



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/03/18

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.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

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

COUNSEL:

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

No notes – JTD

Future Hearing: 05/07/18 Jury Trial S32

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: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200522

CASE NAME: RICHARD W PROUTY

HEARING:

Hearing re Final Discharge

COUNSEL:

RICHARD PROUTY	(PET)...GREGORY PAUL BENTON
RICHARD PROUTY III	(PET)...GREGORY PAUL BENTON
RICHARD W PROUTY	(DEC)...
RICHARD W PROUTY II	(PET)...GREGORY PAUL BENTON

GENERAL INFORMATION

OSC set on 06/01/17 and continued from **08/17/17. No appearance.** Prior to matter being called, Gregory Benton's office called the department and left a message that Counsel would be in Los Angeles and was requesting second call. Court continued hearing to 09/14/17 and indicates Court may impose surcharge of \$1,000 payable to the Estate if Gregory Benton fails to appear promptly at next hearing.

Continued from **09/14/17. OSC taken off calendar.**

Continued from 11/02/17 for receipts and remaining documents.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final distribution of Richard Prouty II approved on 10/28/15. Order stated estate to remain open until disposition of the real property in Arizona is completed.
2. **Need** receipt from Lachael Prouty for personal property.
3. **Need** proof of transfer of Arizona property to the ancillary probate.
4. **Need** Ex Parte Petition for Final Discharge and Order.
5. Due Diligence Declaration filed 08/01/17 re Richard Prouty. **Citation not served.**

RECOMMENDATION

Inquire status of receipts and order.

(lc/lh/lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300641
CASE NAME: Katherine Irene Mckee
HEARING: Hearing re Final Discharge

COUNSEL:

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

GENERAL INFORMATION

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

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

Continued from 03/01/18. Court will only accept declaration under penalty and perjury from William McKee regarding funds which receipts will not be provided. OSC vacated.

THIS CASE SET FOR HEARING ON Final Discharge.

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

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

RECOMMENDATION

Inquire status of receipts and discharge.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500530

CASE NAME: RICHARD ERIK GAVARRETE

SEE ALSO 5

HEARING: Hearing Re: OSC RE SURCHARGE ON GIOVANA GAVARETTE OF \$3,500

COUNSEL:

DONNA J THAYER	(PRO/PER
GIOVANA V GAVARETTE	(PET)...RONALD Z BERKI
RICHARD ERIK GAVARETTE	(DEC)...
ROBERTA E. MARTINEZ	(OBJ)...PRO/PER

GENERAL INFORMATION

Continued from 01/19/17. Attorney Ronald Berki to personally appear.

OSC set on 03/30/17 when there was no appearance. Telephonic message received from Counsel Berki indicating he was ill.

Continued from 05/11/17. OSC re contempt taken off calendar. Giovana Gavarette to be present at next hearing.

OSC set on 06/15/17. Court ordered Giovana Gavarette and Counsel Berki to personally appear. Court set re surcharge of \$1,750.

OSC continued from 08/03/17. Ronald Berki and his client ordered to appear. Sanctions will be imposed of \$1,750 each if no appearance.

OSC Continued from 11/02/17 and 01/04/18. OSC re Surcharge off and reset for \$3,500. If Giovana fails to appear, surcharge will be imposed. Accounting and Inventory and Appraisal to be filed by 04/05/18. Accounting to be set same day if filed timely.

THIS CASE SET FOR HEARING ON OSC re Surcharge of \$3,500 on G. Gavarette/Accounting review/Status.

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

1. Letters of Administration issued to Giovana Gavarette, mother, on 01/12/16; full authority, \$200,000 bond.
2. Partial Inventory and Appraisal filed 04/20/18.
 - a. **Need** final Inventory and Appraisal.
 - b. **Need** personal property items [truck, misc. property] appraised by probate referee and listed on attachment 2.
 - c. **Need** bank statements to support date of death cash balances per local rule 20-908.

3. **Need** accounting or status report.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-3. Clerk to notice bonding company.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500530

CASE NAME: RICHARD ERIK GAVARRETE

SEE ALSO 4

HEARING:

Accounting Review by ***

COUNSEL:

DONNA J THAYER	(PRO/PER
GIOVANA V GAVARETTE	(PET)...RONALD Z BERKI
RICHARD ERIK GAVARETTE	(DEC)...
ROBERTA E. MARTINEZ	(OBJ)...PRO/PER

See notes on matter 4.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501012

Vacated

CASE NAME: CLARISE JD FOREMAN

HEARING:

Hearing re Final Discharge

COUNSEL:

CLARISE JD FOREMAN

(DEC)...

NOREEN T FONTAINE

(TP)...PRO/PER

ROYAL J FOREMAN

(PET)...PRO/PER

Final discharge filed 03/19/18.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600241

CASE NAME: MTR OF ROBERT G MURRAY

HEARING: First and Final Account and Report of ROBYN L MURRAY and
Petition for allowance of fees filed.

COUNSEL:

ROBERT G MURRAY (DEC)...
ROBYN L MURRAY (PET)...ROBERT W CANNON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of Fees by Robyn Murray, spouse.

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

1. Assets on hand \$9,716.55; 122.8 shares Frontier Communication Stock
2. Executor waives statutory compensation.
3. Counsel seeks statutory fees of \$6,662.95. Ok.
4. Executor has elected to probate the community property in this proceeding.
Decedent and executor signed an agreement regarding separate property
transmuting into community [03/08LFpg13-15]. Executor alleges the only remaining
assets not transferred to Trust is separate property known as Frontier
Communications Stock.
5. Executor transferred all community property into the trust; however, it appears has
elected to probate the same community property. **Need** verified supplement further
clarifying the authority to transfer \$354,197.59 in assets to the trust and seek fees
for same assets that were subject to this administration.
6. Proposed order submitted 03/08/18; however, actual assets on hand are not stated,
nor is the devisee. Submit order after hearing.

RECOMMENDATION

Need to clear note 5. If approved, set hearing on the filing of receipts and final discharge
for **05/09/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601002

CASE NAME: KAYE L. FREEMAN

HEARING:

Accounting Review by ***

COUNSEL:

KAYE L FREEMAN (DEC)...
MIGUELA M FREEMAN (PET)...JAMES B CHURCH

XREF: PROPS1601001 (Kyle L Freeman trust)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Miguela Freeman, spouse, on 02/23/17; full authority, no bond.
2. Final Inventory and Appraisal filed 12/26/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601223

CASE NAME: MTR OF MICHAEL YOUNG AN

HEARING:

Probate status report filed.

COUNSEL:

MICHAEL YOUNG AN (DEC)...
THOMAS R HUNT,CORPORATE COUNSE(PET)...SHEPPARD MULLIN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of **special administration** issued to City of Marion Indiana on 12/15/16; special powers, no bond. General petition does not appear to have been filed or granted. Court may wish to set matter on calendar for proper publication, IAEA powers etc. JTD
2. Special Administrator alleges there are no assets subject to administration and no relatives have expressed interest to serve as administrator. There is ongoing litigation in Illinois. Therefore, the estate is not in a position to close.
3. Notice filed 03/08/18; however, **need** notice per Pr. C. § 12201(b) advising the recipients of the right to petition for an account.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Need proper notice.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601232

CASE NAME: Mary Clouser

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.0008

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

Address	15590 Halinor St. Hesperia. APN 0397-115-19
Appraised value	\$190,000.00 08/31/17.
Sale price	\$205,000.00
First overbid	\$215,750.00
Deposit	\$2,000, insufficient. Deposit of 10% is required absent special circumstances per local rule 20-807(a). Supplement filed 04/26/18; however, image not available for review at time of second check in LF or open access on 04/30/18. Clerk's office notified.
Commission	5% split equally between Lonestar Real Estate and Realty One
Additional bond	\$145,000; posted 09/19/17.
Reason for sale	Debts and is advantage to the estate.
Exposure to market	MLS (Multiple listing service), marketing and advertising.
Notice	Need notice of hearing and proof of service including to buyers and agents. ~Proposed form order: 03/09/18.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700083

CASE NAME: PATRICIA ANNETTE REDFERN

SEE ALSO 10B

HEARING:

Hearing Re: OSC RE DISMISSAL OF PETITION BY SUZETTE WHITE

COUNSEL:

PATRICIA ANNETTE REDFERN	(DEC)...
STEVEN REDFERN	(PET)...PRO/PER
SUZETTE A WHITE	(PET)...PRO/PER
SUZETTE A WHITE	(TP)...PRO/PER

GENERAL INFORMATION

OSC set on 04/05/18 when Suzette White could not appear. Suzette to be personally present or petition will be dismissed.

THIS CASE SET FOR HEARING ON **OSC re Dismissal on** Petition for Removal of Administrator Steven Redfern Pr.C. § 8502(b)(c)(d) by Suzette White, daughter.

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

1. Letters of Administration issued to Steven Redfern, spouse, on 09/05/17; full authority \$65,000 bond.
2. Petitioner, Suzette, seeks removal of Steven on the basis that Steven allegedly has not complied with noticing creditors, specifically County Controller's Office for debt of \$371.59, a debt for HSN, impound fees of \$736.25. Additionally, cemetery plots valued at \$6,200 are allegedly not listed in Inventory and Appraisal.
3. Proof of citation per Pr.C. § 8500(b) filed 04/04/18.
4. **Objection filed by Steven Redfern on 03/26/18.**
5. No proposed order submitted.

RECOMMENDATION

Court's discretion re OSC. Matter is contested.

(lc)

Future hearing: 10/09/18 Accounting review

Superior Court of Calif, County of San Bernardino

Page: 10B ADD ON

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700083

CASE NAME: PATRICIA ANNETTE REDFERN

SEE ALSO 10A

HEARING:

Petition for remove Steven Redfern as the Administrator of the
Estate of Patricia Annette Redfern

COUNSEL:

PATRICIA ANNETTE REDFERN	(DEC)...
STEVEN REDFERN	(PET)...PRO/PER
SUZETTE A WHITE	(PET)...PRO/PER
SUZETTE A WHITE	(TP)...PRO/PER

See notes on matter 10A.

(lc)

Future hearing 10/09/18 Accounting review

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700633
CASE NAME: BRENDA JOYCE JOHNSON
HEARING: FIRST AND FINAL Account and Report of MICHAEL MOORE and Petition
for allowance of fees filed.

COUNSEL:

BRENDA JOYCE JOHNSON (DEC)...
MICHAEL MOORE (PET)...MICHAEL C MADDUX

Request for Waiver of Court Fees and Costs filed by MICHAEL MOORE is GRANTED Fee waiver amount
due \$1851.50

GENERAL INFORMATION

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

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

1. Assets on hand \$17,000.67 in cash.
2. Administrator and counsel seek statutory fees of \$5,050 each. Ok.
3. Counsel seeks extraordinary fees of \$3,025 for 11 hours at \$325 per hour. [Acct. 03/12LFpg6-7]. JTD
4. Probate Referee will be paid \$225.
5. Counsel allegedly advanced \$5,000 in distribution to petitioner so heirs could vacate real property and relocate. Counsel does not seek reimbursement.
6. Administrator withdrew an additional \$7,500 to assist heirs in the relocation. It appears distribution was to Markel, Jermain and Tyana Moore who do not appear to be intestate heirs. A personal representative **may only preliminary distribute personal property per Pr.C. § 10520; if it is** pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. **There is no will.** Question under what authority executor had to give estate funds to non-instate heirs with no apparent payback provision? **Need** verified supplement with plan for payback to estate and amended distribution to **actual intestate heirs. Supp 04/23/18:** Counsel allegedly discovered withdrawals after executor made them and counsel will have executor appear with further explanation as executor's brother's children are **not intestate heirs** unless they are children of a predeceased children/Joe or Kenny Moore. **There is no Markel, Jermain or Tyanna listed in original petition as to relationship to decedent.**

7. **Need** verified supplement indicating where the additional \$1,000 and whether distribution should now be offset. **Supp 04/23/18:** Administrator appears to have used for his own relocation. **Need** proper distribution offsets.
8. **Need** notice of hearing and proof of service to Victim's Compensation Board.
9. Proposed order submitted 03/12/18; however, not preapproved due to distribution notes. Submit order after hearing.

RECOMMENDATION

Need to clear notes 7-8 and court to address note 6. If approved, set hearing on the filing of receipts and final discharge for **05/09/19**

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800301
CASE NAME: MTR OF ELMER E HUBATKA
HEARING: Hearing re: Petition for Probate, Letters of Testamentary With Full Authority Under IAEA..

COUNSEL:

ELMER E HUBATKA (DEC)...
JEFFREY S HUBATKA (PET)... BRADLEY N. ETTER
SANDRA-KAYE BROWER (PET)... BRADLEY N. ETTER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of **Lost Will**, Letters Testamentary with Full Authority under IAEA by Jeffrey Hubstka and Sandra-Kave Brower, children.

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

1. Will waives bond. Net estate value is \$283,597.44 in personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. Section 5 is incomplete as to issue of predeceased child and section 8 does not list relationships of heirs; however, the will appears to clarify all are surviving children.
3. The original will is apparently lost. Declaration attached indicating that after revisions, Nationwide Legal allegedly lost the will [PetLFpg16]. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **JTD**
4. The will conditionally incorporates decedent's Trust. **Need** a certification of trust that meets the requirements in Pr.C.§18100.5 and additionally includes a list of Trust beneficiaries for notice purposes. Does Court also wish to require a copy of decedent's Trust? **JTD**
5. **Need** proof of publication.
6. **Need** Duties form.
7. **Need** Notice to Petition to Administer Estate and proof of service.
8. ~Proposed Form Order: 04/03/18.

RECOMMENDATION

Need to clear notes 4-7, Court's discretion re bond and declaration re lost will. If approved, set Accounting/Status Review for **07/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908. (lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07201

CASE NAME: ESTATE OF JANET FUZAK

SEE ALSO 13

HEARING: Hearing Re: SECOND AND FINAL ACCOUNT OF ARTHUR W FUZAK

COUNSEL:

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

Continued many times **since 8/9/10**.

Last continued from **09/30/15** request of counsel to clear notes. Court deemed 3rd and final to be a supplement to the 2nd and final. 2nd and 3rd accountings to be consolidated into an amended 2nd and Final accounting. Verified supplement to be filed.

Continued from **12/10/15, 02/23/16, 04/26/16, 09/20/16 and 11/29/16**. No appearance. Court orders Carol Gillam to be present at next hearing personally.

Continued from **02/14/17**. Court deems that no administration of the Lake Arrowhead property is necessary. Counsel indicates that Cathleen Lynch is petitioning to be appointed as successor administrator as Arthur Fuzak is deceased.

Continued from **03/28/17** at request of counsel.

Continued from 08/01/17. Counsel states that she faxed filed a petition on behalf of Roger Lynch to become successor administrator on this case; register of actions does not reflect this information. Court appoints Patrick Wright as the new probate referee on this case. Counsel to prepare and file corrected inventory & appraisal. Nothing new filed.

Continued from 03/01/18.

THIS CASE IS SET FOR HEARING ON **Amended [07/14/16] 2nd & final** account and petition for fees and final distribution of Arthur W. Fuzak.

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

1. All beneficiaries waive accounting.
2. **Need** notice of hearing and proof of service for amended accounting.
3. Corrected Inventory and Appraisal reflecting total aggregate assets of \$561,847 is not affixed as alleged. **Need** same.
4. Accounting period 09/09/09 to 11/15/11.
5. Total charges and total credits on Summary of Account [LF, p. 23] do not balance by a difference of \$4,481.19. Petitioner requests the Court to consider the discrepancy between the total credits and charges, de minimis as attorneys are

waiving the remainder of their statutory fees of \$2,727.33 and are not seeking any further fees. Also, the Petitioner is waiving the graduated filing fee of \$65 for which the personal representative is entitled to reimbursement. JTD.

6. Assets on Hand \$27,250 consisting of personal property.
7. Petitioner waives compensation per supplement filed 10/12/12.
8. Attorney requests statutory compensation of \$14,236.94 based on the corrected inventory and appraisal value. Calculated. However, as \$11,509.61 has already been paid, as approved by prior Court order, a balance of \$2,727.33 is owed. Attorneys waive remaining owed statutory compensation to help correct any imbalance of total credits on the Summary of Account.
9. Petitioner asserts his right to a 50% community property share of the Lake Arrowhead property per Pr. C. § 13500, pursuant to Paragraph 7 of Decedent's codicil dated 09/17/02; alleges subject property is not part of Decedent's estate; thus, Petitioner took sole ownership of the Lake Arrowhead Property. Court may determine that no administration of the Lake Arrowhead property is necessary or issue an order to confirm the delivery of that property to Petitioner, the surviving spouse. Pr. C. § 13656.
10. Petitioner alleges that decedent's Will and Codicil left certain cash gifts to beneficiaries, all of whom have waived such gifts. Waivers are on file.
11. Petition indicates Plains Exploration and Oil Company will transfer the gas and oil interest as well as the royalty checks once to Craig Fuzak once the Final Distribution Order is signed.
12. Submit Order after Hearing.

RECOMMENDATION:

Need to clear notes 2-3, then Court's discretion. If approved, set hearing on the filing of receipts (for both preliminary and final distributions) and final discharge for **05/09/19**.

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

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

DATE: 05/03/18 TIME: 8:30 DEPT: S35P

CASE#: SPR SS07201

CASE NAME: ESTATE OF JANET FUZAK

SEE ALSO 12

HEARING: Petition for LETTERS OF ADMINISTRATION

COUNSEL:

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

GENERAL INFORMATION

Continued from 03/01/18.

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

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

1. Letters of Administration with Will Annexed issued to Arthur Fuzak, spouse, on 03/26/17; full authority no bond. Arthur passed away leaving a vacancy as personal representative.
2. Petitioner does not state his relationship to decedent; however, original petition indicates Roger is son-in-law.
3. All beneficiaries waive bond; **need** bond waivers as to petitioner Roger on mandatory judicial council form by all beneficiaries that were not granted preliminary distribution on 10/27/09. Net estate value is \$600,000 of which \$200,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
 - a. **Need** verified supplement and/or all bond waivers as there appears to be 10 beneficiaries listed.
4. ~Proposed Form Order: 01/31/18.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **07/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 05/03/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701032

CASE NAME: RODRIGUEZ DYNASTY TRUST DATED JULY 7,1989

HEARING:

Petition for INSTRUCTIONS

COUNSEL:

ISABELLE REINHARDT

(PET)...M DANIEL SAYLOR

RODRIGUEZ DYNASTY TRUST DATED (TRU)...

Currently under review by legal research.

30 days' notice filed 03/21/18.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 05/03/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0700302

CASE NAME: JOHN L. MILLER

HEARING: First Account and Report of LAWRENCE A DEAN II and Petition for allowance of fees filed.

COUNSEL:

ANNE L. CHAVIS	(PCR)...PRO/PER
JOHN D. MICKUS	(CPE)...JOHN D MICKUS
JOHN L. MILLER	(PCE)...JACK B. OSBORN
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN
MARK J ANDREW FLORY	(PET)...MARK J. ANDREW FLORY

GENERAL INFORMATION

Continued from 03/15/18 and 04/05/18. Fees approved of \$3,384.30 and distribution of same.

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of fees for Successor Conservator Larry Dean, PPF.

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

1. Accounting period 09/21/16 – 09/30/17.
2. Assets on hand \$211,333.67 of which \$24,351.37 is cash.
3. Conservator seeks fees of \$3,384.30 for 30.47 hours at \$65/125 per hour. [Acct.01/31LFpg16-19]. Approved 04/05/18.
4. Counsel seeks fees of \$6,527.50 for 18.65 hours at \$350 per hour. [Acct.01/31LFpg20-22]. JTD
5. **Supp 04/19/18:** Beginning balance of accounting now states \$217,221.88 does not match any ending balances of prior Conservator John Mickus accountings
 - a. [5th accts \$214,483.66 approved 09/20/16, \$220,842.00 filed 01/09/17 or **amended 6th Account \$19,050.56**]. It is still unclear where balance derived from as prior Conservator filed several 5th accountings and only receipt filed by Larry Dean of \$16,654.77 doesn't match any balances.
 - b. Orders for John Mickus do not appear clear; however, John Mickus was discharged on 09/08/17.
 - c. **Need** reconciliation/explanation.
6. Current bond of \$300,000 appears sufficient.
7. ~Proposed Order: 04/19/18.

RECOMMENDATION

Need to clear note 5. If approved, set hearing on the next accounting review for **01/17/19** (if one year) or **01/16/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

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

DATE: 05/03/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700251

CASE NAME: MTR OF ETHAN WAYNE CHAVEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of RONALD EDWARD CHAVEZ

COUNSEL:

CALEB L CHAVEZ	(CPE)...PRO/PER
ETHAN WAYNE CHAVEZ	(CEP)...
JENNIFER LYNNE CHAVEZ	(CPE)...PRO/PER
RONALD EDWARD CHAVEZ	(CPE)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Ronald, Jennifer and Caleb Chavez; parents and brother, appointed conservator of the **person only** on 09/28/17.
2. Notification of Conservatee's rights filed 11/07/17. **Need** to complete mailed service on 2nd degree relatives with copy of order [section 5 of proof of service] Pr.C. §§ 1830(c),1821(b).
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 11/07/17.

RECOMMENDATION

Need to clear note 2.

(lc)

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

DATE: 05/03/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700302

CASE NAME: JASON BRIAN MOSLEY
HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of BRIGIT MOSLEY

COUNSEL:

BRIGIT MOSLEY (CP)...
JASON BRIAN MOSLEY (CTP)...
ODELL MOSLEY (CP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Brigit and Odell Mosley, parents, appointed conservator of the person on 09/28/17 and estate powers on 03/15/18, no bond.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 **filed 04/19/18**; however, no image available for review in LF or Open Access on 04/30/18 at second check. Clerk's office notified.
3. Care Plan **filed 04/19/18**; however, no image available for review in LF or Open Access on 04/30/18 at second check. Clerk's office notified.
4. **Need** proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
5. **Need** final Inventory & Appraisal per Pr.C.§2610.
6. **Need** proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. **If** 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.

RECOMMENDATION

Need to clear notes 4-7.

(lc)

Future Hearing: 05/23/19 *Accounting Review*.

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

DATE: 05/03/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800092

CASE NAME: MTR OF NOAH MEDLIN

HEARING: Petition for Appointment of Conservator

COUNSEL:

DEREK MEDLIN (CP)...SHEELA A STARK
LAURIE SUE MEDLIN (CP)...SHEELA A STARK
NOAH MEDLIN (CTP)...

GENERAL INFORMATION

Melvin Friedland appointed counsel on 04/02/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Laurie and Derek Medlin, parents

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 03/21/18.
4. Proposed conservatee is developmentally disabled. **Need** report of Counsel Friedland.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. Certificate of Completion of the Conservatorship Training Class filed 04/13/18 re Laurie. **Need** proof for father Derek.
7. Citation returned served.
8. Court Investigator report filed 04/26/18.
9. ~Proposed Form Order: 03/20/18

RECOMMENDATION

Need to clear notes 4-6. If approved, set hearing for Compliance Review for **12/06/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 9:30 DEPT: S35P

CASE#: SC SS00581

CASE NAME: IN THE MATTER OF WILLIAM HOWARD HADLEY

HEARING:

Petition for Appointment of Conservator

COUNSEL:

GEORGE DEMARCO	(CE)...BRYAN C. HARTNELL
GEORGE DEMARCO	(CEP)...BRYAN C. HARTNELL
GEORGE DEMARCO	(CP)...HARTNELL LAW GROUP
LAWRENCE DEMARCO	(CPE)...HARTNELL LAW GROUP
LAWRENCE DEMARCO	(CPE)...PRO/PER
LENITA A SKORETZ	(PET)...LENITA A SKORETZ
WILLIAM HOWARD HADLEY	(CEP)...

See confidential notes in J drive

(lc)

Future Hearing: 04/09/19 *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 **TRUSTS AND MOTIONS**

DATE: 05/03/18 TIME: 9:35 DEPT: S35P

CASE#: CON PS1600371

See Also 19A

CASE NAME: MTR OF DARNEL FIDEL MEJIA

HEARING:

Petition for SUBSTITUTED JUDGMENT TO CREATE AND FUND IRREVOCABLE
SPECIAL NEEDS TRUST ETC

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...

SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

Currently under review by legal research.

Notice filed 04/04/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 9:35 DEPT: S35P

CASE#: CON PS1600371

See Also 19

CASE NAME: MTR OF DARNEL FIDEL MEJIA

HEARING:

Accounting review

COUNSEL:

DARNEL FIDEL MEJIA (CEP)...
SYLVAN P MEJIA (CPE)...MEGAN I BRAUN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON accounting review.

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

1. Sylvan Mejia, paternal uncle, appointed **limited** conservator of the person and estate on 03/30/17, no bond.
2. Partial and final Inventory and Appraisal filed. Assets consist of \$473,552.23. Petition for substituted judgment filed 02/20/18.
3. **Need** accounting.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: CIP DS1700072

CASE NAME: IN RE JOEY LOPEZ

HEARING:

Hearing Re: Proof of purchase of insurance policy

COUNSEL:

JOEY LOPEZ	(MIN)...BALABAN & SPIELBERGER, LLP
LUPE LOPEZ	(PET)...BALABAN & SPIELBERGER, LLP
ROBERT SCHNIEDERS	(PET)...RODNUSKY & ASSOCIATES

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Proof of Purchase of Insurance Policy.

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

1. Matter set on 002/08/18 when Court granted authority to purchase Vehicle; however, requires the trustee to purchase an umbrella insurance policy with a minimum limit of \$1M.
2. **Need** proof of Insurance Policy.

RECOMMENDATION

Inquire status.

(lc)

Future Hearing: 11/13/18 *Accounting Review*.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000818

CASE NAME: MTR OF JOAN A TORBETT

HEARING: Hearing re Final Discharge

COUNSEL:

JOAN A TORBETT

(DEC)...

LINDA S GAXIOLA

(PET)...HARTNELL LAW GROUP

X-REF: PROPS 1700021 (*Scott Torbett*)

GENERAL INFORMATION:

Continued from 4/14/14, 5/19/14, 7/7/14, 8/18/14, 9/29/14, 11/20/14, 12/17/14, 2/2/15, 4/6/1, 5/7/15, 07/08/15, 09/08/15, 10/13/15 and 11/17/15. Court orders that the beneficiaries that have received disbursements from this estate are to be present in court on 11/17/15 if receipts have not been turned over to counsel. Court orders that Linda Gaxiola is to be personally present in court on 11/17/15 if probate notes are not cleared. Court indicates there will be no further continuances.

Continued from **1/11/16**. Court ordered Linda Gaxiola to be present at next hearing.

Continued from **01/25/16**. The Court Orders this case to trail and advises that the surcharge shall be ordered in effect if the Petitioner/Administrator Linda S Gaxiola is not present at the next hearing.

Continued from **02/02/16** at request of counsel. Matter is continued to 04/05/16; court orders Linda Gaxiola to be present at next hearing date. Counsel to file accounting as to "Scott's share."

Continued from **06/14/16**. Linda Gaxiola to be personally present.

Continued from 08/22/16, 10/31/16, 11/07/16, 02/06/17, 04/10/17, 07/31/17, 11/07/17 and 03/15/18. Amended waiver of account order signed on 11/07/17.

THIS CASE IS SET FOR HEARING ON Final Discharge

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

1. Final Distribution approved 4/11/13.
2. Petitioner alleges that the heirs, Scott Torbett and Lindy Torbett, disclaimed their interest in the discovered and probated assets. Amended order approved on 11/07/17.
3. The 4/11/13 Order for Final Distribution indicates 50/50% distribution to Lindy Torbett and Scott Torbett. Receipt filed 11/18/15 indicates Lindy has received her

50%, that Scott is deceased, and that Lindy has collected Scott's 50% per a Pr.C.§13100 affidavit. As amended order is approved on 11/07/17; Scott's share now falls under the \$150,000 limit.

4. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b). **Rejected for lack of receipts on 3/24/15 and 12/09/15.**
5. **Supplement filed 08/22/16** with attachments, ie...copy of will [LF, p. 7]; and cash disbursement schedules [LF, p.14]; alleges that at the time of death of Scott Torbet, the only asset not “distributed” by a recorded document was the Amanda Street property and should the Court want that asset distributed by a Court proceeding, Lindy Torbett will execute a new receipt specifically acknowledging receipt of his half of the property; assign his interest in the Estate to Petitioner; and a new Inventory would be filed alleging the ½ interest to be distributed by a Petition to Determine Succession. Petitioner states that on the other hand, the Court could, given all of the facts, accept this Declaration and the Declaration of Lindy Torbett and grant the Ex-Parte Petition for Final Discharge and Order. JTD.

RECOMMENDATION:

Need discharge order and court to inquire re note 5.

(sa/nb/ds/sa/gls/lc/sa/nb/lc/ds/nb/lc/nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS0800464

CASE NAME: THELMA E. LARKIN

HEARING:

Accounting Review by ***

COUNSEL:

BILLY GRAHAM EVANGELISTIC ASSO	(TP)...
THELMA E. LARKIN	(DEC)...
WILLIAM F STAPLETON	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

Continued from 02/22/18 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Testamentary issued to William Stapleton, stranger, on 05/04/09; full authority, no bond.
2. Previous status report approved on 02/14/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400604

CASE NAME: Edward Vezirian

HEARING:

Accounting Review by ***

COUNSEL:

EDWARD VEZIRIAN (DEC)...
NANCY GEORGE (PET)...HORSPPOOL & HORSPPOOL

GENERAL INFORMATION

Continued from 02/22/18 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration WWA issued to Nancy George on 12/13/16; limited authority, no bond.
2. Final Inventory and Appraisal filed 08/15/16 & 05/16/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600654

CASE NAME: MTR OF JULIA A VALDEZ

HEARING:

Accounting Review by ***

COUNSEL:

JULIA A VALDEZ (DEC)...
MARIE ANNETTE LORENZEN (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Marie Lorenzen, daughter, on 02/23/17; full authority, no bond.
2. Final Inventory and Appraisal filed 07/12/17.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1601225

CASE NAME: WILLIAM CARROLL WHITE

HEARING:

Accounting Review by ***

COUNSEL:

PAMELA D MARIENFELDT (PET)...DENNIS J HEALEY
WILLIAM CARROLL WHITE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration WWA issued to Pamela Marienfeldt, daughter, on 02/23/17; full authority, no bond.
2. Final Inventory and Appraisal filed 04/26/17; however, section 5 is incomplete as to tax certificate. **Need** tax certificate.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800265

CASE NAME: DOROTHY C LORENZEN

HEARING:

Petition for Probate of Lost Will and for Letters Testamentary
with Full Auth to Administer IAEA

COUNSEL:

DOROTHY C LORENZEN (DEC)...
MAUREEN SHEILA HELD (PET)...HEDTKE LAW GROUP

GENERAL INFORMATION

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

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

1. The original will is apparently lost. Petitioner states [LFpg6] the will was allegedly lost due to relocating to a new residence. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. §6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **JTD** if statement is sufficient.
2. Will waives bond. Net estate value is \$386,190 in real property.
3. Proof of publication filed 04/26/18; however, does not appear to indicate IAEA authority sought as original notice did not include this box checked. Proof of publication is partially illegible. **Need** corrected publication of notice.
4. ~Proposed Form Order: 03/20/18.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **07/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 05/03/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300060

Vacated

CASE NAME: DORIS M. CARROLL

HEARING: FIRST Account and Report of LOWETA CARROLL and Petition for allowance of fees filed.

COUNSEL:

DORIS M CARROLL

(CEP)...

LOWETA CARROLL

(CPE)...PRO/PER

LOWETA CARROLL

(PET)...KEITH S WALKER

Future hearing dates: 06/18/18 Motion to be Relieved as counsel by Keith Walker

06/18/18 1st Account of Loweta Carroll

06/18/18 Petition for Attorney's Fees.

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

DATE: 05/03/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500259

CASE NAME: BROOK GREEN

HEARING:

Petition for atty fees from trustee of the Brook Ann Green
Special Needs trust

COUNSEL:

BARBARA EISENBEISZ	(PET)...JAMES B CHURCH
BARBARA EISENBEISZ	(PET)...PRO/PER
BROOK GREEN	(CEE)...
BROOK GREEN	(PCE)...MELVIN FRIEDLAND
SANDY TURNER	(PET)...

XREF: PROPS1400404 (*Ronald Harvey Green*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by James Church.

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

1. James Church, was prior counsel for conservator. Petitioner assisted conservator with preparation of creation of SNT.
2. Counsel seeks fees of \$28,590 for 118.60 hours at \$150/375 per hour. Itemized [LFpg 10-28].
3. Counsel seeks reimbursement of costs totaling \$2,446.
4. SNT appears to only consist of a deposit of \$39,606.35.
5. ~Proposed order: 03/21/18.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing: 10/23/18 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300769

CASE NAME: Mary S Lazar

SEE ALSO 2

HEARING:

Petition for Termination of proceedings & discharge

COUNSEL:

MARY S LAZAR

(DEC)...

SHAIKH M. AHMED

(PET)...NOREEN T FONTAINE

XREF: PROPS1200798 (*Mary S Lazar trust*)

CIVDS1312004 (*Sarfaraz-v-Lazar*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Proceedings and discharge of Personal Representative Pr.C. § 12251 by Shaikh Ahmed.

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

1. Letters Testamentary issued to Shaikh Ahmed on 06/07/14, \$20,000 bond.
2. Executor seeks termination on the basis that no assets have come to the estate.
3. Pr.C. § 12251(c) allows discharge; however, it appears petitioner may concurrently submit an exparte petition for final discharge.
4. Final Inventory and Appraisal filed; \$0 assets.
5. ~Proposed order 03/20/18.

RECOMMENDATION

Court's discretion.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1300769

Vacated

CASE NAME: Mary S Lazar

SEE ALSO 1

HEARING:

Accounting Review by ***

COUNSEL:

MARY S LAZAR

(DEC)...

SHAIKH M. AHMED

(PET)...NOREEN T FONTAINE

XREF: PROPS1200798 (Mary S Lazar trust)

CIVDS1312004 (Sarfaraz-v-Lazar)

See notes on matter 1.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400017

See also 3A

CASE NAME: William Robert Becker, Jr
HEARING: Petition for termination of proceedings & administration of the estate

COUNSEL:

BRANDON BECKER	(PET)...KENNETH L EGANS
LAURA JEAN O'NEAL	(PET)...PRO/PER
MONICA SONIA LANE-BECKER	(PET)...JASON L GAUDY
WILLIAM ROBERT BECKER JR	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Proceedings and discharge of Personal Representative Pr.C. § 12251 by Monica Lane-Becker, spouse.

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

1. Letters Testamentary issued to Monica Lane-Becker, spouse on 12/03/15; full authority no bond.
2. Executor seeks termination on the basis petition is filed per court's request. Settlement approved on the record on 08/28/15 whereas all the assets were transferred. There was no signed agreement; however, settlement was allegedly carried out with exception of small items. **[see next matter]**
3. The final Inventory and Appraisal filed 05/26/17 indicated \$408,100 in assets which this estate would not qualify for termination per Pr.C. § 12251. Final waiver of account set back on calendar **[see next matter]**.
4. No proposed order submitted.

RECOMMENDATION

Court may wish to deny petition. **See next matter.**

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400017

See also 3

CASE NAME: William Robert Becker, Jr

HEARING: FIRST AND FINAL Account and Report of MONICA SONIA LANE-BECKER and Petition for allowance of fees filed.

COUNSEL:

MONICA SONIA LANE-BECKER	(PET)...JASON L GAUDY
WILLIAM ROBERT BECKER Jr	(DEC)...
LAURA JEAN O'NEAL	(PET)...PRO/PER
BRANDON BECKER	(PET)...KENNETH L EGANS

GENERAL INFORMATION:

Continued from 12/27/17 Court notes settlement agreement has not been filed. Ms. Hayashi reports that small items, for example a piggy bank, have not been given to her client as agreed in settlement. The court orders that a petition to terminate as this is a no asset estate should be filed.

Matter set back on calendar on court's own motion as is not an actual no asset estate per Pr.C. § 12251.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by Monica Lane-Becker spouse.

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

1. Assets on hand: \$0
2. Petitioner and attorney waive statutory compensation and/or extraordinary fees.
3. Court to inquire re small items missing stated at 12/27/17 hearing.
4. **Need** waivers of account [Pr.C. § 10954] for beneficiaries Brandon Becker, Jonathan O'neal (may be filed within stip and order).
5. Brandon Becker, decedent's son, and Laura Jean O'Neal, decedent's sister, filed a will contest and objected to petition. A settlement was reached in which Brandon Becker kept all vehicles and tools, and well as a lump sum payment of \$17,000 upon transfer of real property to petitioner, which would constitute his entire inheritance. Court approved settlement on 08/28/15, and terms were read onto the record. Settlement approved on the record on 08/28/15 whereas all the assets were transferred. There was no signed agreement; however, settlement was allegedly carried out with exception of small items. **Need stip and order by beneficiaries.**
6. No proposed order submitted.

RECOMMENDATION:

Need to clear notes 4-5. If approved, court to set hearing on filing of receipts and final discharge for **05/09/19**.

(lh/cs/lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400379

CASE NAME: THOI VAN PHAM **MF**

HEARING:

Probate status report filed.

COUNSEL:

CITY OF REDLANDS	(PET)...SILVER & WRIGHT LLP
JOHN PHAM	()...
MIKE PHAM	()...
NANCY ROCCHINO	(DEF)...
RUTH L HENDRICKS	(WARD & WARD
RUTH L HENRICKS	(PET)...GEORGE S THEIOS
RUTH L HENRICKS	(PET)...TREVOR D MARTIN
THOI VAN PHAM	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 3rd Status Report.

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

1. Letters of administration WWA issued to Ruth Henricks on 06/24/14; full authority.
2. Administrator seeks an additional year to close the estate in order to sell the real property and handle the liens and assessments.
3. ~Proposed Order: 03/20/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400898

CASE NAME: MATTHEW ANDREW CLAYPOOL

HEARING:

Accounting Review by ***

COUNSEL:

MATTHEW ANDREW CLAYPOOL

(DEC)...

MICAH CLAYPOOL

(PET)...JACK B OSBORN

GENERAL INFORMATION

Continued from 02/15/18.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Micha Claypool, nephew, on 12/02/15; full authority, no bond.
2. Final Inventory and Appraisal filed 06/15/15.
3. Previous status report approved on 11/08/17.
4. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500197

CASE NAME: CHRISTOPHER E. JONES

SEE ALSO 7

HEARING: Hearing Re: FIRST AND FINAL accounting

COUNSEL:

CHRISTOPHER E JONES (DEC)...
PATRICIA VAN OSTERHOUDT (PET)... DANIEL HANOUM
ROBIN E. ROBLE (PET)...DAVID S PAWLOWSKI, ESQ

GENERAL INFORMATION:

Continued from 01/09/17. Petitioner reports supplemental declaration has been filed, however it has not been processed by the court. Petitioner advised notice needs to be given and parties need to be served with all filings in this matter. Should petitioner fail to file and serve appropriate pleadings, the Court will consider appointing the Public Administrator in this matter. Matter approved on 04/03/17; however, on 10/26/17 court ordered the final distribution order stricken. Counsel Daniel Hanoum to prepare order from 10/26/17 hearing re motion to set aside.

Continued from 02/22/18.

THIS CASE IS SET FOR HEARING ON **Amended [01/06/17]** First and Final Account and Petition for Fees.

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

1. Assets on Hand 05/07/14 to 06/30/16.
2. Assets on Hand \$254,210.48 consisting of \$71,512.95 in cash and remaining in real and personal property.
3. Petitioner requests lessor statutory compensation in the amount of \$5,000. Calculated. JTD.
4. Petitioner requests authority to withhold \$2,500 for closing expenses.
5. 05/05/17 order stricken per 10/26/17 minute order.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for receipts and final discharge for **05/09/19.**

(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500197

CASE NAME: CHRISTOPHER E. JONES

SEE ALSO 6

HEARING: Petition for REMOVAL OF PERSONAL REPRESENTATIVE FOR
CAUSE; AND OBJECTION TO FIRST AND FINAL ACCOUNT ETC

COUNSEL:

CHRISTOPHER E JONES (DEC)...
PATRICIA VAN OSTERHOUDT (PET)... DANIEL HANOUM
ROBIN E. ROBLE (PET)...DAVID S PAWLOWSKI, ESQ

GENERAL INFORMATION

Continued from 08/08/17 to trail motion and 10/26/17 for discovery.

Continued from 02/22/18. Response received/request mediation. Mediation ordered per stip of parties. No appearance at 04/18/18 M.S.C.

THIS CASE SET FOR HEARING ON Petition for Removal of Personal representative for Cause and Objection to Final Account by Patricia Van Osterboudt, beneficiary Pr.C. § 8500.

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

1. Petitioner Patricia Van Osterboudt, seeks removal of personal representative Robin Roble. Petitioner objected to the final accounting on 04/03/17.
2. Petitioner alleges that personal representative has failed to fully inventory all assets, account, reimburse or treat beneficiaries impartially. Personal representative has allegedly breached her fiduciary duty owed to all beneficiaries. The decedent's Chase bank account and Bank of America Safety Deposit Box were reportedly not included, which total alleged approximate total of \$103,600.
3. Petitioner further alleges she advanced substantial personal funds on behalf of the estate in order to pay creditors and to maintain status quo of assets.
4. Citation mailed per Pr.C. § 8500(b).
5. **Objection filed by Robin Roble on 02/16/18.**

RECOMMENDATION

Matter is contested. Court may wish to set for evidentiary hearing.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600080

CASE NAME: MTR OF BARBARA ANN BLACKMUR

HEARING:

Accounting Review by ***

COUNSEL:

BARBARA ANN BLACKMUR (DEC)...
STEVEN L BLACKMUR (PET)...PRO/PER

GENERAL INFORMATION

Continued from 07/27/17. No appearance. Steven Blackmur ordered to appear if accounting not filed.

Continued from 10/12/17 for home repairs/property to be listed for sale. Final Inventory and Appraisal to be filed by 12/31/17.

Continued from 02/15/18. No appearance. Steven Blackmur to be present if accounting not filed.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Steven Blackmur, son, on 06/03/16; full authority, no bond.
2. Final Inventory and Appraisal filed 03/02/18.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.
(lc/lh/lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800008
CASE NAME: BOBBIE J SWANSON (**Master File**)
HEARING: Hearing re: Petition for Letters of Admin. W/ Full Authority
under IAEA.

COUNSEL:

BOBBIE J SWANSON (DEC)...
CATHERINE L. MATCHAM (PET)...PRO/PER

GENERAL INFORMATION

Continued from 02/15/18 for republication. **Consolidated with PROPS1700769;**
PROPS1800008 deemed master.

Letters of Special Administration issued 03/28/18, limited powers and may not borrow
against or sell real property without court order.

**Letters of Special Administration reissued with powers to speak to lienholder in
efforts to stay foreclosure, refinance or short sale.**

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

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

1. Letters of administration issued to petitioner on 12/27/17 under consolidated case
PROPS1700769, limited authority. However, letters **do not state limited authority,**
but rather full authority. Clerk's office notified on 02/06/18 and 04/17/18 to
reissue corrected letters.
2. It appears **this** petition was filed in order to seek **full authority.**
3. Petitioner is sole heir and waives bond. Net estate value is negative equity in real
property of -\$30,000. Court for good cause could require bond per Pr.C. § 8481(b).
4. Proof of publication was filed in related case **PROPS1700769;** copy provided
02/07/18. IAEA authority in notice/publication does not differentiate whether limited
or full. **Publication satisfied.**
5. ~Proposed Form Order: 01/04/18.

RECOMMENDATION

Court's discretion re bond. Accounting review appears to have already been set for
03/06/19 as letters previously issued.

(lc)

Future hearing dates: 03/06/19 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: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800027

CASE NAME: MTR OF ELVIRA RODRIGUEZ

HEARING:

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

COUNSEL:

CECILIA PATRICIA OROZCO (PET)...SCHOMER LAW GROUP, APC
ELVIRA RODRIGUEZ (DEC)...

GENERAL INFORMATION

Continued from 02/15/18 to clear notes.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Cecilia Orozco, niece.

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

1. Petitioner seeks \$554,400 bond. Ok.
2. Petitioner does not list herself as an heir, **need** verified supplement indicating whether petitioner is an heir. Additionally, explaining who parents were of the remaining heirs.
3. Proof of publication filed 03/16/18; however, not available at time of review on 04/03/18. Clerk's office notified.
4. ~Proposed Form Order: 01/11/18.

RECOMMENDATION

Need to clear note 2, \$554,400 bond. If approved, set Accounting/Status Review for **07/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800268

CASE NAME: CHRISTINE WILLIAMS MIDDLETON

HEARING:

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

COUNSEL:

CHRISTINE WILLIAMS MIDDLETON	(DEC)...
RONALD WILLIAMS	(PET)...RICHARD F NEVINS
ROOSEVELT WILLIAMS JR	(PET)...RICHARD F NEVINS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with **Limited** authority under IAEA by Roosevelt Jr. & Ronald Williams, sons for Roosevelt.

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

1. Petitioners are sole heirs and waive bond. Net estate value is \$300,000 in real property. Only limited authority is sought.
2. ~Proposed Form Order: 03/20/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **07/11/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 05/03/18 TIME: 8:30 DEPT: S37P

CASE#: TRU PS1800059

CASE NAME: THE JANE T MATIASH REVOCABLE LIVING TRUST

HEARING:

Petition for Verified, for Order Determining Trust's Title to
Real Property (Heggstad Petition)

COUNSEL:

SUZANNE MARIE MATIASH (PET)...PRICE LAW FIRM APC
THE JANE T MATIASH REVOCABLE L (TRU)...

Currently under review by legal research.

Notice filed 04/03/18; however, insufficient as follows. Further notice and
acknowledgements **filed 04/23/18**; however, images not available in LF or Open Access at
time of second check on 04/30/18. Clerk's office notified.

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

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

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800019

CASE NAME: GREGORY S. WILSON SPECIAL NEEDS TRUST

HEARING:

Petition for INSTRUCTION TO THE SUCCESSOR TRUSTEE OF AN
IRREVOCABLE TRUST

COUNSEL:

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

Currently under review by legal research.

(LR)

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

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500167

CASE NAME: RANDY LEE BRIGGS

HEARING: Interim Second Account and Report of LEE ANN HITCHMAN, BRUCE HITCHMAN and Petition for allowance of fees filed.

COUNSEL:

BRUCE HITCHMAN

(PET)...WILLIAM M NASSAR

E JOAN NELMS

(PET)...PRO/PER

LEE ANN HITCHMAN

(PET)...WILLIAM M NASSAR

RANDY LEE BRIGGS

(CEP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON 2nd Interim Account and Petition for Conservator and Trustee Fees by Lee Ann and Bruce Hitchman, PPFs Conservators/Trustees.

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

Conservatorship:

1. Accounting period 01/01/17 – 12/31/17.
2. Assets on hand \$0.00 [all known assets were transferred to SNT on 08/10/16].
3. Court to inquire whether conservatorship of estate and \$517,000 is still necessary. Conservators are also Conservators of the person.

SNT:

1. Accounting period 01/01/17 – 12/31/17.
2. Assets on Hand \$319,960.87 consisting of \$11,731.17 in cash and remainder in securities and annuity.
3. Current bond fixed at \$432,000. Appears sufficient.
4. Petitioners seek fees of \$9,701 for 76.9 hours at \$90/140 per hour for Conservator and Trustee fees. Itemized [Acct.03/23/18 LFPg58-73].
5. Counsel seeks fees of \$4,374 for 17.8 hours at \$160/375 per hour for paralegal and attorney services. Itemized [Acct.03/23/18 LFPg75-79].
6. Counsel seeks reimbursement of costs advanced of \$640 for filing fee and first legal service fees.
7. ~Proposed order: 04/25/18; however, hearing date stated is 04/12/18. Does court wish to interlineate? JTD

RECOMMENDATION:

Court's discretion re fees. If approved, set hearings for Accounting Review for **02/28/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500359

Vacated

CASE NAME: LUIS CARRANZA RANDALES

HEARING:

Accounting Review by ***

COUNSEL:

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

(lc)

Future hearing dates: 06/04/18 2nd Account Current by Martha Mafud.

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600380

CASE NAME: MTR OF MARK ANDREW LIZARRAGA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MARIA G LIZARRAGA

COUNSEL:

MARCO A LIZARRAGA (CP)...PRO/PER
MARIA G LIZARRAGA (CP)...PRO/PER
MARK ANDREW LIZARRAGA (CTP)...PRO/PER

GENERAL INFORMATION

Continued from 02/15/18.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Maria and Marco Lizarraga, parents, appointed **limited** conservators of the person only on 07/13/17.
2. Notification of Conservatee's rights filed 03/26/18.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan filed 04/17/18.

RECOMMENDATION

None.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16A

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700327

CASE NAME: JORDAN BURNETT-RAY

SEE ALSO 16B

HEARING: Hearing Re: AMENDED PETITION FOR APPOINTMENT OF CONSERVTR

COUNSEL:

JORDAN BURNETT-RAY (CTP)...CRAIG M PARKER
TONYA DENISE RAY (CP)...CRAWFORD & RANSOM APLC

GENERAL INFORMATION

Tonya Denise Ray as Temporary Conservator on 10/11/17. Attorney Craig Parker appointed counsel.

THIS CASE SET FOR HEARING ON **Amended** [03/12/18] Petition for Appointment of **Limited** Conservator person only by Tonya Ray, mother, for herself and Charoletta Ransom, maternal aunt

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioner seeks civil rights not be limited without court order. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 08/28/17.
4. Proposed conservatee is developmentally disabled. IRC report filed 03/26/18.
5. Petitioner seeks authority to apply for and obtain a US Passport for conservatee.
6. Section 1a indicates that petitioner is seeking to appoint herself and maternal aunt Charoletta. Therefore, **need** the following for **Charoletta**.
 - a. **Need** Confidential Screening form.
 - b. **Need** Certificate of Completion of the Conservatorship Training Class.
7. Proposed conservatee is developmentally disabled. Report of Counsel Parker filed 04/03/18.
8. Citation returned served.
9. Court Investigator report filed 10/05/17.
10. No amended proposed order.

RECOMMENDATION

Need to clear note 6. If approved, set hearing for Compliance Review for **12/06/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. §1830(c); Level of Care and Care Plan per Pr.C. §2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16B

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700327

CASE NAME: JORDAN BURNETT-RAY

SEE ALSO 16A

HEARING:

Petition for Appointment of Conservator

COUNSEL:

JORDAN BURNETT-RAY (CTP)...CRAIG M PARKER

TONYA DENISE RAY (CP)...CRAWFORD & RANSOM APLC

See notes on matter 16A

(lc)

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700449

CASE NAME: CAMERON SCOTT

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAMERON SCOTT (CEP)...EDWARD B FISCHEL
KIMBERLY SCOTT (CPE)...WALTER RAYMOND NEWMAN

GENERAL INFORMATION

Continued from 02/15/18. Proposed conservatee appeared. Petitioner withdraws estate power request. IRC to prepare report. Edward Fischel appointed counsel.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person by Kimberly Scott, mother

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

1. Section 11 of petition does not include any grandparents. Court to inquire.
2. ~~Petitioner requests 2590 powers~~ Estate powers no longer sought.
3. Petitioner seeks dementia powers; however, court to clarify whether proposed conservatee is developmentally disabled. Report of Counsel Fischel filed 04/25/18.
4. Petitioner seeks medical powers. Capacity Declaration filed 01/18/18; however, signature is not dated. **Need** dated signature.
5. **Need** IRC report.
6. **Need updated** list of required contacts (Local form SB-12224) to **include all second degree relatives; siblings etc.**
7. **Need** notice of hearing and proof of service, including 30 days' notice to IRC.
8. Court Investigator report filed 02/14/18.
9. Certificate of Completion of the Conservatorship Training Class filed 02/01/18
10. No proposed order.

RECOMMENDATION

Need to clear notes 4-7. If approved, set hearing for Compliance Review for **12/06/18** for the filing of the required documents and hearing re Accounting Review for **07/11/19**. Any accounting to be filed 30 days in advance.

(lc)

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800090

CASE NAME: SALATHIEL ROSS JACKSON

HEARING:

Petition for Appointment of Conservator

COUNSEL:

IRIS JACKSON (CP)...PRO/PER
SALATHIEL ROSS JACKSON (CTP)...PRO/PER

GENERAL INFORMATION

Jeanne Kennedy appointed GAL on 03/22/18. Iris Jackson appointed temporary guardian. Treatment may not be terminated, authorize termination of life support or authorize harvesting of organs pending further order of court. Amended order removing restrictions signed on 03/26/18.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Iris Jackson, mother.

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

1. Proposed conservatee passed away.

RECOMMENDATION

Matter appears to be moot.

(lc)

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: RC RS00270

CASE NAME: JOSE A CARMONA GARCIA

HEARING:
Hearing Re: CONSERVATOR'S FEE REQUEST

COUNSEL:

DIANE D HARKISON	(CE)...M DANIEL SAYLOR
DIANE D HARKISON	(CPE)...M DANIEL SAYLOR
DONNASUE SMITH ORTIZ	(CP)...PRO/PER
DONNASUE SMITH ORTIZ	(PET)...DONNASUE ORTIZ
JOSE A CARMONA GARCIA	(CEP)...DONNASUE ORTIZ
KIRK HOFFMAN	(PET)...M DANIEL SAYLOR
LOURDES SANCHEZ	(PET)...PRO/PER
VIRGINIA VASQUEZ PEREZ	(PCR)...KAMOLA L. GRAY

CCP170.6 filed as to CYNTHIA A LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservator's Fee Request.

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

1. Conservator fees for Diane Harkison denied on 02/15/18 8th and final accounting.
2. Conservator requests fees of \$6,697.75 for 67.2 hours at \$95/120 per hour less \$4,000.00 already taken per court order for a balance of \$2,697.75. Itemized [LF p.18-25]. **Supp 04/25/18:** services Itemized [LFpg5 et seq]
3. **NOTE:** final discharge has not yet been set.

RECOMMENDATION

Court's discretion re note 2. Set hearing on the filing of receipts and final discharge for **02/21/19**.

(lc)

Future Hearing: 08/16/18 Hearing re: *Accounting Review (Successor Kirk Hoffman)*

Superior Court of Calif, County of San Bernardino

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

DATE: 05/03/18 TIME: 9:30 DEPT: S37P

CASE#: EAP PS1800049

CASE NAME: Jaurequi vs Olazadra

HEARING:
Hearing Re: Elder Abuse Restraining Order

COUNSEL:
CHANDRA OLAZABA (RP)...
MARCO JAUREQUI (PP)...LAW OFFICE OF RUSSELL JAUREGUI

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Temporary orders granted on 04/13/18.

Need proof of service for respondent Chandra Olazaba.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 21 ADD ON

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

DATE: 05/03/18 TIME: 2:30 DEPT: S37P

CASE#: PRO PS1700054

CASE NAME: MTR OF THE ANTONINA DARAFEEV LIVING TRUST

SEE ALSO 22

HEARING:

Petition for (Ex Parte) to Compel Interim Trustee to Distribute
Darafeev Properties

COUNSEL:

GEORGE DARAFEEV	(PET)...SUZANNE M REHMANI
MICHAEL DARAFEEV	(OBJ)...RAYMOND G ROBINSON
PAUL DARAFEEV	(PET)...SUZANNE M REHMANI
THE ANTONINA DARAFEEV LIVING T	(TRU)...
W.A. HLAVATY	(PET)...THOMPSON & COLEGATE

Currently under review by legal research.

Notice given

(lc)

Future hearing

05/31/18 Accounting review

Superior Court of Calif, County of San Bernardino

Page: 22 ADD ON

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

DATE: 05/03/18 TIME: 2:30 DEPT: S37P

CASE#: PRO PS1700054

CASE NAME: MTR OF THE ANTONINA DARAFEEV LIVING TRUST

SEE ALSO 21

HEARING:
Mediation Settlement Conference

COUNSEL:

GEORGE DARAFEEV	(PET)...SUZANNE M REHMANI
MICHAEL DARAFEEV	(OBJ)...RAYMOND G ROBINSON
PAUL DARAFEEV	(PET)...SUZANNE M REHMANI
THE ANTONINA DARAFEEV LIVING T	(TRU)...
W.A. HLAVATY	(PET)...THOMPSON & COLEGATE

M.S.C. – No notes – JTD

(lc)

Future hearing:05/31/18 Accounting review