



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 11/29/17

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.

11/01/17lh; 11/22/17lh

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **PROBATE**

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600193

CASE NAME: MARILYN DOSKOCIL

SEE ALSO 2 3

HEARING:

Hearing Re: POST MEDIATION STATUS HEARING

COUNSEL:

NORMAN GIEBELER (PET)...LAW & STEIN

MARILYN DOSKOCIL (DEC)...

AUCTION-CA FINANCIAL SRVS (TP)...

Status only—JTD

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600193

CASE NAME: MARILYN DOSKOCIL

SEE ALSO 1 3

HEARING:

Hearing Re: TRIAL SETTING CONFERENCE

COUNSEL:

NORMAN GIEBELER (PET)...LAW & STEIN

MARILYN DOSKOCIL (DEC)...

AUCTION-CA FINANCIAL SRVS (TP)...

TSC—no notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600193

CASE NAME: MARILYN DOSKOCIL

SEE ALSO 1 2

HEARING:

Petition for LETTERS OF ADMINISTRATION WITH FULL IAEA

COUNSEL:

NORMAN GIEBELER (PET)...LAW & STEIN
MARILYN DOSKOCIL (DEC)...
AUCTION-CA FINANCIAL SRVS (TP)...

GENERAL INFORMATION:

Continued from **04/19/16 and 05/17/16**. Court deems the will submitted not a valid will. Matter will proceed as an intestate matter.

Continued from 07/19/16, 09/20/16, 11/02/16, 02/08/17 and 02/15/17 to trail contested issue of admissibility of holographic will. Letters of special Administration issued to Norman Giebeler.

Continued from 07/19/17. Counsel requests to vacate trial date and state that they agree to go to mediation. Court sets deadline for counsel to agree to a mediation date. Court sets hearing for post mediation status hearing for post mediation status hearing and trial setting conference for 11/29/17.

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Probate of Will, Letters of Administration with Will Annexed Full Authority under IAEA by Norman Giebeler, brother.

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

1. Purported Will does not name an executor or waive bond. Therefore, it appears to be Petition for Probate of Will and Letters of Administration w/will annexed. Petitioner is beneficiary of will. There does not appear to be second page of will. ***Issue of admissibility of will still pending.***
2. All heirs waive bond.
3. Proof of Holographic Instrument filed 04/07/16.
4. ~Proposed Form Order, only 02/25/16.

RECOMMENDATION:

Court's discretion. If approved, set future hearing for Accounting/Status Review on **02/06/19**. Any account to be filed 30 days in advance of hearing. Note requirements of Local Rules.

(nb/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600693

CASE NAME: PHYLLIS EILEEN MCINTURFF

HEARING:

FIRST AND FINAL Account and Report of CYNTHIA MOE and Petition
for allowance of fees filed.

COUNSEL:

CYNTHIA MOE (PET)...KELLY F RYAN
PHYLLIS EILEEN MCINTURFF (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Final Distribution upon Waiver of
Account and for Fees by Cynthia Moe (executor/sole beneficiary)

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

1. Assets on Hand \$115,362.70, cash
2. Partial Inventory and Appraisal filed 01/05/17; however, item #5 is incomplete as to property tax certificate. Need corrected Final Inventory and Appraisal.
3. Petitioner waives statutory compensation.
4. Attorney waives statutory fees.
5. No proposed order submitted.

RECOMMENDATION

Need to clear note 2. If approved, set hearing re receipts and final discharge for **12/05/18**.
(lh)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700271

CASE NAME: THE NINA WOOD IRREVOCABLE TRUST, DATED FEB 23, 2011

SEE ALSO 6

HEARING:

Hearing Re: INFORMATION/DOCUMENTATION OF SHARON MCINTOSH
WOOD

COUNSEL:

NORMA RUDAMETKIN	(PET)...CHRISTOPHER B JOHNSON
THE NINA WOOD IRREVOCABLE TRUST (TRU)...	
GARY WOOD	(OBJ)...SHARON M ANDERSON

See notes on next matter #6.

Future Hearings: 2/13/18: Petition for Trust Claim to Real Property, 8/29/18: Readiness Calendar,
10/01/18: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700271

CASE NAME: THE NINA WOOD IRREVOCABLE TRUST, DATED FEB 23, 2011

SEE ALSO 5

HEARING:

OSC re: Financial information given to Norma Rudametkin filed by
NORMA RUDAMETKIN

COUNSEL:

NORMA RUDAMETKIN (PET)...CHRISTOPHER B JOHNSON
THE NINA WOOD IRREVOCABLE TRUST (TRU)...
GARY WOOD (OBJ)...SHARON M ANDERSON

GENERAL INFORMATION

Continued from 08/30/17. Court denied request to continue hearing re suspension of powers.

Continued from 10/18/17. No stipulation filed. Mr. Roth recuses himself. Matter is continued.

THIS CASE SET FOR HEARING ON OSC re Financial Information given to Norma Rudametkin.

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

1. Matter set on 08/02/17 when Gary Wood and Sharon Wood were ordered to turn over any **financial documents, laptops, hard drives** etc to Norma Rudametkin. Deadline to turn over documents is 09/20/17.
2. On 08/30/17 Sharon McIntosh Wood was again ordered to turn over information and/or documentation re Trust to Counsel for Sole Trustee Norma Rudametkin.
3. Receipt filed re **external hard drive** and **keys to a trailer** from Gary Wood to Dilair Nafosi, ESQ.
4. Supplement filed 10/04/17 (209 pages) filed by Sharon Wood with various exhibits including invoices, copy of trust, cancelled checks, and correspondence. JTD

RECOMMENDATION

Court's discretion re OSC.

(lc/lh)

Future Hearings: 2/13/18: Petition for Trust Claim to Real Property, 8/29/18: Readiness Calendar,
10/01/18: 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

Page: 7

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700830

CASE NAME: ESTHER R SOTO

HEARING:

Petition to determine succession to Real Property

COUNSEL:

CESAR MONTANO (PET)...PRO/PER
ESTHER R SOTO (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition to Determine Succession to Real Property by Cesar Montano

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

1. Petitioner seeks 100% interest in decedent's 100% owned interest in real property per intestate succession.
2. Petition is incomplete at item #14 regarding names and addresses of heirs.
3. Need Notice of Hearing and proof of service as to known relatives in #14 (if applicable).

RECOMMENDATION

Need to clear notes 2-3, then Court's discretion.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700831

CASE NAME: DAVID EUGENE DAVIS

HEARING:

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

COUNSEL:

TAUSHA LEE BOLIN (PET)...GREGORY L ZUMBRUNN
DAVID EUGENE DAVIS (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full
authority under IAEA by Tausha Lee Bolin (daughter)

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

1. Bond requested of \$137,000. Appears sufficient.
2. Need Notice of Petition to Administer Estate as to Amy Linehan and Melissa Elsey,
current caregivers of minor heirs per CRC 7.51(d).
3. ~Proposed form Order: 08/17/17

RECOMMENDATION:

RFA subject to note 2. Court's discretion re bond. If approved, set future hearing for
Accounting/Status Review on **02/06/19**. Any accounting to be filed 30 days in advance.
Note requirements of Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 11/29/17 TIME: 8:30 DEPT: S35P

CASE#: SPR SS06182

CASE NAME: MTR OF DAVE TONY DOMINGUEZ

HEARING:
Accounting Review

COUNSEL:

LUIS A TRUJILLO	(PET)...EVA HOLCOMB-MALHOTRA
DAVE TONY DOMINGUEZ	(DEC)...
ROSEMARY C DOMINGUEZ	(PET)...HARTNELL LAW GROUP
DEPT OF HEALTH CARE SERVICES	(TP)...
ALAN SHEPPARD	(PRO/PER)

Waiver of Court Fees and Costs filed by ROSEMARY C DOMINGUEZ is GRANTED

GENERAL INFORMATION

Continued from 01/18/17.

Continued from 10/04/17 at request of Counsel to prepare and file accounting by 10/30/17.

THIS CASE SET FOR HEARING ON Accounting review

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

1. Letters of Successor Administration issued to Rosemary Dominguez, daughter, on 12/02/07; full authority, no bond.
2. Previous status report approved on 07/21/16.
3. Need accounting or status report.

RECOMMENDATION

Inquire status.
(lc/ww/lh)

Future Hearings: 11/29/17: Accounting Review, 6/20/18: Petition to Confirm Title of Real Property to the Estate & to Cancel Documents, Etc, Readiness Calendar, 7/16/18-7/20/18: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 11/29/17 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1400042

CASE NAME: Carolyn Jacobson

HEARING:

Hearing Re: Motion Re: JUDGMENT ON THE PLEADINGS

COUNSEL:

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

XREF: PROPS1300285 *ROBERT LYLE MEE*
CIVBS1200309 *ACJ TRUE GRIT -V- SCOTT MARTIN, ET AL*

Currently under review by legal research.
(LR)

Future Hearings: 1/10/18: Hearing Re: Petition for Orders to Determine:1 Interest, Etc. Accounting
Review, 2/13/18-2/16/18: Court Trial

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

CONSERVATORSHIPS

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1300333

CASE NAME: Floyd Casey Jr.

HEARING:

SECOND Account and Report of BOBBIE CASEY and Petition for allowance of fees filed.

COUNSEL:

BOBBIE J CASEY

(PCR/CPE)...PRO/PER

FLOYD CASEY JR

(PCE/CEP)...ROSE C ROSADO

Waiver of Court Fees and Costs filed by BOBBIE J CASEY is GRANTED
TOTAL FEES WAIVED TO DATE: \$1448.00

GENERAL INFORMATION

Continued from 10/04/17 at request of conservator to clear notes.

THIS CASE SET FOR HEARING ON 2nd Account Current by Bobbie Casey, spouse.

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

1. Accounting period 06/24/15 – 06/23/17.
2. Assets on hand \$32,754.82; cash.
3. Accounting charges [\$94,189.40] and credits [\$94,788.72] do not balance. **Supp filed 11/08/17 does not cure note. Need amended accounting.**
4. Notice of hearing and proof of service is filed 08/30/17, however, proof of service (section 5) does not indicate that conservatee or conservatee's counsel was served with a copy of the accounting per local rule 20-1406(e). Pr.C. §2621; 1460. However, a summary only is attached. Need corrected proof of service.
5. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 3-4. If approved, set hearing on the next accounting review for **09/05/18** (if one year) or **09/04/19** (if two years). Accounting to be filed 30 days in advance.

(lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400372

CASE NAME: MTR OF EDWARD DAVIS

SEE ALSO 13

HEARING:

Hearing Re: SURCHARGE ON TIFFANY DAVIS

COUNSEL:

TIFFANY DAVIS	(CPE)... JEFFREY LISS
EDWARD DAVIS	(CEP)...
DIANE VENABLE	(OBJ)...PRO/PER

X REF: PROPS1500278 (*Estate of Edward Davis; dismissed 03/15/16*)

GENERAL INFORMATION

Continued from 05/26/16, 08/09/16 and 10/26/16. Tiffany Davis to personally appear.

Letter to judge on 10/13/16 not accepted as accounting.

Continued from **01/18/17**. Mitchell Roth relieved as counsel.

Continued from **04/12/17**. Tiffany David ordered to return and filed account by 06/19/17.

Continued from 07/19/17. Matter is continued to 11/29/17; Court notes that the deadline for the filing of complete accounting is 4PM on 10/30/17. Court makes admonishment that if accounting is not filed by the deadline, that Tiffany Davis will be surcharged the amount of \$2,500.

THIS CASE SET FOR HEARING ON OSC re Surcharge on Tiffany Davis.

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

1. OSC set on 02/18/16 when there was no appearance or notes cleared. See next matter.
2. Note: no accounting filed as of examiner's review on 11/09/17.

RECOMMENDATION

Court's discretion re OSC. No bonding company to notice.

(lc/nb/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1400372

CASE NAME: MTR OF EDWARD DAVIS

SEE ALSO 12

HEARING:

FIRST AND FINAL Account and Report of TIFFANY DAVIS and Petition
for allowance of fees filed.

COUNSEL:

TIFFANY DAVIS (CPE)... JEFFREY LISS
EDWARD DAVIS (CEP)...
DIANE VENABLE (OBJ)...PRO/PER

Waiver of Court Fees and Costs filed by TIFFANY DAVIS is GRANTED
Waiver of Court Fees and Costs filed by DIANE VENABLE is GRANTED
TOTAL FEES WAIVED TO DATE: \$1440.00

XREF: PROPS1500278 EDWARD DAVIS

GENERAL INFORMATION

Tiffany Davis appointed temporary Conservator of person and estate on 01/07/15.
Continued from **09/10/15**. Court suggested petitioner consult with legal aid for assistance.
Continued from **11/12/15**. Petitioner is now pro per.
Continued from **02/18/16**. Tiffany Davis did not appear; citation issued.
Continued from **05/26/16 and 10/26/16**. Tiffany Davis to personally appear. Letter to
judge on 10/13/16 not accepted as accounting.
Continued from **01/18/17**. Tiffany Davis to file account by 03/22/17.
Continued from **04/12/17**. Tiffany Davis ordered to return and filed account by 06/19/17.
**Continued from 07/19/17. Matter is continued to 11/29/17; Court notes that the
deadline for the filing of complete accounting is 4PM on 10/30/17. Court makes
admonishment that if accounting is not filed by the deadline, that Tiffany Davis will
be surcharged the amount of \$2,500.**
Tiffany Davis states she understands the admonishment regarding the surcharge.

THIS CASE SET FOR HEARING ON **Amended (05/26/16 & 07/18/16)** First and Final
Account and Petition for Allowance of Fees of temporary conservatorship by Tiffany Davis.

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

1. Accounting period 01/07/15 – 03/17/15. Conservatee died on 03/17/15.

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.

2. Assets on hand not stated. Need same.
3. There are no beginning assets on hand. Need same.
4. Need Inventory and Appraisal per Pr.C. § 2610.
5. Need bank statements per local rule and Pr. C. § 2620(c) to cover period prior to appointment and ending balance.
6. Disbursements indicate checks and cash to petitioner and other parties. However, with no description/explanation. Need same.
7. Disbursements indicate a withdrawal on date of death for \$1,448. Need verified supplement.
8. Receipts indicate deposits; however, no description. Need same.
9. There is no distribution clause. Need same
10. Report is not verified per Pr.C. § 1021. Need same.
11. Need notice of hearing and proof of service to spouse and children.
12. **Amended accountings do not comply with Pr. C. § 1060 et seq. nor clear notes. Need proper, complete accounting to be set on first check calendar no sooner than 11/30/16.**
13. Citation returned served for Tiffany Davis.
14. **Objections filed by attorney for conservatee on 09/09/14.**
15. **Amended accounting filed 10/13/16; Court does not accept as an accounting.**

RECOMMENDATION

Need to clear notes 2-12 and amended account to be filed 30 days prior to hearing.

(lc/nb/lc/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1500195

CASE NAME: RUTH PISCIONERI

HEARING:

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

COUNSEL:

SEAN PISCIONERI	(CPE)...MITCHELL I ROTH
JOANNA AVERETT	(CPE)...MAUREEN MURATORE
COLLEEN J STEPHEN	(PCR)...KRISTINE BORGIA
RUTH E PISCIONERI	(PCE/CEP/CEE)...WALTER T. MOORE
WALTER T MOORE	(PET)...WALTER T. MOORE
MITCHELL I ROTH	(PET)...MITCHELL I ROTH

GENERAL INFORMATION

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

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

1. Petitioner Sean Piscioneri was appointed temporary conservator of the person on 09/16/15 thru 04/29/16.
2. Petitioner alleges he was the primary caregiver of conservatee from 08/01/15 through 05/20/16 and spent a minimum of 40 hours per week taking care of conservatee during this period.
3. Petitioner alleges on 08/01/15, conservatee fell at her home resulting in a broken hip. For a period of two weeks, petitioner solely provided 24-hour care to conservatee.
4. Petitioner seeks compensation of **\$58,080** for 1,936 hours at \$30/hour. **Need itemization of services via verified supplement.**
5. Petitioner seeks reimbursement of **\$1,800** of rent at \$600/month paid to trustee Collen Stephen. Petitioner contends he purchased a nearby home, but remained in conservatee's home as a live-in caregiver. **Need itemization of rent via verified supplement.**

6. Petitioner seeks reimbursement of groceries, sundries, and meals provided to conservatee at **\$2,200**, and for funeral expenses at **\$1,000**. **Need itemization of reimbursements via verified supplement.**
7. **Need** Notice of Hearing and Proof of Service as to Colleen Stephen, Joanna Averett, Maureen Muratore, Kristine Borgia, Debbie Breyman, Jim Piscioneri, Joe Piscioneri, and Walter Moore.
8. No proposed order submitted.

RECOMMENDATION

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

(lh)

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

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700231

CASE NAME: FERNANDO RANDOLPH AGUILAR

HEARING:

Petition for Appointment of Conservator

COUNSEL:

PEACHES MORENO (PET)...PRO/PER
FERNANDO RANDOLPH AGUILAR (CTP)...JAMES B CHURCH

GENERAL INFORMATION

Continued from **08/02/17**. James Church appointed counsel.

Continued from 10/04/17. Petitioner states maternal grandfather is deceased. Petitioner to bring with her to the next hearing date any and all documentation as to the civil lawsuit and funds received and placed in the attorney/client trust account on behalf of Fernando Randolph Aguilar.

THIS CASE SET FOR HEARING ON Petition for Appointment of **Limited** Conservator person only by Peaches Moreno, adoptive mother.

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

1. Petitioner seeks powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Proposed conservatee is developmentally disabled. **Declaration and Report of Counsel Church filed 09/28/17.**
3. Proposed conservatee is developmentally disabled. **IRC report filed 10/04/17.**
4. Petitioner seeks civil rights not be limited without court order. JTD
5. Petitioner seeks funds of \$8,751.20 be placed into a blocked account at Bank of America re Special Needs Trust. **Need** verified supplement.
 - a. Question if there is an existing SNT? If so, does court wish to take jurisdiction over trust.
 - b. Question if petitioner is seeking to establish a SNT?
 - c. Question the need for estate powers if there is a SNT in existence?
6. Powers under Pr.C. § 2590 et seq. are granted in the court's discretion. The court cannot properly exercise its discretion in the absence of a declaration indicating

what specific powers are sought and why each power sought is actually needed.

Need verified supplement

7. Petitioner seeks medical powers. **Need** Capacity Declaration.
8. Court Investigator report filed 07/27/17.
9. Certificate of Completion of the Conservatorship Training Class filed 08/03/17.
10. Return of Citation with proof of personal service filed 07/17/17.
11. ~Proposed Form Order: 06/20/17.

RECOMMENDATION

Need to clear notes 5-7. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/06/19**. Any accounting to be filed 30 days in advance.

(lc/lh/lc/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700371

CASE NAME: DANIEL DOMINGUEZ LARA

HEARING:
Petition for Appointment of Conservator

COUNSEL:

JOEL A LARA (CP)...
DANIEL DOMINGUEZ LARA (CTP)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by Joel Lara (father)

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

1. Petitioner seeks civil rights not be limited without court order.
2. Petitioner seeks orders related to powers per Pr. C. §2351.5 to fix residence, access confidential records, limit right to contract, right to make and consent to medical decisions. JTD
3. Petitioner seeks medical powers. Capacity Declaration filed 10/13/17.
4. Proof of completion of conservatorship course filed 10/17/17.
5. CI Report filed 10/25/17.
6. Proposed conservatee is developmentally disabled. **Need** report of appointed counsel Lenita Skoretz.
7. Proposed conservatee is developmentally disabled. **Need** IRC report.
8. Return of Citation filed 10/17/17; however, Citation was served by petitioner. **Need** proper service by a person not a party to this proceeding.
9. **Need** Due Diligence Declaration as to Guadalupe Dominguez and Graciela Ramires, maternal grandparents.
10. ~Proposed Form Order: 10/13/17

RECOMMENDATION

Need to clear notes 6-9. If approved, set hearing for Compliance Review for **07/11/18** 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: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: SC SS02395

CASE NAME: MATTER OF JOSE BELTRAN

HEARING:

SEVENTH Account and Report of RICHARD WYSONG and Petition for allowance of fees filed.

COUNSEL:

VERA NAREZ	(CPE)...
JOSE BELTRAN	(CEP/CTE)...
JAMES H BROWN	(SC)...JAMES B CHURCH
RICHARD WYSONG	(SC/CE/CPE)...JAMES B CHURCH

XREF: SPRSS06187 (SNT)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Seventh Account and Report of Successor Conservator and Request for Fees by Richard Wysong.

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

1. Accounting period 12/01/14 to 11/30/16
2. Assets on hand: \$132.78
3. Petitioner as conservator and trustee of the Jose Beltran Special Needs Trust has posted bond for both cases, in the amount of \$122,000. Appears sufficient.
4. Petitioner and attorney allege a request for compensation as conservator and attorney for conservator, along with costs, will be requested as part of the report/account in the matter of the Special Needs Trust, which is currently set. See next matter #18.
5. Last CI Report filed 10/01/14.
6. ~Proposed Order: 08/16/17

RECOMMENDATION

Court's discretion. If approved, Court to set future accounting review hearing for 12/05/18 (if one year), or 12/04/19 (if two years).

(lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S35P

CASE#: SPR SS06187

CASE NAME: MTR OF JOSE BELTRAN SPECIAL NEEDS TRUST

HEARING:

SIXTH Account and Report of RICHARD WYSONG and Petition for allowance of fees filed.

COUNSEL:

JOSE BELTRAN SPECIAL NEEDS TRUST	(TRU)...
JAMES H BROWN	(PET)...JAMES B CHURCH & ASSOCIATES
DONNA LEE STURGILL DIAZ	(PET)...DONNA LEE STURGILL DIAZ
RICHARD WYSONG	(PET)...JAMES B CHURCH
FRUMEH LABOW	(TEE)...HINOJAS & WALLET
VERA NAREZ	(JAMES B CHURCH)

See x ref matter: SCSS02395 (Conservatorship)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 6th Account Current of SNT and Petition for Fees

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

1. Bond is posted to cover both SNT and conservatorship at \$122,000. Appears sufficient.
2. Accounting period: 12/01/14 to 11/30/16
3. Assets on hand: \$282,916.39, consisting of \$4,263.39 in cash and balance in securities and real property.
4. Petitioner requests fees of \$7,074.75 for services related to the conservatorship and the SNT billed at \$75/hour for a total of 94.33 hours. Itemized [LFpgs76-82]. JTD
5. Attorney requests fees of \$11,707 for services related to conservatorship and the SNT billed for attorney at \$375/hour and paralegal at \$150/hour for a combined total of 45.45 hours. [LFpgs 87-93]. JTD
6. Attorney is seeking reimbursement of costs advanced totaling \$695. JTD
7. ~Proposed Order: 08/16/17

RECOMMENDATION

Court's discretion. If approved, Court to set future accounting review hearing for **12/05/18** (if one year), or **12/04/19** (if two years).

(lh)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **MISC.**

DATE: 11/29/17 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1400271

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

HEARING:

Hearing Re: TRIAL (DAY TWO)

COUNSEL:

JANET K. HUNTER-GIBSON

(PET)...ALLEN M JOHNCOX

GIBSON FAMILY TRUST

(TRU)...

SANDRA LOUISE COBB

(PET/RES)...LAYNE A BARTHOLOMEW

-

Trial—no notes—JTD

Future Hearings: 11/30/17-12/01/17: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **PROBATE**

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500405

VACATED

CASE NAME: PEGGY ANNE YOUNG

HEARING:

Hearing re Final Discharge

COUNSEL:

ROSE A DELLOYE

(PET)...MATHEW ALDEN

PEGGY ANNE YOUNG

(DEC)...

DAVID SCOTT CHARTIER

(PET/OBJ)...PRO/PER

Final discharge order entered 01/09/17.

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1501044

CASE NAME: DAVID M. BROWN

HEARING:

Probate status report filed.

COUNSEL:

VICKI G BROWN	(PET)...SUZANNE M GRAVES
MATISON R BROWN	(PET)...SUZANNE M GRAVES
DAVID M BROWN	(DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status Report by Administrator Vicki Brown, spouse

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

1. Vicki Brown was appointed Administrator with full authority on 07/13/16.
2. Petitioner alleges the estate is not in a condition to be closed as final tax returns have not been filed and it is unknown whether there will be taxes due. Petitioner has been suffering from severe leg and back pain making travel to the CPA difficult to prepare and file taxes.
3. Petitioner requests an additional 3 months to close the estate. JTD
4. Need Notice of Hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Require notice, then Court's discretion. If approved, set next hearing for Accounting Review on **02/28/19**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600754

VACATED

CASE NAME: MTR OF GLORIA DAVIS

HEARING:

Accounting Review

COUNSEL:

CARLA GOMEZ

(PET)...WILLIAM K SWEENEY

GLORIA DAVIS

(DEC)...

Order approving Petition for Termination of Further Proceedings and for Discharge filed 11/02/17.

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600764

VACATE

CASE NAME: JAMES ARTHUR BURDETTE

HEARING:

Accounting Review

COUNSEL:

ELLA MAE BOUCHARD (PET)...PRO/PER

JAMES ARTHUR BURDETTE (DEC)...

Waiver of Account and Petition for Final Distribution filed 11/14/17.

Future hearing date: 02/18/18: Waiver of Acct and Final Distribution

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700006

CASE NAME: DONNA SUE HASKELL

HEARING:

FIRST AND FINAL Account and Report of JANET RENAE ACEVEDO and
Petition for allowance of fees filed.

COUNSEL:

JANET RENAE ACEVEDO (PET)...JOSEPH G DAVIS
DONNA SUE HASKELL (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Janet Renae Acevedo, administrator

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

- 1 Assets on hand: \$415,000, real property and furniture only.
- 2 Petitioner waives statutory fees.
- 3 Attorney requests statutory fees of \$11,300, calculated. As there are no cash assets, question how attorney seeks to be compensated? Court to inquire.
- 4 ~Proposed order: 08/31/17

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge
for **12/05/18**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700224

CASE NAME: IN RE REVOCABLE TRUST OF SAMUEL J SANDERS DATED 03
SEE ALSO 7 8 9

HEARING:

Petition for ORDER 1.DETERMINING THAT CERTAIN REAL PROPERTY
IS AN ASSET OF THE REVOCABLE TRUST ETC.

COUNSEL:

ANTHONY SANDERS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
TREBIEN BELLOWS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
REVOCABLE TRUST OF SAMUEL J SANDERS (TRU)...
SAMUEL J. SANDERS JR. (PET/OBJ)...GIFFORD, DEARING & ABERNATHY,

Currently under review by legal research

(LR)

Notice deemed sufficient.

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700224

CASE NAME: IN RE REVOCABLE TRUST OF SAMUEL J SANDERS DATED 03
SEE ALSO 6 8 9

HEARING:

Petition for 1.SUSPENSION OF TRUSTEE SAMUEL SANDERS, JR:2.REMOV
AL OF TRUSTEE; ETC

COUNSEL:

ANTHONY SANDERS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
TREBIEN BELLOWS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
REVOCABLE TRUST OF SAMUEL J SANDERS (TRU)...
SAMUEL J. SANDERS JR. (PET/OBJ)...GIFFORD, DEARING & ABERNATHY,

Currently under review by legal research

(LR)

Notice deemed sufficient.

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700224

CASE NAME: IN RE REVOCABLE TRUST OF SAMUEL J SANDERS DATED 03
SEE ALSO 6 7 9

HEARING:

FIRST Account and Report of SAMUEL J. SANDERS JR. and Petition
for allowance of fees filed.

COUNSEL:

ANTHONY SANDERS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
TREBIEN BELLOWS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
REVOCABLE TRUST OF SAMUEL J SANDERS (TRU)...
SAMUEL J. SANDERS JR. (PET/OBJ)...GIFFORD, DEARING & ABERNATHY,

GENERAL INFORMATION

Continued from 08/16/17 at request of parties. Notice waived.

THIS CASE SET FOR HEARING ON 1st Account Current by Samuel Sanders Jr Trustee.

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

1. Petitioner, Samuel Sanders Jr., acting trustee since the death of his father on 07/20/15.
2. Accounting period 07/20/15 – 03/31/17.
3. Assets on hand \$9,671.20 and account receivables of \$138,604.14.
4. Petitioner alleges Samuel Sr. passed away with debts in excess of \$190,000 of which was a Bank of America credit line and a Los Angeles Housing Dept. loan. Cash on hand consisted of \$1,212.92. The real property was valued at \$500,000.
5. Trustee allegedly purchased the real property for \$417,000, given his 1/5th share, and later transferred the funds to the beneficiaries. Petitioner reports that he owes Trust approximately \$113,000 to equalize payment.
6. Petitioner alleges some beneficiaries have refused to cooperate with distribution by not cashing checks and failing to return the W-9 forms.
7. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. No future hearing dates as trust is not court supervised.

(lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700224

CASE NAME: IN RE REVOCABLE TRUST OF SAMUEL J SANDERS DATED 03
SEE ALSO 6 7 8

HEARING:
Trial Setting Conference

COUNSEL:

ANTHONY SANDERS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
TREBIEN BELLOWS (PET)...OLDMAN, COOLEY, SALLUS, GOLD,
REVOCABLE TRUST OF SAMUEL J SANDERS (TRU)...
SAMUEL J. SANDERS JR. (PET/OBJ)...GIFFORD, DEARING & ABERNATHY,

TSC – no notes—JTD

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700704

CASE NAME: MTR OF DEBORAH ANN HICKEY

SEE ALSO 11

HEARING:

Petition for LETTERS OF ADMINISTRATION W/FULL IAEA

COUNSEL:

JOHN MICHAEL VUKICH	(PET)...HORSPOOL & H ORSPOOL
DEBORAH ANN HICKEY	(DEC)...
JACOB HICKEY	(PET)...CRAIG E WILSON

GENERAL INFORMATION

Letters of special administration issued to John Vukich on 07/25/17; no bond.

Continued from 09/13/17 to be heard with competing petition.

THIS CASE SET FOR HEARING ON

- Petition #1 for Letters of Administration with Full Authority under IAEA by **John Vukich, brother**
- Petition #2 for Probate of Will, Letters Testamentary with Full Authority under IAEA by **Jacob Hickey, executor/step-son**

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

Petition #1 by John Vukich, brother

1. Bond in the amount of \$466,000 is being requested. Ok.
2. Section 2b is blank as to proposed administrator's name; however it is clear that John Vukich is the petitioner. JTD
3. **Objection by Jacob Hickey with proof of service filed 08/29/17.**
4. ~Proposed Form Order: 07/17/17

Petition #2 by Jacob Hickey, executor/step-son

5. Will waives bond. JTD
6. Need Notice of Petition to Administer Estate with proof of service [form DE-121].
7. Need Proof of Publication.
8. ~Proposed form Order: 08/29/17

RECOMMENDATION

Matter is contested.

Need to clear notes 6-7. If approved, set Accounting/Status Review for **02/06/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(ww/lh)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700704

CASE NAME: MTR OF DEBORAH ANN HICKEY

SEE ALSO 10

HEARING:

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

COUNSEL:

JOHN MICHAEL VUKICH	(PET)...HORSPPOOL & H ORSPOOL
DEBORAH ANN HICKEY	(DEC)...
JACOB HICKEY	(PET)...CRAIG E WILSON

See notes on prior matter #10.

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 11/29/17 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1700864

CASE NAME: MTR OF FRANCIS JOSEPH ANDREWS III

HEARING:

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

COUNSEL:

SUSAN M REED-ANDREWS (PET)...JOELLE
FRANCIS JOSEPH ANDREWS III (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Probate, Letters Testamentary with
Full Authority under IAEA by Susan Reed-Andrews (executor/spouse)

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

1. Will waives bond. Estimated net value of estate is \$300,000, consisting of
\$50,000 in cash and \$250,000 in real property.
2. ~Proposed form Order: 08/30/17

RECOMMENDATION:

RFA, Court's discretion re bond. If approved, set future hearing for Accounting/Status
Review on **02/06/19**. Any accounting to be filed 30 days in advance. Note requirements of
Local Rules.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

CONSERVATORSHIPS

DATE: 11/29/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1500365

CASE NAME: MTR OF DAISY PAOLA HERRERA

HEARING:

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

COUNSEL:

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

Waiver of Court Fees and Costs filed by DAISY PAOLA HERRERA is GRANTED
TOTAL FEES WAVIED TO DATE: \$465.00

GENERAL INFORMATION

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

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

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

RECOMMENDATION

None.

(lh)

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

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

DATE: 11/29/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1700255

CASE NAME: ALLWYN E D KELLY

HEARING:
Petition for Appointment of Conservator

COUNSEL:

LEIANI KELLY	(CPE)...DINA I FARHAT
ALLWYN E D KELLY II	(CPE)...DINA I FARHAT
ALLWYN E D KELLY	(CEP)...BRYAN C HARTNELL

GENERAL INFORMATION

07/12/17 Bryan Hartnell appointed counsel. Counsel to visit Allwyn today in hospital. Leiani and Allwyn E D Kelly II appointed temporary Conservators, person and estate \$20,000 bond on **07/13/17**. Oral report given by Mr. Theios; Mr. Theios stated Bryan Hartnell visited proposed conservatee. As soon as petitioner knows the bank balance, they are to contact Mr. Theios and bond will be increased as needed.

Continued from **08/09/17** to clear probate notes. Court will accept the Capacity Declaration as filed. Temporary Letters to continue in full force and effect. All existing temporary orders shall remain in effect. Temporary conservators have right to access fees from temporary conservatee's bank accounts, including Bank of America so that they can pay his bills and provide for his care. If Bank of America does not provide access to accounts, then the Court will issue a citation to Bank of America for their appearance in Court to testify the reasons they will not release funds for temporary conservatee.

Continued from 10/11/17. Attorney Theios to submit a written report. Proper notice needs to be given. Temporary letters to continue in full force and effect.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Leiani and Allwyn E D Kelly II, daughter & son.

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

1. Petitioners seek no bond. No assets appear to be listed. Court may wish to require minimum bond of \$20,000 for general conservatorship and revisit bond at a later date.
2. Petitioners seek medical powers. Capacity Declaration filed 07/05/17.
3. Certificates of Completion of the Conservatorship Training Class filed 07/06/17.
4. CI report filed 08/01/17.

5. **Report** of Counsel Hartnell filed 11/14/17.
6. **Need** return of Citation.
7. No proposed order.

RECOMMENDATION

Need to clear note 6, Court's discretion re bond. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/13/19**. Any accounting to be filed 30 days in advance.

(lc/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S36P

CASE#: VC VS00145

CASE NAME: MTR OF JENNIFER RODDY

HEARING:
Accounting Review

COUNSEL:
EMILY PATINO (PLA/PET)...MARIELLEN ROSS
JENNIFER RODDY (PLA)...
MARK ROBERT RODDY (OBJ)...

GENERAL INFORMATION

Continued from 10/11/17. No appearance. Court orders Attorney Mariellen Ross to personally be present at the next hearing. Notice given by Judicial Assistant.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 3rd Account for Emily Patino, mother, approved on 12/17/15
2. **Need** 4th Account beginning with 03/02/15.
3. Declaration of Mariellen Ross filed 08/15/17 requesting that accounting be waived as the only asset is an undivided $\frac{1}{4}$ interest in real property; however, need actual report and waiver Pr.C. § 2620 et seq.
4. CI report filed 10/12/17.

RECOMMENDATION

Inquire status of accounting.

(ww/lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 15A add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 11/29/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300104

CASE NAME: KENNETH DEWAYNE DOERR

SEE ALSO 15B

HEARING:

Hearing Re: Status/Review

COUNSEL:

STEPHANIE GAMBLE (CPE)...PRO/PER
KENNETH DEWAYNE DOERR (CEE)...

XREF: CONPS1300105 (*Donald Wayne Doerr Jr*)

GENERAL INFORMATION

Continued from 09/06/17. Mother, Cheryl Doerr, states she retained Attorney Carrie Justice and is requesting a continuance for her to be present.

Continued from 11/08/17 for both attorneys to be present.

THIS CASE SET FOR HEARING ON Status/Review.

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

1. Matter set on 07/12/17 when there were concerns of Court Investigator report. After review of all pertinent documents (APS report, Court investigator's report and court appointed counsel's report), the Court finds there are no care issues or abuse issues. Any further concerns, parties to file petitions/documentation.

RECOMMENDATION

Court's discretion.

(lc/lh)

Superior Court of Calif, County of San Bernardino
Page: 15B add-on
CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 11/29/17 TIME: 9:30 DEPT: S36P

CASE#: CON PS1300105

CASE NAME: DONALD WAYNE DOERR JR

SEE ALSO 15A

HEARING:

Hearing Re: Status/Review

COUNSEL:

STEPHANIE GAMBLE (CP)...PRO/PER

DONALD WAYNE DOERR JR (CEE)...

XREF: CONPS1300104 (*Kenneth Dewayne Doerr*)

GENERAL INFORMATION

Continued from 09/06/17. Mother, Cheryl Doerr, states she retained Attorney Carrie Justice and is requesting a continuance for her to be present.

Continued from 11/08/17 for both attorneys to be present.

THIS CASE SET FOR HEARING ON Status/Review.

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

1. Matter set on 07/12/17 when there were concerns of Court Investigator report. After review of all pertinent documents (APS report, Court investigator's report and court appointed counsel's report), the Court finds there are no care issues or abuse issues. Any further concerns, parties to file petitions/documentation.

RECOMMENDATION

Court's discretion.

(lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **MISC.**

DATE: 11/29/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 17 18 19

HEARING:

Hearing Re: COURT TRIAL

COUNSEL:

THE MICHAEL J PEPITONE TRUST

(TRU)...

DIANE BARBAGALLO

(PET)...BARNETT & RUBIN

WILLIAM J. SIMON

(PET)...HARTNELL LAW GROUP

WM J SIMON

(STE)...HARTNELL LAW GROUP

Court trial—no notes—JTD

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 11/29/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 16 18 19

HEARING:

Petition for REMOVAL OF DIANE BARBAGALLO AS TRUSTEE FOR BREACH
OF HER FIDUCIARY DUTIES

COUNSEL:

THE MICHAEL J PEPITONE TRUST
DIANE BARBAGALLO
WILLIAM J. SIMON
WM J SIMON

(TRU)...
(PET)...BARNETT & RUBIN
(PET)...HARTNELL LAW GROUP
(STE)...HARTNELL LAW GROUP

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 11/29/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 16 17 19

HEARING:

Petition for INSTRUCTIONS AND FOR AN ORDER AUTHORIZING SURCHARGE
OF LEO WINER'S INTEREST

COUNSEL:

THE MICHAEL J PEPITONE TRUST
DIANE BARBAGALLO
WILLIAM J. SIMON
WM J SIMON

(TRU)...
(PET)...BARNETT & RUBIN
(PET)...HARTNELL LAW GROUP
(STE)...HARTNELL LAW GROUP

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.

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

DATE: 11/29/17 TIME: 1:30 DEPT: S36P

CASE#: PRO PS1501006

CASE NAME: MTR OF THE MICHAEL J PEPITONE TRUST

SEE ALSO 16 17 18

HEARING:

FIRST AND FINAL Account and Report of WM J SIMON and Petition
for allowance of fees filed.

COUNSEL:

THE MICHAEL J PEPITONE TRUST	(TRU)...
DIANE BARBAGALLO	(PET)...BARNETT & RUBIN
WILLIAM J. SIMON	(PET)...HARTNELL LAW GROUP
WM J SIMON	(STE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Continued from **03/27/17**. Parties state that mediation was not successful.

Continued from 06/12/17 and 07/31/17. Court orders Attorney Bryan Hartnell to submit a verified list to Attorney Barnett within 10 days or court will impose sanctions in the amount of \$250 as to Attorney Hartnell. Court states that if William Simon does not appear on the deposition scheduled for 08/10/17

he will be subject to sanctions. Matter is contested; court trial requested.

Continued from 09/25/17

Continued from 11/16/17. Parties announce ready.

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by William Simon, personal representative of Leo Winer [DOD: 09/06/14], the deceased Successor Trustee of the Michael Pepitone Revocable Trust dated 09/15/97, as amended.

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

1. Accounting period 04/02/12 to 09/06/14.
2. Assets on Hand **\$528,215.31** consisting of \$359,215.31 cash and remaining in real estate and loan.
3. Petitioner requests the issue of compensation to personal representative and counsel to be reserved.
4. Disbursements – Schedule B [LF, pgs. 18-20] include travel expenses; various “unknown” items from different bank accounts; credit card expenses and do not identify or specify identity of the payor, the date of receipts, the nature and amount of the deposit. Further, disbursements do not include the identity of the payee, date

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.

of disbursement and the amount and specific purpose of the same. **Supp. 11/14/17 LFpgs18-22 distributions to Dianne Barbagallo \$437,204.63; Dorothy DeGrado \$25,000; John Lando Estate \$243,454.63; John Langone \$125,000, Leo Winer \$826,933.43; Mary Jane Rugerri \$5,000, Roxanne Pennitti \$25,000, Siri Langoni \$34,375.00. Court to inquire.**

5. Cash Disbursements made totaling \$1,781,342.69 [LF, pgs. 20-21].
6. Need statement regarding family or affiliate relationship between the fiduciary and any agent hired by the fiduciary. Pr. C. § 1064 (a)(4). **Supp 11/14/17 William Simon is the nephew of deceased Successor Trustee, Leo Winer; Michael J. Pepitone hired Winer's nephew, Martin Mushkin, to assist with Eagle bullion litigation.**
7. **Objections filed 01/30/17 by Trustee, Diane Barbagallo.**
8. **Verified list of documents (202 pages) filed 08/10/17.**
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Court's discretion. If approved, as second account period is overdue, Court to set next accounting review in 60 days.

(nb/lh)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

SEE ALSO 2

HEARING:

Hearing Re: PETITION FOR INSTRUCTIONS FOR TRUSTEE

COUNSEL:

CAROL STEINBRENNER	(PET)...WARD & WARD
RICHARD V. SMITH TRUST	(TRU)...
MELODIE SCOTT	(PET/STE)...J. DAVID HORSPOOL
AMERICAN CANCER SOCIETY	(PET)...LAW OFFICE OF TARA L COOPER
CITY OF HOPE	(RODRIGUEZ, HORII, CHOI & CAFFE)

Currently under review by Legal Research.
(LR)

Continued matter – notice not re-reviewed.

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1400908

CASE NAME: RICHARD V. SMITH TRUST DATED 7/14/98

SEE ALSO 1

HEARING:

FIRST CURRENT Account and Report of MELODIE SCOTT and Petition
for allowance of fees filed.

COUNSEL:

CAROL STEINBRENNER	(PET)...WARD & WARD
RICHARD V. SMITH TRUST	(TRU)...
MELODIE SCOTT	(PET/STE)...J. DAVID HORSPOOL
AMERICAN CANCER SOCIETY	(PET)...LAW OFFICE OF TARA L COOPER
CITY OF HOPE	(RODRIGUEZ, HORII, CHOI & CAFFE)

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First Account Current and Report of Trustee and
Petition for its Settlement by Melodie Z. Scott

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

1. Accounting period: 12/11/14 to 12/31/16
2. Assets on hand: \$1,186,875.97, of which **\$6,875.97** is cash and remaining in real property.
3. Beginning cash assets includes a margin loan of (\$46,656.65). Need further clarification of asset via verified supplement. Does Court wish to require an Inventory and Appraisal? [See Acct 8/30/17, LFpg6]
4. Need verified supplement to include report per Pr. C. §16063(b), and provide clarification of the following Schedule C disbursements [See Acct, 08/30/17, LFpgs13-21]:
 - a. Need explanation of sale of assets e.g. gold bullion art, sterling flatware, art, antiques, and stock totaling.
 - b. Need description of payments to various insurance companies [LFpg13].
 - c. Trustee paid herself \$27,600 in trustee fees. Does Court wish for itemization and description of services?
 - d. Payments were made to various attorney firms throughout accounting period as follows: Barrister Professional Services \$4,018.75; Granowitz, White & Weber \$4,570, Hartnell Law Group \$30,571.02; Horspool \$5,000;

Paul Shimoff \$14,295.70; Steven R. Weber \$6,560. Court may wish to inquire. [LFpg18].

- e. Accounting fees paid to Dennis Phillips & Associates at \$3,000. Need itemization of services.
 - i. See also note 3(d) regarding additional accounting fees paid to Raumey Wilson. Court to inquire.
 - f. Payments to Raumey Wilson for property management \$2,181.78; miscellaneous property repairs \$613.56; accounting services \$3,622, and misc. trust expenses \$202.58. Need itemization of costs/services.
 - g. Multiple payments to Chris Scott and Ann Marie Scott for case management. Need description of costs/services and allegations regarding familial relationship to trustee. [LFpg20]
 - h. Partial reimbursement of \$10,000 paid to Carol Steinbrenner on 01/30/15 for costs advanced to trust. Need itemization of advanced costs. [LFpg21]
5. ~Proposed order: 08/30/17

RECOMMENDATION:

Need to clear notes. If approved, set future hearing for Accounting/Status Review on **02/28/18**. 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

Page: 3

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500580

CASE NAME: MARGARET A. CLEMENTS

HEARING:

Hearing Re: STATUS/ACCOUNTING REVIEW

COUNSEL:

CLARE E CLEMENTS (PET)...RICHARD S PRICE
MARGARET A CLEMENTS (DEC)...

GENERAL INFORMATION

OSC set on 12/01/16 when there was no appearance. As letters have not issued and no accounting has been filed, court will vacate previous orders and dismiss matter.

Continued from **02/16/17**. OSC taken off calendar.

Continued from **05/03/17**.

Continued from 08/23/17 at request of Court to clear probate notes. Amended Order signed indicating limited authority with no bond.

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Clare and Dino Clements, children, appointed administrators on 11/19/15; full authority, \$210,000 bond. On 02/22/16, court ordered powers limited and no bond.
2. Need final Inventory and Appraisal.
3. Need accounting or status report.

RECOMMENDATION

Inquire status.

(lc/ww/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500757

CASE NAME: ROBERT CHARLES LAMAR

HEARING:
Accounting Review

COUNSEL:

MARJORIE LAMAR (PET)...LAW OFFICE OF SCOTT S STREED
ROBERT CHARLES LAMAR (DEC)...

GENERAL INFORMATION

Continued from **11/30/16** and **03/29/17**. Waiting for Inventory and Appraisal to come back from referee.

Continued from **06/07/17** and **09/20/17** at request of Counsel to clear probate notes.

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 Marjorie Lamar, daughter, on 12/09/15; full authority \$95,000 bond.
2. Partial Inventory and Appraisal filed; need bank statements per local rule 20-908.
3. Need final Inventory and Appraisal
4. Need accounting or status report.

RECOMMENDATION

Need to clear notes 2-4. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. *Clerk may notice bond company*

(lc/ww/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500880

CASE NAME: Carol A. Ayres

HEARING:

Accounting Review

COUNSEL:

AUDESİ AYRES

(PET)...LAW OFFICE O F DAVID E WE ISS

CAROL A. AYRES

(DEC)...

LAWRENCE WIDDIS

(TP)...

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 Audesi Ayres, sister, on 11/03/15; full authority, \$250,000 bond.
2. On 05/17/17, Court denied Petition to Terminate Further Proceedings and ordered accounting to be filed by 07/31/17.
3. Need accounting or status report.

RECOMMENDATION

Inquire status of accounting or status report.

(ww/lh)

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501037

CASE NAME: CLARE IRENE BLOXHAM

HEARING:
Hearing re Final Discharge

COUNSEL:

MALCOLM VICTOR SMITH	(PET)...CRAIG E WILSON
CLARE IRENE BLOXHAM	(DEC)...
MALCOLM VICTOR SMITH	(PET)...CRAIG E WILSON
SANDRA SPACHTHOLZ	(PET)...CRAIG E WILSON
LIBERTY MUTUAL INSURANCE	(TP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Hearing re Final Discharge

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

1. Letters testamentary were issued to Malcolm Smith, brother, on 03/09/19, no bond. Malcolm rendered a first and final account which was approved by the Court on 11/23/16; however, he passed away on 09/21/16 prior to approval, thus creating a vacancy.
2. Sandra Spachtholz was appointed successor executor to settle the estate, and a Second and Final Accounting was filed 10/23/17, hearing set on 12/13/17.

RECOMMENDATION

It appears final discharge is premature. Court may wish to trail to 12/13/17 to be heard with Second and Final Accounting. JTD
(lh)

Future Hearing: **12/13/17**: 2nd & Final Account & Report of Successor Executor Sandra Spachtholz

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600279

CASE NAME: RAYMOND VELOZ RUIZ

HEARING:

FIRST AND FINAL Account and Report of PETER GUILLERMO RUIZ and
Petition for allowance of fees filed.

COUNSEL:

PETER GUILLERMO RUIZ (PET)...AMY YORK GARRETT
RAYMOND VELOZ RUIZ (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees by
Peter Guillermo Ruiz, administrator

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

1. Accounting period: 12/29/15 to 07/24/17
2. Assets on hand: \$126,575.68, cash
3. **Need** bank/investment statements verifying date of death balances and final ending balance per Local Rule 20-908.
4. Petitioner requests reimbursement of costs advanced totaling \$1,991. Attorney requests reimbursement for costs advanced totaling \$344.50. However, **need** verified supplement with itemization of each cost.
5. Petitioner and attorney requests statutory fees of \$9,100.18, each. Calculated.
6. Attorney requests extraordinary fees for regarding sale of real property at a reduced amount of \$1,100 for 5.97 hours at \$275/hour. Itemized [LFpgs17-19] JTD.
7. Petitioner requests reserve of \$2,500 for final tax returns, CPA costs and closing expenses. JTD.
8. Petitioner alleges two of the heirs are minors, namely Richard and Maryah Maquinales, and requests that funds be distributed into a blocked account until minors reach age of majority. Question if a petition for guardianship of estate has been filed for minors? Court to inquire.
9. ~Proposed order: 08/29/17

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

RECOMMENDATION:

Need to clear notes 2-3. If approved, court to set hearing on filing of receipts and final discharge for **12/05/18**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 8

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600407

VACATED

CASE NAME: RIVARD LOUIS HEIL

HEARING:
Accounting Review

COUNSEL:

PENNY LOU HEIL	(PET)...GREGORY L ZUMBRUNN
RIVARD LOUIS HEIL	(DEC)...
ROSE C ROSADO	(TP)...CALDWELL, KENNEDY & PORTER, A.

First and Final Account filed 11/01/17 by Penny Lou Heil.
(lh)

Future hearing date: 02/22/18: 1st and Final Account

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

DATE: 11/29/17 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600428

CASE NAME: MTR OF SHIRLEY ANN BROCKI

HEARING:

FIRST AND FINAL Account and Report of FLORENCE MARY SCHWENK and
Petition for allowance of fees filed.

COUNSEL:

FLORENCE MARY SCHWENK (PET)...THOMAS W DOMINICK
SHIRLEY ANN BROCKI (DEC)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON First and Final Account and Petition for Fees and
Final Distribution by Florence Mary Schhwenk, executor

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

1. Accounting period: 03/01/16 to 07/31/17
2. Assets on hand: \$647,197.68, cash
3. Petitioner requests statutory commissions of \$17,817.99. Calculated.
4. Attorney requests statutory fees of \$17,817.99 requested. Calculated.
5. Attorney requests extraordinary fees regarding sale of vehicle, sale of real property, sale of stock, and tax matters totaling **\$2,148** for 7.70 hours of attorney/paralegal services at \$375/\$120 per hour respectively. Itemized. [LFpgs30-34] JTD.
6. Petitioner reimbursed herself for costs advanced totaling \$2,971.87 for utilities, gardener, car insurance, car repairs/maintenance, and phone bills. [LFpg29]. JTD
7. No proposed order submitted.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing of receipts and final discharge for **12/05/18**.

(lh)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 11/29/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700388

CASE NAME: Salazar 2015 Family Trust

SEE ALSO 11

HEARING:

Hearing Re: TRO AND OSC RE: PRELIM INJUNCTION

COUNSEL:

SONJA SALAZAR BROWN	(PET)...DOONAN & DOONAN,
SALAZAR 2015 FAMILY TRUST	(TRU)...
JOYCE SALAZAR	(BEN)...DIANA J CARLONI
JEANNE E KENNEDY	(TP)...YEE & BELILOVE
MICHELLE MILLER	(ZUMBRUNN LAW CORPORATION)

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 11

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

DATE: 11/29/17 TIME: 8:35 DEPT: S37P

CASE#: PRO PS1700388

CASE NAME: Salazar 2015 Family Trust

SEE ALSO 10

HEARING:

Petition for to Determine construction of Trust Instrument and
determine title to personal property etc

COUNSEL:

SONJA SALAZAR BROWN	(PET)...DOONAN & DOONAN,
SALAZAR 2015 FAMILY TRUST	(TRU)...
JOYCE SALAZAR	(BEN)...DIANA J CARLONI
JEANNE E KENNEDY	(TP)...YEE & BELILOVE
MICHELLE MILLER	(ZUMBRUNN LAW CORPORATION)

Currently under review by Legal Research.

(LR)

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIPS

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS0700139

CASE NAME: JAVIER DESANTIAGO

HEARING:

Petition for ALLOWANCE OF ATTORNEY'S FEES

COUNSEL:

EVANGELINA DESANTIAGO (PCR/TEE)...ROQUEMORE PRINGLE & MOORE

JAVIER DESANTIAGO (PCE/CEP)...MELVIN L FRIEDLAND

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Attorney Fees by Melvin L. Friedland

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

1. Petitioner Melvin L. Friedland was appointed Counsel for conservatee on 07/12/07.
2. Petition requests fees for attorney services for period 07/06/16 to 09/28/17 totaling \$1,650 for 5.5 hours at \$300/hour for attorney services. Itemized [petition, 10/20/17, LFpg7]. JTD
3. Proposed Order not in LF at time of review.

RECOMMENDATION

Court's discretion.

(lh)

Future Hearing: 1/16/19: Accounting Review

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900167

CASE NAME: MARK JORDAN ELKINS

SEE ALSO 14

HEARING:

Hearing Re: ACCOUNTING REVIEW (4TH AND FINAL BY K ELKINS)

COUNSEL:

KERINE E ELKINS	(CPE)...NOREEN T FONTAINE
MARK JORDAN ELKINS	(CEP/CTE/CEE)...MARK J. ANDREW FLORY
CA DEPT OF STATE HOSPITALS	(PET)...PRO/PER
MARK JORDAN ELKINS SPECIAL NEEDS TRUST(TRU)...	
DENNIS SHOGREN	(CEP)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Accounting Review re 4th and Final by Kerine Elkins, former Trustee

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

1. Third Account current approved on 07/19/17. **Need order by Ms. Fontaine.**
2. Need Fourth and Final Account by former trustee, Kerine Elkins for period 11/01/14 to 06/20/17.

RECOMMENDATION

Inquire status.

(lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS0900167

CASE NAME: MARK JORDAN ELKINS

SEE ALSO 13

HEARING:

Hearing Re: PTN FOR ATTY FEES AND FEES OF MS. ELKINS

COUNSEL:

KERINE E ELKINS	(CPE)...NOREEN T FONTAINE
MARK JORDAN ELKINS	(CEP/CTE/CEE)...MARK J. ANDREW FLORY
CA DEPT OF STATE HOSPITALS	(PET)...PRO/PER
MARK JORDAN ELKINS SPECIAL NEEDS TRUST(TRU)...	
DENNIS SHOGREN	(CEP)...JAMES B CHURCH

GENERAL INFORMATION

Continued from 09/13/17 to trail same date as hearing on 4th accounting.

THIS CASE SET FOR HEARING ON Petition for Attorney's Fees and Fees for Kerine Elkins.

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

1. Matter set on 07/19/17 hearing. **Kerine Elkins removed** as Conservator of estate and as Trustee of SNT. **Dennis Shogren appointed successor** Conservator of estate and successor Trustee; \$275,000 bond for Conservator and for Trustee.
2. Bond filed 07/26/17; however, the body of the document appears to only state Trustee rather than Conservator. **Need separate bond to reflect conservatorship.**
3. There does not appear to be a conservatorship of person.
4. Petition for attorney fees and fees of Kerine Elkins, Former Trustee, to be filed.

RECOMMENDATION

Inquire status of petition for fees and bond.

(lc/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400087

CASE NAME: Kristin Barr

HEARING:
Accounting Review

COUNSEL:

SHARA INOCENCIO (CPE)...MCCLELLAN & WILSON
KRISTIN BARR (CEP)...SHERRI L KASTILAHN
LAYNE A BARTHOLOMEW (PET)...LAYNE A BARTHOLOMEW
SHARA INOCENCIO (PET)...D HERSHEL WILSON
SHARA INOCENCIO (PET)...MCCLELLAN & WILSON

GENERAL INFORMATION

Continued from 10/04/17 at request of Counsel.

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 1st **trust** Account for Shara Inocencio, aunt, approved on 01/18/17.
2. Need 2nd **trust** Account beginning with 07/01/16.

RECOMMENDATION

Inquire status of accounting.

(ww/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1400267

CASE NAME: DAVID L HEISS

HEARING:
Accounting Review

COUNSEL:

KAY M ADAMS	(CPE)...JENNIFER M DANIEL
DAVID L HEISS	(CTE)...JEANNE KENNEDY
KAY M ADAMS	(CPE)...JENNIFER M DANIEL

GENERAL INFORMATION

Ex parte orders granted 10/16/17 re resignation of conservator and nomination of successor conservator. Court appointed Jennifer Heiss as temporary successor conservator.

THIS CASE IS SET FOR HEARING ON Accounting Review re Conservator Kay Adams

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

1. Court approved First Account Current and Report of Conservator Kay Adams on 05/24/17 for period ending 06/30/16.
2. Need Second and Final Account from Kay Adams, prior conservator, for period 07/01/16 through 10/16/17.

RECOMMENDATION

Inquire status.
(lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1500157

CASE NAME: LOTTIE SCOTT

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of ANGEL SCOTT

COUNSEL:

ANGEL SCOTT (PET)...PRO/PER
LOTTIE SCOTT (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

Continued from **09/26/16, 11/28/16, 01/18/17, 04/12/17** and **06/15/17** No appearance.
Angel Scott ordered to be present. Matter may be set for possible suspension if no
appearance by Angel.

Continued from **08/09/17**. No appearance. Angel stated telephonically that she was
unaware she needed to file further paperwork. Counsel/conservator to be present.
**Continued from 09/27/17 at request of Counsel. No assets other than \$5,000 from
sale of home and social security. Angel Scott ordered to be present if all needed
documents aren't filed one week prior to hearing. Notice to be given by Ms.
Kastilahn.**

THIS CASE SET FOR HEARING ON Compliance Review.

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

1. Angel Scott, daughter, appointed conservator of the person and estate on 08/01/16,
no bond.
2. Determination of Conservatee's Appropriate Level of Care form GC-355 filed
08/08/16; verification on 08/08/16.
3. Care Plan filed 06/13/16 and verification on 09/08/16.
4. Need proof of service of a copy of the Order for Conservatorship with Notification of
Conservatee's rights per Pr.C.§1830(c).
5. Need final Inventory & Appraisal per Pr.C. §2610. Need proof of service of Inventory
& Appraisal including Instructions for Objection per Pr.C.§2610.

RECOMMENDATION
Need to clear notes 4-5.
(lc/nb/lc/ww/lh)

Superior Court of Calif, County of San Bernardino

Page: 18

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1600023

CASE NAME: MTR OF BETTY J ELLIS

HEARING:
Accounting Review

COUNSEL:
ASIRRA ELLIS-SUGUITAN (CPE)...SHENIECE J SMITH
BETTY J ELLIS (CPE)...WALTER T. MOORE

GENERAL INFORMATION

On **07/19/16**, Court appointed Asirra Ellis-Suguitan as temporary conservator of the person and estate, letters issued on 03/03/17.

On **08/31/17**, Court appointed Asirra Ellis-Suguitan as conservator of the person and estate with \$60,000 bond; first accounting to be from date of issuance of temporary letters to 08/31/17. Inventory and Appraisal to be filed as to temporary conservatorship.

THIS CASE IS SET FOR HEARING ON Accounting Review re Asirra Ellis-Seguitan

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

1. Need Inventory and Appraisal.
2. Need first account current for period 03/03/17 to 08/31/17.

RECOMMENDATION

Inquire status.
(lh)

Future Hearing: 2/07/18: Conservatorship Compliance Review Hearing

Superior Court of Calif, County of San Bernardino

Page: 19

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

SEE ALSO 20 21

HEARING:

Hearing Re: TSC/STATUS OF MEDIATION

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...EDWARD B FISCHER & ASSOCIATES
MIGUELITO DECASAS	(PET)...DUANE P BOOTH

TSC—no notes—JTD

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

SEE ALSO 19 2

HEARING:

Hearing Re: Petition for Appointment of Conservator

COUNSEL:

MARIA DE CASAS (CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS (CEP)...EDWARD B FISCHEL & ASSOCIATES
MIGUELITO DECASAS (PET)...DUANE P BOOTH

GENERAL INFORMATION

Maria De Casas appointed temporary conservator of person/estate on 02/08/16; No bond. Ed Fischel appointed counsel on 02/17/17. Jeanne Kennedy appointed GAL.

On 03/08/17 Visitation orders made as to Miguelito De Casas. Hearings 03/14/17 and 04/11/17 advanced to this hearing.

Continued from **05/17/17** Miguelito De Casas appointed temporary conservator of person only. Maria De Casas remains as temporary conservator of estate only. Both Maria and Migeultio ordered to post bonds in the amount of \$20,000. Need Amended order and letters. Miguelito to turn over all bank records and accounting to Maria immediately. The court takes jurisdiction over the trust and ordered that the trustee post bond of \$200,000. Copy of the trust's taxes be sent to all siblings by 05/30/17. Mr. Fischel ordered to prepare the order after hearing. \$20,000 bonds posted.

Continued from **07/26/17**. Court will accept one Capacity Declaration for both petitioners.

Continued from 10/25/17. Court notes medical capacity declaration is inconsistent. Mr. Fischel clarifies inconsistency; Court accepts explanation, and requires no corrected/amended medical capacity declaration. Parties agree mediation may be helpful in this matter. MSC and TSC/Status of Mediation hearings set for 11/29/17.

THIS CASE SET FOR HEARING ON

- Petition #1 for Appointment of Conservator person and estate by Maria De Casas (daughter)
- Petition #2 for Appointment of Conservator person and estate by Miguelito De Casas (son/Trustee)

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

Petitioner -1 by Maria De Casas (daughter)

1. Petitioner seeks \$0 bond as proposed conservatee has \$1,200/month in retirement income and \$1,000/month in social security benefits. Court may wish to require minimum bond of \$20,000 to cover the retirement income with 10% recovery fee.
2. Petitioner requests order to relocate proposed conservatee to conservator's residence under §2351. JTD.
3. Petitioner seeks medical powers. Capacity Declaration filed 04/24/17.
4. Petitioner seeks dementia powers. Report of Counsel Ed Fischel filed 05/15/17.
5. Report of GAL J. Kennedy filed 05/12/17 and 06/19/17.
6. Citation returned served.
7. Certificate of Completion of the Conservatorship Training Class filed 03/02/17.
8. CI Report filed 02/22/17 and Amended on 03/30/17.
9. ~Proposed Form Order: 02/01/17

Petitioner - 2 by Miguelito De Casas (son/trustee)

10. Petitioner requests no bond as proposed conservatee's assets are held in trust in which petitioner is the acting trustee. Petitioner alleges proposed conservatee receives a retirement income of \$1,575/month and \$1,000/month in social security benefits.
11. Court took jurisdiction over trust, \$200,000 bond posted 06/27/17. Corrections to surety filed 08/02/17.
12. Petitioner seeks medical powers. Capacity Declaration filed by Maria De Casas.
13. Petitioner seeks dementia powers. Report of Counsel Ed Fischel filed 05/15/17.
14. Return of Acknowledgment of Receipt of Citation signed by Jeanne Kennedy, GAL, filed 05/10/17.
15. Certificate of Completion of the Conservatorship Training Class filed 05/15/17.
16. CI special report filed 04/26/17.
17. Report of GAL J. Kennedy filed 05/12/17 and 06/19/17.
18. **Objection by Maria Decasas filed 10/06/17.**
19. **Reply to Objection by Miguelito Decasas filed 10/17/17.**
20. ~Proposed Form Order: 02/28/17

RECOMMENDATION

Matter is contested.

Court's discretion re bond. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/06/19**. Any accounting to be filed 30 days in advance.

(lh/lc/lh/lc/lh)

Superior Court of Calif, County of San Bernardino

Page: 21

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700039

CASE NAME: MTR OF TOMASA DE CASAS

SEE ALSO 19 20

HEARING:

Hearing Re: Petition for Appointment of Conservator

COUNSEL:

MARIA DE CASAS	(CPE)...SHEASBY AND ASSOCIATES
TOMASA DE CASAS	(CEP)...EDWARD B FISCHER & ASSOCIATES
MIGUELITO DE CASAS	(PET)...DUANE P BOOTH

See notes on prior matter #20.

(lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700157

CASE NAME: MARTINA CRUZ

HEARING:

Petition for Appointment of Conservator

COUNSEL:

DONNA KATHLEEN MORENO (PET)...PRO/PER
MARTINA CRUZ (CTE)...E. JOAN NELMS

GENERAL INFORMATION

Ed Fischel appointed counsel on 05/08/17.

Continued from **06/14/17**. Bond required of \$75,000. Notice of related case to be filed re elder abuse. Ed Fischel relieved as counsel and J David Horspool appointed.

Continued from **08/09/17**. Mediation will be set. Counsel E. Joan Nelms appointed GAL.

Continued from 09/27/17 at request of Counsel. Parties attempting settlement.

Notice to be given by Mr. Horspool.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and estate by Donna Moreno, daughter.

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

1. Petitioner allegedly has power of attorney. Court may wish to revoke if conservatorship is granted.
2. Petitioners request bond be waived as petitioner is daughter and primary caregiver. This is not sufficient cause for bond waiver. Personal property is valued at \$5,000 and real property at \$200,000; however, no income is stated. Court will require bond of \$75,000.
3. Petitioner **does not** request medical powers. However, attachment [Page10] indicates medical, personal and financial requests. Court to inquire as no medical powers are sought. Capacity Declaration filed 06/08/17; however, section 1 states conservatee's name instead of physician, verifications are not dated. **Need** corrected Capacity Declaration if medical powers sought.
4. Proposed conservatee's son has allegedly taken over the residence and proposed conservatee does not live in her home. There is allegedly elder abuse orders, but do not appear to be attached [Page 11]. **Need** notice of related case.
5. **Need** Confidential Screening form.

6. **Need** report of GAL E. Joan Nelms.
7. Report of Counsel David Horspool filed on 08/04/17.
8. Certificate of Completion of the Conservatorship Training Class filed 06/01/17.
9. CI report filed 06/06/17.
10. Citation returned served.
11. ~Proposed Form Order: 04/28/17.

RECOMMENDATION

Need to clear notes 3-6. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the required documents and hearing re Accounting Review for **02/06/19**. Any accounting to be filed 30 days in advance.

(lc/lh/lc/ww/lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: CON PS1700388

CASE NAME: MARISOL E. RODARTE

HEARING:
Petition for Appointment of Conservator

COUNSEL:
JUVENITO MANUEL RODARTE (PET)...PRO/PER
GUADALUPE NIEVES RODARTE (PET)...PRO/PER
MARISOL E RODARTE (CEE)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person only by Juventino and Guadalupe Rodarte, parents

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

1. Petition indicates proposed conservatee has exhibited cognitive deterioration since being diagnosed with Obsessive Compulsive Disorder/Schizophrenia in 2013. Court to determine if an LPS conservatorship is appropriate. [Petition, 10/20/17, LFpg6].
JTD
2. Petitioner seeks medical powers. Capacity Declaration filed 10/20/17.
3. **Need Notice of Hearing and Proof of Service as to Concepcion Rodarte (pgm) and Esperanza Patlan (mgm).**
4. **Need** Court Investigator report.
5. **Need** Certificate of Completion of the Conservatorship Training Class.
6. **Need** return of Citation with proof of personal service.
7. ~Proposed Form Order: 11/07/17

RECOMMENDATION

Need to clear notes 3-5. If approved, set hearing for Compliance Review for **07/11/18** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5
(lh)

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

DATE: 11/29/17 TIME: 9:30 DEPT: S37P

CASE#: SC SS02598

CASE NAME: MTR OF GREGORY YAROSLOW

HEARING:

SIXTH CURRENT Account and Report of LAWRENCE A DEAN II and
Petition for allowance of fees filed.

COUNSEL:

WILLIAM J. SIMON	(CPE)...BRYAN C. HARTNELL
GREGORY YAROSLOW	(CEP/CTE)... EDWARD B FISCHER & ASSO
LAWRENCE DEAN II	(CPE/SC/CE)...SHERRI L KASTILAHN
RITA MCCARTHY	(CPE)...HARTNELL LAW GROUP

GENERAL INFORMATION:

Lawrence A. Dean appointed Successor Conservator on 01/07/10, \$40,000 bond.

THIS CASE IS SET FOR HEARING ON 6th Account Current and Petition for Fees by
Lawrence A. Dean.

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

1. Accounting covers 06/01/16 to 05/31/17
2. Assets on hand: \$384,706.29 consisting of \$13,528.17 cash and remainder in retirement plan and personal property.
3. Accounting is not on mandatory Judicial Council forms GC-400/405. Court may wish to direct petitioner to file future accountings on correct forms.
4. Current bond is \$457,000, appears sufficient.
5. Petitioner indicates Leisure Pointe board and care disbursements totaling \$28,068.00. **Need** residential facility statements and/or written verification of rent per Pr. C. §2620(c)(5).
6. Petitioner requests fees of \$11,714.95 less periodic payments received in the amount of \$3,000 for a total due of **\$8,714.95**. Billed at \$65/125 per hour. Itemized [Acct, 10/11/17, LFpgs20-30]. JTD.
7. Petitioner requests authority to continue receiving periodic payments not to exceed \$250/month or 80% of earned fees.
8. Attorney is requesting fees for costs advanced and attorney services of **\$2,590** for 6.7 hours at \$325 per hour. Itemized [Acct, 10/11/17, LFpgs31-32]. JTD
9. ~Proposed Order: 10/11/17

RECOMMENDATION:

Need to clear note 5. If approved, set hearing on the next accounting review for **08/01/18** (if one year) or **07/31/19** (if two years). Accounting to be filed 30 days in advance.

(lh)