



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/23/18

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.

05/03/18 lh; 05/18/18lh

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: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS0900373

CASE NAME: MTR OF DAISIE ANN CERVANTES

HEARING:

Sixth Current Account and Report of MELVIN L FRIEDLAND and
Petition for allowance of fees filed.

COUNSEL:

MELVIN L FRIEDLAND (PET)...JACK H ANTHONY

DAISIE ANN CERVANTES (DEC)...

DAISIE ANN CERVANTES (MIN)...

DAISIE ANN CERVANTES SPECIAL NEEDS TRUST (TRU)...

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

ESTHER CERVANTES (JACK H ANTHONY)

Waiver of Court Fees and Costs filed by MELVIN FRIEDLAND & DAISIE ANN CERVANTES is
GRANTED

GENERAL INFORMATION

Continued from 04/18/18 at request of Counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON Sixth Account Current of SNT and Petition for
Fees by Successor Trustee of SNT, Melvin L. Friedland.

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

1. Account period 01/01/17 to 12/31/17
2. Assets on hand **\$2,275,649.82** consisting of \$1,810,690.23 in cash and the
balance in securities, real property and personal property.
3. Petitioner requests fees of **\$1,925.00** billed at \$110/hour for 17.5 hours.
Itemized [LF, pgs. 30-33].
4. Disbursements include reimbursements to Esther Cervantes for personal items
totaling over \$6,000. *Need itemization of expenditures via verified supplement.*
**Supp 04/17/18 itemization of expenses including medication, personal
care items, clothing, home maintenance, automobile repairs and gasoline
to transport Daisie. JTD**

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

5. Attorney requests fees of **\$3,956.95** for 5.40 hours at the reduced rate of \$350/hour for attorney; \$50-90/hour for 13 hours for paralegal time, and reimbursement of costs of \$1,041.95. Itemized [LF, pgs. 30-48]. JTD.
6. Bond is currently posted in the amount of \$1,759,711.71. **Petitioner is seeking a decrease of bond by \$29,132.14 for a total bond \$1,730,711.71.** Appears sufficient. **JTD.**
7. ~Proposed Order: 02/07/18 Note: proposed order signature line is for Judge Ludvigsen.

RECOMMENDATION:

If approved, set hearing re next Accounting Review for **02/27/19** Account to be filed 30 days in advance.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300251

CASE NAME: ROSEMARY MCNALLY HILL

HEARING:

Hearing re Final Discharge

COUNSEL:

ROSEMARY MCNALLY HILL	(DEC)...
ROBERT RAYMOND HILL III	(PET)...DAVID LIVINGSTONE TAUB
BARBARA HILL	(OBJ)...PRO/PER
BERNARD M BIDART	(PRO/PER)

GENERAL INFORMATION

Continued from 02/07/18. No appearance. Court continued matter and set OSC re surcharge and \$500 sanctions, each, for failure to appear. Court ordered both administrator and their counsel to personally appear at next hearing. Notice given by Judicial Assistant.

Continued from 04/11/18 at request of Counsel. Court vacates OSC re sanctions and surcharge set for 4/11/18.

THIS CASE IS SET FOR HEARING ON Final Discharge of Executor, Robert Raymond Hill

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

1. **Need** receipts from Barbara Norris and Robert Hill, III.
2. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300441

CASE NAME: THE SPECIAL NEEDS TRUST OF DANIEL E. CHARBONNEAU

HEARING:

Petition to Dispense with Requirement of Final Account and Report of INLAND COUNTIES REGIONAL CENTER, INC and Petition for allowance of fees filed.

COUNSEL:

SPECIAL NEEDS TRUST OF DANIEL E CHARBONNEAU (TRU)...J. DAVID HOR
INLAND COUNTIES REGIONALCENTER (PET)...STEVEN K BECKETT
J DAVID HORSPOOL (DAVID E FOATE)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Dispense with Requirement of Final Accounting; For Allowance of Trustee Fees; Reserve; Allowance of Fees, Termination of Trust and Discharge Trustee by IRC

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

1. Accounting period: 11/01/16 to 02/28/18
2. Assets on hand: \$4,421.72; **\$1,921.72** cash, remaining in pre-need burial policy.
3. Attorney Beckett requests attorney fees of **\$1,095** for 7.8 hours at \$100/\$250 per hour for paralegal and attorney services. Itemized in Declaration filed 03/23/18. **JTD**
4. Petitioner request approval of trustee fees already taken in the amount of **\$1,500** for services rendered through 12/31/17. Calculated. [Acct, 3/23/18, LFpg8]. **JTD**
5. Petitioner requests authority to allow Master Trust of California to take prorated trustee fees through March 31, 2018 as a trust termination fee of **\$250**. **JTD**
6. Petitioner requests **\$300** reserve for tax liabilities. **JTD**
7. Petitioner requests termination of trust due to exhaustion of funds, and for petitioner to be discharged as trustee upon delivery of *remaining property* and filing of receipts. Question if Court wishes to require a 13100 petition? **JTD**
8. Notice was given.
9. ~Proposed Order: 03/23/18

RECOMMENDATION

Court's discretion. If approved, Court to set hearing re receipts and final discharge for **05/29/19**.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300972

CASE NAME: MARY LOUISE KELLER ENGLE

HEARING:

Probate status report

COUNSEL:

JUDITH A ENGLE (PET)...ZUMBRUNN LAW CORPORATION
MARY LOUISE KELLER ENGLE (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Third Status Report by Judith Engle, executor

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

1. Letters testamentary (ancillary) issued to Judith Engle, executor, on 01/08/14 with full IAEA authority, no bond.
2. Petitioner alleges the estate consists solely of vacant property which has been difficult to sell.
3. Order on [first] status report approved on 10/25/16 granting 12 months to sell real property; Order on [second] status report approved on 04/05/17 granting an additional 12 months to sell real property. Petitioner now seeks an Order approving [third] status report for another 12 months to sell real property. **JTD**
4. Notice was given.
5. ~Proposed Order: 04/02/18

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review for **04/10/19**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400121

CASE NAME: MTR OF INGER STEWART SOTO

HEARING:

First & Final Account and Report of STEPHANIE ANN SOTO and
Petition for allowance of fees

COUNSEL:

STEPHANIE ANN SOTO	(PET)...KEVIN STAPLETON
INGER STEWART SOTO	(DEC)...
FARNES & LUCIO, APC	(TP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final and Report of Administrator
and Petition for Fees; Reimbursement; Final Distribution by Stephanie Ann Soto,
administrator

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

1. Assets on hand: \$816,212.88; **\$21,212.88** cash; remaining in (2) businesses
and real property
2. Attorney requests reimbursement for advanced costs in the amount of
\$1,645.46. Itemized. [Acct, 3/26/18, LFpg9]. **JTD**
3. Statutory fees of **\$21,681.34, each**, requested by petitioner and
attorney. Calculated. Question how attorney and petitioner seek payment as
it does not appear there is sufficient cash on hand. **Need verified
supplement.**
4. **Need** bank/investment statements verifying date of death balances and final
ending balance per Local Rule 20-908.
5. **Need** satisfaction of claim of Collections Consultants of CA for \$3,500 (re
Kaiser).
6. **Need** verified supplement clarifying receipts totaling \$9,963.83 re
reimbursement of credit card overpayments, deposit reimbursement and
retainer fee.
7. **Need** notice of hearing and proof of service as to Linda A. Aly c/o Edward
Fischel, Collection Consultants of CA, Farnes & Lucio, APC, and special
notice as to Salvador Soto.

8. Petitioner requests reserve of **\$2,000**. Note: if approved, need informal account/declaration for reserves per Local Rule 20-911 prior to filing ex parte petition for final discharge.
9. No proposed Order submitted.

RECOMMENDATION:

Need to clear notes #3-7 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account/supplement re reserves for **07/31/19**.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600531

CASE NAME: FLOSSIE JENKINS HARDY

HEARING:

Probate status report filed.

COUNSEL:

LINDA S SIMPSON (PET)...ELIZABETH T PIERSON
FLOSSIE JENKINS HARDY (DEC)...

GENERAL INFORMATION

Continued from 01/24/18 for Counsel to file Notice of Hearing and Proof of Service.

THIS CASE IS SET FOR HEARING ON Status Report of Administration by Linda Simpson, administrator

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

1. Letters of Administration issued to Linda Simpson on 08/19/16.
2. Petitioner alleges the estate is not in a condition to be closed as the sole asset of the estate is a wrongful death claim from a pharmaceutical company pending settlement. The settlement has not been marshalled. See notes on prior matter.
3. Petitioner requests an additional 9 months to close the estate.
4. Notice was given.
5. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved, set next hearing for Accounting Review on **07/11/18**.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600533
CASE NAME: DANIEL ROBERTO ARES

SEE ALSO 8

HEARING:

Hearing Re: OSC RE SURCHARGE OF \$1,000.00 ON ROSEMARY JAHEN

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER
DANIEL ROBERTO ARES (DEC)...

GENERAL INFORMATION

Continued from 12/20/17. Court set OSC re surcharge in the amount of \$500 for failure to appear. Court orders administrator to be personally present on 02/21/18. **Continued from 02/21/18 at request of Administrator to file accounting and Inventory and Appraisal. Court takes off calendar the OSC re surcharge set this date, and reset to OSC re surcharge for \$1,000 for Administrator's failure to comply with duties set for 05/23/18. Court orders Rosemary Jahn to be personally present, orders Inventory and Appraisal to be filed by 4/23/18, and accounting be set by Clerk's office for 05/23/18 if accounting filed by deadline of 04/23/18.**

THIS CASE IS SET FOR HEARING ON **OSC Re Surcharge for \$1000/Accounting Review re Rosemary Jahn, administrator**

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

1. Letters of Administration issued 10/19/16 to Rosemary Jahn with full authority, no bond.
2. Status Report filed 04/23/18. See notes on next matter #8.

RECOMMENDATION

Court's discretion re OSC.

(lh)

Future Hearing: 6/11/18 Probate Status Report –CLERK TO RESET TO 5/23/18 PER M/O dated 2/21/18

Superior Court of Calif, County of San Bernardino

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600533

CASE NAME: DANIEL ROBERTO ARES

SEE ALSO 7

HEARING:

Status Report Re Administration by Rosemary Jahen

COUNSEL:

ROSEMARY JAHEN (PET)...PRO/PER
DANIEL ROBERTO ARES (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status Report by Rosemary Jahen,
Administrator/sole heir

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

1. Estate is not in a condition to close as Administrator is still compiling documents and information needed to complete final accounting and petition for final distribution.
2. Petitioner requests an additional 3 months to close the estate; indicates Inventory and Appraisal is still pending appraisal by probate referee and has filed a copy of Inventory and Appraisal sent to Probate Referee.
3. Inventory and Appraisal filed 04/23/18. However, form is incomplete at item #5 re property tax certificate; verification is not signed or dated by Administrator; statement about bond is incomplete; signature is not dated; and attachment #1 is missing. *Note: It appears assets consist solely of cash as suggested in item #1 of I&A; if so, it does not appear an appraisal by probate referee is required. Court to inquire.*
 - a. **Need amended Inventory and Appraisal along with supporting financial statements per Local Rule 20-908.**
4. ~Proposed Order: 04/23/18

RECOMMENDATION:

Need to clear notes #3. If approved, set next hearing for Accounting Review for **08/22/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(lh)

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

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701030

CASE NAME: VERTIS A. NEVINS SR

SEE ALSO 16

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.
Continued from 04/04/18. Court sets deadline for filing brief for 05/02/18; Court sets OSC re dismissal re venue and notes that if brief on venue is not sufficient, Court will dismiss petition. OSC re dismissal (if brief not sufficient) set for 5/23/18.

THIS CASE IS SET FOR HEARING ON **OSC re Dismissal**/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. **Need Brief on venue.**
3. ~Proposed form Order: 10/13/17

RECOMMENDATION:

Court's discretion as to OSC re venue and bond. If approved, set future hearing for Accounting/Status Review on **07/31/19**. 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: STANFORD E. REICHERT

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701138

CASE NAME: JOSE LORENZO VASQUEZ

SEE ALSO 11, 12

VACATED

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

LAURA ALICIA RODRIGUEZ	(PET)...MICHAEL C MADDUX
JOSE LORENZO VASQUEZ	(DEC)...
JAMES VASQUEZ	(PET/OBJ)...ELDER LAW CENTER, P.C.

XREF: PROPS1600462 VASQUEZ TRUST

TSC—no notes—JTD

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701138

CASE NAME: JOSE LORENZO VASQUEZ

SEE ALSO 10, 12

VACATED

HEARING:

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

COUNSEL:

LAURA ALICIA RODRIGUEZ (PET)...MICHAEL C MADDUX
JOSE LORENZO VASQUEZ (DEC)...
JAMES VASQUEZ (PET/OBJ)...ELDER LAW CENTER, P.C.

XREF: PROPS1600462 VASQUEZ TRUST

GENERAL INFORMATION:

Continued from 01/03/18 at request of petitioner to address notice/service issues.
Continued from 03/07/18. Ronald Ask indicates objections to this petition have been filed and competing petition has been filed and set for hearing on 04/18/18.
Continued from 04/18/18.

THIS CASE IS SET FOR HEARING ON

- **Petition #1 [filed 11/14/17]** for Probate, Letters Testamentary with Full Authority under IAEA by Laura Rodriguez (executor/caregiver/niece)
- **Petition #2 [filed 03/06/18]** for Probate, Letters Testamentary with Full Authority under IAEA by James Vasquez, (son)

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

Petition #1 by Laura Rodriguez (executor/caregiver/niece)

1. Petitioner requests assets to be placed in blocked account upon sale of real property. Estate assets consist of real property estimated at \$250,000, and remaining \$6,000 in personal property. **JTD.**
2. Petitioner is identified within decedent's will as a caregiver and beneficiary.
3. Need verified supplement to amend list of relatives in item #8 of petition to include issue of predeceased son, Richard Vasquez. **Due Diligence Declaration filed 03/07/18 as to Isaac Vasquez and Catherine Vasquez, issue of predeceased son, Richard Vasquez. JTD**

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

4. **Objection and will contest filed on 03/06/18 by James “Jimmy” Vasquez, son of decedent. Need Proof of Service of Summons.**
5. **Answer to Will Contest filed by Laura Rodriguez on 04/03/17.**
6. **Declaration of John W. Rodriguez and Bertha Rodriguez regarding decedent “mental abilities” filed 04/17/18. *Need proofs of service to James Vasquez.***
7. ~Proposed form Order: 11/14/17

Petition #2 by James Vasquez (son)

8. Petitioner requests no bond as provided in will dated 03/28/16.
9. Will dated 03/28/16 nominates James Vasquez and Laura Rodriguez to serve as co-executors.
10. Notice of Petition to Administer Estate filed 4/4/18; however, form is incomplete at item #5 as to request for IAEA authority. **Need amended Notice and proof of service.**
11. **Due Diligence Declarations as to Isaac Rodriguez and Catherine Rodriguez, issue of predeceased son, Richard Vasquez, filed 04/12/18. JTD**
12. ~Proposed form Order: 03/06/18

RECOMMENDATION:

Matter is contested.

Need to clear notes #6; 10. Court’s discretion re bond. If approved, set future hearing for Accounting/Status Review on **07/31/19**. 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: STANFORD E. REICHERT

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1701138

CASE NAME: JOSE LORENZO VASQUEZ

SEE ALSO 10, 11

VACATED

HEARING:

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

COUNSEL:

LAURA ALICIA RODRIGUEZ (PET)...MICHAEL C MADDUX
JOSE LORENZO VASQUEZ (DEC)...
JAMES VASQUEZ (PET/OBJ)...ELDER LAW CENTER, P.C.

XREF: PROPS1600462 VASQUEZ TRUST

See notes on prior matter #11.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800303

CASE NAME: MTR OF LYNN M MORROW

HEARING:

Petition to determine succession to Real Property

COUNSEL:

JENNIFER LYNN PESTER	(PET)...IGNAZIO FICARA
DANIEL CHRISTOPHER MORROW	(PET)...IGNAZIO FICARA
LYNN M MORROW	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property and Personal Property by Jennifer Pester (daughter) and Daniel Morrow (son)

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

1. Petitioners, Jennifer Pester and Daniel Morrow, seek 100% interest, 50% each; in decedent's 100% interest; in real property and personal property per intestate succession.
2. Notice is complete.
3. ~Proposed Form Order: 04/02/18

RECOMMENDATION

Court's discretion.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800320

CASE NAME: Estate of Florian L Thomson

HEARING:
Petition to determine succession to Real Property

COUNSEL:

TIMOTHY THOMSON (PET)...JOELLE LEE A. NICHOL
FLORIAN LADU JEBULAN THOMSON (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Timothy Johnson (son/sole heir)

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

1. Petitioner, Timothy Thomson seeks 100% interest in decedent's 100% interest in real property per intestate succession.
2. Creditor's claim for \$50,127.42 by Department of Healthcare Services, and Request for Special Notice filed 04/23/18.
3. ~Proposed Form Order: 04/18/18

RECOMMENDATION

Court's discretion.

(lh)

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

DATE: 05/23/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1500881

CASE NAME: JAMES L BRICKER

HEARING:

Motion Re: Summary Judgment on Harold P Brickert's Objections to
Petition Filed by Petitioner THE SALVATION ARMY, HUMANE SOCIETY
OF THE UNITED STATES

COUNSEL:

CANDYCE E BOZNER	(PET)...HARRY J HISTEN
CAROLYNN CROWE	(PET)...HARRY J HISTEN
JAMES L BRICKER	(DEC)...
HAROLD P BRICKER	(PET)...SNYDER & HANCOCK
THA SALVATION ARMY	(PET)...LEE HONG DEGERMAN KANG & W
THE HUMANE SOCIETY	(PET)...LEE HONG DEGERMAN KANG & W
KEMP & ASSOCIATES, INC.	(TP)...LAURA WOODWARD
SCOTT A HANCOCK	(SCOTT A HANCOCK)

Currently under review by legal research.

(LR)

Future Hearings

7/30/18 Hearing Re Petition to Determine Heirship
7/30/18 Readiness Calendar
7/30/18 Fist & Final Account & Report of Candyce E Bozner & Carolynn Crowe
7/30/18 Hearing Re: Petition for Letters of Admin w/ Will Annexed
8/27/18 Court Trial (Day 1)
8/28/18 Court Trial (Day 2)
8/29/18 Court Trial (Day 3)
8/30/18 Court Trial (Day 4)
8/31/18 Court Trial (Day 5)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/23/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701030

CASE NAME: VERTIS A. NEVINS SR

SEE ALSO 9

HEARING:

Hearing Re: OSC RE DISMISSAL (IF BRIEF NOT SUFFICIENT)

COUNSEL:

FRANKIE NEVENS (PET)...SRG LAW GROUP
VERTIS A NEVENS SR (DEC)...

See notes on prior matter #9.

(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: 05/23/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701092

CASE NAME: THE MICHAEL E FRY TRUST

HEARING:

Petition for determination of question of construction of trust & instrument & instruction

COUNSEL:

CHESTER EDWARD FRY	(PET)...DAVID
THE MICHAEL E FRY TRUST	(TRU)...
DENISE FRY	(OBJ)...ERIC S MCINTOSH

XREF: PROPS1500838 *MICHAEL EDWARD FRY*

Currently under review by legal research.

(LR)

Notice is complete.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

HEARING:

Fourth Current Account and Report of STAN MANDELL and Petition
for allowance of fees

COUNSEL:

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHEL	(PET)...EDWARD B FISCHEL &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)... EDWARD B FISCHEL
STAN MANDELL	(CPE)...LAMB MORRIS & LOBELLO
VICKI LISTER	(CP)...
VICKI LISTER	(CPE)...PRO/PER
VICKY LISTER	(CPE)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: PROPS1700973 (*Vicki R Lister*)

CIVDS1309039 (*Hartnell-v-Lister*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Stan Mandell, PF

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

1. Accounting period 02/01/17 to 12/31/17
2. Assets on hand \$59,203.72 of which \$38,203.72 is cash; remaining is vehicle.
3. **Need** signed verification from Visiting Angels totaling \$234,282.94 for caregiver expenses, including date of service and receipt of payments per Local Rule 20-1406 (c).
4. Schedule C disbursements totaling \$9,219.36 include monthly payments to Mountain Valley Water Corp ranging from \$238 to \$543 per month for drinking

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

water delivery and water/electric utility bills ranging from \$148 to \$723 per month; auto insurance totaling \$3,838.44. **Need verified supplement clarifying expenses.**

5. Petitioner is seeking fees of **\$12,496** for 82.90 hours at \$100/160 per hour less periodic payments of \$5,500, leaving a balance of **\$6,996**. Itemized [Acct. 04/17/18, LFpg 37-49]. **JTD**
6. Petitioner seeks court approve periodic payments of \$500 per month commencing 01/01/18 for a period not to exceed 24 months. **JTD**
7. Attorney is seeking fees of **\$12,177.50** for 33.70 hours at \$125/395 per hour for paralegal and attorney services respectively. Itemized [LFpg51-57]. **JTD**
8. Current bond is \$487,000. **Petitioner requests bond be reduced to \$459,911.89**. Calculated. [Acct, 4/17/18, LFpg6]. **JTD**
9. **Conservatee's Objection to Fourth Account Current filed 05/17/18.**
10. ~Proposed Order: 04/17/18

RECOMMENDATION

Matter is contested.

Need to clear notes #3-4. Court's discretion re fees and bond. If approved, set hearing on the next accounting review for **02/27/19** (if one year) or **02/26/20** (if two years). Accounting to be filed 30 days in advance.

(lh)

Future Hearings:

- 5/31/18 Petition for Attorney's fees
- 6/13/18 Hearing Re: Further Status of Purchase of a House
- 6/13/18 Hearing Re: Visitation

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500195

CASE NAME: RUTH PISCIONERI

HEARING:

Petition for PAYMENT OF DEBTS INCURRED FOR NECESSARIES OF LIFE AND LIVING EXPENSES OF CONSERVATEE

COUNSEL:

SEAN PISCIONERI	(CPE)...PRO/PER
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
COLLEEN J STEPHEN	(PCR)...KRISTINE BORGIA
RUTH E PISCIONERI	(PCE/CEP/CEE)...WALTER T. MOORE
J. STEPHEN	(PET)...KRISTINE BORGIA
WALTER T MOORE	(PET)...WALTER T. MOORE
COLLEEN STEPHEN	(PET)...FULLERTON LEMANN SCHAEFER
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
DEPT. OF CONSUMER AFFAIRS	

GENERAL INFORMATION

Continued from 11/29/17 at request of Keith Walker. Notice to be given either by Keith Walker or the attorney representing Sean Piscioneri.

Continued from 02/14/18. Pro Tem Judge, Mitchell I. Roth, recuses himself from this matter. Notice to be given by Attorney Thomas Dominick.

Continued from 03/18/18. No stipulation signed. Judge Pro Tem recuses herself and matter is continued.

THIS CASE IS SET FOR HEARING ON Petition for Payment of Debts Incurred for Necessaries of Life and Living Expenses by Sean Piscioneri (son/prior temporary conservator)

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

1. Petitioner Sean Piscioneri was appointed temporary conservator of the person on 09/16/15 thru 04/29/16.
2. Petitioner alleges he was the primary caregiver of conservatee from 08/01/15 through 05/20/16 and spent a minimum of 40 hours per week taking care of conservatee during this period.

3. Petitioner alleges on 08/01/15, conservatee fell at her home resulting in a broken hip. For a period of two weeks, petitioner solely provided 24-hour care to conservatee.
4. Petitioner seeks compensation of **\$58,080** for 1,936 hours at \$30/hour. **Need itemization of services via verified supplement.**
5. Petitioner seeks reimbursement of **\$1,800** of rent at \$600/month paid to trustee Collen Stephen. Petitioner contends he purchased a nearby home, but remained in conservatee's home as a live-in caregiver. **Need itemization of rent via verified supplement.**
6. Petitioner seeks reimbursement of groceries, sundries, and meals provided to conservatee at **\$2,200**, and for funeral expenses at **\$1,000**. **Need itemization of reimbursements via verified supplement.**
7. **Need** Notice of Hearing and Proof of Service as to Walter Moore.
8. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-7, then Court's discretion.

(lh)

Future Hearing: 6/18/18: Hearing Re: Final Discharge

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500332

CASE NAME: ANITA POIRIER

SEE ALSO 21

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of DIANE LEE GIEBNER

COUNSEL:

DIANE LEE GIEBNER	(CE)...GREGORY T ANNIGIAN
JOEL RYAN HOLT	(CP)...GREGORY T ANNIGIAN
GREGORY T ANNIGIAN	(PET)...GREGORY T ANNIGIAN
JONI LOVEGROVE	(CP/CPE)...MARIVEL M ZIALCITA
DIANE LEE GIEBNER	(CPE)...MARIVEL M ZIALCITA
ANITA POIRIER	(CEE)...DONNASUE ORTIZ

GENERAL INFORMATION

Continued from 12/14/16, 01/11/17 and 03/29/17. "Jason" Holt has failed to comply with court orders. Bench warrant to issue at \$1,000,000.

Continued from 07/19/17 Bench warrant of Jason Holt was recalled and he was ordered to appear at the next hearing. Substitution of Attorney for Diane Gieber and Joel Holt must be filed by July 26 or Marivel Zialcita will not be permitted to be the attorney of record.

Continued from 08/23/17. Oral report given by Donnsue Ortiz. Report of Court Investigator read and considered. Court finds Successor Conservatorship in the best interest of Anita Poirier. Diane Lee Giebner, Joni Lovegrove appointed Conservator of the person only (Successor). No bond is required. Court finds clear and convincing evidence that conservatee is incapable of communicating with or without reasonable accommodations. Court disqualifies conservatee from voting.

Continued from 11/15/17 for Counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON Compliance Review/Accounting Review

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

1. Court appointed Joel R. Holt (grandson) as conservator of the person only, and Diane Lee Giebner (daughter) as conservator of the estate only on 5/11/16; \$225,100 bond.

2. Ex parte orders granted 08/29/17 appointing Joni Lovegrove (granddaughter) as temporary successor conservator of the person only and general appointment of conservator of person on 10/17/17.
3. Notification of Conservatee's rights filed 11/09/17; however, proof of service indicates service of order with incorrect date of 11/01/17. **Need proper notice and proof of service.**
4. Determination of Conservatee's Appropriate Level of Care filed; Care Plan filed.
5. Partial Inventory and Appraisal filed 07/25/16. **Need** bank statements per Local Rule 20-1404(c).
6. **Need** Final Inventory and Appraisal per Pr. C. §2610.
7. **Need** Proof of Service of Inventory and Appraisal including instructions for objections per Pr. C. §2610.
8. If Conservatorship 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.
9. **Need** 1st Accounting.

RECOMMENDATION

Inquire status.

(lc/lh/lc/ww/lh)

Future Hearing: 6/28/18 Petition for Authority to Sale Personal Residence

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500332

CASE NAME: ANITA POIRIER

SEE ALSO 20

HEARING:

Accounting Review by Diane Lee Giebner

COUNSEL:

DIANE LEE GIEBNER	(CE)...GREGORY T ANNIGIAN
JOEL RYAN HOLT	(CP)...GREGORY T ANNIGIAN
GREGORY T ANNIGIAN	(PET)...GREGORY T ANNIGIAN
JONI LOVEGROVE	(CP/CPE)...MARIVEL M ZIALCITA
DIANE LEE GIEBNER	(CPE)...MARIVEL M ZIALCITA
ANITA POIRIER	(CEE)...DONNASUE ORTIZ

See notes on prior matter #20.

(lh)

Future Hearing: 6/28/18 Petition for Authority to Sale Personal Residence

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500361

CASE NAME: JOSE ALFREDO TAPIA

SEE ALSO 24

HEARING:

Hearing Re: STATUS OF TRANSFER IN FROM LOS ANGELES COUNTY

COUNSEL:

VICTOR TAPIA (CP)...PRO/PER
LETICIA TAPIA (CP)...PRO/PER
JOSE ALFREDO TAPIA (CTP)...SHERRI L KASTILAHN
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...PRO/PER

XREF: CONPS1300234 JOSE ALFREDO TAPIA
CONPS1700357 JOSE ALFREDO TAPIA

GENERAL INFORMATION:

Continued from **10/12/16**. Conservator has to file their own motion in Los Angeles to request transfer to San Bernardino County.

Continued from **02/08/17**. Court makes a formal request for BP162113 be transferred back to San Bernardino County. San Bernardino understands that it has no authority over Los Angeles; however, matter should be transferred back to this county as this is where conservatee and Conservator live.

Continued from **04/12/17**. Conservator to file with Los Angeles request to transfer to San Bernardino County and to file with San Bernardino proof of filing in Los Angeles. If Conservator does not comply, the court will sanction Conservator. Sherri Kastilahn appointed counsel.

Continued from 07/26/17 for receipt of file from Los Angeles County. Counsel indicated that the Los Angeles Court has ordered their file transferred.

Continued from 11/01/17. Court reviews status of transfer in from Los Angeles County. After review of all cases related to today's hearing on calendar (CONPS1500361; CONPF1700357, CONPS1300234, CONPS1500361, and LA cases: KP009592 and BP162113), all are related and should be set in S35. Court ordered hearing set in CONPS1700357 vacated on 12/18/17 and reset in S35 on 02/07/18. Amended Letters to be filed by Atty Kastilahn.

Continued from 02/07/18. No appearance. Notice given by Judicial Assistant.

Continued from 03/21/18. Counsel to notify conservator.

THIS CASE IS SET FOR HEARING ON Status on Transfer Los Angeles County

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

1. Matter set at hearing re Reports of Court Investigator and Appointed Counsel on 4/20/16. Parents appointed Limited conservator on 6/25/04 person only in Los Angeles County. Case ordered transferred on 10/13/15. Conservator to contact Los Angeles Court regarding the old case (CONPS1300234/ BP162113) to have it transferred back to San Bernardino County.
2. Court Investigator report filed 3/23/16.
3. Report of appointed counsel, Roberta Taylor, filed 3/30/16. **Need** report of Counsel Sherri Kastilahn.
4. **Need** amended Letters issued by San Bernardino County.
5. Los Angeles County minute order filed 05/30/17 indicating case ordered transferred on 04/12/17.
6. Case BP162113 was received and transferred in on 08/29/17. The new case number is CONPS1700357.

RECOMMENDATION:

Need to clear notes 3 & 4. Court to consolidate under lowest case number.

(sa/lc/ww/lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700003

CASE NAME: MTR OF MARCOS RODRIGUEZ

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of INEZ RODRIGUEZ

COUNSEL:

INEZ RODRIGUEZ	(CP)...PRO/PER
CELIA GARCIA	(CP)...PRO/PER
MARCOS RODRIGUEZ	(CTP)...

GENERAL INFORMATION

Continued from 01/31/18. No appearance. Matter continued. Court set OSC re Surcharge in the amount of \$500 for failure to appear on each of the co-conservators. Court orders co-conservators to be present in Court on March 14, 2018 at 9:30AM in Department S35. Notice given by Judicial Assistant.

Continued from 03/14/18 by Court for petitioners to clear probate notes. Case referred to Legal Aid for assistance.

THIS CASE IS SET FOR HEARING ON OSC re Surcharge/Compliance Review

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

1. Inez Rodriguez and Celia Garcia (sister and mother) appointed co-conservators of the person on 06/28/17.
2. Notification of Conservatee's rights filed 03/14/18; however, Proof of Service, item #5, does not indicate whether copy of Order dated 06/28/17 was served with notice. **Need** proper service.
3. Care Plan and Determination of Conservatee's Appropriate Level of Care 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: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700357

CASE NAME: MTR OF JOSE ALFREDO TAPIA

SEE ALSO 22

HEARING:

Hearing Re: CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

LETICIA MARINELARENA (CPE)...PRO/PER
JOSE ALFREDO TAPIA (CP)...

XREF: CONPS1300234 JOSE ALFREDO TAPIA
CONPS1500361 JOSE ALFREDO TAPIA

See notes on prior matter # 22.

(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: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700452

CASE NAME: ELSIE CHRISTINE TAYLOR

SEE ALSO 26, 27, 28, 29, 30

HEARING:

Hearing Re: POST MEDIATION STATUS CONFERENCE

COUNSEL:

CAROL DELORES ST. JOHN	(CPE)...GEORGE F DICKERMAN
ELSIE CHRISTINE TAYLOR	(CEP)...KARIN HORSPOOL
ANNE RUTH BASHAM	(PET)...VICTOR J HERRERA

XREF: CONPS1700456 RICHARD LLOYD TAYLOR

No notes—status only—JTD

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700452

CASE NAME: ELSIE CHRISTINE TAYLOR

SEE ALSO 25, 27, 28, 29, 30

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAROL DELORES ST. JOHN	(CPE)...GEORGE F DICKERMAN
ELSIE CHRISTINE TAYLOR	(CEP)...KARIN HORSPOOL
ANNE RUTH BASHAM	(PET)...VICTOR J HERRERA

XREF: CONPS1700456 RICHARD LLOYD TAYLOR

GENERAL INFORMATION

Continued from 01/24/18. Victor Herrera indicated he will file a competing petition on behalf of his client, Anne Ruth Bashman; Court set deadline to file for 4PM this date; clerk's office ordered to set petition for 03/21/18. George Dickerman to provide a copy of CI report to Victor Herrera by 02/07/18. Attorney Karin Horspool appointed for Elsie Christine Taylor. Court appointed Walter Moore as guardian ad litem for proposed conservatee. Court noted it will ask Court Investigator at the next hearing date to provide a supplemental report addressing both competing petitions.

Continued from 03/21/18. Counsel request a date for mediation; Court sets post mediation status conference for 05/23/18.

THIS CASE SET FOR HEARING ON

- **Petition #1** [filed 12/13/17] for Appointment of Conservator person and estate by Carol St. John, daughter
- **Petition #2** [filed 01/24/18] for Appointment of Conservator of the person and estate by Anne Basham, daughter

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

Petition #1 by Carol St John

1. Petitioner seeks bond of \$26,400. Ok
2. Petitioner seeks powers under Pr. C. §2590 to pay, collect, compromise, or adjust claims/debts, or demands. JTD.
3. Petitioner seeks medical powers. **Need** Capacity Declaration.
4. **Need** report of appointed Counsel Karin Horspool.

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

5. **Need** report of Walter Moore (GAL).
6. List of required contacts does not include grandchildren: Lora St. John, Karen Irwin, Kim Bagwell, or Crissy Diaz. **Need** completed form.
7. **Need** Due Diligence Declaration as to grandchildren: Lora St. John, Karen Irwin, Kim Bagwell, and Crissy Diaz . *Note: competing petition filed 1/24/18 by Anne Basham contains addresses except for Lora St John.*
8. **Need** Certificate of Completion of the Conservatorship Training Class.
9. Return of Citation filed 01/10/18.
10. CI report filed 01/19/18.
11. ~Proposed Form Order: 12/14/17

Petition #2 by Anne Basham

12. Petitioner seeks bond of \$26,400. Ok
13. Petitioner seeks medical powers. **Need** Capacity Declaration.
14. **Need** Court Investigator report.
15. **Need** report of appointed Counsel Karin Horspool.
16. **Need** report of Walter Moore (GAL).
17. **Need** Certificate of Completion of the Conservatorship Training Class.
18. List of Required Contacts filed 01/24/18 is missing page 3 of form. **Need** completed form.
19. **Need** Notice of Hearing and proof of service.
20. Return of Citation filed 02/21/18.
21. ~Proposed Form Order: 01/24/18

RECOMMENDATION

Need to clear notes #3-8; #13-19. If approved, set hearing for Compliance Review for **01/09/19** for the filing of the required documents and hearing re Accounting Review for **07/31/19**. Any accounting to be filed 30 days in advance.

(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: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700452

CASE NAME: ELSIE CHRISTINE TAYLOR

SEE ALSO 25, 26, 28, 29, 30

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAROL DELORES ST. JOHN	(CPE)...GEORGE F DICKERMAN
ELSIE CHRISTINE TAYLOR	(CEP)...KARIN HORSPOOL
ANNE RUTH BASHAM	(PET)...VICTOR J HERRERA

XREF: CONPS1700456 RICHARD LLOYD TAYLOR

See notes on prior matter #26.

(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: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700456

CASE NAME: RICHARD LLOYD TAYLOR

SEE ALSO 25, 26, 27, 29, 30

HEARING:

Hearing Re: POST MEDIATION STATUS CONFERENCE

COUNSEL:

CAROL DELORES ST. JOHN	(CPE)...GEORGE F DICKERMAN
RICHARD LLOYD TAYLOR	(CEP)...JAMES B CHURCH
ANNE RUTH BASHAM	(PET)...VICTOR J HERRERA

XREF: CONPS1700452 *ELSIE CHRISTINE TAYLOR*

No notes—status only—JTD

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700456

CASE NAME: RICHARD LLOYD TAYLOR

SEE ALSO 25, 26, 27, 28 30

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAROL DELORES ST. JOHN (CPE)...GEORGE F DICKERMAN
RICHARD LLOYD TAYLOR (CEP)...JAMES B CHURCH
ANNE RUTH BASHAM (PET)...VICTOR J HERRERA

XREF: CONPS1700452 *ELSIE CHRISTINE TAYLOR*

GENERAL INFORMATION

Continued from 01/24/18. Victor Herrera indicated he will file a competing petition on behalf of his client, Anne Ruth Bashman; Court set deadline to file for 4PM this date; clerk's office ordered to set petition for 03/21/18. George Dickerman to provide a copy of CI report to Victor Herrera by 02/07/18. Attorney James B. Church appointed for Richard Lloyd Taylor. Court appointed Walter Moore as guardian ad litem for proposed conservatee. Court notes it will as Court Investigator at the next hearing date to provide a supplemental report addressing both competing petitions.

Continued from 03/21/18. Counsel request a date for mediation; Court sets hearing for post mediation status conference for 05/23/18.

THIS CASE SET FOR HEARING ON

- **Petition #1 [filed 12/14/17]** for Appointment of Conservator person and estate by Carol St. John, step-daughter
- **Petition #2 [filed 01/24/18]** for Appointment of Conservator person and estate by Anne Basham, step-daughter

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

Petition #1 by Carol St. John

1. Petitioner seeks bond of \$72,600. Ok.
2. Petitioner seeks powers under Pr. C. §2590 to pay, collect, compromise, or adjust claims/debts, or demands. JTD.

3. Petition, item #11, does not include Lisa Knight, Jason Schreiner, Jon Schreiner, Jennifer Parsley, Lora St. John, Karen Irwin, Kim Bagwell, or Crissy Diaz, who are all listed as grandchildren in x-ref matter regarding petition for conservatorship of Else Taylor, spouse. **Need verified supplement clarifying relatives.**
4. **Need** Due Diligence Declaration as to Tessa Pecanis, granddaughter.
5. **Need** Notice of Hearing and Proof of Service as to Veteran's Administration per Pr. C. §1461.5.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** report of Walter Moore (GAL)
8. **Report of Counsel Church filed 03/21/18.**
9. Return of Citation filed 01/10/18.
10. CI Report filed 01/19/18.
11. ~Proposed Form Order: 12/14/17

Petition #2 by Anne Basham

12. Petitioner seeks bond of \$72,600. Ok
13. Petition, item #4(b) indicates proposed conservatee receives VA benefits but did not indicate amount of income. **Need** verified supplement with amount and clarification whether it was included in item #3(e) character/estimate of property.
14. **Need CI Report.**
15. **Need** report of Walter Moore (GAL)
16. Petition, item #11, does not include Lisa Knight, Jason Schreiner, Jon Schreiner, Jennifer Parsley, Lora St. John, Karen Irwin, Kim Bagwell, or Crissy Diaz, who are listed as grandchildren in x-ref matter regarding petition for conservatorship of Else Taylor, spouse. **Need verified supplement clarifying relatives.**
17. **Need** Certificate of Completion of the Conservatorship Training Class.
18. List of Required Contacts filed 01/24/18 is missing page 3 of form. **Need** completed form.
19. **Need** Notice of Hearing and proof of service to all relatives in item #11 of petition, and include notice to Veteran's Administration per Pr. C. §1461.5.
20. **Report of Counsel Church filed 03/21/18.**
21. Return of Citation filed 02/21/18.
22. ~Proposed Form Order: 01/24/18

RECOMMENDATION

Need to clear notes #3-7; #13-19. If approved, set hearing for Compliance Review for **01/09/19**. for the filing of the required documents and hearing re Accounting Review for **07/31/19**. Any accounting to be filed 30 days in advance.

(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: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700456

CASE NAME: RICHARD LLOYD TAYLOR

SEE ALSO 25, 26, 27, 28, 29

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CAROL DELORES ST. JOHN	(CPE)...GEORGE F DICKERMAN
RICHARD LLOYD TAYLOR	(CEP)...JAMES B CHURCH
ANNE RUTH BASHAM	(PET)...VICTOR J HERRERA

XREF: CONPS1700452 *ELSIE CHRISTINE TAYLOR*

See notes on prior matter #29.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800103

CASE NAME: MTR OF MATTHEW JAMES ARCHULETA

HEARING:

Petition for Appointment of Conservator

COUNSEL:

REINA ISABEL ARCHULETA (CPE)...PRO/PER
MATTHEW JAMES ARCHULETA (CEP)...

See x-ref matter: PRODS1000070 (Matthew Archuleta SNT)

GENERAL INFORMATION

Court Order approving Compromise of Disputed Claim entered 02/02/07; judgment in amount of \$40,000 was approved, less fees, totaling \$26,585.17 to be disbursed in a Special Needs Trust. Check to be made payable to Inland County Regional Center as trustee for beneficiary, Matthew Archuleta.

Order approving second account and waiver of future accountings per CRC 7.903 (d) entered 02/14/11.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Reina Isabel Archuleta, mother

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

1. Proposed conservatee is developmentally disabled. Court to determine whether a limited conservatorship is appropriate.
2. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, an IRC report is therefore optional per Pr. C. § 1827.5(b). **JTD**
3. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **JTD**
4. Petitioner seeks no bond without providing a legal basis. Suggest minimum bond of 20,000. **JTD**

5. Current assets consist of \$15,760.70 held in a Master Trust in which Inland Regional Center is current trustee; remaining assets are public benefits in which petitioner is the representative payee.
6. Petitioner seeks conservatorship of the estate as trust funds are depleting every year due to Trust administrative fees. **Need proper petition for removal of trustee and notice of hearing.**
7. Petitioner seeks powers under Pr. C. §2590 to sell property, contract for sale, borrow money, purchase/ improve property, lend money on security, exchange property, exercise stock options, power to pay/collect claims, etc. **JTD**
8. **CI Report filed 05/10/18.**
9. **Need** Certificate of Completion of the Conservatorship Training Class.
10. **Need** notice of hearing and proof of service to include 30 days' notice to Inland Regional Center (current trustee of SNT).
11. **Return** of citation filed 05/16/18.
12. ~Proposed Form Order: 04/09/18

RECOMMENDATION

Need to clear notes #6, 9-10. If approved, set hearing for Compliance Review for **01/09/19** for the filing of the required documents and hearing re Accounting Review for **07/31/19**. Any accounting to be filed 30 days in advance.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1800112

CASE NAME: TIERRA JONES

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANNA GREEN	(CPE)...EMILY LERNER
DIMITRI GREEN	(CPE)...EMILY LERNER
TIERRA JONES	(CTP)...PRO/PER

x-ref matter: VPRVS002805 (

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Anna and Dimitri Green (aunt and uncle)

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, and make decisions re education. **JTD**
2. Petition seeks orders limiting proposed conservatee's right to contract, give or withhold medical consent, and right to control sexual/social contacts. **JTD**
3. Petitioner seeks medical powers. Capacity Declaration filed 05/16/18.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. Proposed conservatee is developmentally disabled. **Need** IRC report.
6. CI Report filed 05/10/18.
7. Proof of Completion of the Conservatorship Training Class filed.
8. Petitioner Anna Green was previously guardian of proposed conservatee until she reached the age of majority.
9. Confidential Screening Forms filed by Anna Green and Dimitri are incomplete at item #6b as to whether proposed conservatee owes money to petitioners. Court to inquire.

10. Request to Excuse Notice with Due Diligence Declaration filed 04/17/18 as to Brian Betts (brother). **JTD**
11. Return of Citation filed 04/23/18.
12. ~Proposed Form Order: 04/17/18

RECOMMENDATION

Need to clear notes #4-5. If approved, set hearing for Compliance Review for **01/09/19** 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: STANFORD E. REICHERT

DATE: 05/23/18 TIME: 9:30 DEPT: S35P

CASE#: VC VS00353

VACATED

CASE NAME: MTR OF ALAN A MATARAZZO

HEARING:

Accounting Review by ***

COUNSEL:

JAMES V ORTOLANI
ALAN A MATARAZZO
CYNTHIA S REUTER
BRIAN BIXBY

(CPE)...LUNDBERG & BAXTER LLP
(CEP)...
(CPE)...SU P CHEAH
(OBJ)...

Status Report filed 05/07/18 by Cynthia S. Reuter.

Future hearing date: 06/19/18 - 6th Account and Report by Cynthia S. Reuter

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 05/23/18 TIME: 11:00 DEPT: S35P

CASE#: PRO PS1800302

CASE NAME: MTR OF KUROSH SOLTANIEH

HEARING:

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

COUNSEL:

IRA KENNETH MAGID

(PET)...KR HESS LAW PC

KUROSH SOLTANIEH

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Ira Magid, nominee

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

1. Petitioner requests bond of \$120,000 based on \$60,000 in cash and \$60,000 in real property. Appears sufficient.
2. Petitioner alleges decedent was residing in Iran at the time of his death, but is a U.S. citizen who previously resided in San Diego County. Decedent owns vacant land in San Bernardino County. [Petition, 4/3/18, LFpg2]. Court to confirm whether proper venue under Pr. C. §7051-7052.
3. **Need** Notice of Petition to Administer Estate with proof of service to Arash Soltanieh, Shabnam Rossier-Soltanieh, and Consulate of Switzerland.
4. **Need** Proof of Publication.
5. **Note: Amended Petition filed 04/23/18. Court may wish to trail to 06/12/18.**
6. ~Proposed Form Order:

RECOMMENDATION

Matter appears moot due to amended petition.

(lh)

Future hearing date: 06/12/18 Amended Petition for Letters of Administration by Darren Wagoner

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT TRIAL

DATE: 05/23/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1601024

CASE NAME: WENDELL LEYERLY

VACATED

HEARING:

Hearing Re: COURT TRIAL (THIRD DAY)

COUNSEL:

TOMMY LEYERLY	(PET)...JAMES B CHURCH
WENDELL LEYERLY	(DEC)...
RUBY MEININGER	(PET)...PRICE LAW FIRM APC
RUBY MEININGER	(PET)...RICHARD SAMUEL
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)...	

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN

Court trial—no notes—JTD

Future Hearings:

5/24/18 Court Trial (Day 1)

5/25/18 Court Trial (Day 2)

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

DATE: 05/23/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1601251

CASE NAME: Martin Williamson

HEARING:

Hearing Re: SPECIAL SETTING RE ISSUES- NOT CONTESTED

COUNSEL:

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

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON SPECIAL SETTING RE ISSUES- NOT CONTESTED

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

1. On 03/07/18, Court approved Petition to Remove Administrator, Christina Mucha, and appointed Successor Administrator, Rene M. Banks. Supplemental Petition for Probate with Full IAEA powers by Rene M. Banks was granted; \$400,000 bond. Orders signed; Letters issued this date.
2. Previous Administrator, Christina Mucha, to turn over items collected from estate to successor administrator, Rene M. Banks by 04/09/18,
3. Court vacated accounting review hearing re prior administrator, Christina Mucha, and ordered accounting to be filed by 06/06/18.
4. On 03/12/18, Court prepared Issues Synthesis for discussion at 05/23/18 hearing. Notice of Minute Order sent by Judicial Assistant with Attachment re issues.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearings:

11/13/18 Readiness Calendar

11/13/18 Petition for Determination of Entitlement to Estate Distribution

09/11/19 Accounting Review re Successor Administrator Rene M. Banks

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

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000440
CASE NAME: IMAN N. WAHID

HEARING:

Petition for Payment Of Attorney's Fees

COUNSEL:

MARWAN WAHID	(PET)...HARTNELL LAW GROUP
IMAN N WAHID	(DEC)...
AMAL KOBEISSI	(APP)...PRO/PER
YASMINE WAHID	(PET/MIN)...MELVIN L FRIEDLAND
SAMIR WAHID	(PET/MIN)...MELVIN L FRIEDLAND
HISHAM WAHID	(PET/MIN)...MELVIN L FRIEDLAND
S.I. WAHID LIVING TRUST	(TRU)...
IMAN N. WAHID	(MIN)...
MELVIN L FRIEDLAND	(PET)...MELVIN L FRIEDLAND
STATE OF CALIFORNIA FRANCHISE TAX BOARD (TP)	...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Melvin Friedland

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

1. Petitioner, Melvin Friedland, was appointed Guard Ad Litem for minors, Yasmine Wahid and Samir Wahid, on 08/31/10.
2. Petitioner rendered services from 09/01/15 to 03/29/18 and requests fees of **\$8,820** for 29.40 hours at \$300 per hour for attorney services to be paid from trust. Itemized. [Petition, 04/06/18, LFpgs8-9]. **JTD**
3. **Need** verified supplement with qualifications of paralegals per requirements of CRC 7.703(e)(1)(c) which show the completion of mandatory continuing education per Business & Professions Code 6450(d).
4. Notice was given.
5. ~Proposed Order: 04/06/18

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 8/20/18 Accounting Review

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

Superior Court of Calif, County of San Bernardino

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

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500760

CASE NAME: MTR OF MYLRID URCEIL GILES

VACATED

HEARING:

Accounting Review

COUNSEL:

ROSLYN TOWNSEND (PET)...CRAIG E WILSON
MYLRID URCEIL GILES (DEC)...

GENERAL INFORMATION

Continued from 02/21/18 at request of Counsel.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Court approved Status Report of Administration on 08/16/17.
2. **Need** Accounting or Status Report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600034

CASE NAME: THE EVA LOUISE MINTZ REVOCABLE TRUST

HEARING:

Accounting Review by Janine Marie Cargill

COUNSEL:

JANINE MARIE CARGILL (PET)...JOHN F WEBER
THE EVA LOUISE MINTZ REVOCABLE TRUST (TRU)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re Janine Marie Cargill

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

1. On 03/01/17, Court granted petition for modification of Trust to Establish Irrevocable SNT by Janine Marie Cargill with \$120,000 bond. **Need Order.**
2. **Need** accounting and status report.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600466

CASE NAME: BEATRICE DORETTA CHISUM

HEARING:

Petition for waiver of final Account and Report of JEANNETTA
LORETTA LOVE and Petition for allowance of fees filed.

COUNSEL:

JEANNETTA LORETTA LOVE (PET)...MATTHEW SHEASBY
BEATRICE LORETTA CHISUM (DEC)...

GENERAL INFORMATION:

Continued from 04/18/18 at request of Counsel to clear probate notes.

THIS CASE IS SET FOR HEARING ON Petition for Waiver of Final Account and Report and Petition for Fees by Jeannetta Lorretta Love, sole beneficiary

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

1. Assets on hand: \$368,229.79, consisting of cash, stock, and real property
2. Petitioner requests statutory fees of **\$12,046.89**.
3. Attorney requests statutory fees of \$12,046.89, less \$435.00 retainer fee previously received for total of **\$11,611.89**. Calculated.
4. Attorney requests reimbursement for advanced costs in the amount of **\$926.44**. Itemized. [Acct, 3/9/18, LFpg6].
5. Petitioner requests reimbursement of **\$1,038** for costs.
6. Petitioner requests reimbursement of **\$435** to third party, Jacqueline Love, for advanced filing fee.
7. **Need** bank statement verifying date of death balances and final ending balance per Local Rule 20-908. **Supp 4/20/18** petitioner alleges decedent's Chase bank account ending in x5194 with a date of death balance of \$42,765304 was a payable on death account liquidated prior to her appointment as personal representative .
 - a. **Question why the Chase account x5194 was included in Inventory and Appraisal as it does not appear to be an estate asset? Need Corrected Inventory and Appraisal.**
8. ~Proposed order: 03/09/18

RECOMMENDATION:

Need to clear note #7 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **07/31/19**.

(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: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600950

VACATED

CASE NAME: MTR OF GERTRUDE ELVIN MACKENZIE

HEARING:

Hearing re Final Discharge

COUNSEL:

KIMBERLY WHITESIDE

(PET)...JOHN F WEBER

GERTRUDE ELVIN MACKENZIE

(DEC)...

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

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700060

CASE NAME: MTR OF PATRICK M SEYMOUR

HEARING:

Waiver of Account and Report of MELISSA R POLSON and Petition
for allowance of fees filed.

COUNSEL:

MELISSA R POLSON	(PET)...MARK MOKTARIAN
PATRICK M SEYMOUR	(DEC)...
JAMES L LEESTMA	(TP)...JAMES L LEESTMA

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Waiver of Account and Report; Petition for
Fees and Final Distribution by Melissa R. Polson, executor/sole beneficiary

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

1. Assets on hand: \$117,000, cash
2. Statutory fees in reduced amount of **\$5,400** requested by attorney. Calculated. *However, no Inventory and Appraisal on file.*
3. **Need Final Inventory and Appraisal.**
4. Petitioner filed (6) assignments of interest to Advance Inheritance LLC which appear to total **\$134,000** as follows:
 - i. Assignment #1 for \$45,000 filed 01/24/17;
 - ii. Assignment #2 for \$22,000 filed 04/10/17;
 - iii. Assignment #3 for \$39,000 filed 11/21/17;
 - iv. Assignment #4 for \$7,000 filed 05/02/18 (if paid by 10/31/18);
 - v. Assignment #5 for \$14,000 filed 05/02/18 (if paid by 11/30/18);
 - vi. Assignment #6 for \$7,000 filed 05/16/18

However, the report and proposed distribution only reflect one assignment at \$39,000. **Need verified supplement as it appears there are insufficient funds left for distribution after paid statutory fees and assignments.**

5. **Need** bank/investment statement verifying final ending balance per Local Rule 20-908.
6. **Need** verified supplement indicating if cash has been invested and maintained in an interest bearing account. Pr.C.§ 1064(a)(5).

7. Request for Special Notice filed by Advance Inheritance, Inc. **Need** Notice of Hearing and Proof of Service with copy of petition.
8. No proposed order submitted.

RECOMMENDATION:

Need to clear notes #3-7 then Court's discretion. If approved, court to set hearing on filing of receipts and final discharge to include informal account for **05/29/19**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 6A add-on

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700431

CASE NAME: ANIL KUMAR TYAGI

SEE ALSO 6B

HEARING:

Petition for Probate Code 850 - Petition to Determine Title and or Interests

COUNSEL:

SYED SAJJAD HUSSAIN (PET)...UGO HARRIS P. EJIKE, ESQ.
ANIL KUMAR TYAGI (DEC)...
MICHAEL C MADDUX (SA/PET)...MICHAEL C MADDUX
NILESH NYAGI (MIN)...HORSPOOL & HORSPOOL
STATE OF CA FRANCHISE TAX BOARD (TP)...PRO/PER

XREF: CIVDS1502449 HUSSAIN VS TAYAGI

GARPS1700256 NILESH TYAGI

CIVDS1502449 HUSSAIN VS TAYAGI

CIVDS1509580 HUSSAIN VS SHARMA

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino
Page: 6B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 05/23/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700431

CASE NAME: ANIL KUMAR TYAGI

SEE ALSO 6A

HEARING:

Petition for DETERMINE TITLE TO REAL PROPERTY LOCATED AT 7415 VIA
DELDENE HIGHLAND CALIFORNIA 92346 ETC

COUNSEL:

SYED SAJJAD HUSSAIN (PET)...UGO HARRIS P. EJIKE, ESQ.
ANIL KUMAR TYAGI (DEC)...
MICHAEL C MADDUX (SA/PET)...MICHAEL C MADDUX
NILESH NYAGI (MIN)...HORSPOOL & HORSPOOL
STATE OF CA FRANCHISE TAX BOARD (TP)...PRO/PER

XREF: CIVDS1502449 *HUSSAIN VS TAYAGI*
GARPS1700256 *NILESH TYAGI*
CIVDS1502449 *HUSSAIN VS TAYAGI*
CIVDS1509580 *HUSSAIN VS SHARMA*

Currently under review by Legal Research.
(LR)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/23/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800074

CASE NAME: DAVIS FAMILY TRUST DATED OCTOBER 8, 2010

HEARING:

Petition to Require transfer of property to Successor Trustee and for atty's fees & costs & surcharge

COUNSEL:

DAVIS FAMILY TRUST (TRU)...

ANGEL DAVIS (STE)...HARTNELL LAW GROUP

Currently under review by legal research.

(LR)

NOTICE

Need copy of Trust and Notice of Hearing and Proof of Service as to Angel Davis in her individual capacity, Marva Davis, Diane Breyer, Christopher Davis, Leo O. Davis, Bernice and Glispie per Pr. C. §17203 and §851. *Note: noticed individuals subject to change upon review of trust.*

(lh)

HONORABLE: JAMES MICHAEL WELCH

DATE: 05/23/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800086

CASE NAME: The Brannigan Family Trust

HEARING:

Petition for Ptn to Remove Trustee, Compel Accting, Damages
Appointment of Successor Trustee

COUNSEL:

EDWARD BRANNIGAN
THE BRANNIGAN FAMILY TRUST

(PET)...ALDERSON LAW FIRM
(TRU)...

Currently under review by legal research.

(LR)

NOTICE

Need Notice of Hearing and Proof of Service as to Theresa Brown (trustee), Warren Brown (successor trustee), Jesse Emerick (2nd successor trustee), and beneficiaries: Kathleen Morgan, Kimothy Sampson, Howard Green, Amber Brannigan, Robert Vance-Sampson, Therol Sampson, Cortney Sampson, Shana Brannigan, and Dustin Brown, per Pr. C. §17203.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIPS**

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

HEARING:

Motion Re: NOTICE OF MOTION AND MOTION FOR RECONSIDERATION OF
THE MARCH 22,2018 Filed by Petitioner GILBERT MADRID

COUNSEL:

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

Currently under review by legal research.

(LR)

Future Hearings:

7/12/18 Fourth Account & Report of Gilbert Madrid

7/12/18 Hearing Re: OSC re Removal of Gilbert Madrid

Superior Court of Calif, County of San Bernardino

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

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300058

CASE NAME: ***MF MTR OF ANTHONY GALINDO***.

HEARING:

Motion Re: Set Aside Attorney Fee Order Filed by Petitioner
ANTHONY GALINDO

COUNSEL:

ANTHONY GALINDO	(CEP/OBJ)...WALTER T. MOORE
ISMARY DIAZ-GALINDO	(CPE)...HORSPOOL & HORSPOOL
TAMORA SUE GALINDO	(PET)...JACK B. OSBORN
TAMORA GALINDO	(CPE)...MARK J. ANDREW FLORY
ANTHONY GALINDO	(HARTNELL LAW GROUP)

XREF: CIVDS1405052 ASSET ACCEPTANCE -V- GONZALEZ

Currently under review by legal research.

(LR)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400006

CASE NAME: Velma Preciado

HEARING:
Petition for atty fees

COUNSEL:

RODRIC ANTHONY PACHECO	(PCR)...RONALD W ASK
VELMA PRECIADO	(PCE/CEP)...BRYAN C HARTNELL
PUBLIC GUARDIAN	(CPE)...
DENIS DICKINSON	(PCR/CPE)...CRAIG M PARKER
ROD PACHECO	(OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Ronald W. Ask

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

1. Petitioner, Ronald W. Ask, counsel for former conservator, Rodric A. Pacheco, seeks compensation for assisting Mr. Pacheco in dealings with pending sanction issues against him by preparing a Final Report and Account and appearing on his behalf during proceedings.
2. Petitioner requests fees of \$14,021.34 for 39.9 hours at the rate \$375/\$150 per hour for attorney/paralegal services, less \$2,000 already paid by Mr. Pacheco for a total due of \$12,021.34 Hours itemized at LFpg5; billing statements attached at LFpgs 8-19. **JTD**
3. Petitioner requests reimbursement of costs of \$548.84. Said costs appear to include postage which is not normally reimbursable per Local Rule 20-1406(d). **Need itemization of costs via verified supplement.**
4. Petitioner requests payment to Marcia Campbell, CPA, for completion of accounting at \$2,882 for 27.2 hours at \$75-\$100 per hours, less \$1,000 in fees already paid, plus financed interest for a remaining total balance due of **\$2,067.29**. Itemized. [Petition, 04/16/18, LFpg43-47]. **JTD**
5. **Need** Notice of Hearing and Proof of Service as to Craig Parker, ESQ.
6. ~Proposed Order: No Proposed Order Submitted

RECOMMENDATION

Need to clear notes #3 and #5 then Court's discretion.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500365
CASE NAME: MTR OF DAISY PAOLA HERRERA

HEARING:
SECOND Account and Report of NOREEN T FONTAINE and Petition for allowance of fees filed.

COUNSEL:

LETICIA AVILA	(PET)...PRO/PER
DAISY PAOLA HERRERA	(PCE)...
NOREEN T FONTAINE	(TEE)...PRO/PER

GENERAL INFORMATION

Continued from 11/29/17. Accounting in Los Angeles County has been filed – waiting for approval. Attorney Fontaine states the insurance was paid prior to Thanksgiving. Court orders Attorney Fontaine to pay taxes that are due.

Continued from 02/21/18 at request of Counsel due to pending matter in Los Angeles County. Notice waived.

THIS CASE IS SET FOR HEARING ON SECOND Account and Report of NOREEN T FONTAINE and Petition for Allowance of fees by Noreen Fontaine, Successor Trustee of the Daisy Herrera SNT

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

1. On **03/03/16**, this Court appointed Leticia Avila as limited conservator of the **person only**.
2. Petitioner Noreen Fontaine alleges she was appointed Successor to Bank of the West, Trustee of the Daisy Herrera Special Needs Trust on 01/10/00 by order of LA Superior Court, case number BC185082.
3. Petitioner contends the principal place of administration of the trust is Riverside County, but that petitioner has agreed to submit jurisdiction to San Bernardino County.
4. It does not appear this Court has obtained jurisdiction over the SNT trust as there is no Order on file from Los Angeles County or Riverside County Court transferring the SNT to this Court. JTD

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600032

CASE NAME: JACQUELINE BEARCE

HEARING:

Petition for attorney fees

COUNSEL:

ROBERT L BEARCE	(PCR)...PRO/PER
SHERI L KASTILAHN	(PET)...SHERRI L KASTILAHN
KATHLEEN BEARCE CLARKE	(CPE)...PRO/PER
JACQUELINE BEARCE	(CEP/CEE)...SHERRI L KASTILAHN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees by Sherri Kastilahn

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

1. Petitioner, Sherri Kastilahn was appointed Counsel for Jacqueline Bearce, conservatee, on 03/29/16.
2. Petitioner requests fees of \$10,611.25 for 32.65 hours at \$325 per hour for attorney services. Itemized. [Petition, 04/11/18, LFpgs4-7]. **JTD**
3. **Need** Notice of Hearing and Proof of Service as to Jacqueline Bearce.
4. ~Proposed Order: no proposed order submitted

RECOMMENDATION

Need to clear note #3 then Court's discretion.

(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: JAMES MICHAEL WELCH

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600145

CASE NAME: MTR OF BETTY MAY CAVENAUGH

HEARING:

First and Final Account and Report of COLLEEN ANN CAVENAUGH and
Petition for allowance of fees filed.

COUNSEL:

COLLEEN ANN CAVENAUGH (CPE)...SHERRI L KASTILAHN
BETTY MAY CAVENAUGH (CEP/PCE)...
PATRICK M CAVENAUGH (PET)...PRO/PER
KATHY BREITENBACH (PCR)...PRO/PER
DEPARTMENT OF AGING AND ADULT SERVICES (TP)...COUNTY COUNSEL
SURETEC INSURANCE COMPANY

XREF: CONPS1600146 *MTR OF PATRICK RICHARD CAVENAUGH*

Future Hearing: 5/24/18 Accounting Review

Currently under review by Probate Examiner.

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

DATE: 05/23/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1800044

CASE NAME: ROMAN OCHOA CHAVEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

MANUEL CHAVEZ	(PET)...PRO/PER
AMADA CHAVEZ	(PET)...PRO/PER
ROMAN OCHOA CHAVEZ	(CEE)...PRO/PER

GENERAL INFORMATION

Continued from 03/28/18 for Inland Regional Center to finish report and clear notes.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Manuel and Amada Chavez, 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 decisions re education. JTD
2. Civil and legal rights not to be limited without a Court order.
3. Petitioner seeks medical powers. Capacity Declaration filed 02/16/18 is incomplete at item #4b as to whether proposed conservatee is a continuing patient under treatment. **Need** completed form.
4. Proposed conservatee is developmentally disabled. **Report from appointed Counsel Rose C. Rosado filed 05/16/18.**
5. Proposed conservatee is developmentally disabled. Need IRC report. **IRC letter dated 03/14/18 requesting 45-day continuance.**
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** return of Citation.
8. CI Report filed 03/20/18.
9. ~Proposed Form Order: 02/16/18

RECOMMENDATION

Need to clear notes #3; 6-7. If approved, set hearing for Compliance Review for **01/09/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: CON PS1800107

CASE NAME: MTR OF CESAR I CORONADO

HEARING:

Petition for Appointment of Conservator

COUNSEL:

FERNANDO CORONADO (CP)...PRO/PER

CESAR I CORONADO (CTP)...

GENERAL INFORMATION

Continued from 04/23/18. Fernando Coronado appointed temporary conservator of the person only; no bond.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Fernando Coronado (brother)

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

1. It appears proposed conservatee is developmentally disabled. See Petition filed 04/20/18, LFpg6 specifying disability. Court to determine whether a limited conservatorship is appropriate. **JTD**
2. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, an IRC report is therefore optional per Pr. C. § 1827.5(b). **JTD**
3. As proposed conservatee is developmentally disabled and this is not a petition for Limited Conservatorship, Court may wish to appoint counsel and require report for proposed conservatee per Pr.C. §1470. **JTD**
4. Petitioner seeks medical powers. **Capacity Declaration filed 04/20/18.**
5. CI report filed 05/08/18.
6. **Need** Certificate of Completion of the Conservatorship Training Class.
7. **Need** notice of hearing and proof of service to include 30 days' notice to Inland Regional Center.
8. Return of Citation filed 04/20/18.
9. ~Proposed Form Order: 04/13/18

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

RECOMMENDATION

Need to clear notes 6-7. If approved, set hearing for Compliance Review for **01/09/19** 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: TARA REILLY

PROBATE

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600249

VACATED

CASE NAME: JOSE R CASTILLO

HEARING:

Accounting Review re Martha Chavez-Acevedo

COUNSEL:

MARTHA CHAVEZ ACEVEDO

(PET)...MADRID LAW FIRM

JOSE R CASTILLO

(DEC)...

AIDA E RODRIGUEZ

(OBJ)...LAW OFFICES OF JAMES A HAGAN

JOSE CASTILLO JR

(LAW OFFICES OF JAMES A HAGAN)

CASSANDRA CASTILLO

(LAW OFFICES OF JAMES A HAGAN)

Status Report filed 05/16/18.

Future hearing date: 07/12/18 Status Report

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700509

CASE NAME: ENRIQUE A MUNIZ

HEARING:

Petition for distribution on waiver of Account and Report of
HECTOR MUNIZ and Petition for allowance of fees

COUNSEL:

HECTOR MUNIZ (PET)...PRO/PER
ENRIQUE A MUNIZ (DEC)...

Petition for Waiver of Account and Report filed 03/27/18 not in LF at time of review.
Clerk's office notified.

Court to continue to first check calendar no earlier than 06/27/18, or later Wednesday
calendar.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700699

CASE NAME: YOLANDA BARRERA

SEE ALSO 5

HEARING:

OSC re: Dismissal

COUNSEL:

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

GENERAL INFORMATION

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

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

Continued from 03/07/18 at request of Court to clear probate notes and for petitioner to be present. No appearance by petitioner. Notice given by Judicial Assistant.

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

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

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

9. No proposed order submitted.

RECOMMENDATION

Need to clear notes 4-8. Court's discretion re bond. If approved, set Accounting/Status Review **07/31/19**. Any accounting to be filed 30 days in advance local rule 20-901.

Note requirements of local rule 20-908.

(ww/lh)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700699

CASE NAME: YOLANDA BARRERA

SEE ALSO 4

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

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

See notes on prior matter #4.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800248

CASE NAME: Gary Webster Chacksfield

HEARING:

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

COUNSEL:

AMANDA PAYSON

(PET)...GREGORY L ZUMBRUNN

GARY WEBSTER CHACKSFIELD

(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Amanda Payson (daughter)

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

1. All heirs waive bond. However, proposed personal representative resides outside California, Court may require bond per Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Does court wish to require minimum bond of \$20,000 or alternatively based on real property assets of \$200,000? **JTD**
2. ~Proposed Form Order: 03/13/18

RECOMMENDATION

Court's discretion re bond. If approved, set Accounting/Status Review for **07/31/19**
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800257

CASE NAME: Mtr of Marin Campos Jr

HEARING:
Spousal Property Petition hearing.

COUNSEL:
FRANCISCA SOTO BASTIDAS (PET)...GREGORY L ZUMBRUNN
MARIN CAMPOS Jr (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Spousal Property Petition by Francisca Soto Bastidas (spouse)

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

1. Petitioner, Francisca Soto Bastidas, seeks court confirm her half of community property and determine that decedent's half transfers to petitioner without administration.
2. Petitioner alleges deceased spouse's 50% interest is community property as she and decedent were married on 07/24/04. Real property was purchased as their principal residence on 09/01/11; however, decedent purchased residence as an "unmarried man" because petitioner was neither a citizen nor resident alien. Although it was not a true statement, it was necessary to close escrow. When parties wanted to modify a loan, decedent signed a "marital status form" and "Continuous Marriage Affidavit" confirming the community property character of residence. See Grant Deed attached at LFpg6. **Supp. 05/16/18 Marriage Certificate attached. JTD**
3. Notice was given.
4. ~Proposed Form Order: 03/15/18

RECOMMENDATION:

Court's discretion.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800289

CASE NAME: Mtr of Mildred P Lagomarsini

HEARING:

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

COUNSEL:

ROBERTA C LAGOMARSINI (PET)...JEANNE E KENNEDY
MILDRED P LAGOMARSINI (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Roberta Lagomarsini (executor/trustee/daughter)

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

1. Will waives bond.
2. ~Proposed Form Order: 03/28/18

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for
07/31/19. Any accounting to be filed 30 days in advance local rule 20-901. Note
requirements of local rule 20-908.

(lh)

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

DATE: 05/23/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800348

CASE NAME: Stephen H Caine

HEARING:

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

COUNSEL:

EDWARD CAINE (PET)...LAW OFFICE OF STEPHEN S TALT
STEPHEN H CAINE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Edward Cane (executor)

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

1. Will waives bond. However, petitioner is a non-resident and the court may require bond if the proposed personal representative resides outside California per and Pr. C. § 8571. Court also has discretion to require bond per Pr. C. § 8481(b). Does court wish to require minimum bond of \$20,000 or alternatively based on real property assets of \$170,000 (personal property only). **JTD**
2. 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 wish to require a copy of Trust? **JTD**
3. **Need** Notice of Petitioner to Administer Estate as to Northern Trust Bank, U.S. Trust Company of CA, and Jeanette H. Caine.
4. **Need** proof of publication.
5. ~Proposed Form Order: 04/13/18

RECOMMENDATION

Need to clear notes #2-4; Court's discretion re bond. If approved, set
Accounting/Status Review for **07/31/19**. Any accounting to be filed 30 days in advance
local rule 20-901. Note requirements of local rule 20-908.

(lh)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 05/23/18 TIME: 8:35 DEPT: S37P

CASE#: SC SS03057

CASE NAME: MTR OF HELEANA HOSTETLER

HEARING:

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

COUNSEL:

ANGELA DECKER (CPE)...CHRISTOPHER A POULOS
HELEANA HOSTETLER (CEP)...ROGER E WALKER
HELEANA HOSTETLER COURT ORDERED S.N. TRUST (TRU)...
AMERICAN CONTRACTORS INDEMNITY (TP)...PRO/PER

GENERAL INFORMATION:

Continued from 03/07/18. Court approves bond increase to \$946,000. Court orders a verified supplement to be filed addressed the following issues on Schedule C: (1) how the \$4,000 allowance was spent; (2) whose name is on the van; (3) what equipment was bought; (4) how is home titled; (5) whose debt is the IRSUSA tax payment for; (6) what is the Securities America payment for; (7) whose pet is the vet charge for; (8) who uses the \$500 worth of groceries; (9) who is the wireless Verizon and AT&T bill for? See reporter's transcript for further details.

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

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

1. Accounting period 10/01/15 to 09/30/17
2. Assets on Hand \$762,248.78 consisting of \$545,681.93 in cash (majority in blocked account) and \$216,566.85 in non-cash assets.
3. Petitioner requests authorization to continue the \$7,000/month family allowance for common living expenses of beneficiary which includes a \$3,000/month salary to petitioner for care giving services. Verification of caregivers filed. **JTD**
4. Attorney requests fees of **\$3,562.20** billed at \$225/hour for 4.10 hours' attorney time and \$100/hour for 24 hours' paralegal time. Itemized [LFpg83]. **JTD.**

- a. Attorney hours include 3 hours of travel time for Court appearance that is not normally allowed. [LF, p.83] JTD.
5. Bond currently set at \$420,000. Petitioner requests the block on the Securities America Account RQT-400700 be removed to increase yield on trust assets, and for bond increase and consolidating to one bond of **\$946,000** (includes recovery). **Court approved bond increase.**
6. Petitioner requests the court set next accounting as a biennial accounting, for the period 10/01/17 to 09/30/19. **JTD**
7. Notice given, no objection.
8. **Declaration of Annette deBelleFeuille filed 02/13/18** alleges she is unable to determine if she was ever relieved as Counsel, thus requests Court relieve her as Counsel. **Note: Minute Order on 02/09/10 indicates Counsel debelleFeuille was relieved.**
9. **Supplement filed 05/07/18 addressing all issues per m/o dated 03/07/18.**
10. ~Proposed Order: 11/09/17

RECOMMENDATION:

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

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/23/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800039

CASE NAME: 1998 ROBERT BRUCE OGILVIE SR AND OPAL LEILA

SEE ALSO 12

HEARING:

Petition for Removal of Successor Trustee Gregory Wiebe:
Delivery of Trust Assets

COUNSEL:

RICHARD OGILVIE (PET)...BENNETT KERNS, ESQ
THE 1998 ROBERT BRUCE OGILVIE (TRU)...
GREGORY L WIEBE (PET)...DOONAN & DOONAN, INC., APROFES

XREF: PROPS1701272 MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T.

Currently under review by legal research.

(LR)

Notice:

Notice of Hearing filed 03/13/18 does not include Jonathon Ogilvie. Need same

(nb/lh)

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

DATE: 05/23/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800039

CASE NAME: 1998 ROBERT BRUCE OGILVIE SR AND OPAL LEILA

SEE ALSO 11

HEARING:

First Account and Report of GREGORY L WIEBE and Petition for allowance of fees

COUNSEL:

RICHARD OGILVIE (PET)...BENNETT KERNS, ESQ
THE 1998 ROBERT BRUCE OGILVIE (TRU)...
GREGORY L WIEBE (PET)...DOONAN & DOONAN, INC., APROFES

XREF: PROPS1701272 MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T.

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Status of Administration of Trust; Petition for Settlement by Gregory Wiebe, trustee

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

1. Accounting period: 07/16/16 to 02/28/18
2. Assets on hand: \$1,004,214.54, consisting of \$1,004,214.54 in cash and remaining in tangible personal property; value to be determined. However, cash on hand in Citizen's Bank Statement reflects cash on hand of \$1,012,214.54 differs from Schedule F assets on hand. [Acct, 3/28/18, LFpg21; 181]. **Need verified supplement.**
3. Need clarification as to status of Johnathon Ogilvie, son of Robert Bruce Ogilvie, Sr. [Acct, 3/28/18, LFpg24]. Why is he excluded as a beneficiary and as a person entitled to notice? **Need verified supplement.**
4. Trustee intends to pay himself **\$54,387.83** in compensation pursuant to Section 7.8 of Trust. Itemized. [Acct, 03/28/18, LFpg66, 72-95].
5. Attorney fees paid to Janis Brady Martindale for \$4,165.65 with remaining fees owing at \$626.25; Law Offices of Doonan and Doonan for \$7,500 with remaining fees owing at \$23,824.75. Itemized. [Acct, 3/28/18, LFpg100-112].
6. Trustee made distributions to beneficiaries totaling \$177,000.

RECOMMENDATION:

Need to clear notes #2-3 then Court's discretion. If approved, court to set hearing on Accounting Review for **04/24/19**.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900080

CASE NAME: MELVIN LEE WADE JR.

HEARING:

Petition for To Fix Residence Outside the State of California

COUNSEL:

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

GENERAL INFORMATION:

Continued from 03/07/18. Conservator is authorized to take conservatee on an extended vacation to Las Vegas, Nevada, pending next hearing. Court intends to grant this petition but requires proof of conservatorship proceedings initiated by Clark County, Nevada. Mailing list to be attached to notice of hearing and proof of service.

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

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

1. Petitioner/Conservator Michelle Portis requests the Court authorize the residence for minors to be fixed outside the State of California to Las Vegas, Nevada because conservator's spouse obtained employment in Las Vegas, Nevada, requiring family to relocate.
2. Petitioner alleges the expected duration of the out-of-state move is more than 4 months and the guardianship of the person will be commenced in the place of the new residence.
3. ~Proposed Form Order: 01/318/18

RECOMMENDATION

Inquire status of Clark County conservatorship.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300327

CASE NAME: RANSOM GEORGE BALLARD

HEARING:

Hearing Re: THIRD Account and Report (Trust)

COUNSEL:

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

GENERAL INFORMATION

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

Continued from 03/07/18. Court approves accounting in full, including condo in Washington DC as conservatee and his Counsel have no objection to purchase and have faith that conservator is working in conservatee's best interest. However, Court order approving this accounting is not official until bank statements are filed. Counsel's request to terminate supervision of the trust and continue only on conservatorship will be granted upon filing of bank statements currently needed.

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

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

1. Account period covers 02/01/16 to 01/31/17
2. Assets on hand \$216,902.75 consisting of \$3,248.74 in cash and the balance in securities.
3. **Need** supporting bank statement to support the cash on hand totaling \$3,248.74 per Local Rule 20-908. **Supp 03/22/18 with supporting statements at LFpgs, 20, 36**
4. Petitioner indicates conservatee borrows money from people; however does not indicate an amount, nor is it known whether these are legal/valid debts. Court may wish to inquire. [3rd Acct, 10/25/17, LFpg4]. **Supp. 02/16/18. The**

statement was made in error and carried over from previous accounting. There are no further debts.

5. Current bond is \$302,000. Petitioner requests bond reduced by \$46,000 for a total bond of \$256,000. Appears sufficient. **JTD**
6. Petitioner requests compensation of \$2,785 billed at \$35/hour for a total of 71hours. Itemized [3rd Acct, 10/25/17, LF p.43-44]. **JTD**
7. Petitioner requests reimbursement of \$1,294.02 for costs including airfare, car rental, lodging and meals. Itemized [3rd Acct, 10/25/17, LF p.46]. **JTD**
8. Petitioner requests an additional order under Pr. C. §2590 to purchase and vest real property in the name of the conservatorship pursuant to Pr. C. §2591(g). Proposed purchase consists of a condominium in Washington D.C. listed at \$55,000 via short sale. Purchase would require replacement of appliances and repairs totaling \$12,000, with management expenses at \$100/month. Current investments generate \$9,000 annually, and income will soon be reduced due to maturing of bonds. Expenses of estate currently exceed annual income. Rental income could replace and exceed current income. Declarations in support of request attached. [3rd Acct, 10/25/17, LFpg4, 38-41]. **JTD**
9. No proposed Order submitted. Submit after hearing.

RECOMMENDATION:

Court's discretion. If approved, set hearing re next (final) Accounting Review **on 08/15/18**, or later Wednesday calendar. Accounting to be filed 30 days in advance.

(lh)

Future hearing date: 03/27/19 Accounting Review re Conservatorship

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

DATE: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500155

CASE NAME: FRANK JOHN BRYANT

HEARING:

Order to Show Cause RE: Status of Transfer to Riverside County

COUNSEL:

MINNIE V. WILLIAMS	(CPE)...ROBERT B. WHITE
FRANK JOHN BRYANT	(CEP)...
GARY MEDLOCK	(CPE/PCR)...ROBERT B. WHITE
JASON MEDLOCK	(SC/PCR/CPE)...GARY E BEEKS
SHANNON MEDLOCK	(SC/PCR/CPE)...GARY E BEEKS
GARY MEDLOCK	(CPE)...GARY E BEEKS ESQ
DEPARTMENT OF VETERANS AFFAIRS	(CPE)...REGIONAL COUNSEL
NORTHWESTERN NATIONAL INSURANCE (TP)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Order to Show Cause RE: Status of Transfer to Riverside County

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

1. Jason and Shannon Medlock, great nephew and great niece, were appointed as successor co-conservators of the person and estate on 11/13/06. \$258,000 bond, in Los Angeles County. \$13,000 additional bond posted on 08/27/07 for a total bond of \$271,000. Case ordered to be transferred from Riverside County on 05/22/15. Amended orders and letter for San Bernardino County filed on 11/10/15, no bond.
2. Conservatee, Frank John Bryant, passed away on 06/18/17.
3. Matter set on 03/21/18, wherein, Court ordered matter transferred to Riverside County upon Attorney Beeks informing Court of a pending probate case in Riverside County as RIP1701902. Transfer fees for both San Bernardino County and Riverside County waived.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700019

CASE NAME: RAVEN MONIQUE GONZALES

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of MONIQUE GONZALES

COUNSEL:

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

GENERAL INFORMATION

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

Continued from 03/07/18. Amended Determination of Conservatee's Appropriate Level of Care filed in Courtroom. Hearing continued at request of Court for corrected proof of service to be filed.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Monique Gonzales appointed limited conservator of the person on 05/10/17.
2. Notification of Conservatee's rights filed 05/02/18; however, Proof of Service, item #5, indicates incorrect date of Order (01/19/17) served with notice. **Need Proof of Service to reflect service of Order Appointing Conservator dated 05/10/17.**
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Care Plan filed 02/28/18.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700059

CASE NAME: LARDINE ROBINSON

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TYTIANA DAWSON

COUNSEL:

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

GENERAL INFORMATION

Continued from 03/07/18. Amended determination of conservatee's appropriate level of care filed this date. Hearing continued for corrected proof of service to be filed.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Tytiana Dawson appointed Conservator of the person on 08/02/17, letters issued same date.
2. Notification of Conservatee's rights filed 03/07/18. Court to clarify if Order dated 08/02/17 was served with notice, as the date [08/02/17] is crossed out. Court to inquire.
3. Determination of Conservatee's Appropriate Level of Care filed.
4. Care Plan filed 08/28/17.

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: 05/23/18 TIME: 9:30 DEPT: S37P

CASE#: PRO PS1300069

CASE NAME: THE STEVEN VEGO JR SETTLEMENT TRUST

HEARING:

Petition for Instructions to pay for necessary home modifications

COUNSEL:

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

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

Currently under review by Legal Research.

(LR)

Notice was given.

(lh)

Future Hearing: 10/17/18 Accounting Review

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

DATE: 05/23/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 20, 21

HEARING:

Court Trial set for PETITION FOR WILL AND LETTERSTESTAMENTARY of
DEBORAH WILKINSON

COUNSEL:

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

Court trial—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: 05/23/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON
SEE ALSO 19, 21

HEARING:

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

COUNSEL:

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

Currently under review by legal research.

(LR)

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

DATE: 05/23/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600537

CASE NAME: MTR OF EUGENE L WILKINSON

SEE ALSO 19, 20

HEARING:

Petition for Probate of Will & for Letters Testamentary W/ Full IAEA

COUNSEL:

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

GENERAL INFORMATION

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

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

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

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

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

Continued from 08/31/17, 10/05/17, 10/24/17 and 03/01/18, and 05/10/18. Trial dates set.

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

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

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

1. Petitioner, Deborah Wilkinson, is named executor in codicil. However, codicil does not waive bond as to petitioner. Petitioner waives bond; however, no other beneficiaries waived bond. **Supp 07/29/16:** Petitioner alleges that decedent intended the will terms did not change. However, petitioner is not named as executor in the will. Supplement does not cure deficiency. **Supp11/07/16:** Petitioner requests bond of \$200,000 as bulk of the personal property is to go to petitioner. **Estate value \$2,150,000.** JTD
2. The original will is apparently lost. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it. Pr.C. 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **Supp 07/29/16: Petitioner alleges that decedent's wife has confirmed having original will.** Declarations filed **11/23/16** indicating that Janet Wilkinson **does not** have the original will.
3. Petitioner alleges she has the original codicil.
4. Decedent and spouse were legally separated at time of death. See declaration filed 05/27/16.
5. **Objections filed by Janet Wilkinson, surviving spouse, on 09/22/16.**
6. **Response filed by Deborah Wilkinson on 11/07/16.**
7. ~Proposed Form Order: 05/27/16.

RECOMMENDATION

Court's discretion re bond; matter is contested. If approved, set Accounting/Status Review for **07/31/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.
(lc/lh/lc/lh)