



Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 07/12/18

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

Destruction of Filed Documents:

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

Contacting the Probate Examiners:

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

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

06/11-7/5 lc

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: CIV DS1417071

Vacated

CASE NAME: JOHNSON VS ST. MARY

HEARING:

Hearing Re: APPROVAL OF SPECIAL NEEDS TRUST

COUNSEL:

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

Hearing advance to 06/28/18.

(lc)

Future Hearing: 07/20/18 OSC re: Status of global settlement/minor's comp/ dism/TSC

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

PROBATE

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1400711

CASE NAME: MTR OF COURTNEY CHEEK SETTLEMENT TRUST

HEARING:

Accounting Review by ***

COUNSEL:

COURTNEY CHEEK SETTLEMENT TRUS (TRU)...

SCOTT GROSSMAN

(PET)...SCOTT GROSSMAN

WALTER T MOORE

(PET)...WALTER T. MOORE

WELLS FARGO BANK

(PET)...JENNIFER M DANIEL

XREF: CIVDS1302543 (Cheek, et al-v-Kaiser Foundation, et al)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 2nd SNT Account for Wells Fargo Bank, Trustee, approved on 08/31/17.
2. **Need** 3rd Account beginning with 05/01/17..

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600192

Vacated

CASE NAME: CHRISTOPHER DENNIS LAWSON

HEARING:

Accounting Review by ***

COUNSEL:

CHRISTOPHER DANIEL LAWSON (DEC)...

JESSE JAMES LAWSON (PET)... DAVID PHILIPSON

(lc)

Future hearing dates: 08/02/18 Final Distribution by Jesse Lawson

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1600511

CASE NAME: MICHAEL P GOUIN

HEARING:

Accounting Review by ***

COUNSEL:

MICHAEL P GOUIN (DEC)...
MICHELE GOUIN (PET)...THOMAS W DOMINICK

GENERAL INFORMATION

Continued from 10/05/17.

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 Michele Gouin, sister , on 07/28/16; full authority, no bond.
2. Final and supplemental Inventory and Appraisal filed.
3. **Need** accounting or status report.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1601213

CASE NAME: CHESTER WEBB

HEARING:

First & Final Account and Report of DIANE D HARKISON and
Petition for allowance of fees filed.

COUNSEL:

CHESTER WEBB	(DEC)...
DIANE D HARKISON	(PET)...THOMAS DOMINICK
MARLA THURMAN	(PET)... RICHARD SAMUEL
THAD WEBB	(PET)...FULLERTON LEMANN SCHAEFER & DO

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Diane Harkison, PPF.

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

1. Assets on hand \$152,572.70 in cash.
2. Administrator and counsel seek statutory fees of \$5,920.15 each.
3. Administrator seeks extraordinary fees of \$3,036 for 25.30 at \$120 per hour [LFpg25-28].
4. Counsel seeks extraordinary fees of \$2,944.50 for 18.3 hours at \$150/375 per hour for paralegal and attorney services. [LFpg33-37]. **JTD**
5. Administrator seeks a reserve of \$1,499.99.
6. ~Proposed Order: 05/29/18.

RECOMMENDATION

Court's discretion re extraordinary fees. If approved, set hearing on the filing of receipts and final discharge for **07/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700042

CASE NAME: MTR OF MARJORIE V GUYETT

HEARING:

First and Final Account and Report of PHILIP J GUYETT JR and
Petition for allowance of fees filed.

COUNSEL:

MARJORIE V GUYETT (DEC)...
PHILIP J GUYETT JR (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Philip Guyett, Jr, grandson.

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

1. Assets on hand \$150,813.46 in cash.
2. Executor seeks statutory compensation is \$6,250.
3. Executor seeks reimbursement of costs totaling \$17,936.54 [LFpg11].
4. Will authorized real property without notice.
5. **Need** actual summary of account with schedules per Pr.C.§ 1061.
6. **Need** verification per Pr.C. § 1021.
7. **Need** bank statement to support balance on hand per local rule 20-908.
8. **Need** closing escrow statement per local rule 20-910.
9. **Need** notice of hearing and proof of service
10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 5-9. If approved, set hearing on the filing of receipts and final discharge for **07/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700061

CASE NAME: DAVID LEE HAMPTON

SEE ALSO 8, 9

HEARING:

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

COUNSEL:

DAVID LEE HAMPTON (DEC)...
ROSABEL RIVARES YOUNG (PET)...E. MARIE HENNING

GENERAL INFORMATION

OSC set on 06/07/18 when there was no appearance. Sanctions of \$500 set on Administrator and counsel for failure to appear and \$500 in sanctions for failure to file.

THIS CASE SET FOR HEARING ON **OSC re Sanctions \$500 FTA \$500 FTF/Accounting review/Status.**

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

1. Letters Testamentary issued to Rosabel Young, Trustee, on 03/30/17; full authority, no bond.
2. Final Inventory and Appraisal filed 06/29/18.
3. **Need** accounting or status report.
4. Declaration filed by counsel Henning on 06/21/18 alleging there was a medical emergency and was unable to appear.

RECOMMENDATION

Court's discretion re OSC. Need to clear note 3. No bond company to notice.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 8

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700061

CASE NAME: DAVID LEE HAMPTON

SEE ALSO 7, 9

HEARING:

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

COUNSEL:

DAVID LEE HAMPTON (DEC)...

ROSABEL RIVARES YOUNG (PET)...E. MARIE HENNING

See notes on matter 7.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700061

CASE NAME: DAVID LEE HAMPTON

SEE ALSO 7, 8

HEARING:

Accounting Review by ***

COUNSEL:

DAVID LEE HAMPTON (DEC)...

ROSABEL RIVARES YOUNG (PET)...E. MARIE HENNING

See notes on matter 7.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700091

CASE NAME: BETTY LORRAINE HARDEN

SEE ALSO 11, 12

HEARING:

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

COUNSEL:

BETTY LORRAINE HARDEN	(DEC)...
DEPT. OF HEALTH CARE SERVICES	(TP)...PRO/PER
LAWRENCE WILLIAM HARDEN SR	(PET)...PRO/PER

GENERAL INFORMATION

OSC set on 06/07/18 when there was no appearance. Sanctions of \$500 set on Administrator for failure to appear and \$500 in sanctions for failure to file.

THIS CASE SET FOR HEARING ON **OSC re Sanctions \$500 FTA \$500 FTF/Accounting review/Status.**

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

1. Letters of Administration issued to Lawrence Harden, son, on 03/30/17; full authority, no bond.
2. **Need** final Inventory and Appraisal.
3. Status report filed 06/26/18; hearing 08/07/18.

RECOMMENDATION

Court's discretion re OSC. Need to clear note 2. No bond company to notice.
(lc)

Future hearing dates: 08/07/18 Status Report

Superior Court of Calif, County of San Bernardino

Page: 11

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700091

CASE NAME: BETTY LORRAINE HARDEN

SEE ALSO 10, 12

HEARING:

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

COUNSEL:

BETTY LORRAINE HARDEN	(DEC)...
DEPT. OF HEALTH CARE SERVICES	(TP)...PRO/PER
LAWRENCE WILLIAM HARDEN SR	(PET)...PRO/PER

See notes on matter 10.

(lc)

Future hearing dates: 08/07/18 Status Report

Superior Court of Calif, County of San Bernardino

Page: 12

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700091

CASE NAME: BETTY LORRAINE HARDEN

SEE ALSO 10, 11

HEARING:

Accounting Review by ***

COUNSEL:

BETTY LORRAINE HARDEN	(DEC)...
DEPT. OF HEALTH CARE SERVICES	(TP)...PRO/PER
LAWRENCE WILLIAM HARDEN SR	(PET)...PRO/PER

See notes on matter 10.

(lc)

Future hearing dates: 08/07/18 Status Report

Superior Court of Calif, County of San Bernardino

Page: 13

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700200

Vacated

CASE NAME: MTR OF JULIA PRIEGO MARISCAL

HEARING:

Accounting Review by ***

COUNSEL:

ERIKA AGOSTO

(PET)...LONG BEACH LAW INC

JULIA PRIEGO MARISCAL

(DEC)...

OSKAR MARISCAL

(PET)...LONG BEACH LAW INC

(lc)

Future hearing dates: 08/09/18 Status Report.

Superior Court of Calif, County of San Bernardino

Page: 14

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700414

CASE NAME: MTR OF PATRICIA COLE WILLIAMS

HEARING: WAIVER OF Account and Report of JAMES BYRON WILLIAMS II and
Petition for allowance of fees filed.

COUNSEL:

DEPARTMENT OF HEALTH CARE SERV (TP)...PRO/PER
JAMES BYRON WILLIAMS II (PET)...AMY YORK GARRETT
PATRICIA CAROLYN WILLIAMS (DEC)...

CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN

GENERAL INFORMATION

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

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

1. Assets on hand \$53,638.57 in cash.
2. Executor is sole beneficiary, waives accounting and statutory compensation.
3. Counsel seeks statutory fees of \$4,600. Ok
4. Counsel seeks extraordinary fees of \$1,375 for 5 hours at \$275 per hour. [LFpg14-15]. **JTD**
5. Executor seeks a reserve of \$1,500.
6. Proposed Order: 05/31/18; however, need 3 lines of *content* above judge's signature per local rule.20-614(d).

RECOMMENDATION

RFA subject to fees. If approved, set hearing on the filing of receipts and final discharge for **07/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1800371

CASE NAME: MEARL KENDREW

HEARING:

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

COUNSEL:

DEANA K. ARIX (PET)...PRO/PER
MEARL KENDREW (DEC)...

GENERAL INFORMATION

Continued from 05/31/18.

THIS CASE SET FOR HEARING ON Petition for Probate, Letters Testamentary with Full Authority under IAEA Deana Arix, executrix.

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

1. Will waives bond and petitioner is sole beneficiary of will. Net estate value is \$75,000 of which \$1,000 is personal property. Court for good cause could require bond per Pr.C. § 8481(b).
2. ~Proposed Form Order: 04/20/18.

RECOMMENDATION

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

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:30 DEPT: S35P

CASE#: PRO PS1700462

CASE NAME: THE STENERSON TRUST

SEE ALSO 16

HEARING:

Petition for Public Guardian to be Appointed Trustee

COUNSEL:

JAMES STENERSON (PET)...JAMES L HEYWOOD AND ASSOCIATES

NORMAN C RUSS (PET)...STANLEY W HODGE

RHONDA MOORE (PET)...STANLEY W HODGE

THE STENERSON TRUST (TRU)...PRO/PER

Currently under review by legal research.

Continued matter, notice not -reviewed.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 07/12/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1700462

CASE NAME: THE STENERSON TRUST

SEE ALSO 15A

HEARING:

Hearing Re: STATUS OF MEDIATION/TRIAL SETTING CONFERENCE

COUNSEL:

JAMES STENERSON (PET)...JAMES L HEYWOOD AND ASSOCIATES

NORMAN C RUSS (PET)...STANLEY W HODGE

THE STENERSON TRUST (TRU)...PRO/PER

Status of Mediation/T.S.C. – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701092

CASE NAME: THE MICHAEL E FRY TRUST

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

COUNSEL:

CHESTER EDWARD FRY

(PET)...DAVID

DENISE FRY

(OBJ)...ERIC S MCINTOSH

THE MICHAEL E FRY TRUST

(TRU)...

XREF PROPS1701092 (Michael Fry Trust)

Currently under review by legal research.

Notice complete.

(lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 18

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701272

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

SEE ALSO 19

HEARING:

Hearing Re: Demurrer and Demurrer to the Petition

COUNSEL:

1998 MTR OF BRUCE OGILVIE SR &

(TRU)...

GREGORY L WIEBE

(RES)... DOONAN & DOONAN,

JANIS BRANDY MARTINDALE

(LAW OFFICE OF DOONAN &

MICHAEL OGILVIE

(PET)...SW SMYTH LLP

RICHARD OGILVIE

(BENNETT KERNS, ESQ

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

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:35 DEPT: S35P

CASE#: PRO PS1701272

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

SEE ALSO 18

HEARING:

Motion Re: To Strike the Petition Mot Filed by Respondent

GREGORY L WIEBE, JANIS BRANDY MARTINDALE

COUNSEL:

1998 MTR OF BRUCE OGILVIE SR &

(TRU)...

GREGORY L WIEBE

(RES)... DOONAN & DOONAN,

JANIS BRANDY MARTINDALE

(LAW OFFICE OF DOONAN &

MICHAEL OGILVIE

(PET)...SW SMYTH LLP

RICHARD OGILVIE

(BENNETT KERNS, ESQ

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 07/12/18 TIME: 8:35 DEPT: S35P

CASE#: TRU PS1800041

CASE NAME: THE SUSAN LOUISE COOK REVOCABLE TRUST

HEARING:

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

COUNSEL:

DONNA COOK

(PET)...GAUDY LAW, INC

SUSAN LOUISE COOK REVOCABLE TR (TRU)...

Currently under review by legal research.

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

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **CONSERVATORSHIP**

DATE: 07/12/18 TIME: 9:30 DEPT: S35P

CASE#: VC VS00281

CASE NAME: MTR OF JOSEPH ANTHONY GARCIA

HEARING:

Hearing Re: STATUS OF CONSERVATORSHIP

COUNSEL:

JOSEPH ANTHONY GARCIA (PCE)...ROSE C ROSADO
THERESA A RUIZ (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status of Conservatorship.

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

1. Matter set on 06/06/18. IRC and Rose Rosado [newly appointed] to appear. **Need** report.
2. Theresa Ruiz, sister, appointed Conservator of person only on 07/16/01.
3. Court Investigator memo indicates Conservator has passed away; therefore, there is a vacancy is the conservatorship.

RECOMMENDATION

Need report and Inquire status of a successor Conservator.

(lc)

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

DATE: 07/12/18 TIME: 9:30 DEPT: S35P

CASE#: CON PS1700353

CASE NAME: CHIEKO TERRY

HEARING: Petition for appointment of cnsvr of the person & estate filed
by Sandra Leoni

COUNSEL:

KATHLEEN STALLINGS (PET)...PRO/PER
CHIEKO TERRY (PET)...PRO/PER
SANDRA J LEONI (CPE)...PRO/PER
CHIEKO TERRY (CEE)...E JOAN NELMS

GENERAL INFORMATION

Kathleen Stallings appointed temporary conservator on 10/05/17; person only.
Sandra Leoni appointed as temporary conservator of the person and estate on 05/03/18,
no bond.

Continued from 06/04/18. Karen Stallings powers terminated.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator person and
estate by Sandra Leoni, daughter

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

1. Petitioner was nominated by conservatee. [LF pg. 10]
2. Petitioner requests to waive bond per Pr.C. § 2323 as conservatee receives only Social Security in the amount of \$12,864.00.
3. Petitioner seeks medical powers. Capacity Declaration filed 05/31/18.
4. Report of GAL Karin Horspool filed 05/03/18.
5. Petitioner seeks estate powers under Pr.C. § 2590; however, attachment reiterates the probate code verbiage so it is unclear what specific abilities she is requesting. Court to inquire, or in alternative, need verified supplement. [LF pgs. 11-12] **JTD**
6. Petitioner seeks capacity powers under Pr.C. § 1873 or 1901; however, attachment reiterates the probate code verbiage so it is unclear what specific abilities she is requesting. Court to inquire, or in alternative, need verified supplement. [LF pg.12] **JTD**
7. Petitioner seeks Pr.C. § 2351-2358 powers and duties; however, attachment reiterates the probate code verbiage so it is unclear what specific abilities she is requesting. Court to inquire, or in alternative, need verified supplement. [LF pgs. 12-14] **JTD**

8. Joan Nelms appointed counsel on 11/16/17. **Need** report of counsel.
9. Citation returned served via mail. **Need** personal service.
10. Notice filed; however, does not indicate copy of petition is filed per Pr.C. § 1822.
Need corrected proof of service.
11. **Need** CI report as to this petitioner.
12. **Need** due diligence declarations per CRC 7.52 for
 - a. Daughter Diana Terry
 - b. Grandchildren Tabatha and John Terry; Matthew and Adam Stallings.
13. Certificate of completion of Conservatorship Training class filed 06/07/18.
14. ~Proposed Form Order: 04/27/18

RECOMMENDATION

Need to clear notes 8-12. If approved, set hearing for Compliance Review for **02/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C. § 1830(c); Level of Care and Care Plan per Pr.C. § 2352.5; Inventory & Appraisal, and Proof of Service if I&A and Instructions for Objection per Pr.C. § 2610; recordation of letters if applicable per Pr.C. § 2313. Set hearing re Accounting Review for **09/19/19**. Any accounting to be filed 30 days in advance.

(ww/lc)

Superior Court of Calif, County of San Bernardino

Page: 22

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

MISC

DATE: 07/12/18 TIME: 1:30 DEPT: S35P

CASE#: PRO PS1600251

CASE NAME: MARY M ORTIZ LIVING TRUST

HEARING:

Hearing Re: Court Trial (Day 3)

COUNSEL:

BARBARA RUBIO RESENDEZ

(PET)...PRO/PER

DEPT OF CHILD SUPPORT SVCS LOM

(PRO/PER

JOE MARTIN ORTIZ

(OBJ)...THOMAS V PRATT

LOUISE SULLIVAN

(PET)...BANKS GARCIA & JANIS

MARY M ORTIZLIVING TRUST

(TRU)...

THOMAS W DOMINICK

()...

Trial – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: CIV DS1619135

CASE NAME: DAVID R SHROPSHALL -V- SHROPSHALL

HEARING:

Hearing Re: Status

COUNSEL:

ANA ROSA SHROPSHALL	(THOMPSON & COLEGATE
DARRELL J SHROPSHALL	(DEF)...THOMPSON & COLEGATE
DAVID R SHROPSHALL,	(PLA)...GARCIA & REED
JESSICA SHROPSHALL	(THOMPSON & COLEGATE

XREF: PROPS1600415 (*Shropshall family trust*)

CIVDS1615271 (*Davis R Shropshall-v-Kimberly A Campbell*)

Status – No notes – JTD *

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

PROBATE

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1300114

CASE NAME: BENSON HON FONG

HEARING:

Hearing re Final Discharge

COUNSEL:

BENSON HON FONG

(DEC)...

DONNASUE SMITH ORTIZ

(DONNASUE ORTIZ

GLADSTONE CARE AND REHABILITAT

(TP)...SANDERS REHASTE

VICKI OPUNUI FARMER

(PET)...CHO, SHEASBY, CHUNG &

VICKI OPUNUI FARMER

(PET)...CHUNG & IGNA CIO

XREF: CONPS1100305 (*Benson Hon Fong*), **GARRS1300004**(*Jordan Fong*)

GENERAL INFORMATION

Continued from 08/24/17, 10/19/17 and 01/4/18.

THIS CASE SET FOR HEARING ON Final Discharge.

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

1. Final account/distribution of Vickie Farmer approved on 08/18/16. Order approved 01/12/18.
2. Receipts filed for Jordan, Matthew and Geoffrey Fong indicating their distributive share was received.
3. **Need** Ex Parte Petition for Final Discharge and Order with recording information per Pr.C.§11753(b) once amended order is approved.

RECOMMENDATION

Inquire status of discharge.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1500514

CASE NAME: ANN M CHAFFEE

HEARING:

Accounting Review by ***

COUNSEL:

ANN M CHAFFEE	(DEC)...
MELODIE Z SCOTT	(PET)...BRYAN C. HARTNELL
PACIFIC WESTERN BANK	(TP)...HEMAR, ROUSSO & HEALD, LLP

XREF: CONPS1100153 (*Ann M Chaffee*)

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review/Status.

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

1. Letters of Administration WWA to Melodie Scott, PPF, on 02/26/18; **limited** authority, \$55,000 bond.
2. Previous status report approved on 09/21/17.
3. Final Inventory and Appraisal filed 10/27/17; however, **need** bank statement to support date of death balance per local rule 20-908.
4. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 3-4.

(lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600415

CASE NAME: MTR OF SHROPSHALL FAMILY TRUST

SEE ALSO 5, 6, 8, 9

HEARING: Petition for SETTLE OF FIRST ACCT AND RPT OF SUSPENDED TRUSTEE OF THE SHROPSHALL FAMILY TRUST

COUNSEL:

ALL PERSONS UNKNOWN, CLAIMING A	()...
CHRISTOPHER CAMPBELL	()...
DARRELL J SHROPSHALL	(PET)...THOMPSON & COLEGATE
DAVID R SHROPSHALL	(OBJ)...GRESHAM SAVAGE NOLAN
DAVID R SHROPSHALL	NOREEN T FONTAINE
DEPENDABLE STORAGE, LLC	()...
KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
KIMBERLY A CAMPBELL	(FULLERTON LEMANN SCHAEFER &
NOREEN T FONTAINE	(PET)...PRO/PER
RYAN SHROPSHALL	(PET)...GRESHAM SAVAGE NOLAN
SHROPSHALL FAMILY TRUST	(TRU)...

XREF: CIVDS1615271 (*Davis R Shropshall-v-Kimberly A Campbell*

CIVDS1619135 (*David R Shropshall-v- Shropshall*

GENERAL INFORMATION

Continued from **03/01/17 and 04/04/17**. Notice to be given by Mitchell I Roth.

Continued from 06/12/17, 08/14/17, 12/11/17 and 03/15/18.

THIS CASE SET FOR HEARING ON 1st Account of Suspended Trustee David Shropshall by David Shropshall, Jr., son.

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

1. Trustors, David Shropshall, Sr. and Yvonne G. Shropshall created Shropshall Family Trust on 09/12/96 and amended on 09/26/15. David died on 12/13/15 and Yvonne allegedly suffered from Dementia. ***It appears that the accounting is for the 1996 family trust.*** Court to clarify.
2. Petitioner, David Jr. was successor Trustee; however, on was suspended on 12/09/16.
3. Accounting period 12/13/15 – 12/31/16.
4. Assets on hand \$1,948,119.94.

5. Petitioner reserves the right to Trustee fees until a later date.
6. Petitioner alleges that he has administered his mother Yvonne as sole beneficiary of Trust without regard to the interest of any of the 1996 Trust beneficiaries.
7. Gresham, Savage, Nolan & Tilden [GSNT] was hired after Noreen Fontaine was counsel. A fee deposit of \$100,000 was paid to GSNT [Acct.01/31/17 LFpg31].
8. **Need** bank statements per local rule 20-908.
9. **Objections filed 04/04/17 by Kimberly Campbell.**
10. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear note 8. Matter is contested.

(lc/nb/ww/lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600415

CASE NAME: MTR OF SHROPSHALL FAMILY TRUST

SEE ALSO 4, 6, 8, 9

HEARING: Petition for SETTLEMENT OF FIRST ACCOUNT AND REPORT OF
SUSPENDE D ATTORNEY-IN-FACT FOR YVONNE G SHROSHALL

COUNSEL:

KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
ALL PERSONS UNKNOWN, CLAIMING A	()...
CHRISTOPHER CAMPBELL	()...
DARRELL J SHROPSHALL	(PET)...THOMPSON & COLEGATE
DAVID R SHROPSHALL	(OBJ)...GRESHAM SAVAGE NOLAN
DAVID R SHROPSHALL	NOREEN T FONTAINE
DEPENDABLE STORAGE, LLC	()...
KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
KIMBERLY A CAMPBELL	(FULLERTON LEMANN SCHAEFER &
NOREEN T FONTAINE	(PET)...PRO/PER
RYAN SHROPSHALL	(PET)...GRESHAM SAVAGE NOLAN
SHROPSHALL FAMILY TRUST	(TRU)...

XREF: CIVDS1615271 (*Davis R Shropshall-v-Kimberly A Campbell*
CIVDS1619135 (*David R Shropshall-v- Shropshall*)

GENERAL INFORMATION

Continued from **03/01/17 and 04/04/17**. Notice to be given by Mitchell Roth.

Continued from 06/12/17, 08/14/17, 12/11/17 and 03/15/17.

THIS CASE SET FOR HEARING ON 1st Account and Report of Suspended atty-in-fact for Yvonne Shropshall by David Shropshall, Jr., son.

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

1. Trustors, David Shropshall, Sr. and Yvonne G. Shropshall created Shropshall Family Trust on 09/12/96 [amended 09/26/15], an Educational Trust on 04/29/99 and Family Trust on 12/11/04. Petitioner is a person interested in one or more of the subject trusts in that he is a named Successor Trustee and a beneficiary under one or more of the subject trusts. David died on 12/13/15 and Yvonne allegedly suffered from Dementia.

2. Petitioner, David Jr., was attorney-in-fact for Yvonne; however, court suspended powers on 12/09/16.
3. Accounting period 12/16/15 – 12/31/16.
4. Assets on hand \$1,387,480.91.
5. Petitioner reserves the right to compensation for a later date.
6. Petitioner alleges that he has administered his mother Yvonne's assets under the DPA without regard to the interest of any of Yvonne's heirs and provided Yvonne with her needs.
7. Petitioner states it remains to be determined as to what reimbursement petitioner is entitled to or what sum needs to be attributed to the DPA.
8. Gresham, Savage, Nolan & Tilden [GSNT] was hired after Noreen Fontaine was counsel. However, petitioner states that GSNT was not paid from assets subject to this accounting, yet incurred costs and extraordinary services. Noreen Fontaine appears to have been paid \$60,000. [Acct.01/31/17 LF pgs. 28 & 33].
9. **Need** bank statements per local rule 20-908.
10. Disbursements indicate large sums of money, \$2,500-\$60,000, with no description. **Need** verified supplement regarding the disbursements. [Acct.01/31/17 LFpg29].
11. Distributions totaled for Yvonne \$88,426.14 from IRA and Jackson National Life. [Acct.01/31/17 LF pg. 30].
12. Distributions made to Ryan re Education fund total \$20,000. [Acct.01/31/17 LF pgs. 33 & 35].
13. **Objections filed 04/04/17 by Kimberly A. Campbell.**
14. No proposed order. Submit after hearing.

RECOMMENDATION:

Need to clear notes 9-10. Matter is contested.

(lc/nb/ww/lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1600415

CASE NAME: MTR OF SHROPSHALL FAMILY TRUST

SEE ALSO 4, 5, 8, 9

HEARING: FIRST Account and Report of KIMBERLEY A CAMPBELL and Petition for allowance of fees filed.

COUNSEL:

ALL PERSONS UNKNOWN, CLAIMING A	()...
CHRISTOPHER CAMPBELL	()...
DARRELL J SHROPSHALL	(PET)...THOMPSON & COLEGATE
DAVID R SHROPSHALL	(OBJ)...GRESHAM SAVAGE NOLAN
DAVID R SHROPSHALL	NOREEN T FONTAINE
DEPENDABLE STORAGE, LLC	()...
KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
KIMBERLY A CAMPBELL	(FULLERTON LEMANN SCHAEFER &
NOREEN T FONTAINE	(PET)...PRO/PER
RYAN SHROPSHALL	(PET)...GRESHAM SAVAGE NOLAN
SHROPSHALL FAMILY TRUST	(TRU)...

XREF: CIVDS1615271 (*Davis R Shropshall-v-Kimberly A Campbell*
CIVDS1619135 (*David R Shropshall-v- Shropshall*

GENERAL INFORMATION

Continued from **03/01/17 and 04/04/17**. Notice to be given by Mitchell Roth.
Continued from 06/12/17, 08/14/17, 12/11/17 and 03/15/17.

THIS CASE SET FOR HEARING ON 1st Account Current of Successor Trustee and Reimbursement of Expenses by Kimberley Campbell, daughter.

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

Kimberley Campbell, is acting successor trustee of the Educational Trust created on 04/29/99, the Family Trust established on 12/11/04 , the David Shropshall Personal Residence Trust (David QPRT) and the Yvonne Shropshall Personal Residence Trust (Yvonne QPRT). Petitioner was appointed on 04/19/16.

Educational Trust 04/29/99

1. Accounting period 07/19/16 – 11/30/16.
2. Assets on hand \$269,717.44.

3. Petitioner reserves the right to compensation on this and other trusts at this time.
4. Petitioner requests reimbursement of costs totaling \$5,777.78.

Family Trust 12/11/04

5. Accounting period 07/19/16 – 11/30/16.
6. Assets on hand \$1,731,737.19.

David QPRT

7. Accounting period 07/19/16 – 11/30/16.
8. Assets on hand \$99,323.00; ½ Interest in real property in Helendale.
9. Trustee requests reimbursement of costs totaling \$1,801.57.

Yvonne QPRT

10. Accounting period 07/19/16 – 11/30/16.
11. Assets on hand \$99,323.00; ½ Interest in real property in Helendale.
12. Trustee requests reimbursement of costs totaling \$1,801.56.
13. **Objections filed 03/30/17 by beneficiary, David R. Shropshall, Jr.**
14. No proposed order. Submit after hearing.

RECOMMENDATION:

Court's discretion. If Trusts remained supervised, set next Accounting review for **02/25/19**.

(lc/nb/ww/lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800414
CASE NAME: Johanna Blakely

SEE ALSO 7A

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

COUNSEL:

DANIEL WALTER BLAKELY	(PET)...COSGROVE, CO SGROVE &
DONNA LEAVITT	(OBJ)...PRO/PER
DONNA LEAVITT	(PET)...PRO/PER
JOHANNA BLAKELY	(DEC)..

GENERAL INFORMATION

Continued from 06/13/18 to trail competing petition.

THIS CASE SET FOR HEARING ON

- Petition 1 – Petition for Probate, Letters Testamentary with Full Authority under IAEA by ***Daniel Walter Blakely, son/executor***
- Petition 2 – Petition for Probate of ***Lost Will***, Letters Testamentary with Full Authority under IAEA ***Donna Leavitt, daughter***

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

Petitioner 1 - ***Daniel Walter Blakely, son***

1. Will waives bond. Estimated value of estate assets is \$229,500.
2. **Objection to Petition for Probate of Will filed by Donna Leavitt on 06/07/18.**
3. No proposed order submitted.

Petitioner 2 - ***Donna Leavitt, daughter***

4. Will waives bond. Net estate value is \$342,000 of which \$100,000 is personal property.
5. **Need** proof of publication
6. When a will is lost, and was last in the testator's possession, it is presumed that the testator destroyed the will with the intent to revoke it Pr.C. § 6124. This presumption affects the burden of producing evidence and unless petitioner can overcome the presumption, no valid will exists. **JTD** if affidavit and Supplement filed 06/22/18 is sufficient.
7. Petitioner submits a copy of **1983** will and petitioner Daniel submits a 2018 will which was executed **10 days prior to death.**

8. ~Proposed Form Order: 06/07/18.

RECOMMENDATION

Matter is contested; need to clear note 5. If approved, set Accounting/Status Review for **09/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 7A ADD ON

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 07/12/18 TIME: 8:30 DEPT: S36P

CASE#: PRO PS1800414

CASE NAME: Johanna Blakely

SEE ALSO 7

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

COUNSEL:

DANIEL WALTER BLAKELY	(PET)...COSGROVE, CO SGROVE &
DONNA LEAVITT	(OBJ)...PRO/PER
DONNA LEAVITT	(PET)...PRO/PER
JOHANNA BLAKELY	(DEC)..

See notes on matter 7.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

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

DATE: 07/12/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1600415

CASE NAME: MTR OF SHROPSHALL FAMILY TRUST

SEE ALSO 4, 5, 6, 9

HEARING:

Petition for TO DETERMINE VALIDITY OF TRUSTS AND AMENDMENT TO
CONFIRM APPT OF TRUSTEE

COUNSEL:

ALL PERSONS UNKNOWN, CLAIMING A	()...
CHRISTOPHER CAMPBELL	()...
DARRELL J SHROPSHALL	(PET)...THOMPSON & COLEGATE
DAVID R SHROPSHALL	(OBJ)...GRESHAM SAVAGE NOLAN
DAVID R SHROPSHALL	NOREEN T FONTAINE
DEPENDABLE STORAGE, LLC	()...
KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
KIMBERLY A CAMPBELL	(FULLERTON LEMANN SCHAEFER &
NOREEN T FONTAINE	(PET)...PRO/PER
RYAN SHROPSHALL	(PET)...GRESHAM SAVAGE NOLAN
SHROPSHALL FAMILY TRUST	(TRU)...

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(lc)

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

DATE: 07/12/18 TIME: 8:35 DEPT: S36P

CASE#: PRO PS1600415

CASE NAME: MTR OF SHROPSHALL FAMILY TRUST

SEE ALSO 4, 5, 6, 8

HEARING:

Petition for TO DETERMINE VALIDITY OF TRUST

COUNSEL:

ALL PERSONS UNKNOWN, CLAIMING A	()...
CHRISTOPHER CAMPBELL	()...
DARRELL J SHROPSHALL	(PET)...THOMPSON & COLEGATE
DAVID R SHROPSHALL	(OBJ)...GRESHAM SAVAGE NOLAN
DAVID R SHROPSHALL	NOREEN T FONTAINE
DEPENDABLE STORAGE, LLC	()...
KIMBERLEY A CAMPBELL	(PET)...THOMAS W DOMINICK
KIMBERLY A CAMPBELL	(FULLERTON LEMANN SCHAEFER &
NOREEN T FONTAINE	(PET)...PRO/PER
RYAN SHROPSHALL	(PET)...GRESHAM SAVAGE NOLAN
SHROPSHALL FAMILY TRUST	(TRU)...

Currently under review by legal research.

(LR)

Continued matter. Notice not re-reviewed.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 10

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **CONSERVATORSHIP**

DATE: 07/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285

CASE NAME: GILBERT E. MADRID

SEE ALSO 11

HEARING: Hearing Re: OSC RE REMOVAL OF GILBERT MADRID

COUNSEL:

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

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON OSC re Removal of Gilbert Madrid.

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

1. OSC set on 03/22/18, 4th account hearing, after objections by counsel for conservatee were filed.
2. Gilbert Madrid, son, appointed Conservator on 08/22/12 person and estate; \$196,000 bond. Gilbert suspended as Conservator of estate and Trustee on 07/27/17.
3. W.A. Hlavaty appointed *interim successor* Conservator of estate on 10/12/17; \$355,000 bond. Declaration re continuing care filed 06/20/18.
4. Resignation accepted re Conservator of person, order filed on 04/17/18.
5. ~Proposed order and letters submitted re W.A. Hlavaty if appointment is permanent.

RECOMMENDATION

Court's discretion re OSC. Need Accounting reviews re conservatorship and Trust for W.A. Hlavaty set **10/25/18**.

(lc)

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

DATE: 07/12/18 TIME: 9:30 DEPT: S36P

CASE#: CON PS1100285
CASE NAME: GILBERT E. MADRID

SEE ALSO 10

HEARING: FOURTH Account and Report of GILBERT MADRID and Petition for allowance of fees filed.

COUNSEL:

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

GENERAL INFORMATION

Continued from **07/06/17 and 07/13/17**. Gilbert Madrid to pay \$72 overdraft fees and get his rent up to date. Rent is payable monthly on the 15th. Declaration to be filed as to payments made. Gilbert Madrid suspended as Conservator and trustee on 07/27/17.

Continued from 08/31/17, 10/12/17, 12/07/17, 01/11/18 and 03/22/18. Gilbert Madrid to vacate the premises by 04/15/18. Funds taken by Gilbert to be returned forthwith. Attorney Richard Pershing to submit order. Attorney Setlich to file an amended accounting. Nothing new filed.

THIS CASE SET FOR HEARING ON 4th Account Current and Petition for Allowance of Fees by Gilbert Madrid, son.

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

1. Accounting period 07/03/15 – 01/05/17.
2. Assets on hand \$369,873.76 of which \$73,614.03 is cash and remainder in investment accounts. **Supp 10/12/17: amended** cash amount is \$68,658.88; however, no amended accounting submitted. **Need** same.
3. No request for fees made.
4. Disbursements indicate two overdraft fees totaling \$72.00. Petitioner has since deposited his own funds to prevent a reoccurrence.
5. Charges are not totaled and appear to total as \$424,421.79 which is off from the Credits of \$408,502.76. **Need** accounting that balances.
6. Prayer is incomplete and does not match report for items 2 & 4 re balance and fee request. **Supp 07/03/17 indicates assets of \$408,502.76; however, the assets are incorrect.**

7. Supplemental report of Counsel Roth filed 05/31/17 and 03/22/18.
8. Declaration filed **07/27/17** indicating \$45,000. \$17,000 and \$72 deposit into conservatee's account.
9. **Objections filed by conservatee through counsel on 05/02/17. Need** proof of service for bonding company per Pr.C. § 1213.
10. **Objections filed by W.A. Hlavaty on 06/26/18 indicating CD is an asset of conservatorship and should be turned over to objector.**
11. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear notes 2, 5-6 & 9. Matter is contested. If approved, set hearing on the next accounting review for final account on **10/25/18**.

(lc/lh/lc)

Superior Court of Calif, County of San Bernardino

Page: 12

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

DATE: 07/12/18 TIME: 9:30 DEPT: S36P

CASE#: VC VS00546

CASE NAME: MATTER OF ROBERT CLINTON ELLIOTT

HEARING:

Accounting Review by ***

COUNSEL:

ROBERT CLINTON ELLIOT (CEP)...ANNETTE G DE BELLEFEUILLE
ROBERT CLINTON ELLIOTT (CPE)...ANNETTE G DE BELLEFEUILLE
THE GOOD SHEPHERD FUND (CPE)...ROBERTA L. TAYLOR & OCIATES
THE GOOD SHEPHERD FUND/ DAN T. (CPE)...ROBERTA L. TAYLOR &
THE GOOD SHEPHERD FUND/PAMELA (PET)...JOELLE LEE A. NICHOL
THE GOOD SHEPHERD FUND/PAMELA (PET)...ROBERTA L. TAYLOR &

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Accounting review.

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

1. 6th Account for The Good Shepherd Fund, conservator, approved on 01/21/16.
2. **Need** 7th Account beginning with 04/01/16.

RECOMMENDATION

Inquire status of accounting.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

Readiness Calendar

DATE: 07/12/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 2, 3

HEARING:

Hearing Re: PTN TO MODIFY VISITATION ORDERS

COUNSEL:

ISABEL AYALA

(GP)...PRO/PER

JASMINE C FLAMENCO

(MOT)...PRO/PER

JOSE FLAMENCO

(PET)...PRO/PER

PARIS G FLAMENCO

(MIN)...

Visitation – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/12/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 1, 3

HEARING:

Hearing Re: APPLICATION FOR ORDER ENFORCING VISITATION

COUNSEL:

ISABEL AYALA

(GP)...PRO/PER

JASMINE C FLAMENCO

(MOT)...PRO/PER

JOSE FLAMENCO

(PET)...PRO/PER

PARIS G FLAMENCO

(MIN)...

Visitation – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 3

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/12/18 TIME: 8:29 DEPT: S37P

CASE#: GAR SS1400549

CASE NAME: Paris G Flamenco

SEE ALSO 1, 2

HEARING:

Readiness Calendar

COUNSEL:

ISABEL AYALA

(GP)...PRO/PER

JASMINE C FLAMENCO

(MOT)...PRO/PER

JOSE FLAMENCO

(PET)...PRO/PER

PARIS G FLAMENCO

(MIN)...

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 4

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/12/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700269

CASE NAME: LIVING TRUST OF EUGENE MONTE NACCARATO

HEARING:

Readiness Calendar

COUNSEL:

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

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/12/18 TIME: 8:29 DEPT: S37P

CASE#: PRO PS1700469

CASE NAME: MARIA E RAMIREZ REVOCABLE TRUST

HEARING:
Readiness Calendar

COUNSEL:

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

Readiness – No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 6

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

PROBATE

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS0900650

CASE NAME: linn weiss derickson

HEARING: Hearing Re: FIRST AMENDED ACCOUNTING/ACCOUNTING REVIEW

COUNSEL:

AMERICAN CONTRACTORS INDEMNITY (PRO/PER	
G. MITCHELL LIPPERT	(PET)...THOMAS W DOMINICK
JANET BENNINGHOFF	(HARTNELL LAW GROUP
JUDITH A HUGHES	(ALLAR, SHELTON & O'CONNOR
KEITH S WALKER	(ALLAR, SHELTON & O'CONNOR
LINN W DERICKSON	(PET)...ANDERSON LEBLANCE
LINN W DERICKSON JR	(PET)...RICHARD G ANDERSON
LINN WEISS DERICKSON SR	(DEC)...
MARY SUE DERICKSON	(OBJ)...KIBRE & HORWITZ LLP
UNITED STATES OF AMERICA	(THOMAS

CCP170.6 FILED AS TO CYNTHIA LUDVIGSEN, CASE REASSIGNED TO JUDGE JAMES MICHAEL WELCH FOR ALL PURPOSES.

XREF: FAMRS702581(Linn Derickson-v-Mary S Derickson)

GENERAL INFORMATION

Continued from 12/08/15, 05/09/16, 11/07/16 and 04/06/17. Court and Counsel agree this hearing should be a hearing on the amended first accounting. Written objections to that accounting are to be filed and served by 5/15/17 and any reply thereto to be filed by 6/16/17. The Court orders an amended accounting be filed by 7/28/17.

Continued from 08/28/17 and 03/22/18; first amended account to be filed no later than 06/12/18..

THIS CASE IS SET FOR HEARING ON **Amended [06/25/18]** First Account and Petition for Fees by Linn Derickson, Jr., son.

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

1. Accounting period 08/13/09 to **05/31/18**.

2. Assets on Hand **\$3,415,849.76**, consisting of cash in amount of **\$315,099.76** in cash and remaining in real properties and ongoing business. Cash balance appears to exceed FDIC limits.
 - a. **Need** accounts in compliance with FDIC rules.
 - b. **Need** amended account or reconciliation as statement does not match cash balance stated [6/25LFpg148].
3. No compensation requested.
4. Petition indicates the estate is not in a condition to be closed at this time as there are tax returns which must be completed, along with estate proceedings in the State of Ohio and State of Indiana, all of which cannot be completed until proceedings are concluded. Further, the estate is obligated, pursuant to the settlement agreement reached in the dissolution proceedings to pay Mary Sue Derickson certain sums of money over the next 3 years. **Also, at this time, Janet Whelan has filed an Appeal in this matter with regard to the Court's Order and Finding re: Determination of Entitlement to Estate Distribution which is currently pending. Request/Waiver of oral argument re Fourth Appellate case filed 10/30/17.**
5. **Copy of Opposition to appeal filed by Linn Derickson, Jr. on 04/30/18.**
6. **Copy of appeal filed by Janet Whelan on 05/23/18.**
7. **Remittitur filed 05/24/18.**
8. **Objections filed 05/15/17 by Janet Whelan.**
9. No proposed order. Submit Order after Hearing.

RECOMMENDATION:

Need to clear note 2 and address note 4. Matter is contested; if continued, continue to Tuesday calendar if possible. If approved, set next hearing for Accounting Review for **08/28/18**. Any account to be filed 30 days' in advance of hearing. Note requirements of Local Rules.

(vet/dl/lc/nb/lc)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1100589

CASE NAME: ESTATE OF FRANCES ABAHAZI

HEARING:

Hearing re Final Discharge

COUNSEL:

BRYAN C HARTNELL ESQ (TP)...HARTNELL LAW GROUP
FRANCES ABAHAZI (DEC)...
GLENN BAUER (PET)...JACK B. OSBORN

GENERAL INFORMATION

Continued from 05/19/16, 07/14/16, 01/05/17, 03/23/17, 07/20/17 and 11/16/17. Counsel recently located his client and discovered there is an error in that monies should be in hand are missing. Counsel attempting to track down error. Glenn Bauer to be present at next hearing is all funds are not found, accounted for and/or in hand to pay claim and Children's Village.

Continued from **01/25/18**. **Glen Bauer is ill and out of state**. Final distribution order vacated. Personal representative was given incorrect information re unclaimed funds. **Continued from 04/12/18 for status report.**

THIS CASE SET FOR HEARING ON Final Discharge

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

1. Final distribution for Glen Bauer approved on 08/18/15. **Vacated on 01/25/18.**
2. ~~Need receipts from Children's Village and Bryan Hartnell.~~
3. ~~Amended creditor's claim filed on 04/18/17 by Bryan Hartnell. The claim has not been paid as ordered in the 08/18/15 Order re First and Final Accounting.~~
4. ~~Need Ex Parte Petition for Final Discharge and Order.~~
5. **Need** status report.

RECOMMENDATION

Need status report.

(lc/ww/lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1500838
CASE NAME: MICHAEL EDWARD FRY
HEARING: FIRST AND FINAL Account and Report of CHESTER EDWARD FRY and
Petition for allowance of fees filed.

COUNSEL:

CHESTER EDWARD FRY	(PET)...JASON L GAUDY
COLIN FRY	(PALERMO, BARBARO, CHININ &
DANIKA FRY	(TP)...PALERMO, BARBARO, CHININ & PIT
MICHAEL EDWARD FRY	(DEC)...

XREF PROPS1701092 (Michael Fry Trust)

GENERAL INFORMATION

Continued from 01/18/18. Need notice of related case; filed 01/25/18.

Continued from 04/05/18 to clear notes.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Chester Fry, father/executor/Trustee.

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

1. Assets on hand \$2,110,814.57 of which \$2,055,814.57 is cash.
2. Executor and attorney seek statutory fees of \$46,117.29 each. Ok.
3. Counsel has received \$8,267.50 in legal fees of which \$7,500 was retainer which will be deducted from counsel's share of statutory fees above; leaving a balance owed of \$38,617.29.
4. The accounting does not balance by -\$9,848.93. Executor and counsel state they are unable to balance. The amount of the estate is less than .5% of the estate.
JTD
5. Executor seeks a reserve of \$5,000.
6. Executor made preliminary distributions totaling \$85,500 and additional \$60,000, totaling \$115,500. A personal representative ***may only*** preliminary distribute personal property per Pr.C. § 10520; if it is pecuniary per terms of a will under \$10,000 and/or personal property under \$50,000. However, the estate does not appear to have suffered harm.
7. Executor states that in exchange for Creditor's Claim filed on his behalf, executor took possession of 2013 Ford F-150 [\$18,500 value] to offset balance due of sale agreement between himself and decedent. Executor alleges that he and decedent entered into an agreement re construction business on 10/3/12. Executor carried a note of \$40,000 at 6% for 40 months. At the time of decedent's death, no payments

had been made and executor waived all post-death interest. Entire balance owed is calculated as \$46,408. Therefore, executor took possession of the vehicle to offset the debt.

- a. Claim for remaining \$27,908 was allegedly not timely and denied by court per declaration filed by counsel [Acct. 09/26/17LFpg39-40].
 - b. It does not appear Notice of Proposed Action or Court authority was given regarding transfer per Pr.C. §§ 10501(a)(6), 10517. JTD
8. **Need** bank statements to support Inventory and Appraisal date of death balance [08/09/15] per local rule 20-908.
 9. **Objections filed by Danika and Colin Fry, children, on 01/11/18.**
 10. No proposed order. Submit after hearing.

RECOMMENDATION

Need to clear note 8. Matter is contested. If approved, set hearing on the filing of receipts and final discharge for **07/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1501189

CASE NAME: INGEBURG ELISABETH GOETZ

HEARING:

Accounting Review by ***

COUNSEL:\

FRIEDJOF SCHWARZ (OBJ)...HOLGER SIEGWART
HOLGER SIEGWART (PET)...SIEGWART GERMAN AMERICAN LAW I
INGEBURG ELISABETH GOETZ (DEC)...
MELODIE Z SCOTT (HARTNELL LAW GROUP
MELODIE Z SCOTT (PET)...RYAN J GALLANT

XREF: PROPS1300322 (*Ingeburg Goetz*) **CONPS1400211** (*Ingeburg Elisabeth Goetz*)

GENERAL INFORMATION:

Continued from 01/25/18. Melodie Scott to turn over balance of monies.

Continued from 04/12/18 to complete accounting

THIS CASE IS SET FOR HEARING ON Accounting Review/Status.

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

1. Letters of general administration issued to **Holder Siegwart**, nominee, on 07/27/16; full authority, \$601,500 bond.
2. **Need** accounting or status report.

RECOMMENDATION:

Inquire status of accounting.

(lc)

Future hearing dates: 12/06/18 Final Discharge re **Melodie Scott**

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600118

CASE NAME: MTR OF TOMAS P VILLARREAL

HEARING: Accounting Review by ***

COUNSEL:

CECILIA VILLARREAL	(FULLERTON LEMANN SCHAEFER &
GABRIELA VILLAREAL	(GERARD V KASSABIAN
HUMBERTO VILLARREAL	(TP)...FULLERTON LEMANN SCHAEFER &
RENE VILLARREAL	(PET)...JASON L GAUDY
SURETEC INSURANCE CO	()...
TOMAS P VILLARREAL	(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 **Special** Administration issued to Rene Villarreal, spouse, on 03/03/16; \$198,000 bond. Letters administration, **limited** powers, 06/16/16; letters issued with **full** powers on 05/22/18; full authority, additional bond \$1.3M.
2. **Need** final Inventory and Appraisal.
3. **Need** accounting or status report.

RECOMMENDATION

Need to clear notes 2-3. Vacate 04/30/19 Accounting Review as it appears to be duplicate setting.

(lc)

Future hearing dates: 04/30/19 Accounting Review

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600249

CASE NAME: JOSE R CASTILLO

HEARING:

Probate status report filed.

COUNSEL:

AIDA E RODRIGUEZ	(OBJ)...LAW OFFICES OF JAMES A HAGAN
CASSANDRA CASTILLO	(LAW OFFICES OF JAMES A HAGAN)
JOSE CASTILLO JR	(LAW OFFICES OF JAMES A HAGAN)..
JOSE R CASTILLO	(DEC)...
MARTHA CHAVEZ ACEVEDO	(PET)...MADRID LAW FIRM

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters of Administration issued to Martha Chavez-Acevedo, spouse, on 08/01/17; **limited** authority, \$30,000 bond.
2. Final Inventory and Appraisal filed 03/22/17.
3. Administrator seeks an additional 60 days to close the estate in order to finalize sale of real property and tractors.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **10/11/18**. 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

Page: 11A

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1600547

CASE NAME: LINDA S EDMONDSON

HEARING:

Probate status report filed.

COUNSEL:

BRENDA S GARCIA

(PET)...J. TERRENCE MOYNIHAN

LINDA S EDMONDSON

(DEC)...

TERRI A. TURNER

(PET)...DAVID LIVINGSTONE TAUB, ESQ

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Status Report.

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

1. Letters Testamentary issued to Brenda Garcia, daughter, on 09/08/16; full authority, no bond.
2. Final Inventory and Appraisal filed 07/13/17.
3. Executrix seeks an additional 6 months to close the estate in order to sell the real property.
4. No proposed order. Submit after hearing.

RECOMMENDATION

Court's discretion. If approved, set Accounting/Status Review for **01/03/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700077

CASE NAME: GEFREY EDMUND NOVAK

HEARING:

FINAL REPORT AND PETITION Account and Report of MYRON F NOVAK
and Petition for allowance of fees filed.

COUNSEL:

GEFFREY EDMUND NOVAK (DEC)...
MYRON F NOVAK (PET)...G STEVEN CUEVAS

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Waiver of Final Account, Distribution and Petition for Allowance of Fees by Myron Novak, brother.

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

1. Assets on hand \$227,268.30 of which \$217,268.30 is cash.
2. Administrator is sole heir, waives accounting and statutory compensation.
3. Counsel seeks statutory fees of \$7,994.50. Ok.
4. **Need** Bank of America statement to support Inventory and Appraisal cash balance per local rule 20-908.
5. No proposed order. Submit after hearing.

RECOMMENDATION

RFA subject to note 3. If approved, set hearing on the filing of final discharge for **07/25/19**.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 13

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700267
CASE NAME: MTR OF WALT GLEN PITTER
HEARING: Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

CHRISTOPHER A SHUMATE (TP)...
DEBRA LYN PITTER (PET)...HORSPOOL & HORSPOOL
WALT GLEN PITTER (DEC)...

Address 10313 Juniper Ave. Yucaipa 92399
APN: 0320-221-63-0000

Appraised value \$410,000.00 reappraisal for sale.

Sale price \$375,000.00

First overbid \$394,250.00

Deposit \$5,000, insufficient. Ok per local rule 20-807(a).

Commission 6% total commission; 3% each to Intero Real Estate and Kelley
Williams.

Additional bond Proceeds of sale to be placed in blocked account.

Reason for sale Debts and best interest of the interested persons.

Exposure to market MLS (Multiple listing service), marketing and advertising.

Notice Sufficient.

~Proposed Form Order: 05/31/18.
(lc)
Future Hearing: 11/19/18 *Accounting Review*.

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700870

CASE NAME: ETHAN MATTHEW MIZERA

HEARING:

Hearing Re: PROOF OF BLOCKED ACCOUNT

COUNSEL:

ETHAN MATTHEW MIZERA (DEC)...
KIMBERLY LEZETTE AYALA (PET)...PRO/PER
SAVANNAH ELLEN MIZERA (MIN)...

GENERAL INFORMATION

Continued from 04/26/18 to clear notes.

THIS CASE SET FOR HEARING ON Proof of Blocked Account.

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

1. Kimberly Ayala, mother, appointed guardian of estate under this probate case number for Savannah Mizera, 4, on 02/08/18.
2. **Need** receipt for Deposit of Monies [\$3,166.67] into Blocked Account [MC-356].
3. **Note:** no accounting reviews have been set for accounting and/or waiver; however, funds will be blocked. Does court wish to require waivers to be filed biannually?

JTD

RECOMMENDATION

Inquire status of blocked account.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 15

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1700969

CASE NAME: FELIMON RAMIREZ RODRIGUEZ

HEARING:

Petition for termination of probate proceedings

COUNSEL:

ANTONIA RAMIREZ (PET)...MICHAEL C MADDUX
FELIMON RAMIREZ RODRIGUEZ (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to Terminate Proceedings Pr.C. § 12251 by Antonia Ramirez, spouse.

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

1. Letters of administration issued 02/09/18.
2. Administrator seeks termination on the basis that the only asset, real property, was foreclosed on 03/08/18. Copy of trustee's sale attached. Technically there were assets at date of death and this would not qualify for a *no asset* estate under Pr.C. § 12251, but rather a final Inventory and Appraisal would be required with a waiver of final account. **JTD** if allowable.
3. Court could discharge administrator per Pr.C. § 12251(c) if allowed.
4. **Need** verification per Pr.C. § 1021.
5. ~Proposed Order: 06/05/18.

RECOMMENDATION

Need to clear note 4, then Court's discretion re note 2.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 16

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701287

CASE NAME: LAZARO P. HERNANDEZ

HEARING:

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

COUNSEL:

LAZARO P. HERNANDEZ (DEC)...
SANDRA PALOMO (PET)...THOMAS C. BOBZIN

XREF: PROPS1701288 (Guadalupe Palomo spouse)

GENERAL INFORMATION

Continued from 02/08/18. Bond waiver accepted.

Continued from 04/26/18. Publication current proof only 14 days. Sandra Palomo appointed special administrator to marshal assets, work with lender etc.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Sandra Palomo, daughter/sole heir.

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

1. Letters of special administration do not appear to be issued at time of review.
2. It appears **next** matter may be spouse as petitioner's parents died simultaneously.
3. Petitioner is sole heir and waives bond. Net estate value is \$21,000 of which \$2,000 is personal property. Petitioner is a resident of Nevada, Court accepted bond waiver.
4. **Need** proof of publication.
5. No proposed order submitted.

RECOMMENDATION

Need to clear note 4, no bond. If approved, set Accounting/Status Review for **09/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 17

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

DATE: 07/12/18 TIME: 8:30 DEPT: S37P

CASE#: PRO PS1701288

CASE NAME: GUADALUPE PALOMO

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

COUNSEL:

GUADALUPE PALOMO (DEC)...
SANDRA PALOMO (PET)...THOMAS C. BOBZIN

XREF: PROPS1701287 (Lazaro P Hernandez spouse)

GENERAL INFORMATION

Continued from 02/08/18. Bond waiver accepted.

Continued from 04/26/18. Publication current proof only 14 days. Sandra Palomo appointed special administrator to marshal assets, work with lender etc.

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA by Sandra Palomo, daughter/sole heir.

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

1. It appears previous matter may be spouse as petitioner's parents died simultaneously.
2. Petitioner is sole heir and waives bond. Net estate value is \$21,000 of which \$2,000 is personal property. Petitioner is a resident of Nevada, Court accepted bond waiver.
3. **Need** proof of publication.
4. **Need** Duties and Liabilities form. Alternatively, does court wish to waive as filed in related case? **JTD**
5. ~Proposed form order: 12/21/17.

RECOMMENDATION

Need to clear notes 3-4, Court's discretion re bond. If approved, set Accounting/Status Review for **09/19/19**. Any accounting to be filed 30 days in advance local rule 20-901. Note requirements of local rule 20-908.

(lc)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONSERVATORSHIP

DATE: 07/12/18 TIME: 9:30 DEPT: S37P

CASE#: CON PS1800159

CASE NAME: Christopher James Grillo Jr

HEARING: Petition for Appointment of Conservator

COUNSEL:

CHRISTOPHER JAMES GRILLO Jr

(CTP)...

HELEN R REYES

(CP)... MARY M. BADER

JAMES M REYES

(CP)... MARY M. BADER

GENERAL INFORMATION

James and Helen Reyes appointed temporary conservators on 06/05/18. Mother, Karen Reyes, advised to file written objections and/or competing petition. Referred to Legal Aid.

THIS CASE SET FOR HEARING ON Petition for Appointment of Limited Conservator person only by James and Helen Reyes, maternal grandparents/guardians.

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

1. Petitioners seek powers re habilitation, treatment, training, medical etc per Pr.C. § 2351. JTD
2. Petitioners seek civil rights not be limited without court order. JTD
3. Petitioners seek medical powers. Capacity Declaration filed 06/05/18; however, physician signature does not appear to be dated. **Need** same.
4. Proposed conservatee is developmentally disabled. **Need** appointment of counsel for report.
5. **Need** Confidential Screening Form completed at section 10 re James.
6. **Need** Confidential Supplemental Information dated at signature line.
7. **Need** return of citation.
8. **Need** notification of Court Address form.
9. Proposed conservatee is developmentally disabled. IRC report filed 07/03/18.
10. Court Investigator report filed 07/03/18.
11. Certificates of Completion of the Conservatorship Training Class filed 06/21/18.
12. ~Proposed Form Order: 05/29/18.

RECOMMENDATION

Need to clear notes 3-8. If approved, set hearing for Compliance Review for **02/14/19** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); Level of Care and Care Plan per Pr.C.§2352.5.

(lc)

Superior Court of Calif, County of San Bernardino

Page: 19

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONFIDENTIAL

DATE: 07/12/18 TIME: 1:30 DEPT: S37P

CASE#: LPS PS1800017

CASE NAME: DAVID BROWN

HEARING:

Hearing Re: MOTION RE: STANDING

COUNSEL:

DAVID BROWN

(CEE)...

JASON M LISO

(PET)...DISTRICT ATTORNEY MICHAEL RAMO

No notes – JTD

(lc)

Superior Court of Calif, County of San Bernardino

Page: 20

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

CONFIDENTIAL

DATE: 07/12/18 TIME: 1:30 DEPT: S37P

CASE#: LPS PS1800018

CASE NAME: DAVID BROWN

HEARING:

Hearing Re: MOTION RE: STANDING

COUNSEL:

DAVID BROWN

(CEE)...

JASON M LISO

(PET)...DISTRICT ATTORNEY MICHAEL RAMO

No notes – JTD

(lc)

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

DATE: 07/12/18 TIME: 1:30 DEPT: S37P

CASE#: PRO PS1600407

CASE NAME: RIVARD LOUIS HEIL

HEARING:

FIRST AND FINAL Account and Report of PENNY LOU HEIL and
Petition for allowance of fees filed.

COUNSEL:

PENNY LOU HEIL	(PET)...GREGORY L ZUMBRUNN
RIVARD LOUIS HEIL	(DEC)...
ROSE C ROSADO	(TP)...PRO/PER
ROSEMARIE LANDES	(PET)...SHEASBY AND ASSOCIATES

GENERAL INFORMATION

Continued from 02/22/18 at request of Court. Objections filed 02/20/18.

Continued from 05/02/18. Parties request that a motion be set. Brief to be filed by 5/31/18 and Response by 06/15/18 an reply by 06/29/18.

THIS CASE SET FOR HEARING ON Final Account, Distribution and Petition for Allowance of Fees by Penny Lou Heil, former spouse.

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

1. Assets on hand \$0.
2. Executor and counsel seek fees of \$3,125 each. Executor agrees to pay counsel outside of estate subject to reimbursement and payment of executor's commission.
3. Counsel seeks reimbursement of costs totaling \$1,474.50.
4. **Objection by Rosemarie Landes filed 02/20/18.**
5. **Reply to Objections filed by Penny Lou Heil on 04/18/18.**
6. **Brief filed by Executor on Penny on 06/01/18. Reply filed by Rosemarie on 06/15/18.**
7. ~Proposed Order: 11/01/17.

RECOMMENDATION

Matter is contested. If approved, set hearing on the filing of final discharge for **07/25/19**.

(lc/lh/lc)