 20-910.
5. Notice was given.
6. ~Proposed order: 01/29/18

RECOMMENDATION:

Need to clear note #4 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **04/10/19**.

(lh)

Future Hearing: 6/13/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700151

CASE NAME: MTR OF DOREEN H BUCKWALTER

HEARING:

First and Final Account and Report of YVONNE CONNER and Petition
for allowance of fees filed.

COUNSEL:

YVONNE CONNER (PET)...MY ATTORNEY LA
DOREEN H BUCKWALTER (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of First and Final Account and Report and
Petition for Fees and Final Distribution by Yvonne Conner, Executor/Sole Beneficiary

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

1. Assets on hand: \$57,155.87, cash
2. Petitioner is sole beneficiary and waives accounting and statutory fees.
3. Attorney requests statutory fees of \$5,350 to be paid by Andrade Financial as a condition of sale of real property.
4. Petitioner requests reserve of \$1,000.
5. Notice is complete.
6. No proposed order submitted.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge
for **04/10/19**.

(lh)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700193

CASE NAME: EDWARD GLENN VAN GROUW

HEARING:

FIRST AND FINAL Account and Report of JEANETTE VAN GROUW and
Petition for allowance of fees filed.

COUNSEL:

JEANETTE VAN GROUW (PET)...WILLIAM K SWEENEY
EDWARD GLENN VAN GROUW (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report of Executor and Petition for Fees and Final Distribution by Jeanette Van Grouw, Executor/Trustee/Sole beneficiary

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

1. Assets on hand: \$400,000, vacant real property
2. Executor waives statutory fees.
3. Petitioner advanced \$11,000 to attorney-client trust account. Attorney requests statutory fees of \$11,000 to be paid from attorney-client trust account. Calculated.
4. Notice is complete.
5. ~Proposed order: 01/17/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **04/10/19**.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701030

CASE NAME: VERTIS A. NEVINS SR

HEARING:

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

COUNSEL:

FRANKIE NEVENS

(PET)...SRG LAW GROUP

VERTIS A NEVENS SR

(DEC)...

GENERAL INFORMATION:

Continued from 01/31/18. Counsel to file supplement on issue of venue.

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

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

1. Petitioner requests \$20,000 bond based on personal property. Appears sufficient.
2. Petition indicates decedent's domicile was in Compton, California at time of death [Petition, 10/13/17, LFpg2]. It does not appear this Court is the appropriate venue per Pr. C. §7051. Court to inquire. **JTD.**
3. ~Proposed form Order: 10/13/17

RECOMMENDATION:

Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/12/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

HONORABLE: STANFORD E. REICHERT

DATE: 04/04/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700221

CASE NAME: OSAMA M ELBAZ

HEARING:

First and final Account and Report of SHEREEN ELBAZ and Petition
for allowance of fees filed.

COUNSEL:

SHEREEN ELBAZ (PET)...LAILA J KEPLER
OSAMA M ELBAZ (DEC)...

GENERAL INFORMATION:

Continued from 03/14/18 to clear probate notes.

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report of Administrator
and Request for Fees and Final Distribution by Shereen Elbaz, administrator

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

1. Assets on hand: \$142,079.42, cash and misc. furnishings.
2. Petitioner and attorney requests statutory fees of \$8,617.05, each. Calculated.
3. All heirs waive accounting.
4. Notice was given.
5. Petitioner requests reserve of \$1,500. Note: if approved, need informal account
for reserves per Local Rule 20-911 prior to filing ex parte petition for final
discharge.
6. ~Proposed order: 11/30/17

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge
to include informal account re reserves for **04/10/19**.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0700111

CASE NAME: ROBERT JUNIOR RODRIGUEZ

HEARING:

Ninth Account and Report of ELIZABETH RODRIGUEZ and Petition for allowance of fees

COUNSEL:

ELIZABETH RODRIGUEZ (CPE)...CALDWELL, KENNEDY & PORTER

ROBERT JUNIOR RODRIGUEZ (CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 9th Account Current and Petition for Fees by Elizabeth Rodriguez (conservator/mother)

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

1. Mother, Elizabeth Rodriguez, appointed conservator, person/estate, 7/11/07
2. Account period covers **08/10/16 to 08/10/17**. Note: accounting lapses 1 day.
3. Assets on hand \$1,307,110.17 consisting of \$121,389.49 in cash and the balance in real property, a vehicle and life annuity.
4. Current bond is \$63,000. Petitioner maintains that bond is sufficient as the account requires two signatures and counsel holds the checkbook, receives income and initiates all disbursements. **JTD**
5. Conservator waives the \$2,500 fees previously allowed for 24/7 caregiving services as the conservatorship estate pays 100% of the mortgage and utilities.
6. Also as previously authorized, Conservatorship employs conservator's father at approximately \$1,000/month and conservatee's grandmother at \$700/month for caregiving services. The monthly payments are managed through Paychex, a payroll company.
7. Attorney requests fees of **\$5,338.75** for a total of 26.15 hours at \$300 per hour through 12/31/17, and \$350 per hour thereafter for attorney services, and \$150 per hour for paralegal services. Attorney requests an additional estimated 2.5 hours. Itemization not attached as alleged. **Need verified supplement.**
8. **Need Notice of Hearing and Proof of Service as to Robert Rodriguez.**
9. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #7-8. If approved, set hearing re next Accounting Review for **10/10/18** (if one year) or **10/09/19** (if two years). Accounting to be filed 30 days in advance.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600163

CASE NAME: JEREMIAH T PITTS LEWIS

HEARING:

Hearing Re: STATUS OF CONSERVATEE & LIVING CONDITIONS

COUNSEL:

BEVERLY J WHITE (CP)...PRO/PER
JEREMIAH T PITTS-LEWIS (CEE)...JEANNE E KENNEDY

GENERAL INFORMATION

Continued from 02/26/18. Oral report given by Counsel. Court notes appearance by Steven Beckett for Inland Counties Regional Center (IRC) is not required at next hearing but report is to be provided by next hearing from IRC. Court orders Beverly White to be personally present in Court on 04/04/18 at 9:30AM.

THIS CASE SET F/OR HEARING ON Status of Conservatee & Living Conditions

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

1. Court set hearing after receipt of the Court Investigator's Report on 01/29/18.
2. Jeanne Kennedy reappointed as counsel for conservatee.
3. **Need IRC report.** Letter from IRC received 03/27/18; conservatee's case was reactivated 03/08/18.

RECOMMENDATION

Need IRC report, then Court's discretion.

(ww/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700173

CASE NAME: MTR OF ALEXANDER ROMAN-VILLATORO

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DORIS A VILLATORO

COUNSEL:

DORIS A VILLATORO (CP)...PRO/PER
ALEXANDER ROMAN-VILLATORO (CTP)...CANDICE A GARCIA-RODRIGO

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Doris Villatoro (mother) appointed Limited Conservator of the person on 08/30/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700200

CASE NAME: MTR OF DONNA MACIAS

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CONNIE G MACIAS

COUNSEL:

CONNIE G MACIAS	(CPE)...PRO/PER
ANNEMARIE AYALA	(CPE)...PRO/PER
DONNA MACIAS	(CEP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Annemarie Ayala and Donna Macias appointed co-conservators of the person on 08/30/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. **Need** a Determination of Conservatee's Appropriate Level of Care per Pr.C.§ 2352.5 (form GC-355).
4. **Need** Care Plan in accord with Pr. C. §2352.5.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700451

CASE NAME: ALDAIR S MEDINA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
IRMA NAVA (CP)...PRO/PER
ALDAIR S MEDINA (CTP)...JANET LATOURETTE

GENERAL INFORMATION

Continued from 01/17/18. IRC requested continuance. Court deems IRC notified for this petition. Court deemed date of filing to be the date of signature on petition. Court finds Citation cleared as Aldair S. Medina was present in Court this date.

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

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. JTD
2. Petitioner seeks conservatee's civil and legal rights to be limited in regards to requested powers under Pr. C. §2351.5. JTD
3. Petitioner seeks medical powers. **Need Capacity Declaration.**
4. Proposed conservatee is developmentally disabled. **Report of Counsel Latourette filed 03/21/18.**
5. Proposed conservatee is developmentally disabled. **IRC report filed 03/28/18 not in LF at time of review.**
6. Petition is not dated at signature. **JTD**
7. CI Report filed 01/10/18.
8. Certificate of Completion of the Conservatorship Training Class filed.
9. ~Proposed Form Order: 12/13/17

RECOMMENDATION

Need to clear note #3. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800001

CASE NAME: MTR OF HENRY W. DAVIS

HEARING:

Petition for Appointment of Conservator

COUNSEL:

TRACY DAVIS (CPE)...ZUMBRUNN LAW CORPORATION
HENRY W DAVIS (CEP)...WALTER T. MOORE

GENERAL INFORMATION

Ex parte orders granted 01/10/18. Tracy Davis appointed temporary conservator of the person and estate, \$160,000 bond.

Continued from 02/14/18. Court is in receipt of Court Investigator Report filed 02/06/18. Attorney Walter Moore appointed for Henry W. Davis.

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

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

1. Petitioner seeks bond of \$160,000. Appears sufficient.
2. Petitioner seeks Powers under Pr. C. §2590-2591 to sell real or personal property without confirmation, power to purchase real/personal property, alter/improve/replace estate property, powers to lease real property; exchange property; sell property; commence action for partition; exercise stock rights and options, power to pay, collect, compromise, or adjust claims/debts. **JTD**
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. Petitioner seeks dementia powers. **Need** report of Counsel Walter Moore.
5. **Need** return of Citation.
6. **CI Report filed 02/06/18.**
7. Proof of Completion of the Conservatorship Training Class filed 02/01/18.
8. ~Proposed Form Order: 01/03/18

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the required documents and hearing re Accounting Review for **06/12/19**. Any accounting to be filed 30 days in advance.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800053

CASE NAME: MTR OF RAFAEL TORRES JR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

NATIVIDAD TORRES (CP)...PRO/PER
RAFAEL TORRES (CP)...
RAFAEL TORRES JR (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Natividad and Rafael Torres (parents)

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make and consent to all medical decisions. **JTD**
2. Petitioner seeks civil rights not be limited without court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 02/28/18; however, it appears caption of form incorrectly marked box C as to whether proposed conservatee has dementia. **JTD**
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** Court Investigator report.
7. List of required contacts is missing petitioners and Ceasar Torres (brother). **Need** completed form.
8. **Notice of hearing and proof of service filed 03/27/18; however, need proper service of at least 30 days' notice to Inland Regional Center.**
9. **Return of Citation filed 03/27/18; however, need proper personal service to include at least 15 days.**
10. Proof of completion of Conservatorship Training Class filed.

11. ~Proposed Form Order: 02/28/18

RECOMMENDATION

Need to clear notes #4-9. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300354

CASE NAME: TIMOTHY F NOLAND

HEARING:

First and Final Account and Report of AMBER DAWN NOLAND and
Petition for allowance of fees filed.

COUNSEL:

AMBER DAWN NOLAND (PET)...LOEB & LOEB LLP
TIMOTHY F NOLAND (DEC)...
CAROL NOLAND (PET)...BEST BEST & KRIEGER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report and Petition
for Final Distribution by Amber Dawn Noland, Executor/Trustee

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

1. Assets on hand: \$306,583.70, consisting of \$267,078.70 cash and remaining in real property.
2. It appears the balance held in Chase account x2066 exceeds the \$250,000 FDIC standard insurance coverage limit. **Need** bank statement final ending balance per Local Rule 20-908.
3. Petitioner alleges creditors' claims from Beyer Park Villas, LLC for \$67,742; San Bernardino Care Company for \$173,277; and Ray Properties Kit Carson for \$286,911 that were withdrawn on 09/01/15. **Need** verified supplement with withdrawals.
4. Statutory fees of \$9,131.67 are *waived* by petitioner and Counsel.
5. Notice was given.
6. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #2-3 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **04/10/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500015

CASE NAME: MARVIN MARKS

HEARING:
Hearing re Final Discharge

COUNSEL:
JACQUELINE LINCOLN (PET)...THOMAS M ALEXANDER
MARVIN MARKS (DEC)...

GENERAL INFORMATION

Continued from 12/20/17 at request of Court due to non-appearance, nor has ex parte petition for final discharge been signed by Court.

Continued from 01/31/18. No appearance by Counsel or administrator. Court is in need of ex parte petition for final discharge and receipt. Citation issued to Thomas Alexander who is cited and required to appear on 04/04/18 and show cause was FTP.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. **Need** receipt of Jacqueline Lincoln.
2. **Need** return of Citation with proof of personal service. **Proof of unsuccessful service filed 03/26/18 not in LF at time of review.**
3. Ex Parte Petition for Order for Final Discharge returned by Court on 12/04/17 for filing of receipt of Jacqueline Lincoln. **Need corrected form.**

RECOMMENDATION

Need receipt for Jacqueline Lincoln and submit ex parte petition for final discharge.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501175

CASE NAME: MARIA GONZALEZ CORTEZ

SEE ALSO 4

HEARING:

Petition for Order Directing Transfer of Real Property into
Estate

COUNSEL:

JAIME GONZALEZ JIMENEZ (PET)...SUSAN H HOOVER
MARIA GONZALEZ CORTEZ (DEC)...

Currently under review by legal research.

(LR)

Notice given.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501175

CASE NAME: MARIA GONZALEZ CORTEZ

SEE ALSO 3

HEARING:

Probate status report

COUNSEL:

JAIME GONZALEZ JIMENEZ (PET)...SUSAN H HOOVER
MARIA GONZALEZ CORTEZ (DEC)...

GENERAL INFORMATION

Continued from 10/04/17. Counsel is going to file an 850 petition.

Continued from 12/06/17. Counsel states an 850 petition was fax filed. Nothing showing in ROA at this time. Matter is continued.

Continued from 02/07/18 to be heard with 850 petition.

Continued from 02/14/18.

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters Testamentary issued to Jaime Jimenez, son, on 04/13/16; full authority, no bond.
2. Executor seeks additional time in order to file settlement real property agreement; however, does not specify time sought.
3. **Need** notice of hearing and proof of service per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. Executor Jaime Jimenez filed an 850 petition on 12/05/17.

RECOMMENDATION

Need notice. If approved, set Accounting/Status Review for **06/12/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700444

CASE NAME: MTR OF SHERRY LYNN ESQUERRA

HEARING:

First & Final Account and Report of APRIL ESQUERRA and Petition
for allowance of fees filed.

COUNSEL:

APRIL ESQUERRA (PET)...CHERI GREEN
SHERRY LYNN ESQUERRA (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Report and Petition
for Fees and Final Distribution by April Esquerra, Administrator with will annexed

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

1. Assets on hand: \$742,104.75, of which \$720,104.75 is cash
2. Corrected Final Inventory and Appraisal filed 02/06/18; however, the corrected amount only reflects \$67,092.16—not \$668,522.35 as indicated in fee base; the faxed copy is not completely legible; and page #2 is missing with probate referee's signature. **Need same.**
3. **Need** bank/investment statements verifying date of death balances **and** final ending balance per Local Rule 20-908.
4. Statutory fees of **\$17,842.10**, each, requested by administrator and attorney. Calculated.
5. Petitioner requests reserve of **\$2,000**. *Note: if approved, need informal account for reserves per new Local Rule 20-911 prior to filing ex parte petition for final discharge.*
6. Petitioner is the sole beneficiary as trustee and waives final account.
7. Notice was given.
8. Proposed order submitted 03/02/18; however, form is of poor quality. JTD

RECOMMENDATION:

Need to clear notes #2-3 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **04/10/19**.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701116

CASE NAME: MTR OF GLORIA FERRO

HEARING:

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

COUNSEL:

THOMAS PAUL FERRO (PET)...JEANNE KENNEDY
GLORIA FERRO (DEC)...

GENERAL INFORMATION

Continued from 12/20/17 for possible objections to this petition. Counsel come to agreement that Thomas Paul Ferro is appointed Special Administrator who may list and sell the property with proceeds to be placed into Jeanne Kennedy trust account. Counsel to submit order for signature.

Continued from 02/07/18.

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Thomas Ferro (son/executor)

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

1. Will waives bond. Estimated net value of estate is \$300,000, real property only.
2. **No written objections filed as of review on 03/19/18.**
3. ~Proposed form Order: 11/08/17

RECOMMENDATION:

RFA. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **04/17/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701165

CASE NAME: GILBERT GUERRA SR

HEARING:

Petition for Attorney's Fees and for Order Directing Payment to
Court Appointed Counsel

COUNSEL:

MARINA GUERRA

(PET)...OLIVER M RILEY

GILBERT GUERRA SR

(PET/INC)...DONNASUE ORTIZ

GENERAL INFORMATION

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

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

1. Petitioner, Donnasue Smith Ortiz, was appointed Counsel for Gilbert Guerra, Sr, on 12/21/17.
2. Petitioner requests fees of **\$3,193.75** for 9.85 hours at \$375/\$125 per hour for attorney/paralegal services. Itemized. [Petition 03/01/18, LFpgs6-7]. **JTD**
3. Notice was given.
4. ~Proposed Order: 03/01/18

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1701295

CASE NAME: MARTILE K. FLANAGAN

HEARING:

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

COUNSEL:

ANNETTE MONAY WILSON (PET)...LAW OFFICES OF RICHARD SAMUEL
MARTILE K. FLANAGAN (DEC)...
MINOR BENEFICIARY (MIN)...PRO/PER

GENERAL INFORMATION:

Continued from 02/06/18 at request of Counsel to submit proof of subscribing witness. Court appointed Craig Parker as guardian ad litem for minor beneficiary.

THIS CASE IS SET FOR HEARING ON Petition for Letters Testamentary with full authority under IAEA by executrix/granddaughter, Annette Monay Wilson ["Petitioner"].

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

1. Will waives bond. Estimated estate valued at \$663,500. The Court may for good cause require that a bond be given, either before or after issuance of letters. Pr. C. § 8481(b).
2. Proof of publication filed 01/19/18.
3. Notice of Petition to Administer Estate filed 01/17/18 and 01/24/18; however, notice does not indicate request for decedent's will to be admitted for probate at item #4. **Need** corrected notice.
4. Will is not self-proving. **Need** Proof of Subscribing Witness.
5. ~Proposed Form Order/Letters 12/26/17.

RECOMMENDATION:

Need to clear notes #3-4 then Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/12/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lh)

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

DATE: 04/04/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800026

CASE NAME: GEORGE A. LONG JR

HEARING:

Petition for CONFIRMING ASSETS ARE TRUST ASSETS, COMPELLING TRANSFER TO TRUSTEE ETC

COUNSEL:

CYNTHIA DAVIS (PET)...ZUMBRUNN LAW CORPORATION
THE GEORGE ALONG JR. LIVING TRUST (TRU)...

Currently under review by legal research.

(LR)

Notice was given.

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

DATE: 04/04/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

SEE ALSO 9B

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

PENISHA MCFARLAND (PET)...MICHAEL C MADDUX
PECOLIA MCFARLAND (DEC)...
TONYA MICHAELS (PET)...PRO/PER
MICHAEL MICHAELS (OBJ/PET)...MANSOUR LAW GROUP
STATE OF CALIFORNIA FRANCHISE TAX BOARD (PRO/PER)

GENERAL INFORMATION

Letters of Special Administration issued to Penisha McFarland, daughter, on 01/31/17, no bond.

Continued from **03/21/17**. Michael Michaels to retain counsel and file a competing petition. Court amends powers of the Special Administrator and removes the right to evict and removes the power to evict or access bank accounts or sell real property. Bond required \$50,000. Court notifies the Public Administrator of possible appointment. No bond or competing petition filed as of the review of this matter.

Continued from **06/13/17** to be heard with competing petition.

Continued from **09/18/17** for matter to be heard by Judge Welch. Deadline of 11/03/17 for Counsel Maddux to file/serve supplement.

Continued from **11/27/17**. Matter is contested. Parties to attend mediation.

Continued from 01/24/18 and 03/21/18.

THIS CASE IS SET FOR HEARING ON

- Petition 1 Petition for Letters of Administration with full IAEA by **Penisha McFarland, daughter**
- Petition 2 Petition for Letters of Administration with full IAEA by **Tonya and Michael Michaels, niece and nephew-in-law**

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

Petitioner 1 Penisha McFarland, daughter

1. Bond waived by Penisha McFarland (sole heir); Court has discretion to require bond per Pr. C. §8481(b). – **JTD**. General petition shows an estimated estate value of \$303,072, whereas Special petition alleges value unknown. Estate assets include real property. Court ordered \$50,000 bond as Special Administrator on 03/21/17; bond filed.
2. Final Inventory and Appraisal filed 10/10/17 showing all assets are real properties valued at a total of \$785,000.00
3. **Objections filed 03/13/17** by Michael Michaels.
4. **Reply to Objection filed 04/03/17** by Penisha McFarland.
5. **Objections filed 06/06/17** by Tonya Michaels.
6. **Objections and opposition to Penisha's objections (Reply) filed 09/11/17**; however, need verification per Pr.C. § 1021. **JTD**.
7. **Objections to Creditor's Claims and Final Appraisal by Tonya and Michael Michaels filed 11/15/17**; however, need verification and proof of service.
8. ~Proposed form Order: 04/03/17

Petitioner 2 Tonya and Michael Michaels, niece and nephew-in-law

9. Petitioner requests bond of \$50,000. Estate value is currently unknown and will be determined.
10. Section 5a2 is incomplete as to spouse's status. Need verified supplement. **Supp (09/15/17)** does not indicate whether no spouse due to divorce, never married or if spouse is deceased. Need amended verified supplement. **Supp. (11/15/17)** has the same issue as above. **Court may wish to clarify if decedent was ever married or if spouse is deceased. JTD**
11. Notice to Petition to Administer Estate and proof of service filed 06/08/17; however, section 10 is missing the names of the petitioners. Need corrected notice. **Supp (11/15/17) indicates that their names should be in section 10. (See note 12). JTD**
12. Notice of Petition to Administer Estate and proof of service filed on 11/15/17; however, section 3 is missing petitioners' names and section 10 indicates that address and telephone of petitioners are "same as above" when the party information in the caption heading does not publish on the proof of publication. **Need completed notice.**
13. **Objection by Penisha McFarland, special administrator, filed on 06/29/17**; however, need verification by Penisha and proper proof of service of objections.
14. ~Proposed Form Order: 06/06/17

RECOMMENDATION

Matter is contested. Need to clear notes 6-7, 12 & 13 then Court's discretion re bond and remaining notes. If approved, set Accounting/Status Review for **06/12/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh/nb/lh/nb/ww/lh)

Future Hearing: 4/30/18: Motion Re: Summary Judgment

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

DATE: 04/04/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

SEE ALSO 9A

HEARING:

Petition for DETERMINE TITLE TO REAL PROPERTY; OR IN THE ALTERNATIVE
FOR UNJUST ENRICHMENT

COUNSEL:

PENISHA MCFARLAND (PET)...MICHAEL C MADDUX
PECOLIA MCFARLAND (DEC)...
TONYA MICHAELS (PET)...PRO/PER
MICHAEL MICHAELS (OBJ/PET)...MANSOUR LAW GROUP
STATE OF CALIFORNIA FRANCHISE TAX BOARD (PRO/PER)

Currently under review by legal research.

(LR)

Notice:

Need return of served Summons per Pr. C. § 851 as to Respondent, Penisha McFarland.

(nb/ww/lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON DS1000174

CASE NAME: RENEE DUSKO

HEARING:

Accounting Review

COUNSEL:

ELLEN M. PIACENTINI

(CPE)...D M DAVIS

RENEE DUSKO

(CEP/CEE)...SHERRI L KASTILAHN

FRED W JACKSON jr

(PRO/PER)

GENERAL INFORMATION

Continued from 12/12/17 due to nonappearance nor has accounting been filed. Notice given by Judicial Assistant.

Continued from 01/31/18. Counsel to file a waiver along with the Edward Jones statements.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Order Settling Account by Successor Trustee, Fred Jackson, entered 01/14/16; second account now due beginning 10/01/15.
2. No accounting or waiver of account. **Need** same.

RECOMMENDATION:

Inquire status.

(nb/lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1200014

CASE NAME: IN MATTER RE MARGARET CLOSE

HEARING:

Fourth and Final Account and Report of MARTHA WHITE and Petition
for allowance of fees filed.

COUNSEL:

AMY ASHBY	(CPE)...JEANNE E KENNEDY
MARGARET CLOSE	(CEP)...JENNIFER M DANIEL
DIANE D HARKISON	(CPE)...M DANIEL SAYLOR
MARTHA K WHITE	(PET/OBJ)...ROGER VON KAESBORG
CHARLES D CLOSE	(PET)...ROGER VON KAESBORG
HELEN BARNES	(CALDWELL, KENNEDY & PORTER)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for Fees of
Martha White, Conservator

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

1. Accounting period covers: Pre-death: 01/01/16-05/03/17;
Post-death: 05/04/17 to 12/31/17
2. Assets on hand: Pre-death: **\$537,077.40** of which \$231,351.18 is cash, balance in
real property, vehicle, annuities and stock.
Post-death: **\$493,729.82** of which \$228,899.03 is cash, balance in
real property, annuities and stock.
3. Petitioner waives payment for services; however, reserves right to claim payment in
the event accounting is challenged.
4. Bond is currently set at \$386,000.
5. Petitioner requests reserve of **\$1,400** for closing expenses. **JTD**
6. Attorney requests fees of \$8,695 billed at \$375/hour for 23.60 hours and costs of
\$950 for advanced filing fees, for a total of **\$9,645**. Itemized [02/28/16 Accounting
LF p.56-64].
7. Title of real property was held as Joint Tenants between Margaret J. Close, Charles
D. Close, and Martha K. White. An Affidavit of Death of Joint Tenant will be

- recorded upon completion of Conservatorship. A copy of deed is attached [2/28/16 Acct LFP65].
8. Petitioner requests Court to unblock bank accounts and restore accounts to pre-conservatorship ownership status, and for accounts be paid on death as follows:
 - a. Chase Bank savings acct x0030 at **\$93,818.41** to be paid to Charles D Close, Martha K. White, and Jennifer J. Jandaghi in equal shares.
 - b. Union Bank Money Market acct x0225; x5462; x9696, **totaling \$121,276.64** to be restored as joint ownership of conservatee and Martha K. White; paid to Martha K. White.
 9. Petitioner requests an order for distribution of following estate assets to be distributed per terms of will under Pr. C. §13051 and Pr. C. §13100:
 - a. American General Life Insurance annuity x6544 at **\$108,772.41**;
 - b. Prudential Financial account x1034 at **\$2,278.08**;
 - c. Safety deposit contents at **\$219**.
 10. **Need** signed Affidavits regarding will bequests as to Jeremy Close and from Charles D. Close and Helen L. Barnes as residual beneficiaries.
 11. ~Proposed order submitted 03/28/18

RECOMMENDATION:

Need to clear note #10. If approved, set hearing re receipts and final discharge for **04/10/19**.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300006

CASE NAME: SIERRA MARTIN

HEARING:

FIRST Account and Report of MARY MARGARET MARTIN and Petition
for allowance of fees filed.

COUNSEL:

MARY MARGARET MARTIN (CP)...LAW OFFICES OF JOSEPH P FOLEY
SIERRA MARTIN (CTP)...

XREF: CIVVS1105356 MATTER OF SIERRA MARTIN

GENERAL INFORMATION

Continued from 03/30/17 and 05/25/17 for counsel to file supplement re concerns read into
record regarding accounting.

Continued from 07/27/17. **Rose Rosado appointed GAL for conservatee.**

Continued from 09/21/17. Any Settlement funds to be held in attorney client trust account
of Mr. Foley until further order.

Continued from 11/02/17. No appearance by counsel or his client. Citation issued to
Joseph Foley and Mary Margaret Martin.

Continued from 12/14/17 and 02/07/18. Notice to be given by Attorney Rosado.

THIS CASE SET FOR HEARING ON 1st Account Current of Trust and Petition for
discharge of bond by Mary Margaret Martin, paternal grandmother.

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

1. Mary Margaret Martin, paternal grandmother, was appointed limited Conservator of **person only** on 04/03/13. Mary is also Trustee of Special Needs Trust created on 04/15/14 due to an automobile accident.
2. Accounting period 04/15/14 – 03/26/16.
3. Assets on hand \$1,332.97.
4. Petitioner requests exoneration of \$20,000 bond. JTD
5. Disbursements indicate car loan of \$488 and \$2,000 for home equity loan payments [Acct.01/18 LFpg6-7]. Question who owns the vehicle and real property as there are none listed in the property on hand? **Supp 03/27/17: Petitioner states that she owns the vehicle. The SNT is not the lienholder. Court to inquire how these payments fit under "special needs" and why SNT is not the lienholder.**

Supp 07/25: Payments allegedly reimbursements for household expenses and repairs. Court to clarify situation with vehicle.

6. **Need** proof of service of supplement.
7. **Need** report of GAL.
8. **Need** return of citations for Joseph Foley and Mary Martin.
9. No proposed order.

RECOMMENDATION

Need to clear notes 6-8, clarify note 5. If approved, set hearing on the next accounting on **06/28/18** or next Thursday calendar. Accounting to be filed 30 days in advance.

(lc/lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700175

CASE NAME: MTR OF CECILIA FERNANDEZ VERA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ELSA VERA

COUNSEL:

ELSA VERA (CP)...PRO/PER
CECILIA FERNANDEZ VERA (CTP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Elsa Vera (daughter) appointed Conservator of the person on 08/30/17.
2. **Need** Notification of Conservatee's rights per Pr. C. §1830(c).
3. Determination of Conservatee's Appropriate Level of Care and Care Plan filed

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700195

CASE NAME: JOSE LUIS GOMEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of RICARDA GOMEZ

COUNSEL:

RICARDA GOMEZ (PET)...PRO/PER
JOSE LUIS GOMEZ (CTP)...ROSE C ROSADO

GENERAL INFORMATION

Continued from 02/07/18.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Ricarda Gomez, mother, appointed Limited Conservator of the person on 09/13/17.
2. Notification of Conservatee's rights filed.
3. Determination of Conservatee's Appropriate Level of Care.
4. Care Plan filed.

RECOMMENDATION

None.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700356

CASE NAME: JESUS LOPEZ

HEARING:

Hearing Re: AMENDED PET FOR APPOINT OF CONSERVATOR OF PERSON

COUNSEL:

MARIA E REYNOSO	(PET)...PRO/PER
FELIPE LOPEZ	(PET)...PRO/PER
JESUS LOPEZ	(CEE)...MITCHELL I ROTH

GENERAL INFORMATION

Hearing initially set on 11/15/17 continued by Court on 11/06/17.

Continued from 12/18/17. Citation was waived by Court as conservatee was present in Court this date.

Continued from 01/31/18. Notice to be given by Attorney Roth.

THIS CASE SET FOR HEARING ON **AMENDED** Petition [**filed10/11/17**] for Appointment of Limited Conservator person only by Maria Reynoso and Felipe Lopez, parents

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

1. Petitioner seeks all civil rights to be limited. **JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence and access confidential records. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 01/29/18; however, form not dated at signatures. **JTD**
4. Proposed conservatee is developmentally disabled. Counsel Mitchell Roth appointed on 10/05/17. Report of Counsel Roth filed 11/09/17.
5. Proposed conservatee is developmentally disabled. **Need IRC report. Letter from IRC filed 01/23/18 requesting 30-day continuance.**
6. CI report filed 10/27/17.
7. Certificate of Completion of the Conservatorship Training Class for both Maria Reynoso and Felipe Lopez filed.
8. ~Proposed Form Order: 09/29/17

RECOMMENDATION

Need IRC report. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh/ww/lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800005

CASE NAME: CARL RENE RUFFIN

HEARING:
Petition for Appointment of Conservator

COUNSEL:

ROBBIE M TAYLOR (PET)...PRO/PER
CARL RENE RUFFIN (CTP)...ROSE C ROSADO

GENERAL INFORMATION:

Continued from 02/20/18. Sherri Kastiliahn relieved as counsel of record for Carl Ruffin. Attorney Rose C. Rosado appointed for Carl Ruffin.

THIS CASE IS SET FOR HEARING ON Petition for Limited Conservatorship, person only, by friend, Robbie M. Taylor ["Petitioner"].

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

1. No bond – person only.
2. Proposed limited conservatee's civil and legal rights are not to be limited without a court order.
3. Petitioners request Pr. C. § 2351.5 powers to secure habilitation or treatment, training, education, medical, psychological services, social and vocational opportunities, authority to fix the residence/dwelling of the proposed limited conservatee; authority to access all confidential records, paper, documents, reports and other information regarding the proposed limited conservatee, including those in the possession of the Regional Center, authority to control the right of the proposed limited conservatee to contract, authority to make and consent to all medical decisions for the proposed limited conservatee.
4. CI Report filed 02/14/18.
5. **Need** Medical Capacity Declaration.
6. Proposed conservatee is developmentally disabled. **Need report by court-appointed attorney, Rose C. Rosado.**
7. **Need** return of Citation.
8. **Need** Inland Regional Center Report.
9. **Need** Certificate of Completion re Conservatorship Class.

10. Note: **Competing petition for limited conservatorship by Gloria Hayden filed 03/14/18. Court to trail to 04/23/18.**
11. ~Proposed Form Order/Letters 01/05/18.

RECOMMENDATION: Court to trail to 04/23/18.

Need to clear notes 5-9. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); including a Determination of Conservatee's Appropriate Level of Care per Pr.C. §2352.5 (form GC-355); and Care Plan per Pr.C. §2352.5.

(nb/lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800054

CASE NAME: ENRIQUE DEJESUS PENALOZA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ENELIDA ROSALES (CP)...PRO/PER
ALEJANDRO PENALOZA (CP)...PRO/PER
ENRIQUE DEJESUS PENALOZA (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Enelida Rosales and Alejandro Penaloza (parents)

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

1. Conservatee's rights are not to be limited without court order. **JTD**
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, and make and consent to medical decisions. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 02/28/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Jennifer Daniel.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. **Need** Court Investigator report.
7. **Need** Certificate of Completion of the Conservatorship Training Class.
8. **Need** return of Citation. Note: proof of service of Citation filed 03/23/18 does not include name of person cited in item #2a. Need completed proof of service.
9. **Need** Notice of Hearing and Proof of Service to all second degree relatives listed in item #11 of petition, and include at least 30 days' notice to Inland Regional Center.
10. ~Proposed Form Order: 02/28/18

RECOMMENDATION

Need to clear notes #4-9. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 04/04/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800054

CASE NAME: ENRIQUE DEJESUS PENALOZA

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

CLAUDIA MCKEE

(CPE)...PRO/PER

COOKIE GILESPIE

(CEE)...SHERRI L KASTILAHN

Temporary Conservatorship—no notes—JTD

Future Hearing: 4/24/18 Petition for Appointment of Conservator

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100827

CASE NAME: ESTATE OF VADIS MALONE SCOTT

HEARING:

Accounting Review

COUNSEL:

PATRICK MCDANIEL

(PET)...THOMAS W DOMINICK

VADIS MALONE SCOTT

(DEC)...

US SPECIALTY INSURANCE COMPANY (TP)...PRO/PER

GENERAL INFORMATION:

Continued from 11/18/15, 06/01/16 and 12/07/16 at request of counsel as property has not yet sold.

Continued from 06/07/17 for property to sell.

Continued from 01/17/18 at request of Counsel for property to be listed.

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration issued to Patrick McDaniel on 1/20/12, \$50,000 bond.
2. Last status report approved 11/19/14.
3. **Need** an accounting or status report.

RECOMMENDATION:

Inquire status.

(sa/lc/lh)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500717

CASE NAME: STEVEN FRANK RAMIREZ SR

SEE ALSO 2A

HEARING:

Petition for Order confirming real property as asset of the
estate of Steven Frank Ramirez Sr

COUNSEL:

JENNEA ALLEN (PET)...HIGGS, FLETCHER & MACK LLP
STEVEN FRANK RAMIREZ SR (DEC)...

Future Hearing: 12/05/18 Accounting Review

Currently under review by legal research.

(LR)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500717

CASE NAME: STEVEN FRANK RAMIREZ SR

SEE ALSO 2

HEARING:

Probate status report filed.

COUNSEL:

JENNEA ALLEN (PET)...HIGGS, FLETCHER & MACK LLP
STEVEN FRANK RAMIREZ SR (DEC)...

GENERAL INFORMATION

Continued from 03/21/18. Oral report given by Attorney Ingold. Court trails matter to be heard with petition to confirm the real property as asset of the estate on 4/4/18.

THIS CASE IS SET FOR HEARING ON Status Report of Jennea Allen

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

1. Petitioner Jennea Allen, was appointed administrator of the estate with full authority on 09/14/15 with \$20,000 bond. Letters were issued 12/03/15.
2. Estate is not in a condition as there is an issue with title to the real property. A petition for order confirming real property as an estate asset is currently pending with this Court.
3. Petitioner requests an additional 12 months to clear title and sell real property.
4. Notice was given.
5. No proposed order submitted.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **12/19/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

Future Hearing: 12/05/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600028

CASE NAME: MTR OF MARTY LANE

HEARING:

PETITION FOR FINAL DISTRIBUTION ON WVR OF Account and Report of
PAUL LANE and Petition for allowance of fees filed.

COUNSEL:

PAUL LANE
MARTY LANE

(PET)...PRO/PER
(DEC)...

GENERAL INFORMATION:

Continued from 09/05/17 and 11/13/17 to clear notes.

Continued from 01/09/18 for Mr. Lane to file a supplement prior to next hearing.

THIS CASE IS SET FOR HEARING ON **AMENDED [12/15/17]** Petition for Final
Distribution upon Waiver of Account and for Fees by Executor, Paul D. Lane ["Petitioner"].

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

1. All beneficiaries waive accounting.
2. Accounting period 12/15/15 to 07/31/17.
3. Assets on Hand \$73,491.56 in cash.
4. Statutory compensation waived per supplement filed 08/28/17 [LF, p.3] and amended account filed 12/15/17 [LF, p. 6].
5. **Petitioner filed supplement on 3/27/18 alleging the following:**
 - a. **Petitioner rented the Apple Valley property from 05/13/16 to 11/07/17 for a maximum 1-year lease. Monthly lease fees were collected by Coldwell Banker which entity acted as the property manager for the asset.**
 - b. **Petitioner Paul lane acquired the real property for \$267,300, which yielded a gain to the estate of \$2,300.**
 - c. **The S-Corp stock shares of Lane Concepts and Maximum Torque Specialists were distributed to petitioner Paul Lane per terms of will on 12/31/16 at the advice of corporation's tax professional.**
 - d. **The three automobiles were distributed to petitioner Paul Lane on 12/23/16 per term of will.**
6. ~Proposed Order 12/15/17

RECOMMENDATION

Court's discretion. If approved, set next hearing for receipts and final discharge for **04/10/19**.

(nb/cs/nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600847

CASE NAME: MTR OF BILL MUZQUIZ

HEARING:

Waiver of Account and Report of TERI JO MUZQUIZ and Petition for allowance of fees filed.

COUNSEL:

TERI JO MUZQUIZ (PET)...ZUMBRUNN LAW CORPORATION
BILL MUZQUIZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Petition for Final Distribution and Fees by Teri Jo Muzquiz, administrator/sole heir

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

1. Assets on hand: \$232,500, consisting of real property, vehicles, and miscellaneous furniture.
2. Attorney requests statutory fees of \$7,645 to be paid outside of estate by administrator as there are no liquid assets. Calculated.
3. Petitioner is the decedent's daughter/ sole heir and waives accounting.
4. No notice is required.
5. ~Proposed order: 01/16/18

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account re reserves for **04/10/19**.

(lh)

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700127

CASE NAME: MTR OF DAVID CARL HOVSEPIAN

SEE ALSO 6 7

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

CANDACE MELTON	(PET)...PRO/PER
DAVID CARL HOVSEPIAN	(DEC)...
MINOR CHILD	(MIN)...PRO/PER
GENEVIEVE RUTH PATTON	(PET)...PRO/PER
VICTORIA HOVSEPIAN	(PET)...KEYSTONE LAW GROUP
CHRISTIE DAVIDSON	(PET/ADM)...HORSPOOL & HORSPOOL

Address: 1614 Davidson Street, Loma Linda, CA

Appraised Value: \$150,000

Reappraisal: **Need reappraisal**

Sale price: \$171,000

First overbid: \$180,050

Deposit: \$17,100

Commission: \$10,260 (6%) to Sierra Realty

Additional bond: \$300,000

Reason for Sale: Necessary to pay debts and administrative expenses

Exposure to Market: A "For Sale" sign was posted on real property; MLS listing

Notice: Notice was given.
Future Hearing: 6/28/18 Accounting Review

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700127

CASE NAME: MTR OF DAVID CARL HOVSEPIAN

SEE ALSO 5 7

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

CANDACE MELTON	(PET)...PRO/PER
DAVID CARL HOVSEPIAN	(DEC)...
MINOR CHILD	(MIN)...E. JOAN NELMS (GAL)
GENEVIEVE RUTH PATTON	(PET)...PRO/PER
VICTORIA HOVSEPIAN	(PET)...KEYSTONE LAW GROUP
CHRISTIE DAVIDSON	(PET/ADM)...HORSPOOL & HORSPOOL

Address: 1636 Davidson Street, Loma Linda, CA

Appraised Value: \$135,000

Reappraisal: **Need reappraisal**

Sale price: \$151,000

First overbid: \$159,050

Deposit: \$15,100

Commission: \$9,060 (6%) to Sierra Realty

Additional bond: None

Reason for Sale: Necessary to pay debts and administrative expenses

Exposure to Market: A "For Sale" sign was posted on real property; MLS listing

Notice: Notice was given.
Future Hearing: 6/28/18 Accounting Review

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700127

CASE NAME: MTR OF DAVID CARL HOVSEPIAN

SEE ALSO 5 6

HEARING:

Report Sale and Petition for Order Confirming Sale of Real Property.

COUNSEL:

CANDACE MELTON	(PET)...PRO/PER
DAVID CARL HOVSEPIAN	(DEC)...
MINOR CHILD	(MIN)...PRO/PER
GENEVIEVE RUTH PATTON	(PET)...PRO/PER
VICTORIA HOVSEPIAN	(PET)...KEYSTONE LAW GROUP
CHRISTIE DAVIDSON	(PET/ADM)...HORSPOOL & HORSPOOL

Address: 24841 E. Third Street aka 1103 E. Third Street, San Bernardino, CA

Appraised Value: \$150,000

Reappraisal: **Need reappraisal**

Sale price: \$151,000

First overbid: \$159,050

Deposit: \$15,100

Commission: \$9,060 (6%) to Sierra Realty

Additional bond: None.

Reason for Sale: Necessary to pay debts and administrative expenses

Exposure to Market: A "For Sale" sign was posted on real property; MLS listing

Notice: Notice was given.
Future Hearing: 6/28/18 Accounting Review

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700939

CASE NAME: BETTY LOU FRIEDMAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

ANTHONY D WILLIAMS (PET)...PRO/PER
BETTY LOU FRIEDMAN (DEC)...

GENERAL INFORMATION

Continued form 01/17/18 at request of the Court for power of attorney and property deed supplement to be filed.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Anthony Williams, Kathleen Parnell, and Linda Lee Dee (issue)

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

1. Petitioner seeks 100% interest, 33.33% each; in decedent's 100% interest; in real property per intestate succession.
2. **Supp filed 02/13/18 with copy of deed, power of attorney and death certificate attached. JTD**
3. **Supp filed 03/27/18 includes a copy of Ownership History Report; Claim for Reassessment Exclusion.**
4. ~Proposed Form Order: 09/28/17

RECOMMENDATION

Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701179

CASE NAME: JAMES ALVIN HARRIS

HEARING:

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

COUNSEL:

JASON ANTHONY HARRIS (PET)...PRO/PER
JAMES ALVIN HARRIS (DEC)...

GENERAL INFORMATION:

Continued from 01/03/18 to clear probate notes. Notice to be given by Mr. Harris.

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

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

1. All heirs waive bond. Estimated value of estate is \$542,000, consisting of \$335,000 in personal property and \$207,000 in real property. The court may for good cause require that a bond be given, either before or after issuance of letters (Prob. Code, § 8481(b)).
2. **Need** Notice of Petition to Administer Estate.
3. ~Proposed form Order: 11/22/17

RECOMMENDATION:

Need to clear note #2 then Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/12/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701189

CASE NAME: THE FAMILY TRUST OF RUSSELL MORSE

HEARING:

Petition for Instruction to appoint Trustee

COUNSEL:

DEANNA MORSE (PET)...GAUDY LAW, INC
THE FAMILY TRUST OF RUSSELL MOORSE (TRU)...

Currently under review by Legal Research.
(LR)

Notice:

Notice of hearing and proof of service filed 01/05/18; however, only 5 days' notice given. Need proper service to include at least 30 days' notice to Deanna Morse in her individual capacity and Russell Morse.

(nb/lh)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 04/04/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701247

CASE NAME: MATTER OF LYLE WAYNE FEASTER

HEARING:

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

COUNSEL:

SUMMER OCEAN (PET)...CHRISTOPHER JAMES MURTAGH
LYLE WAYNE FEASTER (DEC)...

GENERAL INFORMATION

/Continued from 01/17/18 at request of Counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Summer Ocean (daughter/sole heir)

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

1. Petitioner is sole heir and waives bond. The court may for good cause require that a bond be given, either before or after issuance of letters (Prob. Code, § 8481(b)).
2. Petition is incomplete at item #3 regarding character of property and estimated value of assets. **Need** verified supplement.
3. ~Proposed form Order: 12/08/17

RECOMMENDATION:

Need to clear note#2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **06/12/19**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules.

(lh)

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

DATE: 04/04/18 TIME: 8:35 DEPT: S37P

CASE#: SPR SS04008

CASE NAME: ESTATE OF BOBBY P. MAC LACHLAN

SEE ALSO 13

HEARING:

SIXTEENTH Account and Report of DOROTHY N. KINSEY and Petition
for allowance of fees filed.

COUNSEL:

DOROTHY N. KINSEY (PET/TEE)...HORSPPOOL & HORSPPOOL
BOBBY P. MAC LACHLAN (DEC)...

XREF: SPRSS57143 *MTTR OF DONNELL FRANK MACLACHLAN TRUST*

GENERAL INFORMATION

Continued from 11/14/17. Trust document filed in Court. Court approves attorney fee request in the amount of \$1,545.50. Hearing continued at request of Court to clear probate notes/file verified supplement. Court reserves issue of removing trust from Court jurisdiction and on issue of bond.

Continued from 01/24/18 at request of Court. Court ordered Counsel to prepare points and authorities allowing removal of Court jurisdiction.

THIS CASE IS SET FOR HEARING ON Sixteenth Account Current; Petition for Fees and Petition to Remove Trust from Continuing Court Jurisdiction by Trustee, Dorothy Kinsey ["Petitioner"]. [Pr. C. §§17500(5), 17350 et seq.]

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

1. Accounting period 01/01/16 to 12/31/16.
2. Assets on Hand \$253,538.15 consisting of \$8,748.67 in cash and remaining in annuities and certificate of deposit.
3. No bond.
4. Petitioner requests compensation of \$2,000.00 as trustee fees. Need verified supplement with computation as to how the fee amount is determined and itemization of same. **Supp 11/20/17 alleges requested fee is reasonable as trustee has routinely been approved compensation in the amount of \$2,000 calculated based on .7% percent of trust estate. JTD**
5. Attorney requests fees of \$1,540.50 billed at \$395/hour for 3.9 hours attorney time. Itemized [LF, p. 27].

6. Petitioner requests that the Court grant an order removing the Trust from continuing court jurisdiction due to the size of the trust; and indicates all current and remainder beneficiaries have consented to the removal of the Trust from continuing court jurisdiction. Waivers affixed [LF, pgs. 28-31]. **Need points and authorities in support of request to remove Court's jurisdiction.**
7. ~Proposed Order 11/20/17

RECOMMENDATION:

Need to clear note #6. Court's discretion re: fees, bond and trust termination. If approved, set hearing re next Accounting Review for **03/01/18**. Account to be filed 30 days' in advance of hearing.

(nb/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 8:35 DEPT: S37P

CASE#: SPR SS57143

CASE NAME: MTTR OF DONNELL FRANK MACLACHLAN TRUST

SEE ALSO 12

HEARING:

TWENTY-SEVENTH Account and Report of DOROTHY KINSEY and Petition for allowance of fees filed.

COUNSEL:

DONNELL FRANK MACLACHLAN (DEC)...
BOBBY P. MAC LACHLAN (CEP)...ROBERT C CHANDLER
DOROTHY KINSEY (CPE/STE)...HORSPOOL & HORSPO
DONNELL FRANK MACLACHLAN TESTA (TRU)...

XREF: SPRSS04008 ESTATE OF BOBBY P. MAC LACHLAN

GENERAL INFORMATION

Continued from 11/14/17. Trust document filed in Court. Court approves attorney fees in the amount of \$1,817. Hearing continued at request of Court to clear probate notes/file verified supplement. Court reserves on the issue of removing trust from Court supervision and requiring a bond.

Continued from 01/24/18 at request of Court. Court ordered Counsel to file points and authorities allowing removal of Court jurisdiction.

THIS CASE IS SET FOR HEARING ON Twenty-Seventh Account Current; Petition for Fees; and Petition to Remove Trust from Continuing Court Jurisdiction by Successor Trustee, Dorothy Kinsey ["Petitioner"]. [Pr. C. §§17500(5), 17350 et seq.]

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

1. Accounting period 01/01/16 – 12/31/16.
2. Assets on Hand \$291,738.24 consisting of \$1,258.17 in cash and remaining in annuities.
3. **Prayer does not request trust to be removed from continuing court jurisdiction. Supp 11/20/17 prayer, item 5 prays for all other and further orders the Court deems necessary. Thus, is request that the Court also issue its Order that Trust be removed as requested in proposed Order. JTD.**
4. Petitioner requests compensation of \$2,000.00 as trustee fees. Not itemized; need computation as to how the fee amount is determined and itemization of same. **Supp**

11/20/17 alleges requested fee is reasonable as trustee has routinely been approved compensation in the amount of \$2,000 calculated based on .6% percent of trust estate. JTD

5. Attorney requests fees of \$1,817.00 for 4.60 attorney hours at \$395/hour. Itemized [LF p. 25]. JTD
6. Petitioner requests that the Court grant an order removing the Trust from continuing court jurisdiction due to the size of the trust; and indicates all current and remainder beneficiaries have consented to the removal of the Trust from continuing court jurisdiction. Waivers affixed [LF, pgs. 28-31]. **Need points and authorities in support of request to remove Court's jurisdiction.**
7. Proposed Order 11/20/17 total assets on hand are miscalculated and do not match accounting.

RECOMMENDATION:

Need to clear note #6 then Court's discretion. If approved, set hearing re: next Accounting Review for **03/01/18**. Account to be filed 30 days' in advance of hearing.

(nb/lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: BC BS00032

CASE NAME: IN THE CONSERVATORSHIP OF MARK STOTT

HEARING:

Hearing re Final Discharge

COUNSEL:

MARK DAVIDS STOTT	(CEP/CEE)...MITCHELL I ROTH
LINDA M LINGREN	(PLA/CPE)...CALDWELL, KENNEDY & PORTER, A.
LAWRENCE ALF	(PET)...PRO/PER
PUBLIC GUARDIAN	(CPE)...COUNTY COUNSEL
DAVID SPASOJEVICH	(SC/CPE)...ROBERTA L. TAYLOR & ASSOCIATES
CARMELA SPASOJEVICH	(SC/CPE)...ROBERTA L. TAYLOR & ASSOCIATES
JAMES M. OWEN	(SC)...PRO/PER

GENERAL INFORMATION

Continued from 01/24/18 at request of Counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Ex Parte Petition for Final Discharge and Order submitted 03/28/18. Item #1 reflects 1/30/17 as the date entry of final Order; however, the order on 2nd and final account was entered on **08/16/17**. **Need corrected form with proper date of final order in item #1.**

RECOMMENDATION

Inquire status.

(lh)

Future Hearing: 2/09/19 Accounting Review

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1200043

CASE NAME: MTR OF PAUL RICHARD BRISTOW JR

HEARING:

Fourth Account and Report of JAIMEE A KINER and Petition for allowance of fees filed.

COUNSEL:

JAIMEE A KINER (CPE)...CALDWELL, KENNEDY & PORTER
PAUL RICHARD BRISTOW JR (CEP)...

GENERAL INFORMATION

Continued from 01/24/18. Court ordered a supplement to be filed describing why monies were reimbursed to trustee. Court ordered a bond in the amount of \$33,000 to be filed. **On 02/28/18,** Court vacated its order for \$33,000 bond and requires no bond be filed. Need amended Order for conservatorship of the person signed.

THIS CASE IS SET FOR HEARING ON 4th Account Current of SNT and Petition for Fees of Jaimee Kiner, Trustee.

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

1. Accounting period covers 11/01/16 to 10/31/17. Note: accounting period lapses one day.
2. Assets on hand \$29,688.32, cash
3. Petitioner waives compensation.
4. Attorney requests fees of **\$3,240** at \$150/300 per hour, for 13.4 hours plus an additional estimated 3 hours to give notice, prepare order, and attend hearing for paralegal and attorney services. Itemized. [Acct, 12/06/17, LFpg18/19].
5. Petitioner requests reimbursement of expenses totaling \$2,950 for conservatee's clothing, spending money, and entertainment. Itemized [Supp.02/28/18, LFpg11].
JTD
6. **CI Report filed 02/22/18.**
7. Notice is complete.
8. Proposed Order 12/06/17 assets on hand do not match accounting. Need corrected Order.

RECOMMENDATION:

Court's discretion. If approved, set hearing re next Accounting Review re SNT for **01/06/19 (if one year) or 01/05/20 (if two years)**.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400227

CASE NAME: Presciliano E. Castillo

HEARING:
Accounting Review

COUNSEL:
MARIA D CASTILLO (PCR)...PRO/PER
PRESCILIANO E CASTILLO (PCE)...DUANE P BOOTH

Waiver of Court Fees and Costs filed by MARIA D CASTILLO is GRANTED

GENERAL INFORMATION

Continued from 01/24/18. No appearance. Maria Castillo and/or Counsel are ordered to appear at next hearing date if accounting is not filed. Notice given by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Accounting Review re Maria Castillo

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

1. Order to Dispense with First Account entered 11/24/15 for period ending 10/16/15.
2. Second Account Current or Waiver of Accounting now due.

RECOMMENDATION

Inquire status.
(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600138

CASE NAME: SARAH M CLARK

SEE ALSO 18 19

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of JOSHUA EUGENE CLARK

COUNSEL:

JOSHUA EUGENE CLARK (CPE)...PRO/PER
SARAH M CLARK (CEE)...

XREF: CIVDS1700978 CLARK VS HORDYNSKI

GENERAL INFORMATION

Continued from 08/30/17 at request of Counsel due to Civil Court trial set for 04/30/18.

THIS CASE SET FOR HEARING ON Compliance Review/Accounting Review

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

1. Joshua Clark, spouse, appointed conservator of the person and estate on 01/25/17, no bond.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 02/27/17.
3. Notification of Conservatee's rights filed on 01/30/17.
4. Partial Inventory and Appraisal filed 04/17/17. **Need final Inventory & Appraisal per Pr.C.§2610. Supp. 08/09/17** by GAL it appears final I&A cannot be completed until disposition of litigation in x-ref matter. Note: **Notice of Settlement of Entire Action filed 03/08/18 in related Civil matter.**
5. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C. §2610.
6. As the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313. **Supp 08/09/17 by GAL, property has been listed for sale; however, no offers made so far.**
7. **Need Notice of Related Case.**
8. **First account current now due. Need same.**

9. Supplemental report of counsel filed 03/19/18 not in LF at time of review.

RECOMMENDATION

Need to clear notes 4-8.

(ww/lc/lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600138

CASE NAME: SARAH M CLARK

SEE ALSO 17 19

HEARING:

Hearing Re: Status of Civil Action

COUNSEL:

JOSHUA EUGENE CLARK (CPE)...PRO/PER

SARAH M CLARK (CEE)...

Waiver of Court Fees and Costs filed by SARAH M CLARK is GRANTED

XREF: CIVDS1700978 CLARK VS HORDYNSKI

Status—no notes—JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600138

CASE NAME: SARAH M CLARK

SEE ALSO 17 18

HEARING:

Accounting Review

COUNSEL:

JOSHUA EUGENE CLARK (CPE)...PRO/PER

SARAH M CLARK (CEE)...

Waiver of Court Fees and Costs filed by SARAH M CLARK is GRANTED

XREF: CIVDS1700978 CLARK VS HORDYNSKI

See notes on prior matter #17.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700458

CASE NAME: MTR OF ANDREW JOSEPH GARCIA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

LAURA GARCIA (CP)...PRO/PER
ANDREW JOSEPH GARCIA (CTP)...JENNIFER M DANIEL

GENERAL INFORMATION

Continued from 01/24/18 at request of Court for probate notes to be cleared. Court determined Zaraiah (13) has been served and that Sarisa is 8 years old. Attorney Jennifer M. Daniel appointed for Andrew Joseph Garcia. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Laura Garcia, daughter

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

1. Petitioner seeks medical powers. Capacity Declaration filed 12/15/17; however, caption is incomplete at item B purpose of form as to whether proposed conservatee has capacity to give medical consent; item #4 as to whether proposed conservatee is a patient; and item #6 evaluation of mental functions. **Need completed form.**
2. **Need report of appointed Counsel, Jennifer M. Daniel.**
3. Proof of Completion of Conservatorship Training Class filed 01/22/18.
4. CI report filed 01/10/18.
5. Return of Citation filed 01/03/18.
6. ~Proposed Form Order: 12/15/17

RECOMMENDATION

Need to clear note #1-2. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5 (lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800057

CASE NAME: MTR OR CHRISTOPHER MENDOZA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

RUTH AVINA	(CP)...PRO/PER
ROBERTO MENDOZA	(CP)...PRO/PER
CHRISTOPHER MENDOZA	(CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Ruth Avina and Roberto Mendoza, parents

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

1. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, consent/withhold consent to marriage, limit right to contract, control social/sexual contacts, and make decisions re education. **JTD**
2. Petitioner seeks to limit all of conservatee's civil rights described in note #1. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 03/02/18.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report. **Letter from IRC filed 03/27/18 requests 30- day continuance to complete report. Court may wish to trail to 05/16/18.**
6. **Need** Confidential Screening Form from Robert Mendoza.
7. **Return of citation filed 03/23/18; however, need proper personal service to include at least 15-days' notice.**
8. **Proof of Service of Notice filed 03/23/18; however, need proper mailed service to include at least 15-days' notice.**
9. Proof of Completion of the Conservatorship Training Class filed 03/09/18.
10. Court Investigator report filed 03/26/18.
11. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-8. If approved, set hearing for Compliance Review for **11/07/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

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

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: VC VS00251

CASE NAME: MTR OF LORENA SARAI BENITEZ

HEARING:

Petition for attorney's fees for compensation for services rendered to etc

COUNSEL:

ANGEL L BENITEZ	(PET)...BEATRICE L LAWSON
BERTHA A BENITEZ	(PET)...BEATRICE L LAWSON
LORENA SARAI BENITEZ	(CEP)...DONNASUE ORTIZ
PUBLIC GUARDIAN	(TC/CPE)...COUNTY COUNSEL
GWENDOLYN BENITEZ	(MIN)...CALDWELL, KENNEDY & PORTER, A.
ROBERT C. BENITEZ JR	(SC/OBJ)...PRO/PER
ROBERT C. BENITEZ	(CPE)...PRO/PER
VIOLETA TOPETE	(CPE)...LAMB MORRIS & LOBELLO
ROBERTA L TAYLOR	(PET)...ROBERTA L TAYLOR
JEANNE KENNEDY	(PET)...JEANNE E KENNEDY
ROBERT BENITEZ IRREVOCABLE TRUST (TRU)	...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees and for Order Relieving Counsel by Jeanne Kennedy

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

1. Petitioner, Jeanne Kennedy was appointed Counsel for Gwendolyn Benitez (former minor) on 02/05/14.
2. Petitioner requests fees of **\$3,093.75** for 12.75 hours at \$300/\$250/\$150 per hour for attorney/paralegal services for period 03/20/15 to date. Itemized. [Petition,02/28/18, LFpgs6-7]. **JTD**
3. Notice was given.
4. ~Proposed Order: 02/28/18

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 12/03/18 Accounting Review

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

ELDER ABUSE

DATE: 04/04/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800029

CASE NAME: BOLD S V WILLIAMS

HEARING:

Hearing Re: DEPENDENT ADULT RESTRAINING ORDER.

COUNSEL:

DORIS BOLD S

(PP)...PRO/PER

MAKAI WILLIAMS

(RP)...PRO/PER

Notice given. Response by Respondent Makai Williams filed 03/27/18.

(lh)

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY **MISC.**

DATE: 04/04/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600438

CASE NAME: JUDITH DEE CUSHMAN YEAR 2010 LIVING TRUST

SEE ALSO 25

HEARING:

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

COUNSEL:

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

GENERAL INFORMATION

Continued from 01/31/18 and 03/22/18. 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
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 04/04/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600438

CASE NAME: JUDITH DEE CUSHMAN YEAR 2010 LIVING TRUST

SEE ALSO 24

HEARING:

Hearing Re: Default Prove-Up

COUNSEL:

JUDITH DEE CUSHMAN YEAR 2010 L (TRU)...

JULIE D CORDARO

(PET)...SCOTT GROSSMAN

See notes on prior matter #24.