



First Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 06/01/17

All corrections/supplements addressing these notes should be filed by **05/25/17**. Later-filed documents might not be reviewed prior to the hearing and could result in a continuance of your case. Updates to these notes *typically* will be posted three court days prior to the hearing.

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.

05/08/17lc

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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1200522

CASE NAME: RICHARD W PROUTY

HEARING:

Hearing re Final Discharge

COUNSEL:

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

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final distribution of Richard Prouty II approved on 10/28/15. Order stated estate to remain open until disposition of the real property in Arizona is completed.
2. Need receipt from Lachael Prouty for personal property.
3. Need proof of transfer of Arizona property to the ancillary probate.
4. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300253

CASE NAME: RODNEY GLEN KING

SEE ALSO 3

HEARING:

Hearing re Final Discharge

COUNSEL:

ADVANCE INHERITANCE, LLC	(PET)...JAMES L LEESTMA
ADVANE INHERITANCE	(TP)...JAMES L LEESTMA
CANDICE KING	(PET)...WILLIAM K HAYES & ASSOC
RODNEY GLEN KING	(DEC)...

GENERAL INFORMATION

On **6/20/16** Court set OSC re Sanctions as there was no appearance or final discharge filed. Notice mailed.

Continued from 08/22/16. Counsel states that he has not been able to get the ex parte petition for final discharge signed by his client.

Continued from 10/31/16. Court accepts the declaration filed 09/08/16.

Continued from 01/05/17. Candice King cited to court for failure to file. Citation issued.

Continued from 03/09/17 and 04/27/17. No appearance. Need Citation for Candice served.

THIS CASE IS SET FOR HEARING ON Final discharge

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

1. Final distribution of Candice King approved 6/8/15.
2. All receipts filed.
3. Declaration filed 09/08/16 with supporting receipts and bank statements. Further declaration filed on 02/21/17.
4. Need Ex-parte petition for final discharge order mandatory Judicial Council Form DE-295.
5. **Need return of citation for Candice King.**

RECOMMENDATION:

Inquire status of notes 4-5.

(dl/sa/nb/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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1300253

CASE NAME: RODNEY GLEN KING

SEE ALSO 2

HEARING:

Hearing Re: OSC RE TERMINATION OF ESTATE

COUNSEL:

ADVANCE INHERITANCE, LLC	(PET)...JAMES L LEESTMA
ADVANE INHERITANCE	(TP)...JAMES L LEESTMA
CANDICE KING	(PET)...WILLIAM K HAYES & ASSOC
RODNEY GLEN KING	(DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Termination of Estate

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

1. Matter set on 04/27/17 when there was no appearance or final discharge submitted.
2. Court may wish to notice Counsel for Candice King; William Hays & Associates in order to discharge personal representative.

RECOMMENDATION

Court's discretion re OSC.

(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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 5, 11

VACATED reset to 06/07/17

HEARING:

Hearing Re: PETITION FOR ISSUANCE OF CITATION, ETC

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.,L.P.	()...
CAROLYN JACOBSON	(DEC)	...
JONI JACOBSON	(TIMOTHY L MCCAN)	...
JULIE STEWART	(PET)	...DUANE P BOOTH
KATHERINE HALL	(PRO/PER	
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)	...

XREF: CIVBS1200309

Currently under review by legal research

(LR)

Future Hearing:

09/14/17 Readiness calendar

09/14/17 Petition for orders to determine: 1/Interest etc.

09/25/17 Court Trial

09/26/17 Court Trial

09/27/17 Court Trial

09/28/17 Court Trial

09/29/17 Court Trial

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: STANFORD E. REICHERT

DATE: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400042
CASE NAME: Carolyn Jacobson

SEE ALSO 4, 11

VACATED

HEARING: Accounting Review

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.,L.P.	()...
CAROLYN JACOBSON	(DEC)	...
JONI JACOBSON	(TIMOTHY L MCCAN)	...
JULIE STEWART	(PET)	...DUANE P BOOTH
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)	...

XREF: CIVBS1200309

GENERAL INFORMATION:

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

THIS CASE IS SET FOR HEARING ON accounting/status review

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

1. Letters of Administration with Will Annexed issued to Julie Stewart 10/28/14, no bond.
2. Partial Inventory and Appraisal filed. Need final inventory & appraisal.
3. Need an accounting or status report.

RECOMMENDATION:

Inquire status.

(sa/nb/lc/lh/lc)

Future Hearing:

09/14/17 Readiness calendar

09/14/17 Petition for orders to determine: 1/Interest etc.

09/25/17 Court Trial

09/26/17 Court Trial

09/27/17 Court Trial

09/28/17 Court Trial 09/29/17 Court Trial

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: STANFORD E. REICHERT

DATE: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400692

CASE NAME: Janis Antoinette Moudy

HEARING:
Accounting Review

COUNSEL:
DANA R MOUDY (PET)...ALEXANDER W WALLACE
JANIS ANTOINETTE MOUDY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration issued to Dana Moudy, spouse, on 03/24/16; full authority, no bond.
2. Final Inventory and Appraisal filed 10/14/15; however, personal property such as vehicles and furnishings are to be appraised by probate referee. Need corrected final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1501093

CASE NAME: MTR OF MILDRED B JACKSON

HEARING:

FIRST AND FINAL Account and Report of JOHN JACKSON and Petition
for allowance of fees filed.

COUNSEL:

JOHN JACKSON	(PET)...	DUANE P BOOTH
MILDRED B JACKSON	(DEC)...	
WELLS FARGO FINANCIAL NATIONAL	(TP)...	

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for
Allowance of fees by John Jackson, son.

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

1. Petitioner and attorney request statutory fees of \$9,133.43 each.
2. Petitioner requests a reserve of \$2,000.
3. Petitioner seeks to offset his distribution by receiving the 1005 Temple St property valued at \$105,000 per reappraisal for sale. Question under what authority is petitioner distributing reappraisal value as opposed to date of death value of \$155,000.
 - a. Need verified supplement and/or consent of other heirs agreeing to the \$50,000 difference.
 - b. Need assignment of interest from Lincie Moore, daughter.
4. Need notice of hearing and proof of service for Wells Fargo who requested special notice.
5. Proposed Order: 03/24/17; however, distribution does not appear to be correct per real property offset. Submit order after hearing.

RECOMMENDATION

Need to clear notes 3 & 4. If approved, set hearing on the filing of receipts and final discharge for **06/07/18**.

(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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600881

CASE NAME: THE JOHN RODRIGUES, JR. TRUST

HEARING:

Petition for ORDERS COMPELLING JOHN ALVES TO ACCOUNT AND PRODUCE
INFORMATION; ETC.

COUNSEL:

ALAN ALVES	(PET)...SLATER HERSEY & LIEBERMAN
DOLORES PIMENTEL	(PET)...SLATER HERSEY & LIEBERMAN
HERCULANO ALVES	(PET)...SLATER HERSEY & LIEBERMAN
JOHN ALVES	(RES)...LAW OFFICES OF DOONAN &
JOSEPH SIMAS	(PET)...SLATER HERSEY & LIEBERMAN

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

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

DATE: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700272

CASE NAME: ALAN M GOLDMAN

HEARING:
Spousal Property Petition hearing.

COUNSEL:

ALAN M GOLDMAN (DEC)...
DEBORAH J GOLDMAN (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Spousal Property Petition by Deborah Goldman, spouse.

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

1. Petitioner seeks determination that community property left by decedent passes to petitioner without administration.
2. Petitioner does not set forth date of marriage, how property was acquired, why the deed is held as separate property and whether the real property was purchased with community assets. Need verified supplement.
3. Need notice of hearing and proof of service to 6 children.
4. ~Proposed Form Order: 03/24/17.

RECOMMENDATION

Need to clear notes 2-3.
(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: 06/01/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700282

CASE NAME: SUSAN WHITESIDE

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

MICHAEL WHITESIDE (PET)...CHARLES S ALTHOUSE
SUSAN WHITESIDE (DEC)...

GENERAL INFORMATION:

Ex parte orders entered 04/04/17. Michael Whiteside appointed Special Administrator with \$300,000 bond.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Michael Whiteside (brother)

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

1. Bond requested \$300,000. Petitioner is a non-resident of California. Appears sufficient.
2. Need Proof of Publication.
3. ~Proposed form Order: 03/28/17

RECOMMENDATION:

RFA subject to note 2. Court's discretion re bond. If approved, set future hearing for Accounting/Status Review on **08/09/18**. Any accounting to be filed 30 days in advance. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 06/01/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

SEE ALSO 4, 5

VACATED reset to 06/07/17

HEARING:

Motion Re: DEMURRER TO PETITION FOR ISSUANCE OF CITATION Filed
by Respondent CAROLYN JACOBSON, KATHERINE HALL

COUNSEL:

AJC TRUE GRIT LLC	()...
BAKER P.M.J.,L.P.	()...
CAROLYN JACOBSON	(DEC)	...
JONI JACOBSON	(TIMOTHY L MCCAN)	...
JULIE STEWART	(PET)	...DUANE P BOOTH
KATHERINE HALL	(PRO/PER	
PROJECT PROPERTY NUMBER FIVE,	()...
STATE OF CALIFORNIA FRANCHISE	(TP)	...

XREF: CIVBS1200309

No notes – JTD

(LR)

Future Hearing:

09/14/17 Readiness calendar

09/14/17 Petition for orders to determine: 1/Interest etc.

09/25/17 *Court Trial*

09/26/17 *Court Trial*

09/27/17 *Court Trial*

09/28/17 *Court Trial*

09/29/17 *Court Trial*

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 13, 14, 15, 16

HEARING: Hearing Re: PETITION FOR CONSERVATORSHIP

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: CIVDS1309039 PROPS1400134 BP0955227(L.A.Co.)

GENERAL INFORMATION:

Ex parte orders denied 10/28/15: no emergency

Continued from 12/09/15 and 12/17/15. Christina Erickson-Taube appointed Temporary Conservator of person only.

GENERAL INFORMATION:

Temporary orders granted 3/5/14 to Ms. Tucker.

Continued from **3/17/14**. The court orders IRC to conduct an investigation of conservatorship. The Court also refers matter to Court Investigator

At **06/04/14** hearing, Court appointed, Stan Mandell, conservator of the estate, \$110,000 bond. Bond filed 06/11/14. Continued from 04/16/14 and 6/26/14. The Court recommends Shanika Lister continue therapy. Therapy to be confidential. FCS may not contact therapist without Shanka Lister's consent. Matter referred to FCS mediation to discuss issues. Mediation not to occur prior to 6/9/14. Re-referred to FCS.

On **6/26/14**, the Court orders Ms. Johnson to provide a budget to GAL within 10 days.

Temporary orders granted 11/19/14, 01/22/15, 03/06/15, 07/10/15 and 08/13/15.

Conservatee's counsel Ed Fischel submitted 2014 Capacity Declaration.

Continued from 11/12/15 and 12/16/15. Christina Erickson-Taube appointed Temporary Conservator of person only on 12/17/15.

Continued from 06/21/16, 10/19/16 and 03/23/17. New trial dates selected.

THIS CASE IS SET FOR HEARING ON

- Petition 1 – Petition for Appointment of Successor Conservator, person only, filed by aunt, Yo Tashi Ko Y. Tucker
- Petition 2 - Petition for Appointment of Successor Conservatorship, person only, by sister-in-law, Carmela C. Johnson
- Petition 3 - Petition for Appointment of Conservator, person only, filed by Stan Mandell PPF (**conservator of the estate**)

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

Petition #1 (Tucker) aunt:

1. Father of proposed conservatee has nominated petitioner. Petitioner also alleges proposed conservatee prefers petitioner to be her conservator.
2. Petitioner requests medical powers. Need to file Capacity Declaration.
3. Need return of Citation.
4. Court Investigator's report filed 3/25/14
5. Report of court-appointed counsel, Atty Fischel, filed 4/2/14
6. IRC indicated that proposed conservatee is ineligible for services on 01/05/15.
7. Conservatorship Training Class Certificate filed 04/18/14.
8. FCS report filed 06/09/14.

Petition #2 (Johnson) sister-in-law:

9. Nomination of this petitioner affixed to Conservator Screening form filed 03/10/14.
10. Stipulation and Order entered 03/11/14 advancing this petition to 4/16.
11. Court to review report of court appointed counsel filed 04/02/14.
12. Court to review Court Investigator's Reports filed 03/11/14 and 03/25/14.
13. IRC indicated that proposed conservatee is ineligible for services on 01/05/15.
14. Petitioner seeks medical powers. Need Medical Capacity Declaration.
15. Need return of Citation.
16. Certificate of Completion re Conservatorship Class filed 05/16/14.
17. Attorney Mitchell Roth appointed GAL on 05/28/14 and 05/29/14.

Petitioner 3 – Stan Mandell PPF.

18. Petitioner is already conservator of the estate as of 6/4/14 (bond posted in the amount of \$110,000)
19. Petitioner requests medical powers. Need to file Capacity Declaration.
20. Petitioner requests the authority to fix the residence of conservatee (Pr.C. § 2352) and the power to employ Wendy Doring of Wendy Doring Care Management Services in Monrovia as care manager for the conservatee and to pay for said services from the conservatorship estate assets. Conservatee lives in Rialto, CA. Question if there is a care manager closer in proximity to conservatee should a care manager be needed? File verified supplement.

Additionally, a Declaration filed by petitioner on 11/18/14, shows that a live-in caregiver, Mrs. Carmela Johnson, from Synergy Homecare would be employed beginning 10/20/14 at the rate of \$9,300/month. Why are two caregiver's needed?

The rate of \$9,300 exceeds the customary rate of caregivers and Board and Care facilities. Question why the excessive costs? File verified supplement.

21. Need 730 evaluation by Dr. Leeb.

22. Court Investigator report filed 03/25/14.

23. FCS report filed 09/09/14.

24. Court to review IRC information filed 01/05/15.

25. Citation returned personally served on 11/2/14.

26. Report of counsel filed on 01/20/15.

27. No proof of Conservatorship Training Class as petitioner is a PPF.

RECOMMENDATION

Need to clear notes 2-3, 14-15, 19-21. If approved, set hearing for Compliance Review for **01/04/18** for the filing of the required documents including a Determination of Conservatee's Appropriate Level of Care per Pr.C.§2352.5 (form GC-355).

(gls/vet/cbr/kra/lc)

Future Hearing:

06/07/17 *Third account and report etc.*

11/16/17 *Readiness calendar*

12/11/17 *Court Trial*

12/12/17 *Court Trial*

12/13/17 *Court Trial*

12/14/17 *Court Trial*

12/15/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 12, 14, 15, 16

HEARING:

Hearing Re: PETITION FOR CONSERVATORSHIP

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: CIVDS1309039 PROPS1400134 BP0955227(L.A.Co.)

See notes on matter 12.

Future Hearing:

06/07/17 *Third account and report etc.*

11/16/17 Readiness calendar

12/11/17 Court Trial

12/12/17 Court Trial

12/13/17 Court Trial

12/14/17 Court Trial

12/15/17 Court Trial

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

DATE: 06/01/17 TIME: 09:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 12, 13, 15, 16

HEARING:

Hearing Re: STATUS OF POSSIBLE SOONER TRIAL DATE

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: CIVDS1309039 PROPS1400134 BP0955227(L.A.Co.)

Status – No notes – JTD

Future Hearing:

06/07/17 *Third account and report etc.*

11/16/17 Readiness calendar

12/11/17 Court Trial

12/12/17 Court Trial

12/13/17 Court Trial

12/14/17 Court Trial

12/15/17 Court Trial

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

CASE NAME: SHANIKA LISTER

SEE ALSO 12, 13, 14, 16

HEARING: Petition for COURT APPOINTED ATTORNEY'S FEES

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	(CPE)...PRO/PER
VICKY LISTER	(CPE)...HARTNELL LAW GROUP
YO TASHI KO Y TUCKER	(PET)...BRYAN C HARTNELL

XREF: CIVDS1309039 PROPS1400134 BP0955227(L.A.Co.)

GENERAL INFORMATION

Continued from 03/23/17. Objections of Randolph Sharon to be filed by 04/20/17 and response by 05/11/17.

THIS CASE SET FOR HEARING ON Petition for Court Appointed Attorney's Fees by Edward Fischel.

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

1. Petitioner, Edward Fischel, is appointed counsel for Shanika Lister.
2. Petitioner requests fees of \$29,672.50 for 79.25 at \$135/395 for paralegal and attorney services. Itemized in petition and additional in supplement [Pet.01/05 LFpg7-14 & supp.03/06 LFpg5-7].
3. **Objections filed by Bank of the West on 04/20/17.**
4. ~Proposed Order: 03/06/17.

RECOMMENDATION

Court's discretion.

(lc)

Future Hearing:

06/07/17 *Third account and report etc.*

11/16/17 Readiness calendar

12/11/17 Court Trial

12/12/17 *Court Trial*

12/13/17 Court Trial

12/14/17 *Court Trial*

12/15/17 Court Trial

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON DS1000281

Vacated

CASE NAME: SHANIKA LISTER

SEE ALSO 12, 13, 14, 15

HEARING:
Accounting Review

COUNSEL:

BANK OF THE WEST	(RANDOLPH M SHARON
CARMELA C JOHNSON	(CP)...PRO/PER
CHRISTINA ERICKSON-TAUBE	(CP)...SHERRI L KASTILAHN
EDWARD B FISCHER	(PET)...EDWARD B FISCHER &
MITCHELL I ROTH	(PET)...MITCHELL I ROTH
SHANIKA A LISTER	(CEP)...EDWARD B FISCHER &
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: CIVDS1309039, PROPS1400134

3rd account filed.

Future Hearing:

06/07/17 *Third account and report etc.*

11/16/17 Readiness calendar

12/11/17 Court Trial

12/12/17 Court Trial

12/13/17 Court Trial

12/14/17 Court Trial

12/15/17 Court Trial

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1200041
CASE NAME: MARY JOHN LUCAS
HEARING: FIRST CURRENT Account and Report of MONIQUE SCCHULER,
NICOLE BARCELLOS and Petition for allowance of fees filed.

COUNSEL:

BICOLE BARCELLOS (CP)...LAYNE A BARTHOLOMEW
MONIQUE SCHULER (CP)...LAYNE A BARTHOLOMEW
NICOLE BARCELLOS (CP/E)...LAYNE A BARTHOLOMEW
SURETEC INSURANCE (TP)...JERRY GARCIA
THE MARY J LUCAS REVOCABLE TRU (PET)...MITCHELL I ROTH

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Trust Account Current and Petition for Fees,
Costs and Decrease of Bond by Monique Schuler and Nicole Barcellos, successor
Trustees.

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

1. Accounting period 04/21/16 – 01/11/17.
2. Assets on hand \$556,208.04 of which \$42,916.08 is cash.
3. Petitioner seeks a reduction of bond from \$700,000 to \$625,000. Ok.
4. Attorney requests fees of \$7,103 for 31.3 hours at \$100/350 per hour for paralegal and attorney services. Itemized [Acct. 04/18 LFpg32-36]. JTD
5. Attorney requests reimbursement of costs totaling \$983. Itemized [Acct. 04/18 LFpg36]. JTD
6. Petitioner Monique Schuler requests trustee fees of \$5,562.08 representing 1% of the assets. JTD
7. Nicole Barcellos requests court ratify and approve reimbursements of \$15,612.00 for payments made to caregivers. Itemized [Acct. 04/18 LFpg39-42]. JTD
8. Nicole Barcellos requests periodic payments of \$2,000 per month for caregiver/trustee services. JTD
9. Proposed order 04/18/17; however, the balance on hand indicates \$306,208.14, not \$556,208.04.

RECOMMENDATION

Court's discretion. If approved, set hearing on the next accounting review for **04/05/18** (if one year) or **04/04/19** (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: STANFORD E. REICHERT

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

SEE ALSO 19

HEARING:

Hearing Re: Ptn for Attorney's Fees Filed by Edward Fischel

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S DURHAM	(PET)...EDWARD B FISCHEL &
JAMES S DURHAM	(PET)...J. DAVID HORSPOOL
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM	(CPE)...KYLE A PATRICK
KATHLEEN DURHAM	(PRO/PER
KATHLEEN DURHAM TRUST DATED 1/	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

See next matter.

Future Hearing:

07/27/17 Hearing re: Status of mediation

07/27/17 Petition to recover property from Gail Hammer etc.

07/27/17 Second account and report etc.

12/07/17 Final Discharge

03/15/18 Readiness calendar

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400150

CASE NAME: MTR OF KATHLEEN DURHAM

SEE ALSO 18

HEARING: Hearing Re: OSC RE GRANTING PTN AT \$10,000.00

COUNSEL:

GAIL HAMMER	(OBJ)...GEORGE F DICKERMAN
JAMES S DURHAM	(CPE)...J. DAVID HORSPOOL
JAMES S DURHAM	(PET)...EDWARD B FISCHEL &
JAMES S DURHAM	(PET)...J. DAVID HORSPOOL
KATHLEEN DURHAM	(CEP)...WALTER T. MOORE
KATHLEEN DURHAM	(CPE)...KYLE A PATRICK
KATHLEEN DURHAM	(PRO/PER
KATHLEEN DURHAM TRUST DATED 1/	(TRU)...
KYLE A. PATRICK	(PET)...KYLE A PATRICK
LAWRENCE A DEAN II	(CPE)...SHERRI L KASTILAHN

CCP170.6 filed as to Judge CYNTHIA A LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

GENERAL INFORMATION

OSC set on 04/20/17. David Horspool indicated that the agreed upon amount for prior counsel is \$10,000.

THIS CASE SET FOR HEARING ON **OSC re Approval of \$10,000**/Petition for Attorney's Fees by Edward Fischel.

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

1. Matter set on 03/21/17 Motion to be Relived hearing where petitioner Edward Fischel supplemented motion to be relieved with a petition for attorney's fees. Petitioner was to amend caption on motion and supplement to petition for fees. **There does not appear to be a subsequent supplement filed.**
2. Supplement filed 03/06/17 requests attorney requests fees of \$11,293.50. Billed at \$375-\$390/hour for attorney time and \$135-\$150/hour for paralegal time totaling 32.60 hours. Itemized [see supp. filed 03/06/17, LF, pgs. 7-10].

3. Proposed order 03/23/17; however, does not match original fees requested. Fees requested appear to be \$13,168.50.

RECOMMENDATION

Court's discretion re OSC.

(lc)

Future Hearing:

07/27/17 Hearing re: Status of mediation

07/27/17 Petition to recover property from Gail Hammer etc.

07/27/17 Second account and report etc.

12/07/17 Final Discharge

03/15/18 Readiness calendar

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500142

CASE NAME: CARLOS CORIA GUZMAN JR

HEARING: Conservatorship Compliance Review Hearing on PETIITON FOR
CONSERVATORSHIP of ALICIA GUZMAN CORIA

COUNSEL:

ALICIA GUZMAN CORIA (PCR)...PRO/PER
CARLOS CORIA (PCR)...PRO/PER
CARLOS CORIA GUZMAN JR (PCE)...PRO/PER

GENERAL INFORMATION

Continued from **03/16/16**. Walter Moore reappointed counsel.

Continued from **05/19/16**. **Court orders conservatee's right to vote reinstated.**

Continued from 10/13/16, 12/01/16, 02/16/17, 03/23/17, 04/06/17 and 04/27/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Alicia & Carlos Coria, parents, appointed conservator of the person only on 08/12/15.
2. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.
5. Need report of Counsel Moore.

RECOMMENDATION

Need to clear notes 2-5.

(sa/lc/nb/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: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1600052

CASE NAME: HOMER N. SILACCI

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of STEVE COX

COUNSEL:

HOMER N SILACCI (CEE)...MITCHELL I ROTH
STEVE COX (PET)...FRANKLIN S ADLER

GENERAL INFORMATION

Continued from 04/27/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Steve Cox, friend appointed conservator of the person and estate on 09/22/16, \$350,000 bond.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.
5. Need final Inventory & Appraisal per Pr.C.§2610.
6. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
7. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.

RECOMMENDATION

Need to clear notes 2-7.

(lc)

Future Hearing: 11/30/17 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700132

CASE NAME: MTR OF HECTOR EDUARDO VEGA RUIZ

SEE ALSO 23

HEARING:

Petition for Appointment of Temporary Conservator

COUNSEL:

HECTOR EDUARDO VEGA RUIZ

(CTP)...

HECTOR VEGA

(CP)...PRO/PER

MARTHA RUIZ

(CP)...PRO/PER

Temporary hearing – No notes – JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700132

CASE NAME: MTR OF HECTOR EDUARDO VEGA RUIZ

SEE ALSO 22

HEARING:

Petition for Appointment of Conservator

COUNSEL:

HECTOR EDUARDO VEGA RUIZ	(CTP)...
HECTOR VEGA	(CP)...PRO/PER
MARTHA RUIZ	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Martha Ruiz and Hector Vega (parents)

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

1. Petitioner seeks medical powers. Capacity Declaration filed 05/08/17 is incomplete at #4 as to name of proposed conservatee. Need completed form.
2. Petition, item #5 is vague as to reasons proposed conservatee requires a conservator. Need verified supplement clarifying the need for a conservator and whether proposed conservatee has a developmental disability.
3. Court to refer to Supplemental Information filed 04/12/17 (LFpg4).
4. Need Court Investigator report.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need Notice of Hearing and Proof of Service. Note: the ROA indicates Notice was filed, but is not in LF at time of review. Clerk notified.
7. Return of Citation filed 05/04/17.
8. ~Proposed Form Order: 04/12/17

RECOMMENDATION

Need to clear notes 1-2; 4-7. If approved, set hearing for Compliance Review for **01/04/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5
(lh)

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

DATE: 06/01/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700142

CASE NAME: MTR OF JOSE ALVINO MARTINEZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

AMBER JOHNSON	(CPE)...PRO/PER
GOLDIE MARTINEZ	(CPE)...PRO/PER
JOSE ALVINO MARTINEZ	(CEP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Amber Johnson (step-granddaughter) and Goldie Martinez (spouse)

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

1. Petitioner requests no bond due to small estate valued at \$12,992. Alternatively, does Court wish to require minimum bond of \$20,000? JTD
2. Petitioner seeks medical powers. Need Capacity Declaration with dementia attachment.
3. Petitioner seeks dementia powers. Need appointment of counsel for report.
4. Petition item #6 is incomplete as proposed co-conservator, Goldie Martinez, is the legally separated spouse [Petition, 4/10/17, LF,pg7]. Need verified supplement.
5. Need Certificate of Completion of the Conservatorship Training Class.
6. Need Court Investigator report.
7. Need Notice of Hearing and Proof of Service by mail as to Harmony Almansa, step-granddaughter.
8. Need return of Citation.
9. No proposed form Order.

RECOMMENDATION

Need to clear notes 2-9. If approved, set hearing for Compliance Review for **01/04/18** for the filing of the required documents and hearing re Accounting Review for **08/09/18**. Any accounting to be filed 30 days in advance.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **PROBATE**

DATE: 06/01/17 TIME: 8:30 DEPT: S36P

CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch

SEE ALSO 11

HEARING:

Hearing re Final Discharge

COUNSEL:

JOHN PESCH

(CPE)...PRO/PER

KARIN E HORSPPOOL

(PET)...KARIN E HORSPPOOL

RITA SUE PESCH

(CEP)...KARIN E HORSPPOOL

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Requirement for final account waived for, John Pesch, on 10/28/16. The court found that the reasonable fee for court-appointed counsel's work is \$12,356; from the sums on deposit, court appointed counsel is to be paid \$8,500; remainder to be submitted via voucher. The balance of the funds on deposit, \$4,600.77, is to be paid to the conservator Need order for submitted matter.
2. Need receipt for Karin Horspool.
3. Need Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION

Inquire status.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600264

CASE NAME: ANTHONY P GAYTAN

HEARING: Spousal Property Petition hearing.

COUNSEL:

ANNA LYNNETTE GAYTAN (PET)... SALLY ANNE COX
ANTHONY P GAYTAN (DEC)...
DAVID GAYTAN (OBJ)...DAVID M HUYNH

GENERAL INFORMATION

Continued from 05/09/16, 07/21/16, 09/29/16, 02/09/17 and 03/23/17 for petition for probate to be filed; filed 03/23/17.

THIS CASE SET FOR HEARING ON Spousal Property Petition

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

1. Petitioner, Anna Lynnette Gaytan, is seeking confirmation of her half of community property left by decedent to pass to petitioner and determination of decedent's half interest in the community property passing to petitioner.
2. Petitioner alleges that she and decedent were married on 06/27/00 and the property was quitclaimed to both petitioner and decedent on 01/29/03. However, the quitclaim deed dated 01/29/03 was recorded on 11/20/06, titled in decedent's name only. Later a deed of trust was titled in **Jean D. Gaytan** and Anthony Gaytan's name. Another quit claim deed was titled to petitioner only on 07/06/10, signed on 05/20/16 and recorded on 06/26/16; **post death. Note:** decedent died on 07/14/10. The dates and chain of title do not appear to coincide with petition. It is unclear who Jean is if petitioner and decedent were married in 2000, and as Anna is petitioning as spouse. See deeds attached to supplement filed 09/19/16. **Due to time restraints the supplement is not fully referenced. Court to clarify deed information, parties and dates.**
3. Petitioner checked Section 8 to indicate that there is a written agreement between decedent and petitioner providing for a non pro rata division of community property but then petitioner attaches a Power of Attorney that does not speak to that issue. Court to inquire.
4. **Amended Objections filed by David Gaytan, son on 07/15/16.**
5. **Petitioner alleges that objector was evicted from the real property several months ago; UDFS1602339.**

6. ~Proposed form Order: 03/23/16

RECOMMENDATION:

Court's discretion.

(dl/lc)

Future Hearing: 06/19/17 Petition for probate of will and for letters etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

SEE ALSO 4, 5

HEARING: Petition for Settlement and Approval of First Trust Accounting
for Period from 06/17/11 through 12/31/14

COUNSEL:

CLAUDE EUGENE NOEL SEPARATE PR (TRU)...
GREGORY NOEL (OBJ)...HILL FARRER & BURRILL LLP
HOLLY NOEL (PET)...DIANA J CARLONI

XREF: PROPS1501096

GENERAL INFORMATION:

Continued from 04/21/15, 5/26/15, 7/27/15, 10/05/15, 11/30/15, 4/18/16, 04/26/16, 05/24/16, 08/04/16, 01/09/17, 01/17/17, 02/24/17, 03/03/17 and 03/15/17. Settlement reached. Counsel indicted a completion of terms of settlement. Petition will be dismissed.

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Fees by Greg Noel, Trustee.

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

1. Accounting period: 6/17/11 – 6/22/15
2. Assets on Hand: \$75,154.23 (consisting of \$117.23 cash and remaining in carry value of real property)
3. Petitioner does not request compensation.
4. Attorneys do not request compensation.
5. Supplement filed 6/25/15 with updated accounting, including receipts, rental income, disbursements (including distributions-LFp14) and schedule of property on hand (LFp16), including copies of investment statements. Copies of statements are also provided under supplement filed 7/17/15.
6. **Objections to original accounting by Holly Noel filed 03/25/15 and again on 5/7/15 as well as on 7/8/15** alleges the trustee mismanaged the assets and the accounting is deficient in that it does not reflect assets nor an inventory, appraised as of date of death, does not show where cash was obtained – yet reflects significant cash being paid, does not reflect parcel numbers for real property, fails to reflect all of the transactions of the trustee, fails to reflect all separate property belonging to Claude Noel, fails to indicate if the real property, outside of the trust

(the LA County Property), is subject of probate, fails to account for any personal property, distributes assets without providing for costs of administration and wrongfully values an asset distributed to the Objector, because there is insufficient cash in the estate to equalize the other distributions. Objector objects to the Seminole House expense and applied distribution of \$1,826.86 stating there was no such expense incurred and no special requests made. Furthermore, objector believes the amounts of rents reported on the accounting do not match the amounts of rents attributed to the beneficiary on tax reporting documents. Additionally, objector believes the trustee has committed self-dealing, and claims the trustee continues to fail to identify the property that lies outside of the trust for which a probate is required (i.e., 50% interest in Los Angeles County APN: 4070-4-6). Objector request the accounting NOT be approved, that Trustee be compelled to properly inventory and account for all trust assets and be surcharge for the mismanagement of any trust assets, as may be established by a proper accounting.

7. No proposed Order submitted.

8. **Notice of settlement of entire case filed 03/17/17.**

RECOMMENDATION:

Court's discretion as matter is settled.

(vet/gls/nb/dl/nb/lc/nb/lc)

Future Hearing:

06/12/17 *Court Trial*

06/12/17 Petition for settlement and approval etc.

06/12/17 Petition to compel the trustee to report etc.

01/31/18 Hearing re: Status re: Completion of terms etc.

01/31/18 Petition for settlement and approval etc.

01/31/18 Petition to compel the trustee to report etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

SEE ALSO 3, 5

HEARING:

Petition for to Compel the Trustee to Report Information about
the Trust, etc

COUNSEL:

CLAUDE EUGENE NOEL SEPARATE PR (TRU)...
GREGORY NOEL (OBJ)...HILL FARRER & BURRILL LLP
HOLLY NOEL (PET)...DIANA J CARLONI

XREF: PROPS1501096

Currently under review by legal research

(LR)

Continued matter. Notice not re-reviewed.

Future Hearing:

06/12/17 Court Trial

06/12/17 Petition for settlement and approval etc.

06/12/17 Petition to compel the trustee to report etc.

01/31/18 Hearing re: Status re: Completion of terms etc.

01/31/18 Petition for settlement and approval etc.

01/31/18 Petition to compel the trustee to report etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1400484

CASE NAME: CLAUDE EUGENE NOEL SEPARATE PROPERTY TRUST

SEE ALSO 3, 4

HEARING:
Readiness Calendar

COUNSEL:

CLAUDE EUGENE NOEL SEPARATE PR (TRU)...
GREGORY NOEL (OBJ)...HILL FARRER & BURRILL LLP
HOLLY NOEL (PET)...DIANA J CARLONI

XREF: PROPS1501096

Readiness – No notes – JTD

Future Hearing:

06/12/17 Court Trial

06/12/17 Petition for settlement and approval etc.

06/12/17 Petition to compel the trustee to report etc.

01/31/18 Hearing re: Status re: Completion of terms etc.

01/31/18 Petition for settlement and approval etc.

01/31/18 Petition to compel the trustee to report etc.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1501026
CASE NAME: ARMANDO OLAZABA
HEARING: Petition to determine succession to Real Property

COUNSEL:

ARMANDO OLAZABA	(DEC)...
FRANCES C PEREZ	(CHANDLER LAW FIRM
MARIAH HARRIS	(PET)...JOHN G WURM
PAULA GUSTAFSON	(OBJ)...

XREF: PROPS1600064 (Armando Olazaba estate), PROPS1600677(Viola Olazaba)

GENERAL INFORMATION

Continued from 1/4/16, 5/11/16, 08/01/16 and 09/19/16. Possible settlement reached.
Counsel to file a declaration of agreed upon matters.

Continued from 11/08/16 and 01/24/17.

THIS CASE SET FOR HEARING ON Petition to Determine Succession to Real Property
by Mariah Harris.

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

1. Petitioner is seeking 100% interest in the decedent's 100% interest in real property (a cabin in Rimforest, CA with \$149,500 I&A value). However, petitioner does not take per will or intestate succession and is not related to decedent nor ever married. Petitioner states she and decedent lived together for years as husband and wife but California is not a common law state. Petitioner alleges that decedent had no living relatives at the time of death. However, as there is no will and petitioner purports to take via intestate succession, petitioner does not appear to be entitled to inherit.
Supp 12/23/15: Petitioner adds allegations that despite the lack of blood relationship between decedent and petitioner, petitioner qualifies as a relative for purposes of intestate succession pursuant to Fam. Code 7630, 7611(d), and Probate Code 6453.
2. Need declaration of agreed upon matters.
3. **Supplement to objection filed 2/16/16 by Barbara Langlois**
4. **Objection filed by Paula Gustafson on 1/20/16** on basis petitioner is not related to decedent and therefore not entitled to take via intestate succession. Objector, however, is not related to decedent (she appears to be the granddaughter of a Viola Olzaba who is a woman with whom decedent and petitioner used to live) and

therefore it does not appear that objector has standing to object – she does not have an apparent basis for taking decedent’s property whether the current petition is granted or denied. Court may wish to disregard Objection for lack of standing of objector or invite objector to file P&As establishing standing.

a. **Response to Objection filed by petitioner on 1/4/16** to argue Objector’s lack of standing and to reiterate the position that she qualifies as decedent’s relative pursuant to the Family Code and Probate Code.

5. Objection filed 5/5/16 by Frances Perez.

6. ~Proposed Form Order: 11/9/15.

7. NOTE: Letters of Special Administration issued to Frances Perez on 2/2/16, \$55,000 bond under case # PROPS1600064.

8. Notice of settlement of entire case filed 03/10/17.

RECOMMENDATION

Matter appears to be moot as notice of settlement filed.

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

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1600064

CASE NAME: ARMANDO OLAZABA

SEE ALSO 8, 9

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

ARMANDO OLAZABA	(DEC)...
BARBARA LANGLOIS	(OBJ)...
BARBARA LANGLOIS	(PET)...PRO/PER
FRANCES C PEREZ	(PET)...CHANDLER LAW FIRM
LEONARD PEREZ	(PET)...CHANDLER LAW FIRM
LESLIE L GUSTAFSON	(PET)...PRO/PER
PAULA J GUSATFSON	(PET)...PRO/PER

XREF: PROPS1501026 (Armando Olazaba; succession), PROPS1600677(Viola Olazaba)

Future Hearing: 07/10/17 Motion to remove special administrator etc.

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1600064
CASE NAME: ARMANDO OLAZABA

SEE ALSO 7, 9

HEARING: Petition for Establish Trust; Petition to Confirm Transfer of Real Property etc

COUNSEL:

ARMANDO OLAZABA	(DEC)...
BARBARA LANGLOIS	(OBJ)...
BARBARA LANGLOIS	(PET)...PRO/PER
FRANCES C PEREZ	(PET)...CHANDLER LAW FIRM
LEONARD PEREZ	(PET)...CHANDLER LAW FIRM
LESLIE L GUSTAFSON	(PET)...PRO/PER
PAULA J GUSATFSON	(PET)...PRO/PER

XREF: PROPS1501026 PROPS1600677

GENERAL INFORMATION

Letters of Special Administration issued to Frances Perez on 2/2/16, \$55,000 bond.

Continued from 3/3/16, 5/11/16, 08/01/16, 09/19/16, 11/08/16 and 01/24/17. Set for trial readiness.

THIS CASE IS SET FOR HEARING ON Petition to establish trust, confirm transfer of real property, and to confirm transfer of assets to trust.

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

1. Petitioners are Frances and Leonard Perez, decedent's long-time friends and neighbors.
2. Petitioners allege that decedent had no close family; that in 2014 decedent and petitioners began to discuss a purchase by petitioners of decedent's Rimforest, CA real property by which petitioners would pay off decedent \$13,000 mortgage on the property and decedent would take back a note and need on the property; that decedent would be allowed to live on the property for the rest of his life; that decedent and petitioners discussed that a purchase price "around \$75,000" would be a fair price; that decedent was in bad physical condition in January 2015 but agreed to go to the hospital only if he could sign a bill of sale selling the property to petitioners as well as a durable power of attorney and an advanced healthcare directive both naming petitioner Frances as agent; that decedent signed these

documents (Exhibits B, C, and D to petition); that petitioner was then diagnosed with cancer; that decedent and petitioners then began the process to close the purchase and sale of the real property; that the parties entered into a \$55,000 purchase and sale agreement, with reduction in price to account for necessary repairs (Exhibit E); that decedent entered hospice care but continued to indicate a desire to close the sale of the property; that petitioners suggested the use of a trust “to avoid probate and allow a trustee to complete the sale of the real property” (presumably in the event of decedent’s death); that decedent agreed to a trust of petitioners would pay for the attorney and have the attorney come to decedent; that decedent was interviewed by a doctor who stated that decedent had mental capacity to make decisions himself (doctor’s declaration at Exhibit G); that petitioners arranged for attorney Harry Histen to meet with decedent about the trust; that Histen met with decedent and took notes regarding decedent’s wishes for the trust and property sale; that decedent died before the trust could be completed and executed; that the trust that would have been signed is presented as Exhibit I; that decedent wanted the property to go to petitioners; and that petitioners have spent \$12,000 in costs and expenses regarding the property and on decedent’s funeral (itemized at Exhibit J).

3. Petitioners seek to establish the trust that was drafted but unexecuted at the time of decedent’s death. Petitioner also requests an order determining that the real property was a trust asset pursuant to Pr.C. § 850 and *Estate of Heggstad et al.* Petitioners also request transfer of the real property pursuant to the term of the purchase agreement, for enforcement of the purchase contract (by which petitioners would receive the property and be liable for the purchase price and payment terms).
4. Petitioners state that the named trustee Angel Uberto has declined to serve (declination filed 2/8/16) and request that they be appointed co-trustees.
5. Declaration of attorney Histen filed 1/27/16 re facts surrounding drafting of draft trust instrument.
6. Draft/unexecuted trust instrument waives bond.
7. Petitioner lists people entitled to notice as those who are beneficiaries of the trust. It appears, however, that decedent’s intestate heirs would also be interested parties and it is not clear whether there are people who would be heirs who are not already lists as trust beneficiaries. Need verified supplement addressing and notice of hearing with proof of service for any additional interested parties. **Supplement filed 5/5/16 and notice filed 5/20/16.**
8. Draft/unexecuted trust instrument states that formal accountings to the court or any beneficiaries shall not be required (Sec. 1.4 at p. 2).
9. **Objections filed by Barbara Langlois on 09/02/16.**

RECOMMENDATION

Matter is contested.

(ds/sa/lc)

Future Hearing:

07/10/17 Motion to remove special administrator etc.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 8:31 DEPT: S36P

CASE#: PRO PS1600064

CASE NAME: ARMANDO OLAZABA

SEE ALSO 7, 8

HEARING:

Readiness Calendar

COUNSEL:

ARMANDO OLAZABA	(DEC)...
BARBARA LANGLOIS	(OBJ)...
BARBARA LANGLOIS	(PET)...PRO/PER
FRANCES C PEREZ	(PET)...CHANDLER LAW FIRM
LEONARD PEREZ	(PET)...CHANDLER LAW FIRM
LESLIE L GUSTAFSON	(PET)...PRO/PER
PAULA J GUSATFSON	(PET)...PRO/PER

XREF: PROPS1501026, PROPS1600677

Readiness – No notes – JTD

Future Hearing:

07/10/17 Motion to remove special administrator etc.

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN **CONSERVATORSHIP**

DATE: 06/01/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300058

CASE NAME: ANTHONY GALINDO

HEARING: Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of TAMORA SUE GALINDO

COUNSEL:

ANTHONY GALINDO	(CEP)...PRO/PER
ANTHONY GALINDO	(CEP)...WALTER T. MOORE
ISMARY DIAZ-GALINDO	(CPE)...DAVID E FOATE
ISMARY DIAZ-GALINDO	(CPE)...HORSPOOL & HORSPOOL
TAMORA SUE GALINDO	(PET)...JACK B. OSBORN

XREF: CIVDS1405052, FAMSS1609991

GENERAL INFORMATION

Continued from 04/20/17.

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Tamora Sue Galindo, former spouse, appointed **Successor** conservator of the person and estate on 09/15/16, \$40,000 bond.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need Determination of Conservatee's Appropriate Level of Care form GC-355.
4. Need Care Plan in accord with Pr.C.§2352.5.
5. Final Inventory and Appraisal filed by prior Conservator on 02/13/14.

RECOMMENDATION

Need to clear notes 2-4.

(lc)

Future Hearing: 06/14/17 Readiness Calendar 11/30/17 *Accounting Review re Tamora Sue Galindo. 05/17/17 2nd and Final Account of Ismary Diaz-Galindo, former conservator*

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1400276

CASE NAME: Rita Sue Pesch

SEE ALSO 1

HEARING:
Accounting Review

COUNSEL:

JOHN PESCH	(CPE)...PRO/PER
KARIN E HORSPOOL	(PET)...KARIN E HORSPOOL
RITA SUE PESCH	(CEE)...KARIN E HORSPOOL

Court waived final accounting on 10/28/16. See notes on matter 1.

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600242

CASE NAME: MTR OF AURORA ZEPEDA

SEE ALSO 13

HEARING:

Hearing Re: STATUS OF INFORMAL ACCOUNTING

COUNSEL:

ANTONIO M ZEPEDA (CPE)...DONNASUE ORTIZ
AURORA ZEPEDA (CEP)...MITCHELL I ROTH
SHEILA MUSA (OBJ)...KROLOFF, BELCHER, SMART,PERRY

GENERAL INFORMATION

Continued from 01/19/17 and 03/15/17.

THIS CASE SET FOR HEARING ON Status of Informal Accounting.

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

1. Matter set on 10/04/16. Court revoked POA and ordered respondent, Sheila Musa, to provide an informal accounting to counsel for conservatee.
2. Need informal accounting.

RECOMMENDATION

Inquire status.

(lc)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1600242

CASE NAME: MTR OF AURORA ZEPEDA

SEE ALSO 12

HEARING:

Petition for Appointment of Conservator

COUNSEL:

ANTONIO M ZEPEDA (CPE)...DONNASUE ORTIZ
AURORA ZEPEDA (CEP)...MITCHELL I ROTH
SHEILA MUSA (OBJ)...KROLOFF, BELCHER, SMART,PERRY

X-REF: FAMSS 1506546

GENERAL INFORMATION

Ex Parte Orders denied 08/24/16. Attorney Mitchell I. Roth appointed. Court orders that there is to be no discussion with the proposed conservatee regarding the conservatorship case or family law case, and there is to be no negative or disparaging remarks about each other to Aurora Zepeda or remarks about each other to Aurora Zepeda or within her hearing, nor allow any third parties to do so. The only person that is able to talk with Aurora Zepeda about the current court cases is her attorney, Mitchell Roth. Court orders that the powers of attorney dated August 21, 2015 are ordered stayed. Court orders that there is to be no restriction/impediment of contact/visitation with Aurora Zepeda. Court orders this case to remain in S36.

Continued from 10/04/16, 11/03/16, 12/08/16 and 01/19/17.

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Appointment of Conservatorship of person and estate by niece as nominated by spouse.

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

1. Petitioner requests no bond on the basis that the funds are community property Pr.C. §3051(b)). However, court to inquire as there appears to be a dissolution matter.
2. Petitioner seeks medical powers. Need Capacity Declaration.
3. Petitioner no longer appears to request dementia powers. Report of Counsel Roth filed 11/01/16.
4. Court Investigator report filed 10/18/16.
5. Receipt and acknowledgment re citation filed 11/07/16.

6. Certificate of Completion of the Conservatorship Training Class filed 12/06/16.
7. Petitioner alleges that two relatives have not been contacted; Danny Sanchez and Erlinda Sabin (nephew and niece), but petitioner is attempting contact with Danny with new email address.
8. **Requested in initial petition; however, does not appear to be in amended.** Petitioner requests other orders that Antonio Zepeda is allowed to have unfettered visitation and contact with Aurora Zepeda; that Aurora Zepeda be returned to either her home with caregivers or a dementia facility near her home that meets her needs, in the discretion of the Conservator; the POA dated 08/21/15 naming Sheila Musa as agent be suspended pending a hearing on a Petitioner to Terminate subject POA; and that if an Advance Health Care Directive was executed on or near 08/21/15, it be suspended.
9. ~Proposed Form Order/Letters 08/12/16.

RECOMMENDATION:

Need to clear note 2, \$344,180.00 bond. If approved, set hearing for Compliance Review for **01/04/18** for the filing of the required documents and hearing re Accounting Review for **08/09/18**. Any accounting to be filed 30 days in advance.

(nb/lc)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 06/01/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700034

CASE NAME: CHRISTOPHER CORONEL

HEARING:

Petition for Appointment of Conservator

COUNSEL:

CHRISTOPHER CORONEL (CTP)...SANDY L. TURNER

ROSALVA L CORONEL (PET)...PRO/PER

See notes on other matter.

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: 06/01/17 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1600228

CASE NAME: ARIYAH M. MONTOYA & AUDRINAH A. MONTOYA

SEE ALSO 2

HEARING: Hearing Re: PETITION FOR GUARDIANSHIP

COUNSEL:

ARIYAH M. MONTOYA (MIN)...

AUDRINAH A. MONTOYA (MIN)...

NIKOLAUS P. IVANOFF (PET)...HOLSTROM BLOCK & PARKE

RONALD J MONTOYA (OBJ)...JOHN

GENERAL INFORMATION:

Continued from 7/12/16 for father to file objections. Matter referred to Court Investigator.

Continued from 09/21/16. Temporary orders granted of person.

Continued from 03/09/17.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person and estate, by Nikolaus Ivanoff, step-father, minors now Ariyah 11 & Audrinah 8.

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

1. Mother is deceased.
2. Petition requests no bond be required. However, estimated value of the property of the estate indicates "Unknown." Court to inquire.
3. Petition reflects related child custody and step-parent adoption cases;
SDASS161509.
4. Court Investigator report filed 09/15/16.
5. **Objection filed 7/21/16 by father, Ronald Montoya.**
6. **Supplement and Response to Objections filed on 09/09/16 by petitioner.**
7. ~Proposed Form Order, only 05/18/16.

RECOMMENDATION:

Matter is opposed. If approved, set hearing for Inventory and Appraisal for **09/14/17** and hearing for Accounting Review on **08/09/18**. Any account to be filed 30 days before hearing. Note Local Rules.

(nb/sa/lh/lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:29 DEPT: S37P

CASE#: GAR PS1600228

CASE NAME: ARIYAH M. MONTOYA & AUDRINAH A. MONTOYA

SEE ALSO 1

HEARING:
Readiness Calendar

COUNSEL:

ARIYAH M. MONTOYA (MIN)...
AUDRINAH A. MONTOYA (MIN)...
NIKOLAUS P. IVANOFF (PET)...HOLSTROM BLOCK & PARKE
RONALD J MONTOYA (OBJ)...JOHN

Readiness – 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 **PROBATE**

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO DS1000778

CASE NAME: ELIAS PULIDO SPECIAL NEEDS TRUST

HEARING:
Accounting Review

COUNSEL:

ELIAA PULIDO JR	(PET)...THOMPSON & COLEGATE
ELIAS PULIDO SR	(PET)...THOMPSON & COLEGATE
ELIAS PULIDO, JR. SPECIAL NEED	(TRU)...
FIRST AMERICAN TRUST FSB	(PET)...THOMPSON & COLEGATE
JOANNA AVERETT	(TEE)...

CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 5th Trust Account by 1st American Trust approved on 08/31/16.
2. Need 6th Account beginning with 04/01/16.

RECOMMENDATION

Inquire status.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0700067

CASE NAME: MICHAEL JONAS EVANS

HEARING:
Hearing Re: TSC/RECEIPT OF SETTLEMENT

COUNSEL:

CARLENA J HARRIS	(PET)...PRO/PER
COLUMBIA PICTURES INDUSTRIES,	(TP)...HOFFMAN, SABBAN &
MICHAEL JONAS EVANS	(DEC)...
TAMMIE J EVANS	(PET)...HEALEY & HEALEY

GENERAL INFORMATION

T.S. C. set on 03/16/17 when settlement was not yet finalized.

THIS CASE SET FOR HEARING ON T.S.C/Status of Settlement.

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

1. Matter set on 01/05/17 readiness when counsel reported a settlement was underway and possible filing of petition.

RECOMMENDATION

Court's discretion.

(lc)

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400394

CASE NAME: Charlene Rae Rands

HEARING:

FIRST Account and Report of STEVEN GUTTERY and Petition for allowance of fees filed.

COUNSEL:

CHARLENE RAE RANDS	(DEC)...
LILA E KOEGLE	(PET)...DAVID E JACOBS
STATE OF CA FRANCHISE TAX BOAR	(PET)...PRO/PER
STEVEN GUTTERY	(PET)...LAYNE A BARTHOLOMEW

CCP170.6 filed as to Judge CYNTHIA LUDVIGSEN, case reassigned to Judge TARA REILLY for all purposes.

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current by Successor Administrator Steven Guttery, brother for himself and Lila Koegle prior administrator.

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

1. Accounting period 04/06/14 - 11/18/16.
2. Assets on hand \$380,242.16.
3. Real property was foreclosed upon leaving a surplus of \$596,000. Trustee's deed attached to end of accounting.
4. Petitioner requests reimbursement for expenses of \$465 for filing fees.
5. Attorney requests reimbursement for expenses of \$930 for filing fees.
6. ~Proposed Order: 03/22/17.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **06/07/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400900

CASE NAME: Jordan Jeffrey Corder

HEARING: FIRST AND FINAL Account and Report of MARK CORDER and Petition for allowance of fees filed.

COUNSEL:

JORDAN JEFFREY CORDER (DEC)...
MARK CORDER (PET)...KEVIN STAPLETON

GENERAL INFORMATION

Continued from 03/16/17. Kelsey has not signed assignment of interest. All beneficiaries to appear, may appear via CourtCall, any beneficiaries not present will be deemed as waived interest. Counsel Stapleton to give notice.

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Mark Corder, father.

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

1. Both heirs waive accounting; however, need waiver by mother Diane Corder.
2. Petitioner and attorney request statutory fees of \$11,120 each.
3. Attorney requests reimbursement of costs totaling \$1,192.26. Itemized [Acct.01/12 LFpg7] Postage of \$55.76 is generally not allowed per local rule 20-909. Court approves \$1,136.50.
4. Decedent's spouse Kelsey waived notice to all proceedings. Kelsey allegedly filed a dissolution proceeding and wanted no part of the assets. However, there is no assignment of interest. It appears there is a related family law case **FAMSS1404966**. There is a status hearing on 10/27/17. Court to require assignment of interest.
5. Need notice to beneficiaries as ordered on 03/16/17.
6. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 4 & 5. If approved, set hearing on the filing of receipts and final discharge for **06/07/18**.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500799

CASE NAME: NONA JUNE KELLY

HEARING:
Accounting Review

COUNSEL:
NONA JUNE KELLY (DEC)...
RONALD E KELLY (PET)...PRO/PER

GENERAL INFORMATION

Continued from 01/05/17. No appearance. Ronald Kelly ordered to be present at next hearing if accounting is not filed.

Continued from 03/16/17 to retain counsel/file accounting.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters Testamentary issued to Ronald Kelly, son, on 11/09/15; full authority, \$20,000 bond.
2. Final Inventory and Appraisal filed 05/09/16
3. Need accounting or status report.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600309
CASE NAME: MTR OF DEBORAH ANN MAESTAS
HEARING: Hearing Re: PETITION FOR LETTERS OF ADMINISTRATION

COUNSEL:

DEBORAH ANN MAESTAS	(DEC)...
DENNIS TORRES	(PET)...PRO/PER
GARRISON T MAESTAS	(PET)...HARTNELL LAW GROUP
MICHAEL G CANELARIA	(OBJ)...ERIC J RECHSTEINER

XREF: PROPS1400482

GENERAL INFORMATION:

Ex Parte hearing held 04/13/16.

Continued from 05/31/16. **Garrison Maestas appointed special administrator on 09/12/16; \$20,000 bond; letters issued.**

Continued from 12/08/16 and 03/16/17. Counsel reported that matter is settled.

THIS CASE IS SET FOR HEARING ON:

- Petition - 1: Petition for Letters of Administration with full authority under IAEA by brother, Dennis Torres.
- Petition - 2: Petition for Letters of Administration with full authority under IAEA by son, Garrison Maestas.

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

Petitioner 1 - Dennis Torres, brother,

1. Proof of publication filed 05/06/16.
2. Petition does not include an estimated value of the property of the estate and indicates *Litigation purposes only.* Does Court wish to require a minimum bond of \$20,000 until such time an estimated value of the estate is ascertained? JTD.
3. ~Proposed Form Order/Letters 04/01/16.

Petitioner 2 - Garrison Maestas, son.

4. Need proof of publication.
5. Petition does not include an estimated value of the property of the estate and indicates value as "Unknown" due to ongoing litigation in the related case re: Decedents 1/5th interest in a Trust that held real property prior to the passing of the Decedent. Does Court wish to require a minimum bond of \$20,000 until such time an estimated value of the estate is ascertained? JTD.
6. All heirs waive bond.

7. **Objections filed 04/27/16 by Dennis Torres alleges Garrison T. Maestas is not competent to serve as personal representative his addictions and extensive history of egregious criminal misconduct.**
8. **Response filed by Garrison Maestas on 05/31/16.**
9. **Objections by Successor Trustee and interested party, Michael G. Candelaria (decedent's brother), filed 05/02/16.**
10. ~Proposed Form Order/Letters 04/11/16.

RECOMMENDATION:

Need to clear note 4; court's discretion re: bond; then set for contested hearing. Petitioner 2 appears to have higher priority Pr.C. § 8461 If approved, set future hearing for Accounting/Status Review on **08/09/18**. Any account to be filed 30 days' in advance. Note requirements of Local Rules.
(nb/lc)

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

DATE: 06/01/17 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

GENERAL INFORMATION

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

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. Need Notice to Petition to Administer Estate and proof of service.
2. Petitioner states all beneficiaries waive bond. However, need bond waivers for all beneficiaries per Pr.C. §8481(a)(2).
3. The following persons are named in the will, but not in petition: Joe Cihak, Mary Beth, Fry, Judy Nowlen, Lorene Loader, Rhonda Homes, Bonnie Peterson and Chuck Hershey. Need verified supplement.
4. Will is holographic. Need proof of holographic instrument with typed copy of will Pr.C. §§ 8002,8222.
5. Need proof of publication
6. ~Proposed Form Order: 10/19/16.

RECOMMENDATION

Need to clear notes 1-5. If approved, set Accounting/Status Review for **08/09/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700027

CASE NAME: ALAN ESCHER

HEARING:

Petition for LETTERS OF ADMINISTRATION W/LIMITED IAEA

COUNSEL:

ALAN ESCHER (DEC)...
SYLVIE M ESCHER (PET)...BROWN WHITE & OSBORN LLP

GENERAL INFORMATION:

Continued from 03/16/17 to clear probate notes. Bond required \$100,000.

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with Limited authority under IAEA by Sylvie Escher (spouse)

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

1. Court requires \$100,000.
2. ~Proposed form Order: 01/12/17

RECOMMENDATION:

RFA, if approved, set future hearing for Accounting/Status Review on **08/01/18**. Any accounting to be filed 30 days in advance of review date. Note requirements of Local Rules 20.901 and 20.908.

(lh)

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700087

CASE NAME: JOSEPH DALE ARCHAMBO

HEARING:

Hearing Re: APPLICATION FOR PRELIMINARY INJUNCTION ETC

COUNSEL:

JOSEPH DALE ARCHAMBO (DEC)...
TIMOTHY DALE ARCHAMBO (PET)...PRO/PER

Currently under review by legal research

(LR)

Future Hearing: 06/14/18 *Accounting Review.*

Superior Court of Calif, County of San Bernardino

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

DATE: 06/01/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700249

CASE NAME: MTR OF VERBLE N CHAPMAN

HEARING:

Petition for PROBATE OF WILL & FOR LTRS TESTAMENTARY W/FULL IAEA

COUNSEL:

LINDA L SMITH (PET)...ELISABETH KEMPE-OLINGER
VERBLE N CHAPMAN (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA by Linda Smith, daughter.

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

1. Will waives bond. Net estate assets \$413,800 of which \$88,800 is personal property.
2. Will is not self-proving as there is not statement that the will was not procured under duress etc. Need proof of subscribing witness.
3. ~Proposed Form Order: 03/17/17.

RECOMMENDATION

RFA subject to note 2, Court's discretion re bond. If approved, set Accounting/Status Review for **08/09/18**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

TRUSTS AND MOTIONS

DATE: 06/01/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1100838

CASE NAME: AIDAN JAMES BURCHIT SPECIAL NEEDS TRUST

HEARING: THIRD Account and Report of MIDLAND STATES BANK and Petition for allowance of fees filed.

COUNSEL:

AIDAN JAMES BURCHIT

(MIN)...DONNASUE ORTIZ

AIDAN JAMES BURCHIT

(PET)...DONNASUE ORTIZ

AIDAN JAMES BURCHIT SPECIAL NE

(TRU)...

MIDLAND STATES BANK

(PET)...MELINDA S BELL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 3rd Account Current and Petition for Fees by Midland States Bank.

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

1. Account period covers 11/1/15-10/31/16.
2. Assets on hand \$574,309.65 consisting of \$7,334.21 in cash and the balance in securities and real property.
3. Petitioner has taken fees of \$9,328.53 per court approved fee schedule. Declaration and computations attached [Acct.03/20 LFpg139].
4. Petitioner requests authority to continue payment of fees based on the fee schedule: \$0- \$250,000 1.75%; \$251,000- \$500,000 1.70%; \$501,000- \$750,000 1.60%; \$751,000- \$1,000,000 1.55%. JTD
5. Attorney Melinda Bell seeks fees of \$9,700 for 29.9 hours at \$175/400 per hour for paralegal and attorney services. Itemized [Acct.03/20 LFpg60-75]. Court to determine reasonableness of rates.
6. No proposed order. Submit after hearing.

RECOMMENDATION:

Court's discretion re fees. If approved, set hearing re next Accounting Review for **01/11/18**. Accounting to be filed 30 days in advance.

(lc)

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

DATE: 06/01/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500187
CASE NAME: Helen Louise Lewis
HEARING: FIRST Account and Report of RENEE ARROYO and Petition for allowance of fees filed.

COUNSEL:

HELEN LOUISE LEWIS (PCE)...MITCHELL I ROTH
RENEE ARROYO (PET)...CRAIG E WILSON

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON 1st Account Current and Petition for Allowance of Fees by Renee Arroyo, daughter.

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

1. Accounting period 07/24/15 – 12/31/16.
2. Assets on hand \$421,766.62 of which \$281,766.62 is cash or securities.
3. Summary of account and schedules are not on mandatory Judicial Council forms GC-400/SUM/GC-400/405. Need accounting on proper forms.
4. Corrected Inventory and Appraisal filed on 04/17/17 is not signed or dated by petitioner and section 5 is incomplete.. Need same.
5. Need residential facility statements and/or written verification of rent for Somerford Place per Pr.C. §2620(c)(5).
6. Current bond is \$495,000. Need bond calculation.
7. Petitioner reserves the right for compensation for a later date.
8. Attorney Wilson seeks fees of \$9,145.50 for 64.10 hours at \$95/275 per hour for paralegal and attorney services. Itemized [Acct. 04/17 LFpg32-37]. JTD
9. Attorney seeks reimbursement of costs totaling \$833. Itemized [Acct. 04/17 LFpg37-38].
10. Petitioner alleges that after the conservatee's father passed away the house was left in disrepair [Acct. 04/17 LFpg4].
11. Disbursements indicate approximately \$35,132.30 related to Roofing. Court may wish to require receipts as this appears to be an excess expense.
12. Disbursements indicate \$8,794.70 paid to Don Snook for repairs etc.
13. Proposed Order: 04/17/17; however, assets on hand are not listed.

RECOMMENDATION

Need to clear notes 3-6, then Court's discretion. If approved, set hearing on the next accounting review for **03/15/18** (if one year) or **03/14/19** (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: TARA REILLY

DATE: 06/01/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500338

CASE NAME: SUSAN R. KOVACEVICH

HEARING:
Accounting Review

COUNSEL:
DENNIS SHOGREN (CPE)...HARTNELL LAW GROUP
SUSAN R. KOVACEVICH (CEP)...

GENERAL INFORMATION

Continued from 03/30/17 to file accounting.

THIS CASE SET FOR HEARING ON Accounting review

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

1. Dennis Shogren, PPF, appointed conservator of the person and estate on 04/04/16, \$108,000 bond.
2. Need 1st accounting.

RECOMMENDATION

Inquire status.

(lc)

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

DATE: 06/01/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600088

CASE NAME: ELISSA CORNEJO

HEARING:

Conservatorship Compliance Review Hearing on PETIITON FOR
CONSERVATORSHIP of ELSA CORNEJO

COUNSEL:

EDDY M CORNEJO	(CP)...PRO/PER
ELISSA CORNEJO	(CTP)...MITCHELL I ROTH
ELSA CORNEJO	(CP)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Elsa and Eddy Cornejo, parents, appointed **limited** conservator of the person only on 10/27/16.
2. Need Notification of Conservatee's rights per Pr.C.§1830(c) to appointed Counsel Mitchell Roth.
3. Determination of Conservatee's Appropriate Level of Care form GC-355 and Care Plan in accord with Pr.C.§2352.5 filed 03/29/17.Need Determination of Conservatee's Appropriate Level of Care form GC-355.

RECOMMENDATION

Need to clear notes 1-3.

(lc)

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

DATE: 06/01/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700138

CASE NAME: BECCA LYN DALGLEISH

HEARING:
PROBATE/CONSERVATORSHIP MANAGEMENT CONFERENCE

COUNSEL:

BECCA LYN DALGLEISH (CTP)...
KELLY LYN DALGLEISH (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Conservatorship Management Conference.

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

1. Kelly Dalglish, mother, was appointed limited Conservator of person only in San Diego County on 08/19/14. Matter ordered transferred to San Bernardino County on 03/20/17 after conservatee moved to Victorville.
2. Does court wish to require a Court Investigator report per Pr.C. § 2217(b)(3)? JTD
3. Need amended letters to reflect San Bernardino county.
4. Need post move notice per CRC 7.1063(c).

RECOMMENDATION

Need amended letters.

(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: 06/01/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 20, 21

HEARING:

Court Trial set for PETITION TO ESTABLISH TRUST of EDWARD MORROW

COUNSEL:

ANDREW MORROW SR AND GLADYS MO

(TRU)...

EDWARD MORROW

(PET)...SANBORN LAW

HOWARD MORROW

(PET)...PRO/PER

LINDA F WRIGHT-SANDERS

(OBJ)...PRO/PER

LINDA F WRIGHT-SANDERS

(PET)...PRO/PER

XREF: UDFS1501472

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: 06/01/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 19, 21

HEARING:

Hearing Re: APPLICATION FOR ORDER STAYING ENFORCEMENT

COUNSEL:

ANDREW MORROW SR AND GLADYS MO	(TRU)...
EDWARD MORROW	(PET)...SANBORN LAW
HOWARD MORROW	(PET)...PRO/PER
LINDA F WRIGHT-SANDERS	(OBJ)...PRO/PER
LINDA F WRIGHT-SANDERS	(PET)...PRO/PER

XREF: UDFS1501472

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: TARA REILLY

DATE: 06/01/17 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600490

CASE NAME: MTR OF ANDREW AND GLADYS MORROW TRUST

SEE ALSO 19, 20

HEARING:

Motion Re: RECUSE, DISQUALIFY, ETC. MARLENE SANBORN

COUNSEL:

ANDREW MORROW SR AND GLADYS MO	(TRU)...
EDWARD MORROW	(PET)...SANBORN LAW
HOWARD MORROW	(PET)...PRO/PER
LINDA F WRIGHT-SANDERS	(OBJ)...PRO/PER
LINDA F WRIGHT-SANDERS	(PET)...PRO/PER

XREF: UDFS1501472

No notes – JTD