



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 05/24/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1500913

CASE NAME: MTR OF GARRET W BOOTSMA SR

HEARING:

Second Account and Report of JIM H BOOTSMA and Petition for allowance of fees filed.

COUNSEL:

GARRET W BOOTSMA SR

(DEC)...

JIM H BOOTSMA

(PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Account Current and Petition for Allowance of Fees by Jim Bootsma, son/executor.

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

1. Accounting period 12/01/16 – 02/28/16.
2. Assets on hand \$80,919.17 in cash.
3. The estate is not ready to close as executor is waiting distribution from Orange County Estate 30-2014-00724270-PR-LA-CJC of Wilbur Bootsma.
4. Executor made preliminary distributions per 04/25/17 order; receipts filed.
5. **Need** notice of hearing and proof of service.
6. No proposed order. Submit after hearing.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501015

CASE NAME: WILLIAM BERNARD OFNER

SEE ALSO 3, 4

HEARING: Hearing Re: OSC RE SURCHARGE OF \$1,000.00 ON
ADMINISTRATOR

COUNSEL:

DANIEL CAUSEY	(TP)...KENNETH L MORRIS
LINDA ATKINSON	(PET)...JEFFREY S. COHEN
WILLIAM BERNARD OFNER	(DEC)...

XREF: CONPS1500051 (*William Ofner*)

GENERAL INFORMATION

Continued from 05/03/17 and 05/25/17; final account to be filed by 9/01/17.

Continued from 12/14/17. Counsel stated that his client is having trouble with the Signature Medallion Guarantee with CompuServe and Ameri-Trade. Property has been sold and money held in blocked account and GAL in this matter is still owed. Order withdrawing funds of \$61,091.25 filed.

OSC set on 04/05/18 when there was no appearance by counsel or administrator. Both parties to appear on 05/24/18. Sanctions of \$500 on both counsel and administrator and surcharge of \$1,000 on administrator.

THIS CASE SET FOR HEARING ON **OSC re Sanctions of \$500 FTF/\$1,000 Surcharge/Accounting review/Status.**

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

1. Letters of Administration issued to Linda Atkinson, PPF, on 08/09/16; full authority, \$25,000 bond.
2. **Need** final Inventory and Appraisal
3. **Need** accounting or status report.

RECOMMENDATION

Court's discretion re OSC. Need to clear notes 2-3. Bonding company noticed.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501015

CASE NAME: WILLIAM BERNARD OFNER

SEE ALSO 2, 4

HEARING:

Hearing Re: OSC RE SANCTIONS OF \$500.00 FOR FAILURE TO FILE

COUNSEL:

DANIEL CAUSEY	(TP)...KENNETH L MORRIS
LINDA ATKINSON	(PET)...JEFFREY S. COHEN
WILLIAM BERNARD OFNER	(DEC)...

XREF: CONPS1500051 (*William Ofner*)

See notes on matter 2

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501015

CASE NAME: WILLIAM BERNARD OFNER

SEE ALSO 2, 3

HEARING:

Accounting Review by ***

COUNSEL:

DANIEL CAUSEY	(TP)...KENNETH L MORRIS
LINDA ATKINSON	(PET)...JEFFREY S. COHEN
WILLIAM BERNARD OFNER	(DEC)...

XREF: CONPS1500051 (*William Ofner*)

See notes on matter 2

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600423

CASE NAME: MTR OF JOYCE LOUISE MOORE

HEARING:

Probate status report filed.

COUNSEL:

JOYCE LOUISE MOORE (DEC)...
LIZA S MARTINEZ (PET)...MICHAEL C MADDUX

GENERAL INFORMATION

Continued from 12/07/17 and 04/05/18 to clear notes.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration Testamentary issued to Liza Martinez, daughter, on 06/28/16; full authority, no bond.
2. Final Inventory and Appraisal filed 05/17/18.
3. Status report filed using a Los Angeles County form. Executor, who appears to be sole beneficiary, states no additional time is needed to close the estate. However, there is no Inventory and Appraisal, accounting or waiver of accounting with report filed. If executor wishes to waive accounting, executor must file a final report of administration per Cal Rules of Ct 7.550, Pr. C. § 1064 and Pr. C. §10954(c)(1). **Need** same.
4. No proposed order submitted.

RECOMMENDATION

Need to clear note 3; however, matter appears moot as a final waiver of account has been filed to be heard 07/02/18.

(lc)

Future hearing dates: 07/02/18 Final Waiver of Account and Report by Liza Martinez.

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600731

CASE NAME: MTR OF ROGER E BERG

HEARING:

FIRST AND FINAL REPORT OF ADMIN ON WAIVER Account and Report of
PATRICIA M HOPKINS and Petition for allowance of fees filed.

COUNSEL:

PATRICIA M HOPKINS (PET)...STEPHEN P JANIS
ROGER E BERG (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Patricia Hopkins, sister.

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

1. Assets on hand \$45,000 in real property.
2. Administrator is sole heir, waives accounting and statutory compensation.
3. Counsel seeks statutory fees of \$2,200. Ok.
4. Counsel seeks a reserve of \$500.
5. No proposed order. Submit after hearing.

RECOMMENDATION

RFA. If approved, set hearing on the filing of receipts and final discharge for **05/30/19**.

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800310

CASE NAME: MTR OF WILLIAM LISLE MOORE

HEARING:

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

COUNSEL:

RONALD W MOORE (PET)...PRISCILLA C SOLARIO ESQ
WILLIAM LISLE MOORE (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full
Authority under IAEA by Ronald Moore, son.

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

1. Notice to Petition to Administer Estate and proof of service filed; however, need to clear note 3 prior to clearing notice.
2. Will and 2 of the beneficiaries waive bond [Wayne's not on mandatory judicial council form. **Gross** estate value is \$400,000 in real property. Section 3(7) is incomplete as to any encumbrance. **Need** verified supplement. However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §However, petitioner is a non-resident and court has discretion to require bond per Pr.C. §8571.
3. Will mentions specific bequests to grandchildren, however, there are no grandchildren listed in section 8. **Need** verified supplement re any living grandchildren.
4. **Need** phone number on Duties form.
5. No proposed order submitted.

RECOMMENDATION

Need to clear notes 2-4, Court's discretion re bond. If approved, set Accounting/Status Review for **08/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800313

CASE NAME: MTR OF JUSTICE BARAMEY THACH ET AL

HEARING:

Petition for order to deposit money belonging to a minor into a blocked account

COUNSEL:

RI KIM THACH	(PET)...	FULLERTON LEMANN SCHAEFER
JUSTICE BARAMEY THACH	(MIN)...	
VICTORIA REACHNY THACH	(MIN)...	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Order to Deposit Funds into Blocked Account Pr.C.§ 3410(a)(2) by Ri Kim Thach, mother for minors Justice 10 and Victoria 6.

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

1. Petitioner, mother Ri Kim, seeks an order depositing funds inherited from deceased father's life insurance. Each minor is to receive \$65,000.
2. Petitioner alleges the funds will be held in an interest-bearing account and funds will be blocked until minors reach age of majority.
3. Petitioner seeks authority to pay attorney's fees of \$3,000.
4. ~Proposed form orders: 04/05/18.
5. ~Proposed pleading Order: 05/16/18.

RECOMMENDATION

RFA. If approved, set hearing re proof of blocked account on **06/28/18**.
(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800331

CASE NAME: MTR OF TIMOTHY FARSON

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

DAVID FARSON

TIMOTHY FARSON

(PET)...MARIVEL M ZIALCITA

(DEC)...

GENERAL INFORMATION

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

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

1. Petitioner appears to be sole heir and waives bond; however section 3e states he is a corporate fiduciary. **Court to clarify.** Net estate value is \$163,000 in real property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 04/11/18.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **08/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800342

Vacated

CASE NAME: ALFONSO JESUS PICENO

HEARING:

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

COUNSEL:

ALFONSO JESUS PICENO (DEC)...

YVETTE PICENO (PET)...MICHAEL BROAD

Matter mis calendared. Hearing 05/22/18.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800343

CASE NAME: MTR OF BRONSON WILLIAM BRADLEY JR

HEARING:

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

COUNSEL:

BRONSON WILLIAM BRADLEY JR (DEC)...
KAREN BRADLEY (PET)...NETT & NETT, P.C.

GENERAL INFORMATION

/// start refusal to ADMIT WILL14

THIS CASE SET FOR HEARING ON Petition for Probate, Letters of Administration with
Will Annexed with Full Authority under IAEA by Karen Bradley, sister.

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

1. 1st named executor declined to act; however, declaration filed as to 2nd nominated executor indicating due diligence [Pet.04/12LFpg12-14]. JTD if due diligence is sufficient per Cal Rules of Ct 7.52.
2. Petitioner filed notice of refusal to probate rejected will per local rule 20-205. Petitioner is rejecting 02/19/16 will and seeking to probate 07/18/00 will. Proof of service of notice of refusal attached per local rule.
3. Petitioner seeks bond of \$216,000. Ok.
4. **Need** Notice to Petition to Administer Estate and proof of service.
5. **Need** proof of publication
6. ~Proposed Form Order: 04/12/18.

RECOMMENDATION

Need to clear notes 4-5, Court's discretion re bond. If approved, set Accounting/Status Review for **08/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 05/24/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1601271

CASE NAME: SHERMAN LEE MITCHELL

HEARING:

Motion Re: Request to set aside dismissal Filed by Petitioner
SHERMAN LEE MITCHELL II

COUNSEL:

RHYAN MITCHELL	(PRO/PER
RIANNE MITCHELL	(OBJ)...
SHERMAN LEE MITCHELL	(DEC)...
SHERMAN LEE MITCHELL II	(PET)...PRO/PER

Currently under review by legal research.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/24/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701272

CASE NAME: MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T.

SEE ALSO 14

HEARING:

Hearing Re: Demurrer and Demurrer to the Petition

COUNSEL:

1998 MTR OF BRUCE OGILVIE SR &

(TRU)...

GREGORY L WIEBE

(RES)... DOONAN & DOONAN,

JANIS BRANDY MARTINDALE

(DOONAN & DOONAN,)

MICHAEL OGILVIE

(PET)...SW SMYTH LLP

RICHARD OGILVIE

(BENNETT KERNS, ESQ

XREF: TRUPS1800039 (1998 Robert Bruce Ogilvie Sr and Opal Leila)

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/24/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701272

CASE NAME: MTR OF BRUCE OGILVIE SR & OPAL LEILA OGILVIE R.T.

SEE ALSO 13

HEARING:

Motion Re: To Strike the Petition Mot Filed by Respondent
GREGORY L WIEBE, JANIS BRANDY MARTINDALE

COUNSEL:

1998 MTR OF BRUCE OGILVIE SR &	(TRU)...
GREGORY L WIEBE	(RES)... DOONAN & DOONAN,
JANIS BRANDY MARTINDALE	(DOONAN & DOONAN,)
MICHAEL OGILVIE	(PET)...SW SMYTH LLP
RICHARD OGILVIE	(BENNETT KERNS, ESQ

XREF: TRUPS1800039 (1998 Robert Bruce Ogilvie Sr and Opal Leila)

No notes – JTD

(lc)

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

DATE: 05/24/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800011

CASE NAME: IN RE THE TRUST OF RUBY N TOWNLEY

HEARING:

Petition for Breach of Fiduciary Duty by Trust and for Removal
of Trustee, Account and Appointment

COUNSEL:

RUBY K DE FALCO (PET)...PRISCILLA C SOLARIO ESQ
TRUST OF RUBY N TOWNLEY (TRU)...

Currently under review by legal research. Waiver of Terry Townley to be filed by 04/02/18;
filed on 04/02/18 consenting and waiving notice. Other notice appears sufficient.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800041

CASE NAME: THE SUSAN LOUISE COOK REVOCABLE TRUST

HEARING:

Petition for To appoint successor trustee; confirm RP belongs to
trust at settlors incapacity

COUNSEL:

DONNA COOK (PET)...GAUDY LAW, INC
SUSAN LOUISE COOK REVOCABLE TR (TRU)...

Currently under review by legal research.

Notice appears to be sufficient with information stated re updated Pr.C. § 851 code.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 05/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000013

CASE NAME: WILLIAM HARNISHFEGER

HEARING:

Hearing Re: CONSERVATOR TO FILE FINAL ACCOUNTING

COUNSEL:

BARBARA ANN SIMMONS	(CPE)...PRO/PER
SOUTHERN CALIFORNIA BONDING SE	(TP)...
WILLIAM HARNISHFEGER	(CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservator to File Accounting/Accounting review.

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

1. Matter set on 04/05/18 after review of Court Investigator report filed 03/12/18.
2. It appears no accounting or Pr.C. § 2628 waiver has been filed since 2014. It appears that an Accounting review was never set after approval of previous waiver filed 12/10/14 with a recommended future Accounting review date of 02/07/17.
3. **Need** accounting or waiver beginning with 12/04/14.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS0900193

CASE NAME: ESTABAN CAMACHO SIMENTAL

HEARING:

Hearing Re: POSSIBLE TRANSFER TO RIVERSIDE

COUNSEL:

ESTABAN CAMACHO SIMENTAL (CTP)...
LUISA SIMENTAL (CP)...JOHNWILLY

GENERAL INFORMATION

Continued from 04/05/18. No appearance. Conservator and counsel to be present at next hearing.

THIS CASE SET FOR HEARING ON Possible Transfer to Riverside.

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

1. Luisa Simental, mother, appointed Conservator of person only on 12/30/09.
2. Notice of change of address filed indicating conservatee now resides with Conservator in Moreno Valley, Riverside County.
3. Court Investigator report filed 03/06/18.

RECOMMENDATION

Court's discretion. If approved, set hearing re proof of transfer on **07/05/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 05/24/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

Vacated

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 20, 21

HEARING:

Hearing Re: PETITIONERS OBJECTION TO COURTS TENTATATIVE

COUNSEL:

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS AND LACEY ROGERS(TRU)...

Future hearing dates: 07/25/18 Objection to Court's Tentative; Accounting Review of Gary Rodgers and Accounting Review of Lynn Gaeta

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 05/24/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

Vacated

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 19, 21

HEARING:

Hearing Re: ACCOUNTING OF LYNN GAETA

COUNSEL:

GARY ROGERS

(PET)...BRIAN W. SMETHURST

LYNN GAETA

(PET)...CUMMINS & WHITE

LYNN GAETA

(PET)...JAMES R WAKEFIELD

RODNEY ROGERS AND LACEY ROGERS(TRU)...

Future hearing dates: 07/25/18 Objection to Court's Tentative; Accounting Review of Gary Rodgers and Accounting Review of Lynn Gaeta

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

DATE: 05/24/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400251

Vacated

CASE NAME: Rodney Rogers & Lacey Rogers Family Trust

SEE ALSO 19, 20

HEARING:

Hearing Re: ACCOUNTING OF GARY RODGERS

COUNSEL:

GARY ROGERS	(PET)...BRIAN W. SMETHURST
LYNN GAETA	(PET)...CUMMINS & WHITE
LYNN GAETA	(PET)...JAMES R WAKEFIELD
RODNEY ROGERS AND LACEY ROGERS(TRU)...	

Future hearing dates: 07/25/18 Objection to Court's Tentative; Accounting Review of Gary Rodgers and Accounting Review of Lynn Gaeta

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1601024

Vacated

CASE NAME: WENDELL LEYERLY

HEARING:
Hearing Re: COURT TRIAL (FOURTH DAY)

COUNSEL:

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

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge STANFORD E. REICHERT for all purposes.

Future hearing: 06/28/18 Status of Letters; 07/11/19 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

PROBATE

DATE: 05/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO DS1000096

CASE NAME: DICK HOFSTRA JR

HEARING:

Probate status report filed.

COUNSEL:

DICK HOFSTRA JR

(DEC)...

MARCELLA HOFSTRA

(PET)...ROBBINS & HOLDAWAY

PAMELA SUE DURANT

(TP)...JOHN T ANDERSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of administration issued to Marcella Hofstra, spouse, on 05/20/10, full authority \$200,000 bond.
2. Administrator seeks an additional year in order to complete the 40-acre large property sale.
3. ~Proposed Order: 03/21/18

RECOMMENDATION

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

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1400404

CASE NAME: MTR OF RONALD HARVEY GREEN

HEARING:
Hearing re Final Discharge

COUNSEL:

BARBARA EISENBEISZ	(PET)...JAMES B CHURCH
EMILY S GREEN	(PET)...GUY A BOVEE
EMILY S GREEN	(PET)...LAW OFFICES OF RIPLEY &
EMILY S GREEN	(PET)...PRO/PER
MELVIN FRIEDLAND	(PET)...MELVIN L FRIEDLAND
RONALD HARVEY GREEN	(DEC)...

XREF: CONPS1500259 (*Brook Green*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final Distribution for Emily Green, spouse/conservator, approved on 05/18/17; order returned for corrections 06/22/17. **Need** corrected order.
2. Receipts filed.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status of orders.
(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700026

CASE NAME: MTR OF PECOLIA MCFARLAND

HEARING:

Hearing Re: First Amended Petition To Determine Title etc

COUNSEL:

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

Currently under review by legal research.

Need actual notice of hearing as follows, not just proof of service.

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

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

(lc)

Future hearing: 06/13/19 Accounting review 06/26/18 Motion to Leave to Amend Petition to Determine Title etc.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800360

CASE NAME: MTR OF EVAGELIA PENELOPE LOUGHRAN

HEARING:

Petition to determine succession to Real Property

COUNSEL:

BRENDA GORRELL (PET)...MARK H MCGUIRE
EVAGELIA PENELOPE LOUGHRAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property by Brenda Gorrell, Trustee.

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

1. Petitioner, Brenda/Trustee, seeks 100% interest in the decedent's 50% interest in real property per terms of pour over will.
2. Daughter Sheila Kay Richardson is listed in Will; however, not listed in petition; yet, has been noticed.
3. ~Proposed form order: 04/18/18.

RECOMMENDATION

RFA.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 05/24/18 TIME: 8:30 DEPT: S36P

CASE#: TRU PS1800054

CASE NAME: THE DANSBY SETTLEMENT TRUST

HEARING:

Hearing Re: Preliminary Injunction

COUNSEL:

MARVIN DANSBY

THE DANSBY SETTLEMENT TRUST

(PET)...K&M LAW GROUP

(TRU)...

Currently under review by legal research.

(lc)

Future Hearing: 06/27/18 Hearing re: Accounting by Marian Dansby

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800084

CASE NAME: MTR OF ROGER HICKS REVOCABLE LIVING TRUST

HEARING:

Petition for ORDER DETERMINING TRUST'S TITLE TO REAL
PROPERTY (HEGGSTAD PETITION)

COUNSEL:

JEANNA HENNESSY (PET)...DIANA J CARLONI
ROGER HICKS REVOCABLE LIVING T (TRU)...

Currently under review by legal research.

Notice filed 04/23/18 appears to comply with amended Pr.C. § 851 notice.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:35 DEPT: S36P

CASE#: TRU PS1800085

CASE NAME: GASSAWAY FAMILY TRUST COMPLETELY ETC

HEARING:

Petition for Order determining trust's title to real property
(Heggstad Petition)

COUNSEL:

GASSAWAY FAMILY TRUST COMPLETE (TRU)...
RAYMOND GASSAWAY (STE)...DIANA J CARLONI

Currently under review by legal research.

Notice filed 04/23/18 appears to comply with amended Pr.C. § 851 notice.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 05/24/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600145

Vacated

CASE NAME: MTR OF BETTY MAY CAVENAUGH

HEARING:

Accounting Review by ***

COUNSEL:

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

XREF: CONPS1600146 (Patrick Richard Cavenaugh)

Final account heard on 05/23/18.

(lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS01214

CASE NAME: IN THE MATTER OF JULIE FORRESTER

HEARING: Ninth Account and Report of CHRISTINA ERICKSON-TAUBE and
Petition for allowance of fees filed.

COUNSEL:

CHRISTINA ERICKSON-TAUBE	(CPE)...SHERRI L KASTILAHN
JAMES B CHURCH	(PET)...JAMES B CHURCH
JULIE FORRESTER	(CPE)...JAMES B CHURCH
MELODIE Z SCOTT	(CPE)...BRYAN C. HARTNELL
MICHAEL J GILL	(TP)...MICHAEL J. G ILL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 9th Account Current and Petition for Allowance of Fees filed by Christina Erickson-Taube. PPF.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting covers: 12/01/16 – 11/30/17.
2. Assets on hand: \$5,643,355.80 (\$1,116,923.95 in cash; reminder in real property, jewelry, securities and a preneed burial trust.
3. Petitioner requests fees of \$54,433.56 or 1% of estate's net value due to the high volume of time required to manage both conservatee and her assets. Additionally, petitioner has reduced compensation by case management fees paid and requests balance of \$49,637.06. Petitioner does not request additional compensation for services relating to the person duties. Itemized [Acct. 04/13 LFpg44-55]. **JTD**
4. Attorney requests fees and costs of \$3,157.25 for 8.65 hours at \$365 per hour. Itemized. [LF, p56-57]. **JTD.**
5. Current bond is \$6,612.228. Appears ok.
6. ~Proposed Order: 04/13/18

RECOMMENDATION:

Court's discretion re fees and bond. If approved, set the next accounting review for **03/21/19** (if one year) or **03/19/20** (if two years). Accounting to be filed 30 days in advance.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 9:30 DEPT: S36P

CASE#: SC SS02536

CASE NAME: MTR OF BRANDY LITTLES

HEARING:

Accounting Review by ***

COUNSEL:

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

GENERAL INFORMATION

Continued from 12/21/17 and 03/22/18. Court clarified Conservator, not conservatee, passed away on 12/15/17. A successor petition to be filed.

THIS CASE SET FOR HEARING ON Accounting review.

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

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

RECOMMENDATION

Inquire status of accounting and successor petition.
(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 05/24/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700269

CASE NAME: LIVING TRUST OF EUGENE MONTE NACCARATO

SEE ALSO 2, 3

HEARING:

Hearing Re: PRETRIAL ON CONTEMPT

COUNSEL:

HELLEN BUSH

(INT)...PRO/PER

HELLEN BUSH

(PET)...PRO/PER

JOHN LAMBRECHT

(PET)...MICHAEL C MADDUX

LIVING TRUST OF EUGENE MONTE N

(TRU)...

MICHAEL C. MADDUX

(PET)...MICHAEL C MADDUX

NORA J MORALES

(PET)...PRO/PER

Pretrial on contempt – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700269

CASE NAME: LIVING TRUST OF EUGENE MONTE NACCARATO

SEE ALSO 1, 3

HEARING:

Hearing Re: PTN TO INTERVENE AND FOR DEC RELIEF

COUNSEL:

HELLEN BUSH	(INT)...PRO/PER
HELLEN BUSH	(PET)...PRO/PER
JOHN LAMBRECHT	(PET)...MICHAEL C MADDUX
LIVING TRUST OF EUGENE MONTE N	(TRU)...
MICHAEL C. MADDUX	(PET)...MICHAEL C MADDUX
NORA J MORALES	(PET)...PRO/PER

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700269

CASE NAME: LIVING TRUST OF EUGENE MONTE NACCARATO

SEE ALSO 1, 2

HEARING:
Readiness Calendar

COUNSEL:

HELLEN BUSH	(INT)...PRO/PER
HELLEN BUSH	(PET)...PRO/PER
JOHN LAMBRECHT	(PET)...MICHAEL C MADDUX
LIVING TRUST OF EUGENE MONTE N	(TRU)...
MICHAEL C. MADDUX	(PET)...MICHAEL C MADDUX
NORA J MORALES	(PET)...PRO/PER

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577

CASE NAME: MICHAEL L GURULE

SEE ALSO 5, 6

HEARING:

Hearing Re: amended first and final account and report of adm

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON **Amended** [03/28/18] Final Account, Distribution and Petition for Allowance of Fees by Paul McIntosh, son-in-law.

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

1. Assets on hand \$108,767.06 in cash.
2. Administrator and counsel seek fees of \$9,47.56 each. Ok.
3. Counsel seeks extraordinary fees of \$10,653.75 for 37.20 hours at \$115/375 per hour re sale of properties etc. [03/28/18LFpg38-42].
4. Administrator seeks reimbursement of costs totaling \$3,397.94. [LFpg6].
5. Counsel seeks reimbursement of costs totaling \$256.50. [LFpg6].
6. Declaration filed by Victim's Compensation Board indicating Robin Gurule, son/heir, owes \$9,976.86. This amount is being deducted against Robin's distribution.
7. Notice filed 03/29/18; however, case number is missing in caption and is not filed file stamped. **Need** same.
8. **Need** settlement agreement re alternate distribution [LFpg8].
9. ~Proposed Order: 03/28/18.

RECOMMENDATION

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

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577
CASE NAME: MICHAEL L GURULE

SEE ALSO 4, 6

HEARING: Petition for ORDR DETERMINING INTEREST IN PROPERTY &
DIRECTING TRANSFER TO REAL PROPERTY ETC

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

GENERAL INFORMATION

Continued from **07/07/16**. Attorney Church to file written objections.
Continued from 10/11/16 by stipulation. Written objections to be filed today.
Continued from 01/10/17, 03/01/17, 04/27/17, 06/29/17, 10/05/17, 12/28/17 and 03/29/18. Settlement agreement still pending.

THIS CASE SET FOR HEARING ON Petition for order Determining Interest in Property and Directing Transfer of Real and Personal property Pr.C. § 850 by Gregoria Peralta.

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

1. Petitioner, Gregoria Peralta, alleged that she is the surviving girlfriend of decedent.
2. Petitioner requests an order determining that petitioner is entitled real property located at 827 Herald St., Redlands, CA and 1415 Orange St., Redlands, CA. She also seeks the same order regarding the decedent's 2003 Ford Focus and 1957 Ford Fairlane.
3. Petitioner alleges that at the time of death, decedent was holder of title to the real property that petitioner has an interest in. Petitioner alleges that she and the decedent shared income and expenses as a family unit. Although they were not married, they lived as a married couple would. They made mutual promises to care for each other for the rest of their lives.
4. Petitioner alleges that based on her belief that she jointly owned the aforementioned property; she contributed her income to its maintenance.
5. Petitioner contends that she had an enforceable oral property agreement under *Marvin v. Marvin* (1976)18 Cal.3d 660. Petitioner contends that a Marvin support agreement is enforceable against the estate. *Byrne v Laura* (1997) 52 Cal.App.4th 1054, 1064 ("A Marvin agreement is enforceable against an estate when one of the

parties to the agreement dies...”). See also Estate of Fincher (1981) 119 Cal.App.3d 343, 348-350.

6. **Objections filed 10/11/16 by Personal Representative/Objector, Paul McIntosh.**
7. **Need** settlement agreement.

RECOMMENDATION

Need settlement.

(lc/oc/nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500577

CASE NAME: MICHAEL L GURULE

SEE ALSO 4, 5

HEARING:

FIRST Account and Report of PAUL MCINTOSH and Petition for allowance of fees filed.

COUNSEL:

CALIFORNIA VICTIM COMPENSATION	(TP)...PRO/PER
GREGORIA PERALTA	(PET)...MARK J. ANDREW FLORY
MICHAEL L GURULE	(DEC)...
PAUL MCINTOSH	(PET)...JAMES B CHURCH

See notes on matter 4.

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600290

CASE NAME: MTR OF ALFRED GEORGE CHARLTON, JR.

HEARING:

First & Final Account and Report of KELLIE LYNNE MENENDEZ and
Petition for allowance of fees filed.

COUNSEL:

ALFRED GEORGE CHARLTON JR (DEC)...
KELLIE LYNNE MENENDEZ (PET)...PRO/PER

GENERAL INFORMATION

Continued from 03/01/18 to clear notes.

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

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

1. Caption does not state waiver of accounting; however, as there is one waiver filed and no accounting attached, court may wish to deem as a waiver of accounting.
2. Administrator waives compensation.
3. Partial and Amended Inventory and Appraisal filed 03/28/16 & 10/07/16.
 - a. Truck not appraised by probate referee on partial.
 - b. No bank statements supporting per local rule 20-908.
 - c. Report indicates \$10,000 and Inventory and Appraisal filed states \$7,677.67.
 - d. Amended Inventory and Appraisal does not indicate date of death, or have any attachments. **Need** proper Inventory and Appraisal.
4. Report states there is no cash. **Need** assets on hand.
5. **Need** waiver of account for Carrie Charlton.
6. **Need** notice of hearing and proof of service to other heir Carrie Charlton.
7. No Proposed Order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing on the filing of receipts and final discharge for **05/30/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601049
CASE NAME: MTR OF VICKIE IRENE ATIYEH
HEARING: Petition for PROBATE OF WILL & FOR LTRS TESTAMENTARY W/ FULL
IAEA

COUNSEL:

AWANA IRENE RING (PET)...PRO/PER
TRAVELERS CASUALTY & SURETY CO (TP)...PRO/PER
VICKIE IRENE ATIYEH (DEC)...

GENERAL INFORMATION

Continued from 01/05/17 and 03/16/17.

OSC set on **06/01/17** when Awana Ring was not present. Marybeth Fry advised she may file a competing petition.

Continued from 07/27/17 to clear probate notes. Bond required \$50,000. OSC off calendar due to appearance made in court.

Continued from 10/12/17. Petitioner to attempt to locate persons named in will.

Continued from 12/14/17 and 03/08/18. Joe Cihak is deceased. Awana Ring appointed special administrator, \$25,000 bond. Petitioner authorized to marshal assets and work with lender.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Awana Ring, mother.

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

1. Petitioner states all beneficiaries waive bond. \$50,000 bond posted 10/12/17, bond of \$25,000 posted 04/05/18 after appointment of special administrator.
2. All parties appear to since been noticed with exception of Chuck Hershey. **Supp 07/21/17** states internet searches made. Court to determine if due diligence is sufficient per CRC §7.52.
3. **Still Need** Notice to Petition to Administer Estate and proof of service to Advance Inheritance, LLC. Petitioner alleges they were served; however, does not appear to be in file.
4. ~Proposed Form Order: 10/19/16.

RECOMMENDATION

Need to clear note 3. If approved, set Accounting/Status Review for **08/01/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc/cs/lc)

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: TARA REILLY

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1601128
CASE NAME: MTR OF HOMER AERTS
HEARING: REPORT ON WAIVER OF Account and Report of RONALD AERTS and
Petition for allowance of fees filed.

COUNSEL:
HOMER AERTS (DEC)...
RONALD AERTS (PET)...MARIVEL M ZIALCITA

GENERAL INFORMATION

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

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

1. Assets on hand \$545,205.61 in cash/securities.
2. All beneficiaries waive accounting.
3. Executor and counsel seek statutory fees of \$13,904.11 each. Gain on sale included in fee base; however, the Inventory and Appraisal balance does not match and there is no actual schedule attached to **supp filed 05/15/18**. **Need** schedules of receipts etc per Cal Rules of Ct 7.705(b). See also Inventory and Appraisal note.
4. Final Inventory and Appraisal filed 01/23/18 and Inventory and Appraisal filed within supplement 05/15/18;
 - a. **Need** financial statement to cover 08/04/16.
 - b. **Need** value for date of death 08/04/16.
 - c. **Need** date of death listed in caption under case number.
 - d. **Need** supplemental Inventory and Appraisal to reflect additional assets *if* were at date of death.
 - e. **Need** corrected Inventory and Appraisal filed separately.
5. Executor seeks a reserve of \$1,900.
6. Preliminary distribution of \$11,000 was made to Rodney Aerts. Notice of proposed action filed per Pr.C. § 10581.
7. No proposed order submitted. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the filing of receipts and final discharge for **05/30/19**.

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700469
CASE NAME: MARIA E RAMIREZ REVOCABLE TRUST
HEARING: FIRST AND FINAL Account and Report of MARY FRANCES LOPEZ-TIANA and Petition for allowance of fees filed.

COUNSEL:

DOLORES RENTERIA	(PET)...NEIL J DE LEON
LORRAINE RENTERIA	(PET)...NEIL J DE LEON
MARIA E RAMIREZ REVOCABLE TRUS	(TRU)...
MARY FRANCES LOPEZ-TIANA	(PET JOHN R RAMOS
MARY FRANCES LOPEZ-TIANA	(STE)...JOHN R RAMOS

GENERAL INFORMATION

Continued from 12/14/17 and 03/08/18. Attorney's fees approved in the reduced amount of \$1,634.50 and Trustee fees of \$581.25. Court will not authorize trustee costs of \$33,114.40 without proof of payments and receipts. Court specifically requests information on health services, cremation and catering costs and hearing aids (see transcript).

THIS CASE SET FOR HEARING ON Final Account of Trust Administration by Mary Lopez-Tiana, Successor Trustee.

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

1. Accounting period 07/05/16 – 10/15/17.
2. Assets on hand \$254,516.90 in cash.
3. Attorney Ramos was paid \$9,565.50 in fees and costs for 28 hours at \$450. A balance of \$2,730 due is also being requested. [Acct.10/18LFpg75-82]. Costs of \$170.50 appear to be overhead per local rule 20-909. **JTD reduced per minute order.**
4. Trustee seeks ratification of fees paid of \$2,000 for 23.25 hours. [Acct.10/18LFpg83-84]. Trust allows reasonable fees [Acct.10/18LFpg35]. **reduced per minute order.**
5. Trust does not require bond.
6. Trustee reimbursed herself costs of \$33,114.40. [Acct.10/18LFpg12-14]. Receipts for cremation, catering etc. filed 05/03/18.
7. **Objections filed 12/11/17 by beneficiaries Dolores and Lorraine Renteria on 12/11/17 seeking \$33,114.40 surcharge for reimbursements and explanation of \$110,000 deficiency in sale price of real property.**

8. No proposed order. Submit after hearing.

RECOMMENDATION

Matter is contested. If approved and *if* trust is court supervised, set hearing on the filing of receipts for **05/30/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701058

CASE NAME: MTR OF THE LYDIA R GARCIA TRUST

HEARING:

Petition for VERIFIED TRUST CONTEST AND POUR OVER WILL CONTEST
OF CARLOS GARCIA ETC

COUNSEL:

CARLOS GARCIA	(PET)...EDWARD B FISCHER &
CHRISTINE SHILES	(OBJ)...PHILLIP
THE LYDIA R GARCIA TRUST AND E	(TRU)...

Currently under review by legal research.

30 days' notice filed 10/25/17.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701137

Vacated

CASE NAME: WINSTON TUCK LOOMIS

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

WILLIAM M. LOOMIS

(PET)... SOLOMON A. CHEIF

WINSTON TUCK LOOMIS

(DEC)...

Bond filed, letters issued.

(lc)

Future Hearing: 04/10/19 *Accounting Review*.

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800179

Vacated

CASE NAME: ROBERT LEE EICHSTEDT

SEE ALSO 13A

HEARING: Petition to determine succession to Real Property

COUNSEL:

RANDOLPH ERIC BAUMANN (PET)...MICHAEL C MADDUX

ROBERT LEE EICHSTEDT (DEC)...

TANNER CROSSLAND-BARRY (PET)...E. MARIE HENNING

Dismissal filed 05/17/18.

(lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800179
CASE NAME: ROBERT LEE EICHSTEDT

SEE ALSO 13

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

COUNSEL:

RANDOLPH ERIC BAUMANNS (PET)...MICHAEL C MADDUX
ROBERT LEE EICHSTEDT (DEC)...
TANNER CROSSLAND-BARRY (PET)...E. MARIE HENNING

GENERAL INFORMATION:

Continued from 05/01/18 to clear notes. \$75,000 bond will be required.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by, Randolph Baumanns nephew.

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

1. Petitioner is nominated by decedent's siblings.
2. Court will require \$75,000 bond.
3. **Need** proof of publication.
4. Objections filed by petitioner to the Validity of Will in other matter [**now dismissed**].
Petitioner is not seeking to probate a will, but rather intestate administration;
therefore, it appears petitioner indicates he does seek to admit the will as it may be
invalid.
 - a. Court may wish to require petitioner to file notice of Refusal to Probate Will
per local rule 20-205. **JTD**
5. No proposed order.

RECOMMENDATION:

Need to clear note 3, \$75,000 bond. If approved, set future hearing for Accounting/Status
Review on **08/01/19**. Any account to be filed 30 days in advance of hearing. Note
requirements of Local Rules.

(nb/lh/lc)

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800198

CASE NAME: MTR OF ABBIE GAIL WILLIAMS

HEARING:

Hearing Re: RECEIPT OF BOND

COUNSEL:

ABBIE GAIL WILLIAMS (DEC)...
JAMES TAGALU (PET)...KING LAW FIRM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Bond Review.

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

1. James Tagalu appointed administrator executor on 04/10/18, **limited** authority \$35,000 bond.
2. Final Inventory and Appraisal filed 04/20/18 indicating \$409,000 in real property; no personal property. As executor only has limited authority, does court wish to waive bond? **JTD**
3. **Need** bond in order for general letters to issue.

RECOMMENDATION

Inquire status of bond.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1800339

CASE NAME: Loris L De Bacco

HEARING:

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

COUNSEL:

CLARENCE EDWARD NEIGHBORS Jr (PET)...JASON L GAUDY
LORIS J DE BACCO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Clarence Neighbors, Jr., nominee.

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

1. Petitioner nominated by sole heir Carmelita Star De Bacco.
2. Sole heir waives bond. Net estate value is \$200,000 in real property. Court for good
cause could require bond per Pr.C. § 8481(b).
3. ~Proposed Form Order: 04/12/18.

RECOMMENDATION

RFA, Court's discretion re bond. If approved, set Accounting/Status Review for **08/01/19**.
Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of
local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 05/24/18 TIME: 8:35 DEPT: S37P

CASE#: TRU PS1800077

CASE NAME: The Michael Rosser Revocable Trust udt Feb 16,2016

HEARING:

Petition for order confirming successor trustee and trust assets

COUNSEL:

BRYANT STANLEY

(PET)...LAW OFFICE OF THERESA

THE MICHAEL ROSSER REVOCABLE T (TRU)...

Currently under review by legal research.

Need 30 days' notice for children Stephen and Jason Rosser. Notice filed 05/17/18; however, image not available in LF or open access on 05/21/18.

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

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

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0800266

CASE NAME: KYLE AVERY TILTON

HEARING: FOURTH & FINAL Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:

BRYAN C HARTNELL	(PET)...HARTNELL LAW GROUP
CHRISTINA ERICKSON-TAUBE	(SC)...PRO/PER
JENNIFER L HAAS	(PCR)...
JUDY TILTON	(CPE)... J. DAVID HORSPOOL
KENNETH F JENKINS	(CE)...PRO/PER
KYLE AVERY TILTON	(CEP)...MARTINA KANG RAVICZ
KYLE AVERY TILTON	(CEP)...PRO/PER
MELODIE Z SCOTT	(CPE)...HORSPOOL & HORSPOOL
MELODIE Z SCOTT	(PET)...PRO/PER
NEVIN OLIPHANT	(SC)...J. DAVID HORSPOOL
PACIFIC WESTERN BANK, A CALIFO	(HEMAR, ROUSSO & HEALD, LLP
W.A. (SAM) HLAVATY	(CPE)...THOMPSON & COLEGATE
WELLS FARGO BANK, TRUSTEE	(PET)...JENNIFER M DANIEL

XREF: PROPS0900847 (*Kyle Tilton Settlement Trust*)

GENERAL INFORMATION

Continued from **05/19/16**. Court ordered that written objections be filed by 06/01/16.
Responses to be filed by 06/10/16.

Continued from **06/20/16**. Court granted attorney fees of \$28,958.50 and \$5,000 to
Melodie Scott.

Continued from **10/06/16**. Counsel Craig Marshall advises court of a possible issue with
the internal revenue service and asks that case be held over for further review. A
correction to the accounting period is noted by the court. Correct accounting period is
01/01/14 through 09/30/15.

Continued from **11/29/16**. The issue of taxes discussed. It appears 1099s were not filed
and the IRS is adding income as a result. Ms. Ravicz states she intends to object to
accounting. The Court orders any objections to be filed in writing by 12/9/16. Notice to
be given by Mr. Roth.

Continued from **02/21/17**. Objections to be filed by 06/01/16. Objections filed on 12/08/16
stricken as untimely. Attorney Horspool and Mr. Hlavaty are to meet regarding tax issues.

Continued from **08/07/17 and 09/26/17** to meet and confer re settlement.

Continued from **11/09/17**. Court will not rule on objections by declarations only an evidentiary hearing will need to be set. Melodie Scott is willing to have \$20,000 tax issued resolved by taking from her fees. Court will not accept waiving of fees without written agreement of 3rd party judgment creditor.

Continued from 03/08/18. Mitchell Roth reported that Counsel Russo is no longer counsel for Pacific Western Bank and Pamela Cox is now handling the case. Pamela Cox or a senior partner to be present. Mitchell Roth will prepare settlement agreement.

THIS CASE SET FOR HEARING ON 4th and Final Account/Distribution and Petition for Allowance of Fees by Melodie Scott, former Conservator.

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

1. Accounting period 01/01/14 – **09/30/15**.
2. Assets on hand \$0.
3. Attorney requests fees of \$28,958.50 for 77.7 hours at \$295/375 per hour. Itemized [LFpgs70-77]. Granted on 06/20/16.
4. Petitioner requests fees of \$27,693.25 with a balance owed of \$13,993.50 for 246 hours at \$112 per hour [LFpgs44-68]. Periodic payments of \$13,700 were received. Court to inquire why all services are charged at the same rate. **Court granted \$5,000 on 06/20/16.**
5. Petitioner requests funds advanced not reimbursed of \$570.
6. Current bond is \$200,000. Ok.
7. **Objection filed 06/02/16 and 12/08/16 by GAL for Kyle Avery Tilton.**
8. **Objections filed 12/08/16 by Conservatee through court-appointed counsel.**
9. ~Proposed Order: 03/30/16.

RECOMMENDATION

Matter is contested, Inquire status of settlement. If approved, set hearing on the filing of receipts and final discharge for **05/30/19**.

(lc/dl/lc/nb/lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098
CASE NAME: OSCAR HUANTES

SEE ALSO 18A, 18B, 18C

HEARING: Second report and Account and Report of ANITA HUANTES and
Petition for allowance of fees filed.

COUNSEL:

ANITA HUANTES	(CP/E)...JAMES B CHURCH
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 2nd Account Current and Petition for Allowance of Fees by Anita Huantes, mother/successor Conservator.

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

1. Accounting period 11/01/14 – 10/31/17.
2. Assets on hand \$143,049.46, cash.
3. Conservator waives compensation at this time.
4. Attorney is seeking fees of \$42,649.00 for 206.03 hours at \$135/375 per hour for paralegal and attorney services respectively. Itemized [04/13LFp29-68]. JTD
5. Conservator seeks current bond of \$185,000 be reduced to \$160,000. Appears ok.
6. ~Proposed Order: 04/13/18.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **02/14/19** (if one year) or **02/13/20** (if two years). Accounting to be filed 30 days in advance. (lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

SEE ALSO 18, 18B, 18C

HEARING: Hearing Re: FILING OF ADDITIONAL PETITIONS

COUNSEL:

ANITA HUANTES	(CP)...JAMES B CHURCH
ANITA HUANTES	(CPE)...JAMES B CHURCH
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Filing of Additional Petitions.

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

1. Matter set on 05/01/18. Petitions to be filed to assist parties re issue of rent/possible payment to families. Conservator stated will have to move if rent continues to be ordered. Rent payments suspended retroactive to 05/14/18 pending possible filings of additional petitions. Court recommended petition to be filed re possible sale/home repairs and possible removal of trustee. Linda Lerburgt from Citizens Business Bank to appear.

RECOMMENDATION

Inquire status of any possible future petitions to be filed.

(lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098
CASE NAME: OSCAR HUANTES

SEE ALSO 18, 18A, 18C

HEARING: Petition for attorneys fees

COUNSEL:

ANITA HUANTES	(CPE)...JAMES B CHURCH
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

GENERAL INFORMATION:

Continued from 05/01/18. Petitions to be filed to assist parties re issue of rent/possible payment to families. Conservator stated will have to move if rent continues to be ordered. Rent payments suspended retroactive to 05/14/18 pending possible filings of additional petitions. Court recommended petition to be filed re possible sale/home repairs and possible removal of trustee. Linda Lerburgt from Citizens Business Bank to appear.

THIS CASE IS SET FOR HEARING ON Petition for Fees and Compensation by Court-Appointed Attorney Lenita Skoretz.

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

- 1 Lenita Skoretz was appointed counsel on 06/04/09.
- 2 Counsel requests fees of \$12,625.00 for the period 03/11/14 to 03/09/18 [exceeds 2 years]. Billed at \$300-\$350/hour for 38 hours' attorney time. Itemized [LF, pgs. 5-9]. JTD.
- 3 Counsel requests reimbursement of costs advanced of \$560. Itemized.
- 4 Counsel requests the Court authorize and direct the Trustee of the Oscar Huantes Trust to pay requested sum to Petitioner.
- 5 ~Proposed Order 03/14/18.

RECOMMENDATION:

Court's discretion.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900098

CASE NAME: OSCAR HUANTES

SEE ALSO 18, 18A, 18B

HEARING:

Fourth Account and Report of CITIZENS BUSINESS BANK and Petition
for allowance of fees filed.

COUNSEL:

ANITA HUANTES	(CPE)...JAMES B CHURCH
BOND SERVICES OF CALIFORNIA LL	(TP)...
CITIZENS BUSINESS BANK	(PET)...BARRY & BARRY
JUAN HUANTES	(CPE)...MICHAEL ROOFIAN AND
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
OSCAR HUANTES	(CEP)...LENITA A SKORETZ

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN

GENERAL INFORMATION:

Continued from 05/07/18 for objections and to clear notes.

THIS CASE IS SET FOR HEARING ON 4th SNT Account Current and Report;
Authorization to Continue Paying Caretaker Salary; Authorization to Continue to Pay
Trustee Pro Rata on A Monthly Basis at Its' Current Rate of 1.5%; Authorization to Pay
Attorneys' Fees by Citizen's Business Bank, Trustee.

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

1. Accounting period: 03/01/17-02/28/18
2. Assets on Hand \$1,970,563.77 consisting of \$177,775.45 in cash and \$1,792,788.32 in real property, mutual funds and stocks.
3. Trustee requests approval of fees already taken in the amount of \$40,793.10. Billed pursuant to its standard Schedule of Fees [LF pg. 80] pro-rated at the annual 1.5% on a monthly basis; however, request is not in the prayer. Itemized [LF pgs. 77-78].
JTD.
4. Attorney requests fees of \$6,300.00 for this trust and the Medicare Set-Aside Trust; however, it appears as though the amount should be **\$3,500.00** as a fee request for \$2,800.00 is requested in the 3rd account for the Medicare Set-Aside Trust in the

matter above. Billed at \$350/hour for 10.0 hours attorney time. Itemized [LF, pg. 82].
JTD. Supp 05/03/18: This amount includes SNT and Medicare Set Aside Trust.

5. Schedule C- Disbursements indicates payment of legal expenses for "Court filing costs and fees" in the total amount of \$1,250.00. [LF pg. 39] **Need** verified supplement clarifying what the fees were for as the filing fee for each accounting is only \$230.00 for a total of \$460.00 in Court fees. **Supp 05/03/18**; indicates \$242.48 remains in Client Trust account. \$317.52 is postage/copying fee; Local rule 20-909 generally does not allow postage/copies. **JTD**
6. Petitioner requests authorization to continue paying beneficiary's mother, Anita Huantes, \$978.38 bi-weekly, for caregiver services. **JTD**
7. Notice given.
8. No proposed order.

RECOMMENDATION:

Court's discretion re costs/fees. If approved, set next Accounting Review for **05/06/19**. Account to be filed 30 days before hearing. Note requirements of Local Rules.

(ww/lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300159

CASE NAME: DOLORES W STABNAU

SEE ALSO 19A

HEARING: Petition for termination of cnsvtrship of the person & estate
due to death of cnsvtee

COUNSEL:

DOLORES W STABNAU (CEP)...DONNASUE ORTIZ
SUSAN PETERS (CPE)...LAMB MORRIS & LOBELLO

XREF: PROPS1500855 (*Dolores W Stabnau revocable trust*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Termination of Conservatorship of
person and estate by Susan Peters, daughter.

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

1. Conservatee passed away on 12/09/17. Conservatorship terminates by operation of law per Pr.C. § 1860(a).
2. Conservator is seeking court waive final accounting per Pr.C. § 2628 as all assets are held in trust under **PROPS1500855** [*Accounting review 06/19/18*].
3. Conservator waives compensation.
4. Counsel seeks fees of \$4,245 for 17.2 hours at \$150/375 per hour for paralegal and attorney services. [Acct.04/13 LFPg14-15].
5. ~Proposed Order: 04/13/18.

RECOMMENDATION

Court's discretion. If approved, **vacate 11/13/19 Accounting review** and set hearing on the filing of final discharge for **09/05/18**.

(lc)

Future hearing dates:11/13/19 Accounting review.

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300159

CASE NAME: DOLORES W STABNAU

SEE ALSO 19

HEARING:

Petition for ATTORNEY'S FEES AND FOR ORDER DIRECTING PAYMENT TO COURT

COUNSEL:

DOLORES W STABNAU (CEP)...DONNASUE ORTIZ
SUSAN PETERS (CPE)...LAMB MORRIS & LOBELLO

XREF: PROPS1500855 (*Dolores W Stabnau revocable trust*)

GENERAL INFORMATION

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

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

1. Counsel was appointed for conservatee on 06/18/13.
2. Counsel seeks fees of \$3,121.75 for 10.05 hours at \$125/395 per hour for paralegal and attorney services. Itemized [LFpg7].
3. ~Proposed Order: 04/30/18.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1300317

CASE NAME: Janet Marie Carter

HEARING:

Accounting Review by ***

COUNSEL:

JANET MARIE CARTER	(CEP)...
JENNIFER A. SCHULTE-HAMBLIN	(PCR)...RYAN J GALLANT
JENNIFER A. SCHULTE-HAMBLIN	(PET)...HARTNELL LAW GROUP
LELAND K HAMBLIN	(PET)...RYAN J GALLANT
LELAND K. HAMBLIN	(CPE)...PRO/PER
LELAND K. HAMBLIN	(PET)...HARTNELL LAW GROUP

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st Account for Leland Hamblin and Jennifer Schult-Hamblin, son & daughter-in-law, approved on 06/30/16.
2. **Need** 2nd Account beginning with 03/04/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS02839

CASE NAME: MTR RE DANIEL P MADRID

HEARING: Eighth and Final Account and Report of CHRISTINA ERICKSON-TAUBE and Petition for allowance of fees filed.

COUNSEL:

AMERICAN CON TRACTORS IND EMNI	()...
CHRISTINA ERICKSON-TAUBE	(CPE)...ALEX R BORDEN
DANIEL P MADRID	(CEP)...EDWARD B FISCHEL &
EDWARD B. FISCHEL	(PET)...EDWARD B FISCHEL &
ESMERALDA MADRID	(CE)...02839

MELODIE Z SCOTT	(CPE)...KARIN HORSPOOL
MELODIE Z SCOTT	(TP)...PRO/PER

GENERAL INFORMATION

Continued from 12/14/17. Referred to Court Investigator. Ed Fischel to prepare report of Petition to Terminate.

THIS CASE SET FOR HEARING ON 8th and Final Account and Petition to Terminate by Christina Erickson Taube, PPF.

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

1. Accounting period 08/01/16 – 07/31/17.
2. Assets on hand \$1,057.41 cash.
3. Conservator seeks termination on that basis that conservatee was deemed as competent by Veteran's Administration on 10/13/16. [Acct.10/27LFpg37]. Conservatee receives benefits directly from Veteran's and Social Security Administration. No assets will remain after fees.
4. Petitioner seeks exoneration of bond. However, petitioner does not seek discharge per Pr.C. § 2626.
5. Attorney seeks fees of \$7,168 for 21.2 hours at \$135/390 per hour for paralegal and attorney services and reimbursement of costs totaling \$202. [Acct.10/27LFpg43-45].
6. Conservator seeks fees of \$10,421.50 at \$65-115 per hour. Itemized, hours not totaled. [Acct.10/27LFpg23-35].

- a. Court to inquire why calls from conservatee are billed at \$115 per hour and account reconciliation is \$65 per hour.
 - b. **Supp 03/02/18:** petitioner states periodic fees of \$17,555.75 were paid for prior accounts.
7. Report of Ed Fischel filed 03/08/18.
 8. Court Investigator report filed 04/17/18.
 9. ~Proposed Order: 10/27/17.

RECOMMENDATION

Court's discretion re note 6. If approved, set hearing on the filing of receipts and final discharge for **05/30/19**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 9:30 DEPT: S37P

CASE#: SC SS8737

CASE NAME: IN THE MATTER OF RAMNARASE RAMSAMOOJ

HEARING:

Hearing Re: COURT INVESTIGATOR REPORT

COUNSEL:

PATRICIA INDRA MOHABIR (CP)...PRO/PER
RAMNARASE RAMSAMOOJ (PLA)...CRAIG M PARKER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Court Investigator Report.

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

1. Matter set on 02/16/18 after review of Court Investigator report filed 02/14/18.
2. Craig Parker appointed counsel to discuss adding dementia powers. **Need** report of counsel.

RECOMMENDATION

Need report.

(lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

MISC

DATE: 05/24/18 TIME: 1:30 DEPT: S37P

CASE#: EAP PS1800037

CASE NAME: RODRIGUEZ V RENDON

HEARING:

Court Trial set for ELDER/DEPENDANT ADULT ABUSE of ESTHER A
RODRIGUEZ

COUNSEL:

ESTHER A RODRIGUEZ (PP)...PRO/PER

LATISHA RENDON (RP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT ABUSE

Trial – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 05/24/18 TIME: 1:30 DEPT: S37P

CASE#: EAP PS1800037

CASE NAME: RODRIGUEZ V RENDON

HEARING:

Hearing Re: Request to Modify Elder or Dependent Adult etc

COUNSEL:

ESTHER A RODRIGUEZ (PP)...PRO/PER

LATISHA RENDON (RP)...PRO/PER

EX PARTE HEARING REGARDING ELDER OR DEPENDENT ADULT

Temporary orders granted on 04/24/18 modified. Respondent Latisha Rendon to coordinate with another person to act as a go between and assist in arranging one and one-half days for Latisha to take her possessions and move out of the home. A Third person representing the other side may be present to monitor move. Court recommends pictures to be taken during the move.

(lc)