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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: MPRMS01619

CASE NAME: ESTATE OF IRA N. TUCK

SEE ALSO 2 & 3

HEARING:
Hearing Re: Status

| | |
|----------------|---------------------------|
| | COUNSEL: |
| MARY LEWIS | (PET)...HORSPOOL & PARKER |
| IRA N TUCK | (DEC)... |
| DAVID E JACOBS | (STE)...DAVID E JACOBS |

Continued from 5-28-08 and 8/19/08. Nothing new filed.
No notes – status.

NMT/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: MPRMS01619

CASE NAME: ESTATE OF IRA N. TUCK

SEE ALSO 1 & 3

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

| | |
|----------------|---------------------------|
| MARY LEWIS | (PET)...HORSPOOL & PARKER |
| IRA N TUCK | (DEC)... |
| DAVID E JACOBS | (STE)...DAVID E JACOBS |

GENERAL INFORMATION:

Continued from **3/27/07** at request of counsel. Nothing new filed.
Continued from **8/1/07** at request of counsel. Nothing new filed.
Continued from **10/10/07** at request of counsel. Nothing new filed.
Continued from **01-16-08** at request of counsel. Nothing new filed.
Continued from **02-20-08** at request of counsel. Nothing new filed.
Continued from **4/9/08**. Nothing new filed.
Continued from 5-28-08 and 8/19/08. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing of inventory and appraisal

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

1. Letters Testamentary issued 9/29/06, no bond.
2. No inventory and appraisal filed.

RECOMMENDATION:

When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. §§ 8804 (Administrator/Executor) and/or 8505. There is no bonding company to notice.

(/vet/ABS/NMT/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: MPRMS01619

CASE NAME: ESTATE OF IRA N. TUCK

SEE ALSO 1 & 2

HEARING:

Practice Administrator Account and Report of DAVID E JACOBS and
Petition for allowance of fees filed.

COUNSEL:

| | |
|----------------|---------------------------|
| MARY LEWIS | (PET)...HORSPOOL & PARKER |
| IRA N TUCK | (DEC)... |
| DAVID E JACOBS | (STE)...DAVID E JACOBS |

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Report and Account of Practice Administrator

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

1. Need to file notice of hearing and proof of service.
2. Petitioner, David Jacobs, alleges that he was retained by Mary Lewis (the executor of the estate and sole beneficiary) to oversee decedent's law practice and to attempt to find a purchaser of the law practice. Petitioner agreed to this request and was appointed Practice Administrator on 8/21/06. It was agreed that petitioner would be present at the office twice per week for the purpose of seeing clients and overseeing the practice and would be paid \$800/day. Further, petitioner would receive 30% of the statutory fees in the eight pending probate matters. Petitioner alleges that a conflict quickly arose between petitioner and Mary Lewis concerning the operation of the law firm in that information was obtained that Ms. Lewis was personally engaging in the unauthorized practice of law. Upon application by the chief trial counsel of the State Bar, an order was made to close down the law practice. Pursuant to that order petitioner changed the locks to the office, seized all client files, transferred telephone lines and notified all former clients of their right to obtain their file and that the office would be closing.

Petitioner did not take the \$800/week for the supervision of the office as agreed due to the State Bar involvement.

3. Court may wish to review declaration of petitioner re allegations against Mary Lewis. There are allegations of practicing law without a license, allegations that Ms. Lewis has opened up a document preparing office with the former clients of decedent and that she is using her authority as executor to maintain telephone lines of the prior law office of decedent. Court may wish to set OSC re removal of Mary Lewis.
4. Petitioner provides an accounting of funds received and expenses paid. Also, petitioner closed five of the pending probates with fees totaling \$10,680.88 owing to the decedent's estate. Petitioner now holds \$2,706.98 from the original funds of decedent's practice plus the \$10,680.88. Petitioner wishes to deduct \$7,759.68 for expenses incurred leaving a balance due the estate of \$5,628.18. Expenses are itemized.

RECOMMENDATION:

Need notice and court's discretion re note 4. Court may also wish to set OSC re removal (note 3).

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY

SEE ALSO 5

HEARING:
Hearing Re: STATUS

COUNSEL:

RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...PRO/PER
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
WILLIAM F HORSPOOL ()...
KELLY HORSPOOL ()...
MORTGAGE ELECTRONIC REGISTRATI(FOLEY AND MANSFIELD)...FOLEY

No notes - Status

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600209

CASE NAME: RAYMOND P HORSPOOL AND MARGARET F HORSPOOL FAMILY

SEE ALSO 4

HEARING:

Motion Re: ORDER IMPOSING TERMINATING, EVIDENCE AND ETC filed
by Petitioner RAYMOND P HORSPOOL, J DAVID HORSPOOL

COUNSEL:

RAYMOND P HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
J DAVID HORSPOOL (PET)...FULLERTON LEMANN SCHAEFFER & D
WILLIAM F HORSPOOL (APP)...PRO/PER
KELLY HORSPOOL (APP)...PRO/PER
MORTGAGE CAPITAL ASSOCIATES (RES)...STEPHEN C CHUCK
SERVICE PLUS CREDIT UNION (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
WILLIAM F HORSPOOL ()...
MORTGAGE ELECTRONIC REGISTRATI()...

No notes – Judge to decide

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700361

CASE NAME: SHAMEEM KHAN

HEARING:
Accounting Review

COUNSEL:
SULTAN M KHAN (PET)...BOHM MATSEN KEGEL & AGUILERA L
SHAMEEM KHAN (DEC)...

GENERAL INFORMATION:

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

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

1. The Order Appointing Administrator was issued 7/23/07 granting full authority and fixed bond at \$200,000. No bond has yet been filed and no letters have been issued.
2. No accounting has been filed, however, an inventory was filed on 12/26/07 showing the sole asset of the estate as real property of \$155,000. Subsequently, on 4/10/08, the court ordered that the estate real property was, in fact, the community property of decedent and her husband, Sultan Khan, and the court granted that the property passes entirely to the surviving spouse. Question whether the probate will be terminated for lack of assets subject to probate (Pr.C. §12251)? File verified supplement.

RECOMMENDATION:

Court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700367

CASE NAME: MTR OF GILBERT CLAYTON DAFT

VACATED-ORDER TERMINATING PROCEEDINGS FILED.

HEARING:
Accounting Review

COUNSEL:
BARBARA M DAFT (PET)...WEISS & IWAKOSHI
GILBERT CLAYTON DAFT (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700399

CASE NAME: MTR OF CALVIN MERTIS PETTY

HEARING:
Accounting Review

COUNSEL:
VERONICA LYNN PETTY (PET)...PRO/PER
CALVIN MERTIS PETTY (DEC)...
STATE OF CALIFORNIA FRANCHISE (TP)...

GENERAL INFORMATION:
Letters of Administration CTA issued 7/23/07

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

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

1. No accounting or status report is filed.

RECOMMENDATION:
Find out status.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700583

CASE NAME: ANNIE MILDRED VALLIANT

VACATED- ACCOUNTING FILED AND IS SET ON 10/06/08.

HEARING:
Accounting Review

COUNSEL:
MACK ABSTON (PET)...CHARLES W STRICKLEN
ANNIE MILDRED VALLIANT (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700817

CASE NAME: MTR OF JOYCELIN CASTRO

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

JENNIFER CANDLER (PET)...JESSICA C ALEXANDER
JOYCELIN CASTRO (DEC)...
ZOE INNIS (PET)...PAGET SANDERS

GENERAL INFORMATION:

Letters of Administration issued 8/7/08 (full authority, \$100,000 bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

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

1. No inventory is filed. However, the inventory review is premature as the inventory is not due until four months from the date letters issue. Therefore, court may wish to continue matter to a date following 12/7/08.

RECOMMENDATION:

Continue matter to 12/8/08.

(gls)

FUTURE HEARING DATES:

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700941

CASE NAME: ADRIANA WEEDA IRREVOCABLE TRUST

HEARING:

Motion Re: TO OVERRULE COMSUMER OBJECTIONS AND ENFORCE BUSINESS
RECORDS Filed by Petitioner MIEKE BOSCHMA

COUNSEL:

| | |
|----------------|--------------------------------------|
| ADRIANA WEEDA | (PET)...BLUT & CAMPAIN, APC |
| MIEKE BOSCHMA | (PET)...RANDOLPH B GODSHALL |
| HENRIETTA HILT | (OBJ)...PRO/PER |
| FLORA BOKMA | (PRO/PER)...PRO/PER |
| TONY WEEDA | (SCHLUETER & SCHLUETER)...SCHLUETER |

No notes – Judge to decide.

FUTURE HEARING DATES:

10/29/08 Petition for Orders Determining Ownership of Property Authorizing Transfer
10/29/08 Petition for to Determine Validity of Purported Trust
10/29/08 Motion Re: to Compel Distribution from Purported Trust filed by Adriana Weeda
10/29/08 Hearing Re: MSC/TRIAL SETTING

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700973

CASE NAME: THE FRANCES JEWELL LEONARD TRUST

HEARING:

Order to Show Cause re: Failure to comply with court order filed
by REBECCA JEWLEEN STARR.

COUNSEL:

REBECCA JEWLEEN STARR (PET)...THOMAS W DOMINICK
MARK EDWIN FARLEY (PET)...PRO/PER
SUE ANN MARIOREZZI (OBJ)...PRO/PER

GENERAL INFORMATION:

Continued from 8/7/08. Court notes co-trustees, Mark Farley and Sue Mariorenzi have not filed an accounting as previously ordered by the court. Counsel states that Mr. Farley did not handle the estate portion, but that Mrs. Mariorenzi did. Matter is set for request for sanctions for failure to comply with order against Mrs. Mariorenzi.

THIS CASE SET FOR HEARING ON OSC re sanctions for failure to comply with prior court order against Sue Mariorenzi.

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

1. Court's discretion.

RECOMMENDATION

None.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701059

CASE NAME: DANIEL THOMAS LAPAILLE

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
CITIBANK (SOUTH DAKOTA), N.A. (PET)...RORY W CLARK
DANIEL THOMAS LAPAILLE (DEC)...
JEFF BURIES (TP)...D STEPHEN MONSON

GENERAL INFORMATION:
Letters of Administration issued 3/26/08 (limited authority, no bond)

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

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

1. No inventory is filed (overdue by 2 months)

RECOMMENDATION:
Find out status.
(gls)

FUTURE HEARING DATES:
6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701135

CASE NAME: LEXIE VARNIE ALFORD

HEARING:
Hearing re: Inventory and appraisal

Vacated – final Inventory and Appraisal filed

COUNSEL:

MARY ALFORD (PET)...JOSEPHINE A. RICH
LEXIE VARNIE ALFORD (DEC)...
ZELL ALFORD (OBJ)...SUZANNE M GRAVES
JOSEPHINE A RICH ()...

FUTURE HEARING DATES:
6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701187

CASE NAME: OCTAVIO F MADRIGAL

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

LESLIE V FIELDS (PET)...PRO/PER
OCTAVIO F MADRIGAL (DEC)...
ROSENDO LEOS (PET)...MOISES A AVILES

GENERAL INFORMATION

Letters issued on 03/26/08, limited authority no bond.

THIS CASE SET FOR HEARING ON Inventory and Appraisal

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

1. No Inventory and Appraisal filed. Need final Inventory and Appraisal.

RECOMMENDATION

Inquire status. When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. §§ 8804 and/or 8505. No bond company to notice.

(cbr)

FUTURE HEARING DATES:

10/23/08 Hearing re: Petition for Letters of Admin. W/ Full Authority under IAEA.

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800099

CASE NAME: RICHARD DAVID TANNENBAUM

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
LINDA MARGO TANNENBAUM (PET)...TOMLINSON, NYDAM AND PRINCE
RICHARD DAVID TANNENBAUM (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Inventory & appraisal

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

1. Final I&A filed; however, need copies of account statements verifying date of death balance.
2. Item 6 on attachment 1 is described as sale of car parts. Question if the sale took place before decedent's death. Need verified supplement.

RECOMMENDATION:

Need to clear notes.

(kra)

FUTURE HEARING DATES:

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800120

CASE NAME: STEVEN J. STAGE

HEARING:

Petition for TO DETERMINE OWNERSHIP OF ESTATE PROPERTY

COUNSEL:

STEVEN MICHAEL STAGE (PET)...HORSPPOOL & PARKER
STEVEN J STAGE (DEC)...
CHARLES R STAGE (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition to Determine Ownership of Estate Property and Directing Representative to Transfer Estate Property to Petitioner

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

1. Petitioner, Charles Stage, alleges that the personal representative has possession of certain personal property assets in the decedent's estate with a fair market value of \$2,000. Thos items consist of a red tool box, red tool cabinet, air tools, lever hoist and a stock sportster gas tank. Petitioner contends that all of the personal property items belongs to petitioner. Petitioner also alleges he has advanced funds for costs totaling \$666.00. Itemized.
2. Need to file proof of personal service on Steven Stage, personal representative.
3. Need to file notice of hearing and proof of mailed service on other interested parties.

RECOMMENDATION:

Need notice, determine if any response/opposition will be filed and then court's discretion.
(gls)

FUTURE HEARING DATES:

1/12/09 Hearing re: Inventory and appraisal
8/17/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800753

CASE NAME: PARKER FAMILY REVOCABLE LIVING TRUST

HEARING:

Petition for ORDER CONFIRMING THAT PROPERTY IS A TRUST ASSET

COUNSEL:

HELEN MAE PARKER (TEE)...RICHARDSON,J ONES & ESRAE LIAN

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Order Confirming that Property is a Trust Asset

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

1. Petitioner, Helen Parker, is the acting trustee of the Parker Family Living Trust under declaration of trust established 8/13/91. Raymond Parker (the settlor) died on 4/27/01. Schedule "A" of the Trust document listed real property known as "Lot Johnson Valley APN #04543110500000" in San Bernardino County, however, the real property was not transferred into the Trust. Petitioner requests an order from the court to deem the subject real property as a trust asset pursuant to the authority cited under Estate of Heggstad (1993) 16 Cal App 4th 943 (1993) 16 Cal. App 4th 948 and Estate of Powell (2000) 83 Cal. App 4th 1434. Furthermore, petitioner alleges that the settlor left a pourover will which provides that all assets are distributable to settlor's trust.
2. Petitioner is a resident of Stanislaus County and presumably the trust is being administered there. Jurisdiction over trust matters is the principal place of administration of the trust per Pr.C. §17002(a). Question if this court has jurisdiction over the matter? File verified supplement.

RECOMMENDATION:

File verified supplement re jurisdiction and then court's discretion.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800767

CASE NAME: MYINT LILY HIGA

HEARING:
Spousal Property Petition hearing.

COUNSEL:
RAYMOND S. HIGA (PET)...SCOTT A BOURDELAIS
MYINT LILY HIGA (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Spousal Property petition

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

1. Decedent died 1/9/05 and is survived by a spouse and mother.
2. Petitioner requests determination of decedent's property passing to the surviving spouse without administration.
3. Petitioner alleges that she and decedent were married in 1987 and that all of their combined assets acquired during the marriage were held in joint tenancy with the exception of the subject real property located in Chino. Petitioner alleges the property was purchased as an investment property with another couple and that there was a verbal agreement that the subject property was their community property. Petitioner also alleges that the property was purchased and maintained with community earnings.
4. The title is held in petitioner's and decedent's names as husband and wife as to 1/2 interest and the other couple as husband and wife as to 1/2 interest as tenants in common. It appears that petitioner and decedent's 1/2 interest is held as one share instead of each holding 1/4 interest as tenants in common. Thus, the court may wish to interpret that the title is held by each couple as tenants in common, but within each couple's 1/2 interest the property is held as a community property interest. JTD

RECOMMENDATION:
Court's discretion.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800861

CASE NAME: IN RE THE BIRTH OF ASUNCION SANCHEZ MANZANO

HEARING:

Petition for TO ESTABLISH FACT OF BIRTH; DECLARATION OF MARTHA
MANZANO MEMO OF PTS AND AUTH ETC

COUNSEL:

MARTHA MANZANO TORRES (PET)...EUDENE EUNIQUE-VALLE
ASUNCION SANCHEZ MANZANO (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition to establish fact of birth

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

1. Petitioner brings forth petition under Cal Health & Saf Code § 103450.
2. Petitioner Martha Torres, daughter of decedent *Asuncion Manzano*, alleges that decedent was born on 08/15/1906 in Redlands, California. The allegation is based on oral statements by decedent and others to petitioner regarding the decedent's date and place of birth.
3. Petitioner seeks to establish the decedent's birth in order to establish her own citizenship. Petitioner alleges that the decedent's parents did not register Asuncion's (the decedent) birth because they were uneducated immigrants from Mexico residing in a then agricultural area of California over 100 yrs ago. Asuncion was a life long resident of San Bernardino County. Question if Petitioner's father, Asuncion, was a life long resident, why was petitioner born in Mexico? Need to file verified supplement.
4. Petitioner alleges that her father, the decedent, attempted twice during his lifetime to legalize petitioner's status with immigration and Naturalization Service based on his status as a nature born U.S. citizen. On both occasions the application was denied because of decedent's lack of a birth certificate.

5. Petitioner alleges she applied in 2007 for certificate of citizenship for a third time. Petitioner reportedly was told she had to obtain a delayed registration certificate of her father's birth.
6. Petitioner includes the following supporting documents:
 - a. Petitioner's birth certificate indicating she is decedent's daughter.
 - b. Affidavit of decedent's birth.
 - c. Baptism Certificate of decedent with name Assumption [sic] Manzano.
 - d. Decedent's school and military facts notarized.
 - e. Affidavit of long time family friend of decedent's family.
 - f. Decedent's death certificate.
 - g. Decedent's Social Security number.
 - h. Copy of Fourteenth Census of the US in 1920
7. It does not appear that the aforementioned petition has a notice requirement. Court to see copy on left side of file.
8. Need proposed order form VS 109 issued by the Office of Vital Records, California Department of Health Services.

RECOMMENDATION

Need to clear note 2 then Court's discretion. If approved court may make an order determining the death in fact occurred as alleged. Health & Saf.C. § 103475.

(cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06063

CASE NAME: MTR OF ANNE H PRILL

HEARING:
Hearing Re: Status Report on Account

COUNSEL:
STEVEN T PRILL (PET)...PRO/PER
ANNE H PRILL (DEC)...
PAMELA COLEMAN (PET)...MARTIN E KELLER
PEGGY ROSE SZYCHOWSKI (TP)...MARTIN E KELLER

GENERAL INFORMATION

Continued from **5/19/06, 8/18/06, 11/6/06, 12-14-06 & 1-17-07** at request of counsel to clear probate notes and for written objections to be filed. Nothing new filed.

Continued from **2/28/07** at request of counsel to file verified supplements.

Continued from **4/25/07** at request of counsel. Nothing new file.

Continued from **6/27/07**. second supplement to be filed. Offer received on property.

Counsel to submit new Letters for Pamela Coleman since Steven Prill has resigned.

Continued from **8/1/07** at request of counsel to address objections filed.

Continued from **9/6/07, 10/25/07, 12/13/07, 2/28/08 and 4/10/08** at request of counsel-possible objections by the heirs.

Continued from 6/24/08 at request of counsel. Oral report given by Martin Keller. Nothing new filed.

Continued from 8/4/08 as counsel states he is working on a resolution to close the estate. A family member may be purchasing the home. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Probate status report.

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

1. Letters testamentary issued **12/14/04** to co-executors petitioner and Steven Prill. Mr. Prill filed resignation 4/6/06.
2. Petitioner requests unspecified period to continue to administer trust. File a verified supplement indicating what additional time is needed and what remains to be done.

3. Attorney has verified the accounting. This is not permissible. Pr.C. § 1023. The accounting must be verified by the petitioner, as the petitioner is fiduciary.
4. In the accounting please file verified supplements explaining the following:
 - Monthly payments to Acorn Bookkeeping with billings from \$85 to \$309. It appears that monthly check writing involved only 2-10 checks. Why was it necessary to retain a bookkeeping company?
 - Who is Chris Loper and why was he paid \$230 on 5-3-04.
 - Who is Edward Ingraham and why was he paid \$400 on 3-29-05.
 - File a bank statement supporting the assets on hand. Local Rules of Court, Rule 908.
5. File notice of hearing and proof of service of the supplemental accounting and the original status report.
6. No objections are filed at the time of the review of this file.

RECOMMENDATION

Require verified supplements.

(/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06113

CASE NAME: ESTATE OF ARTURO JIMENEZ

HEARING:
Hearing re Final Discharge

COUNSEL:
ALONSO RAMIREZ (PET)...RICK GAXIOLA
ARTURO JIMENEZ (DEC)...
PATRICK B WRIGHT (PET)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

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

1. On 9/24/07 court approved the final account. Need Order approving the final account and distribution.
2. No receipts filed.
3. Need Ex-parte petition/order for final discharge.
4. Request for special notice filed by the probate referee, Patrick Wright. Need receipt of payment for appraisal.

RECOMMENDATION:

Need to clear notes. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06306

CASE NAME: ESTATE OF LILLIE B RILEY

HEARING:
Hearing re Final Discharge

COUNSEL:

| | | |
|----------------------------------------|-----------------------|----------------------|
| MELODIE Z SCOTT | (PET)... | SHERRI L KASTILAHN |
| LILLIE B RILEY | (DEC)... | |
| MUNFORD P WILSON | (TP)... | LAYNE A BART HOLOMEW |
| ERICKA LOVER | (LAYNE A BART HOLOMEW |)...LAYNE A B |
| CARMEN SIMMONS | (LAYNE A BART HOLOMEW |)...LAYNE A B |
| ERIC J SIMMONS | (LAYNE A BART HOLOMEW |)...LAYNE A B |
| MICHION SIMMONS | (LAYNE A BART HOLOMEW |)...LAYNE A B |
| MURIEL STEWART | (ERIC R YAMAMOTO |)...ERIC R YA |
| DEPARTMENT OF HEALTH SERVICES (PRO/PER | |)...PRO/PER |

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final distribution approved 9/24/07.
2. Some receipts filed. Need to file all receipts.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(kra).

FUTURE HEARING DATES:

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06671

CASE NAME: EST OF BENETTA B REEVES CRAWFORD

VACATED.

HEARING:
Accounting Review

COUNSEL:
BENJAMIN REEVES (PET)...JACK B OSBORN
BENETTA B REEVES CRAWFORD (DEC)...
RILEY CRAWFORD (PET)...JUDITH L HUBERT

FUTURE HEARING DATES:
11/03/08 Accounting Review X 2
11/03/08 Hearing re: Inventory and appraisal

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06801

CASE NAME: EST OF ROSA L BLACKWELL

HEARING:

Accounting Review

COUNSEL:

PATRICIA BLACKWELL (PET)...MARTIN E KELLER
ROSA L BLACKWELL (DEC)...
HENRY BLACKWELL (TP)...HORSPOOL & PARKER

GENERAL INFORMATION

Continued from **4/5/07, 6/21/07, 8/2/07, 10/11/07 and 12/6/07** at request of counsel to clear notes. Nothing new filed.

Continued from **2/21/08** at request of counsel to finish preparing accounting. Court states there will be no more continuances. Nothing new filed.

Continued from **4/14/08** at request of counsel. Counsel states that they are waiting for withdrawal of creditor claims. Nothing new filed.

Continued from 5/19/08 and 7/7/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Letters of Administration issued 2/3/06, no bond.
2. No Accounting and/or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq. There is no bonding company to notice.

(/gls/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06817

CASE NAME: EST OF SALVADORE A LUCAS

HEARING:
Accounting Review

COUNSEL:

FRANK G S LUCAS (PET)...BRYAN C. HARTNELL
SALVADORE A LUCAS (DEC)...
ARTURO ALEMANY (PET)...BRYAN C. HARTNELL
ALEXANDER A ALEMANY (SA)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

Continued from 7/28/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Letters issued to Arturo Alemany on 1/26/07. On 7/23/07 Court approves accounting and finds estate is not in a condition to be closed and set this hearing date. On 3/11/08 Court appoints successor, Alexander Alemany as Arturo Alemany resigned as personal representative.
2. No accounting or status report of administration filed. Need final account by Arturo Alemany.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(kra)

FUTURE HEARING DATES:

6/29/09 Accounting Review of accounting by Successor Alexander Alemany.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS06843

CASE NAME: EST OF WILLIAM JUNIOR FLANAGAN

SEE ALSO COMPANION FILE SPRSS07190 E1 PAGE 28.

HEARING:
Accounting Review

COUNSEL:

DONALD FLANAGAN (PET)...ROBBINS & HOLDAWAY
WILLIAM JUNIOR FLANAGAN (DEC)...
DAVID E FLANAGAN (PET)...PHILLIP C LEMMONS
BILLY CAROLE FELCHER (PET)...E LAWRENCE BROCK
WILLIAM JUNIOR FLANAGAN (DEC)...
HEIR BUYOUT COMPANY (PET)...PRO/PER
HEIR BUYOUT COMPANY (TP)...PRO/PER
TED R HENDRICKSON (TED R HENDRICKSON)...TED R HEN

GENERAL INFORMATION:
Continued from 6/23/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review and/or status report

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

1. Letters of administration issued to Donald Flanagan 3/9/06, no bond. On 4/16/07 Court admits later will (10/16/72) and issues letters testamentary, \$275,000 bond.
2. On 11/26/07 court approved the 1st status report of administration.
3. No accounting or status report of administration filed.
4. Petitioner has filed a Notice of hearing and proof of service with current date and a Supplement to 1st Status Report. However, supplement offers nothing new for the court to consider. The supplement contains only the required wording for notice on a status report of right to an accounting. This is not properly placed on pleading paper. It is required to be placed on the notice itself. A 2nd status report is still required.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq. Court will have to notice bonding company.

(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07161

CASE NAME: MTR OF HOWARD H BROVER

HEARING:
Hearing re Final Discharge

COUNSEL:
ANITA J BROVER (PET)...HARTNELL LISTER & MOORE
HOWARD H BROVER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final distribution approved 11/8/07
2. Need to file receipts.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.

(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07190

CASE NAME: TRUST OF WILLIAM J FLANAGAN ET AL

SEE ALSO COMPANION FILE SPRSS06843 E1 PAGE 26.

HEARING:
Hearing Re: Status

COUNSEL:
DAVID E FLANAGAN (PET)...PHILLIP C LEMMONS
BILLY CAROLE FELCHER (PET)...E LAWRENCE BROCK

GENERAL INFORMATION:
Continued from 6/23/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Status

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

1. Matter set on court's own motion.
2. On 8/13/07 hearing came on for Petition to determine the internal affairs of a trust pursuant to Pr.C. § 17200, ascertaining beneficiaries. Court took matter under submission.
3. A copy of the Statement of decision dated 10/9/07 is placed on the left side of the file.

RECOMMENDATION:
None.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002939

CASE NAME: ESTATE OF DANA R MESA AKA DANA RAYMOND MESA

HEARING:
Hearing re Final Discharge

COUNSEL:
RODNEY J MESA (PET)...HARTNELL, LISTER & MOORE
DANA R MESA (DEC)...
MARICELA MESA (OBJ)...ROBERTA L TAYLOR
STATE OF CA FRANCHISE TAX BOAR()...

GENERAL INFORMATION:

Continued from 8/13/08 at request of counsel as they are awaiting receipts. Nothing new filed.

THIS CASE IS SET FOR HEARING ON
Hearing re final discharge.

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

1. Final accounting approved 8/8/07.
2. Need receipts and petition for final discharge.

RECOMMENDATION

When receipts or final discharge order are not filed as ordered, the court may set a hearing in accord with Pr.C. § 8505.
(abs/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PUBLIC GUARDIAN

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0600072

CASE NAME: MTR OF EDNA BOLLING

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

PUBLIC GUARDIAN
EDNA BOLLING

(CPE)...COUNTY COUNSEL
(CEP)...SCOTT SOADY

GENERAL INFORMATION

Letters terminated 07-30-07.

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for discharge of
conservator.

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

- 1 Accounting period covers 05-15-07 to 03-19-08.
- 2 Conservatee died 07-20-07. Counsel asserts there was good cause for
accounting not being filed timely. Petitioner cites the necessity to pay various
outstanding debts of the conservatee, in addition to, contacting the State
Department of Health Services to ascertain if there were any outstanding claims
against the estate for payment. Judge to decide.
- 3 Zero assets on hand.
- 4 Public Guardian and County Counsel waive compensation.

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **12-29-08**.

(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0700127

CASE NAME: MTR OF MARIANO MENDOZA

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MARIANO MENDOZA (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

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

- 1 On 04-25-08 court granted the Petition for rehearing and termination of the conservatorship.
- 2 No accounting filed.
- 3 It appears from the previously filed I&A that the conservatorship contained no monetary assets. If the conservatorship had no assets, Court may wish to consider waiving the accounting and discharging the conservator. JTD

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: CONPS0700306

CASE NAME: RUTH HAMLIN

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of PUBLIC GUARDIAN

COUNSEL:

PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
RUTH HAMLIN (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

On 03-28-08, Public Guardian is discharged of Temporary LPS Conservatorship.
On 03-24-08, Public Guardian is appointed regular conservator.

THIS CASE IS SET FOR HEARING ON Compliance Review

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

1. Care Plan in accord with Pr.C. § 2352.5 filed. (See Confidential envelope.)
2. Final Inventory and Appraisal filed.
3. Court Investigator six month report filed on 08/25/08.
4. Conservatorship estate holds an undivided one-third (1/3) interest in real property located in Mt. Baldy. Need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C. § 2313.

RECOMMENDATION

Need to clear note 4.

(kra/cbr/vet/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: MC MS00107

CASE NAME: Conservatorship of RHEAJEAN J. REDMON

HEARING:

FIRST AND FINAL Account and Report of PUBLIC GUARDIAN and
Petition for allowance of fees filed.

COUNSEL:

ANNE L. CHAVIS (PET)...BILLY H HAIRSTON
FRANCINE MARTZ, SUPERVISR/COUR(AGN)...
WESTERN SURETY COMPANY (AGN)...
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
RHEAJEAN J. REDMON (CEP)...ANNETTE G DEBELLEFEUILLE
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
RHEAJEAN J. REDMON (CEP)...IGNAZIO

GENERAL INFORMATION

In 2000, Anne Chavis is appointed conservator of the person and estate.

On 11-17-03, Ann Chavis is suspended and Court temporarily appoints PG.

On 04-19-04, Ann Chavis is removed as Conservator and PG is appointed as conservator of person and estate. Letters have not been issued to date. Inventory & Appraisal and Accounting Review have never been calendared.

On 07-01-04, Court appoints Attorney Annette G deBellefeuille to represent conservatee.

On 11-30-06, court disallows 2nd accounting by Anne Chavis. Second and final accounting by Attorney Annette G deBellefeuille is filed and approved. Anne Chavis is ordered to pay surcharge in the amount of \$16,750 to Attorney deBellefeuille.

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & Final Account and petition for fees by PG.

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

- 1 Accounting period covers 11-17-03 to 12-14-07.
- 2 Zero assets on hand.
- 3 Public Guardian and County Counsel waive compensation.

- 4 Conservatee died 12-18-05. The final accounting shall be filed within 120 days after conservatee's death unless good cause for the delay is shown per local rule 20-1410(b). Need verified supplement explaining why this accounting was not filed timely

RECOMMENDATION:

If approved court to set hearing re filing receipts and final discharge for **12-29-08**.
(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SC SS5315

CASE NAME: IN THE MTTR OF DIANE L PIERCE

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DIANE L PIERCE (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION
PG appointed 1981.

THIS CASE IS SET FOR HEARING ON accounting review

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

- 1 On 11-05-07, court approved the 24th account; 25th accounting now due covering the period 07-24-07 to 07-23-08.
- 2 No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SC SS5965

CASE NAME: IN THE MTTR OF MICHELLE LARIVIERE

VACATED- ACCOUNTING FILED AND IS SET ON 10/27/08.

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MICHELLE LARIVIERE (CEP)...EDWARD B FISCHER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01670

CASE NAME: MTTR OF LESLIE MATHIAS

HEARING:
Accounting Review

COUNSEL:
LESLIE MATHIAS (CEP)...HARTNELL HORSPOOL & FOX
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from **11/19/07 and 2/25/08** at request of counsel. Nothing new filed.
Continued from 4/28/08 and 06/23/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 09-18-06, Court ordered that 5th account current need not be filed under Pr. C. § 2628. Need 6th and **final** accounting to cover the accounting period 7/1/06 – 09/20/07.
2. No accounting filed. Need **final** accounting.
3. Conservatorship established under W & I 5350 and terminated on 09-20-07.
4. Receipt for conservatee's personal items filed. It appears from the receipt and the previously filed I&A that the conservatorship contained no monetary assets. If the conservatorship had no assets, Court may wish to consider waiving the accounting and discharging the conservator. JTD

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(/cbr/gls/kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01802

CASE NAME: MTR OF KIMBERLY RODRIGUEZ

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
KIMBERLY RODRIGUEZ (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION
Letters expire 04-25-09.

THIS CASE IS SET FOR HEARING ON accounting review

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

- 1 On 09-17-07, court approved the 4th account; 5th accounting now due covering the period 05-30-07 to 05-29-08.
- 2 No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS01955

CASE NAME: MTR OF JUDITH HORNSBY

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
JUDITH HORNSBY (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

Continued from 9/10/07 Counsel states that conservatee died on 5/6/07.

**Continued from 11/19/07, 2/25/07, 4/28/08 and 06-23-08 at request of counsel.
Nothing new filed.**

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. Conservatorship established under W & I 5350 and terminated on 10-28-07.
2. Conservatee died on 5/6/07.
3. On 07-10-06, 3rd account current was granted. Need 4th and **final** accounting to cover the accounting period 3/24/06 – 5/7/07.
4. No accounting is filed. Need **final** accounting.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(/cbr/gls/kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02150

CASE NAME: MTR OF GRETA BAILEY

VACATED- ACCOUNTING FILED AND IS SET ON 10/20/08.

HEARING:
Accounting Review

PUBLIC GUARDIAN COUNSEL:
GRETA BAILEY (CPE)...COUNTY COUNSEL
(CEP)...HARTNELL HORSPOOL & FOX

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02354

CASE NAME: MTR OF DAVID KOHNY

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
DAVID KOHNY (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Letters of conservatorship to expire on 2/22/09

Continued from 06-30-08 at request of counsel to file accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 10/29/07 court approved the 4th account; 5th accounting now due covering the period 4/27/07 – 4/26/08.
2. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02360

CASE NAME: MTR OF AARON HOGG

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
AARON HOGG (CEP)...HARTNELL HORSPPOOL & FOX

GENERAL INFORMATION

Continued from 08-25-08 at request of counsel to submit final discharge order and receipts. Nothing new filed.

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final accounting approved 8/20/07.
2. All receipts filed.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.
(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02375

CASE NAME: MTR OF ROBERTA MC DONNELL

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
ROBERTA MC DONNELL (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Letters of conservatorship to expire on 3/28/09.

Continued from 06-30-08 at request of counsel to file accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 10/29/07 court approved the 4th account; 5th accounting now due covering the period 4/26/07 – 4/25/08.
2. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02767

CASE NAME: MATTER OF RAMONA CAMPBELL

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
RAMONA CAMPBELL (CEP)...

GENERAL INFORMATION
Letters expire 12-28-08.

THIS CASE IS SET FOR HEARING ON accounting review

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

- 1 On 09-24-07 court approved the 2nd account; 3rd accounting now due covering the period 05-31-07 to 05-30-08.
- 2 No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(vet)

Future hearing dates: 10/17/08 petition for re hearing

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS02883

CASE NAME: MTR RE VERDALE GOINS

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
VERDALE GOINS (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

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

- 1 On 05-23-08, court granted county counsel's request to have Petition for Reestablishment denied and conservatorship terminated as conservatee no longer meets the criteria of a gravely disabled person.
- 2 Receipt for conservatee's personal items filed. It appears from the receipt and the previously filed I&A that the conservatorship contained no monetary assets. If the conservatorship had no assets, Court may wish to consider waiving the accounting and discharging the conservator. JTD

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS03025

CASE NAME: MTR RE BRUCE PARK

VACATED- ACCOUNTING FILED AND IS SET FOR 10/27/08.

HEARING:
Accounting Review

PUBLIC GUARDIAN COUNSEL:
BRUCE PARK (CPE)...COUNTY COUNSEL
(CEP)...HARTNELL LISTER & MOORE

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS1017

CASE NAME: IN THE MATTER OF PAULINE KOVACS

HEARING:

Accounting Review

COUNSEL:

PAULINE KOVACS
PUBLIC GUARDIAN

(CEP)...HARTNELL HORSPOOL & FOX
(CPE)...COUNTY COUNSEL

GENERAL INFORMATION

Continued from **11/26/07** & **2/25/08** at request of county counsel. Nothing new filed.

Continued from 4/28/08 & 06-23-08 at request of counsel. Counsel informs court that conservatee has recently died and requests a continuance to file final accounting. Court grants request. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 04-30-07, the 3rd account current was granted. On 08-15-08, the LPS conservatorship was terminated. Need 4th and **final** accounting to cover the accounting period 09-22-06 to 08-15-08.
2. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. There is no bonding company to notice.

(/cbr/gls/kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS2964

CASE NAME: IN THE MATTER MARY DOOLITTLE

HEARING:
Hearing re Final Discharge

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
MARY DOOLITTLE (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION:

Letters expired 12-30-04.

Continued from 07-28-08 at request of county counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final accounting approved 07-23-07.
2. All receipts filed.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.

(kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS7644

CASE NAME: IN THE MATTER OF MARLENE WOLF

VACATED- FINAL DISCHARGE FILED.

HEARING:
Hearing re Final Discharge

MARLENE WOLF PUBLIC GUARDIAN
COUNSEL:
(CEP)...HARTNELL HORSPOOL & FOX
(CPE)...COUNTY COUNSEL

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:00 DEPT: E1

CASE #: SLCSS894

CASE NAME: IN THE MATTER OF BETH CAROL SCHAEFER

HEARING:
Accounting Review

COUNSEL:
PUBLIC GUARDIAN (CPE)...COUNTY COUNSEL
BETH CAROL SCHAEFER (CEP)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION

Continued from **10-15-07** and **1/22/08**. Nothing new filed.

Continued from 4/28/08 & 06/30/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review.

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

1. On 08-28-06, the fifth account current was granted. On 02-09-08, the LPS conservatorship was terminated. Need **final** accounting to cover the accounting period 07-07-06 to 02-09-08.
2. No accounting is filed. Need **final** accounting.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. There is no bonding company to notice.

(NMT/gls/kra/vet)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700015

CASE NAME: RAYMOND JOSEPH BOYKO

COMPANION FILES= PROPS0700895 & PROPS0701052.

HEARING:

Petition for ATTORNEY FEES BY COURT APPOINTED COUNSEL

COUNSEL:

NORMA A KAWULOK (PET)...D. HERSHEL W ILSON

RAYMOND JOSEF BOYKO (CEP)...

LETICIA BOYKO (OBJ)...WILLIAM M NASSAR & ASSOCIATES

GENERAL INFORMATION:

Continued from 7/10/08. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for Attorney's Fees filed by Attorney Mark Flory, court appointed counsel.

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

1. Attorney requests fees of \$30,002.50. Billed at \$250-\$275/hour for attorney time and \$35-\$100/hour. Services included objections to conservatorship and objections to first accounting. Itemized. Judge to decide.

RECOMMENDATION:

Court's discretion.

(gls/vet/kra)

FUTURE HEARING DATES:

10/01/08 Hearing Re: Matter to be taken under submission

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700027

CASE NAME: CORRINE ELLEN HANSON

SEE ALSO 52

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
GRACE R PRIDE (CPE)...HARTNELL LISTER & MOORE
CORRINE ELLEN HANSON (CEP)...MARK S MAHONEY

GENERAL INFORMATION:

Continued from **12/20/07** at request of counsel. Nothing new filed.
Continued from **2/25/08** as I&A is out for signature. Nothing new filed.
Continued from **4/21/08** at request of counsel. Nothing new filed.
Continued from 6/2/08 AND 7/28/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing Inventory and Appraisal

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

1. Letters of Conservatorship issued 4/19/07, \$26,000 bond.
2. Partial inventory now filed. Need Final Inventory and Appraisal.

RECOMMENDATION:

Inquire as to the status of the Final Inventory and Appraisal. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505. Clerk to notice bond company.
(/cbr/kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700027

CASE NAME: CORRINE ELLEN HANSON

SEE ALSO 51

HEARING:
Accounting Review

COUNSEL:
GRACE R PRIDE (CPE)...HARTNELL LISTER & MOORE
CORRINE ELLEN HANSON (CEP)...MARK S MAHONEY

GENERAL INFORMATION:

Continued from 7/28/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Conservator appointed 4/19/07, \$26,000 bond.
2. No accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800217

CASE NAME: SHIRLEY WREN FITHIAN

HEARING:
Petition for Appointment of Conservator

COUNSEL:

DONALD FITHIAN (CP)...LAW OFFICE OF DALE K BETHEL
BARBARA FITHIAN (CP)...LAW OFFICE OF DALE K BETHEL
GARY FITHIAN (CP)...LAW OFFICE OF DALE K BETHEL
SHIRLEY WREN FITHIAN (CTP)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for conservatorship of the person only by parents and brother

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

1. No bond – person only.
2. Medical powers sought. Medical Capacity declaration is filed in support.
3. Conservatee is developmentally disabled. Court may request an Inland Regional Center report. JTD
4. If court determines proposed conservatee is receiving benefits from IRC, need proof of service as to the IRC. JTD
5. Return of citation filed.
6. Court Investigator report filed.

RECOMMENDATION:

Court's discretion. If approved, set hearing for Compliance Review for **5/4/09** for the filing of the following: proof of service of Order with Notification of Conservatee's rights per Pr.C.§1830(c); and Care Plan per Pr.C.§2352.5.
(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02243

CASE NAME: MTR OF JACQUELINE MARLER

HEARING:

FOURTH AND FINAL Account and Report of JOHN JOHANNES and
Petition for allowance of fees filed.

COUNSEL:

JOHN JOHANNES (CPE)...FULLERTON LEMANN SCHAEFFER & D
JACQUELINE MARLER (CEP)...

GENERAL INFORMATION:

Accounting covers period: 11/1/07 – 6/17/08

Assets on hand: \$583,807.64 (cash of \$583,157.64 and the balance in personal property)

The conservatee died on 6/17/08

THIS CASE IS SET FOR HEARING ON Fourth and Final Account and Petition for Final
Distribution

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

1. Petitioner requests fees of \$1,158.00 for services during this accounting period.
Billed at \$12/hour for a total of 96.5 hours. Itemized. JTD
2. Attorney requests fees of \$4,861.00. Billed at \$250-\$275/hour for attorney time
and \$85/hour for paralegal time. Itemized. JTD
3. Attorney requests reimbursement of costs of \$360.00. Itemized.
4. Petitioner requests that the balance of the conservatorship assets be distributed
to petitioner as personal representative of conservatee's probate estate.

RECOMMENDATION:

Court's discretion re fees. If approved, set hearing on filing receipts and final discharge
for 10/5/09.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS02871

CASE NAME: MTR OF NORMAN WILFRED BERNARD

HEARING:
Accounting Review

COUNSEL:
CAROL A HOLLER (CPE)...HARTNELL LISTER & MOORE
NORMAN WILFRED BERNARD (CEP)...

GENERAL INFORMATION:

Continued from 7/28/08 at request of counsel as conservatee died and to prepare a final account.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 6/4/07 court approved the 1st account; 2nd accounting now due covering the period 5/16/06 – 5/14/08.
2. No accounting filed.

RECOMMENDATION:

Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03160

CASE NAME: MTR OF DINA RAE LACEY-BAKER

HEARING:
Accounting Review

COUNSEL:
LINDA NEVIN (CPE)...BRYAN C. HARTNELL
DINA RAE LACEY-BAKER (CEP)...

GENERAL INFORMATION:

Continued from **2/4/08** Counsel states that all future accountings were previously waived. Court notes that accountings for SNT cannot be waived and orders accounting to be filed. Nothing new filed.

Continued from **4/21/08** as counsel states that his client may be retaining new counsel. Nothing new filed.

Continued from **6/2/08** at request of counsel and client may substitute in as pro-per and has not provided necessary documents to counsel. **Court orders Linda Nevin to personally appear. From a review of the file, it does not appear the clerk mailed notice to Linda Nevin to appear.** Nothing new filed re accounting.

Continued from 7/28/08 at request of counsel. Nothing new filed. No notice sent by the clerk.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. On 1/4/07 court approved Ex-parte waiver of account and Report of Limited Conservator and Litigation Special Needs Trustee. Need 2nd report of Limited conservator and account covering the period 12/5/06 – 12/4/07.
2. No accounting or waiver of account and report filed.
3. Court Investigator report filed on 07/02/08.

RECOMMENDATION:

Court may wish to have clerk mail notice to conservator to appear. Inquire status. When an accounting is not filed as required, the court shall take action as specified in Pr.C.§2620.2.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03167

CASE NAME: MTR OF CHRISTINE TERKELSEN

HEARING:
Petition for ATTORNEY'S FEES

COUNSEL:
TERRY N TERKELSEN (CPE)...EDWARD B FISCHER
CHRISTINE TERKELSEN (CEP)...KARIN HORSPOOL

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Attorney fees for court appointed counsel

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

1. Petitioner was appointed 9/25/06 to represent the conservatee. Petitioner requests fees of \$4,560.00 for legal services as relating to conservatee's placement, prepared report to Court as to petition for medical powers, review of accounting and appearances. Itemized. Billing is based on a rate for attorneys at \$225-\$275/hour for a total of 19.4 hours.

RECOMMENDATION:

Court's discretion.

(kra/cbr)

FUTURE HEARING DATES:

7/16/09 Hearing Re: Status on conservatorship of the person

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03169

CASE NAME: MTR OF PATRICIA ANN KILBORN

SEE ALSO COMPANION FILE SPRSS07265 E1 PAGES 60 & 61 & 61A.

HEARING:
Accounting Review

COUNSEL:
RONALD KILBORN (CPE)...HARTNELL, LISTER & MOORE
PATRICIA ANN KILBORN (CTE)...JAMES B CHURCH
JOHN CALLAHAN (CPE)...BRIAN W. SMETHURST
LAWRENCE A DEAN II (PCR)...
ROBERT C KILBORN (OBJ)...BRIAN J SIMPSON

GENERAL INFORMATION:

Continued from 7/28/08 at request of counsel as counsel will file a request for waiver of accounting.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Conservator, John Callahan, was appointed on 5/21/07, no bond.
2. No accounting or waiver of accounting filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SC SS03203

CASE NAME: MTR OF DONALD C EABY

HEARING:

FIRST Account and Report of ALISON HOFFMAN and Petition for fees

COUNSEL:

ALISON HOFFMAN (PET)...JAMES B CHURCH & ASSOCIATES
DONALD C EABY (CEP)...BRYAN C. HARTNELL

GENERAL INFORMATION:

Accounting covers period: 1/29/07 – 1/29/08

Assets on hand: \$816,456.35 (all cash)

THIS CASE IS SET FOR HEARING ON First Account Current and Petition for Allowance of Fees

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

1. Petitioner waives fees as conservator during this accounting period.
2. Petitioner requests authority to reduce bond to \$688,269.60 (a total decrease of \$211,730.31). However, with the current balance of cash on hand, estimated annual income and bond recovery costs, bond should be increase to \$975,000 (a total increase of \$75,000). JTD
3. Attorney requests fees of \$21,511.25. Billed at \$225-\$275/hour for attorney time and \$75-\$100/hour for paralegal time for a total of 188.65 hours. Itemized. JTD
4. Attorney requests reimbursement of costs advanced totaling \$1,228.60. Itemized.

RECOMMENDATION:

Court's determination of fees and bond decrease/increase. If approved, set next accounting review for 10/4/10. Accounting to be filed 30 days in advance.

(gls/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 61 & 61A AND COMPANION FILE SCSS03169 E1 PAGE 58.

HEARING:

Hearing Re: PETITION FOR ENFORCEMENT OF THE IN TERRORUM CLAUSE

COUNSEL:

| | | |
|------------------|----------|-----------------|
| RONALD KILBORN | (PET)... | JACK B OSBORN |
| RALPH C KILBORN | (DEC)... | |
| ROBERT C KILBORN | (OBJ)... | BRIAN J SIMPSON |

No notes – Judge to decide.

Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

Continued from 7/28/08 at request of counsel. Nothing new filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 60 & 61A AND COMPANION FILE SCSS03169 E1 PAGE 58.

HEARING:

Petition for DETERMINATION THAT CERTAIN COMMUNITY PROPERTY
ASSESTS HELD

COUNSEL:

| | |
|------------------|-------------------------|
| RONALD KILBORN | (PET)...JACK B OSBORN |
| RALPH C KILBORN | (DEC)... |
| ROBERT C KILBORN | (OBJ)...BRIAN J SIMPSON |

No notes – Judge to decide.

Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

Continued from 5/8/08 at request of counsel as parties are close to a settlement.

Continued from 7/28/08 at request of counsel. Nothing new filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 09/29/08 TIME: 10:30 DEPT: E1

CASE #: SPRSS07265

CASE NAME: EST OF RALPH C KILBORN

SEE ALSO 60 & 61 AND COMPANION FILE SCSS03169 E1 PAGE 58.

HEARING:
Petition for RELIEF FROM BREACH OF TRUST

COUNSEL:
RONALD KILBORN (PET)...JACK B OSBORN
RALPH C KILBORN (DEC)...
ROBERT C KILBORN (OBJ)...BRIAN J SIMPSON

No notes – Judge to decide.

Matter stayed per stipulation of parties. See 12/13/07 probate notes in file for background.

Continued from 7/28/08 at request of counsel. Nothing new filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH **MISC.**

DATE: 09/29/08 TIME: 1:30 DEPT: E1

CASE #: PROPS0701193

CASE NAME: LEONARD DEAN MOORE

VACATED.

HEARING:
Court Trial -- Estimated trial length *** hrs. ***

COUNSEL:
DEBORIS WRIGHT (PET)...JOHN
LEONARD DEAN MOORE (DEC)...
CARL H DAVIS (CON)...WHITNEY DAVIS HOUSTON
CARL H DAVIS (WHITNEY DAVIS HOUSTON)...WHITNEY D

FUTURE HEARING DATES:
11/03/08 Hearing re: Petition for Probate, Letters of Testamentary With Full Authority
Under IAEA.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700372

CASE NAME: MTR OF RAMOND G HARRIS

HEARING:

FIRST STATUS REPORT AND Account and Report of BARBARA A HARRIS,
ARNOLD HARRIS, STEVEN RAY HARRIS and Petition for fees

COUNSEL:

| | |
|-------------------|--------------------------------------|
| BARBARA A HARRIS | (PET)...LAW OFFICES OF REIKO J HICKS |
| ARNOLD HARRIS | (PET)...LAW OFFICES OF REIKO J HICKS |
| STEVEN RAY HARRIS | (PET)...LAW OFFICES OF REIKO J HICKS |
| RAMOND G HARRIS | (DEC)... |
| PATRICK B WRIGHT | (TP)...PRO/PER |

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of administration

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

1. Petitioner appointed administrator 6/11/07, no bond required.
2. Petitioner alleges the estate is not in a condition to be closed as the real property has not sold. Due to the decline in the real estate market, petitioners have leased the property. The lease period terminates on 5/1/09. Petitioner alleges the property will be listed for sale again at the end of the lease period.
3. Petitioner requests to continue the administration for another 12 months.

RECOMMENDATION

Court's discretion.

(kra)

Superior Court of Calif, County of San Bernardino

Page: 2

CIVCAL4 Superior Court – Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700634
CASE NAME: MTR OF RODNEY OLSON

HEARING:
Petition for WAIVER OF APPRAISAL BY PROBATE REFEREE ETC

COUNSEL:
TRACY BLACKBURN (PET)...LINDA GUNDERSON
RODNEY OLSON (DEC)...
J MARK HOLLAND (TP)...J

GENERAL INFORMATION:
Continued from 8/25/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition for waiver of appraisal by Probate Referee

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

1. Final I&A filed 5/28/08 indicates the estate contains real property.
2. Petitioner alleges the real property was the process of foreclosure at the time of decedent's death, that the estate did not have sufficient assets to save the property from foreclosure and that the property reverted to the lender for the balance of the loan.
3. Petitioner brings this petition under Pr.C.§8903(a) which permits the Court to waive an appraisal by a probate referee for good cause. Petitioner alleges that just prior to decedent's death, decedent was in the process of building a residence (which was not completed) on the property and was trying to subdivide the property when the construction loan went into default. Petitioner alleges that these circumstances would make an appraisal of the property very difficult and as the property was in foreclosure at the time of decedent's death, petitioner requests the court allow the defaulted loan amount stand for the date of death appraisal value

RECOMMENDATION:
Court's discretion.
(kra/cbr)

FUTURE HEARING DATES:
10/20/08 Probate status report filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700828

CASE NAME: MARION M COSLOWSKY

HEARING:
FIRST AND FINAL Account and Report of WILFRID C LEMANN and
Petition for allowance of fees filed.

COUNSEL:
WILFRID C LEMANN (PET)...THOMAS W DOMINICK
MARION M COSLOWSKY (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final
distribution

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

1. Statutory fees are \$14,520.30. Calculation ok.

RECOMMENDATION:

If approved, court to set hearing re filing receipts and final discharge for **10/5/09**.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701022

CASE NAME: MTR OF DORTHA MARIE CHURCH

HEARING:

Hearing Re: PTN FOR DISCHARGE OF SPECIAL ADMINISTRATOR

COUNSEL:

STEVE GIARD (PET)...HARTNELL, LISTER & MOORE
DORTHA MARIE CHURCH (DEC)...

GENERAL INFORMATION

Letters of Special Administration issued 10/30/07, no bond required

THIS CASE IS SET FOR HEARING ON petition discharge for lack of estate assets

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

1. Matter set at the time set for hearing re Petition for Letters testamentary on 8/18/08 which had been continued many times. On 5/7/08 and 7/14/08 matter was continued for counsel to file petition for termination for lack of assets.
2. On 8/18/08 Counsel reports that the estate has no assets and requests that the petition for probate be dismissed and states that he will file a petition for discharge of the special administrator. On petitioner's own motion, Court ordered the case dismissed without prejudice as to entire action as there are no estate assets.
3. No petition for termination for want of assets per Pr.C.§12251 and no petition for discharge filed.
4. As the court has already dismissed the case for lack of assets, court may wish to discharge the special administrator on the record if no petition is filed.

RECOMMENDATION

Court's discretion.

(Cbr/kms/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701144

CASE NAME: FRED ADAMS

HEARING:

Order to Show Cause re: BOND/STATUS OF LETTERS filed by STACEY
ADAMS.

COUNSEL:

| | | |
|---------------|----------|--------------------------------|
| STACEY ADAMS | (PET)... | CUMMINGS, MCCLOREY, DAVID & AC |
| FRED ADAMS | (DEC)... | |
| MARC V. ADAMS | (TP)... | |

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON OSC re status of bond and letters

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

1. Matter set at the time set for hearing re Inventory & Appraisal on 8/14/08 as petitioner needed time to clear up credit.
2. Bond filed and Letters issued 8/22/08.

RECOMMENDATION:

Matter may go off calendar.
(kra)

FUTURE HEARING DATES:

1/15/09 Hearing re: Inventory and appraisal
4/09/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701148

CASE NAME: JOHN R. LIVACICH

HEARING:

Hearing Re: MOTION FOR ORDER STRIKING PORTIONS OF WILL CONTEST

COUNSEL:

LORRAINE C LIVACICH (PET)...ROY A BARRY
JOHN R LIVACICH (DEC)...
LORI ANN LIVACICH (PET)...RAIMUND FREIHUBE, ESQ.
JOSEPH ANTICEVICH (OBJ)...RAIMUND FREIHUBE, ESQ.
CATHERINE CATSOURAS (RAIMUND FREIHUBE, ESQ.)...RAIMUND F
LORI ANN LIVACICH (RAIMUND FREIHUBE, ESQ.)...RAIMUND F
LORRAINE LIVACICH (ROBERT G JOHNSON)...ROBERT G
STATE OF CALIFORNIA FRANCHISE (PRO/PER)...PRO/PER

No calendar notes will be prepared. Judge to decide.

FUTURE HEARING DATES:

10/02/08 Hearing Re: REPORT OF SPECIAL ADMINISTRATOR

10/30/08 Hearing Re: WILL CONTEST AND GROUNDS OF OPPOSITION

10/30/08 Hearing re: Petition for Letters of Testamentary With Full Authority Under IAEA.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701174

CASE NAME: MARJORIE JANE HOFFMANN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CARL RICHARD HOFFMANN (PET)...HARTNELL LISTER & MOORE
MARJORIE JANE HOFFMANN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

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

1. Letters issued 3/27/08, \$20,000 bond.
2. No inventory filed. Need final I&A.

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. §8804 and/or 8505.

Clerk to notice bonding company.

(kra)

FUTURE HEARING DATES:

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701192

CASE NAME: GARY STOEBE

VACATED- FINAL I&A FILED.

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MANDY WONDERS (PET)...ROBBINS & HOLDAWAY
GARY STOEBE (DEC)...

(kra)

FUTURE HEARING DATES:
4/20/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800100

CASE NAME: MARIE ANN LUCIER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DENISE ENGLISH (PET)...ALTHOUSE AND MCDONOUGH
MARIE ANN LUCIER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON inventory & appraisal

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

1. Letters issued 4/3/08, \$600,000 bond.
2. Partial No. 1 inventory filed. Need final I&A.

RECOMMENDATION:

Inquire status.
(kra).

FUTURE HEARING DATES:

6/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800760

CASE NAME: JOHN ERIC KNABENBAUER

HEARING:

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

COUNSEL:

JEANETTE F KNABENBAUER (PET)...THOMAS W DOMINICK
JOHN ERIC KNABENBAUER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for Letters of Administration with full authority under IAEA

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

1. All heirs waive bond.

RECOMMENDATION:

Recommend for approval absent objections, no bond. If approved, set future hearings for filing of Inventory & Appraisal on **5/4/09** and for Accounting Review on **12/7/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800776

CASE NAME: ANN HATHAWAY COOK

HEARING:

Petition for AN ORDER DETERMINING INTEREST IN PROPERTY AND
DECLARING THAT THE GRANT DEED IN THE NAME ETC

COUNSEL:

DAVID A FALONI SR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
ANN HATHAWAY COOK (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for determining interest in property
(Pr.C.§850(a)(2)(c))

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

1. Proof of mail service filed; however, need personal service per Pr.C.§851.
2. Decedent died 11/14/06 in Essex County, NJ.
3. Petitioner brings the petition as the executor of decedent's spouse, Howard L. Cook, with executor powers granted him by the State of New Jersey. Howard Cook died 3/25/07. Petitioner alleges that all properties real and personal owned by Ann Cook belong to the estate of Howard Cook as bequeathed in the will of Ann Cook (exhibit B).
4. Petitioner alleges that at the time of death decedent owned real property in Apple Valley, CA. A copy of the Grant Deed shows title conferred upon Ann Hathaway, a single woman in 1958 (exhibit E).
5. On 2/11/08, after decedent's death, a Grant Deed was purportedly signed by Ann Hathaway Cook transferring title to Dynamic Homes, Inc. A Nevada Corporation. Recorded on the same day was a Deed of Trust by David Clinton Jr. on behalf of Dynamic Homes, Inc. listing Kevin Bush as the beneficiary of the Deed of Trust. On 5/30/08 a Notice of Default and Election of Sale under the Deed of Trust was recorded (exhibits F, G & H).
6. As the Grant Deed conveying title to Dynamic Homes, Inc. and all other recorded documents on the subject property were executed after decedent's

death it is clearly a wrongful transfer and petitioner requests the court find that the Grant Deed and Deed of Trust were never valid, and that Dynamic Homes, Inc. and Kevin Bush are without right, title, lien, or any interest in the subject property. Petitioner requests that the Court find that Ann Hathaway Cook is the owner of the subject property at the time of her death on 11/14/06.

7. Notice of Pendency of Action filed.

RECOMMENDATION:

Need proper notice.

(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800778

CASE NAME: JODY MCGUIRK SPECIAL NEEDS TRUST

HEARING:
Hearing Re: STATUS REPORT

COUNSEL:
CATHE FULLER (PET)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Status report of trustee

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

1. The SNT was created as part of a settlement on 8/20/08. Litigation assets in the amount of \$49,172.60 received.
2. Petitioner requests bond of \$45,000. JTD if adequate.
3. Petitioner requests an accounting review on a bi-annual basis. Perhaps petitioner meant to request a biennial account review. However, Court may wish to set the first accounting to be set at the expiration of the first year and thereafter not less frequently than biennially.

RECOMMENDATION:

If approved, set future hearings for Proof of Bond (suggest 30 days) and an Accounting Review on **12/7/09**. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS02968

CASE NAME: ***MASTER FILE GEORGE MICHAEL KESSLER****.

HEARING:

Petition for ACCOUNT FOR ESTATE PROPERTY; TO RESPOND TO CONTEMPT ALLEGATIONS; & FOR ATTY FEES & COSTS

COUNSEL:

GLEN PORTER (PET)...BETTY AUTON-BECK
GEORGE MICHAEL KESSLER (DEC)...
HELGA KESSLER (TP)...LAYNE A BARTHOLOMEW
JOLI GORDIEN (DANIEL HANOUM)...DANIEL HA

GENERAL INFORMATION:

Continued from 7/24/08 for objections to be filed and for notice to Helga Kessler and Joli Gordien of bench warrants ordered issued and held until next court hearing 9/29/08.

THIS CASE IS SET FOR HEARING ON Petition to Account for Estate Property and to Respond to Contempt Allegations and for Attorney's fees and costs

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

1. Petitioners, Joli Gordien and Gordien and Associates Real Estate, are interested parties in this estate as creditors. Petitioners entered into a written exclusive real estate listing agreement with the personal representative, Glen Porter for real property located at 596 Doane Ave., Claremont. Petitioners allege that Helga Kessler and Patricia Santos are in wrongful possession and control of estate property by specifically instructing Claremont Escrow not to release sales proceeds fully earned by petitioners as sales commissions. Petitioners request that the court issue a citation to Helga Kessler and Patricia Santos per Pr.C. §8870(a) to appear and show cause why they have collaborated and conspired to possess estate property. Court may wish to inquire why the personal representative, Glen Porter, has not brought this petition instead of the real estate broker.
2. Declaration in support filed by petitioners' counsel Daniel Hanoum.

3. Petitioners' counsel seeks for Helga Kessler and Patricia Santos each to pay **sanctions per CCP § 1218(a)**. Also, counsel seeks attorney's fees for 15 hours at \$250 an hour plus costs in the amount of \$410, for a total amount of \$4,160.00 to be paid by Helga Kessler and Patricia Santos. Not itemized. Need to file verified supplement. **Supp: Petitioners' counsel now seeks attorney's fees for 18.25 hours at \$250 an hour and costs for filing and service fees of \$440; Itemized. The total amount requested for attorney's fees and costs incurred is \$4,190 (15 hours) or in the alternative \$5,003.50 (18.25 hours). Petitioners' attorney request to be paid in full within thirty days after Court's order. Judge to decide**
4. **Objection filed by Helga Kessler**
5. **Response to objection filed by petitioners Joli Gordien and Gordien and Associates Real Estate.**

RECOMMENDATION:

Court's discretion re issuance of Citations to Helga Kessler and Patricia Santos.
(gls/cbr)

FUTURE HEARING DATES:

12/18/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS00704

CASE NAME: IN THE ESTATE OF RICHARD C LATONA

HEARING:

Hearing Re: First/Second and Review of Final Accounting

COUNSEL:

RICHARD C LATONA (DEC)...
STANLEY OROPESA (PET)...GREGG A EICHLER
JOANNA LATONA (STE)...C.L. FARRELL

GENERAL INFORMATION:

At Readiness Calendar hearing on 3/29/07, both counsels inform the Court that they are not ready to proceed to trial. The court also accepted the resignation of the trustee, Stanley Oropesa, and appointed Joanna Latona as successor trustee. The court then set this review date.

Continued from **6/14/07** and **7/26/07** at request of counsel.

Continued from **10/17/07** and **12/10/07** at request of counsel as parties are still attempting to resolve the accounting issues and working towards a settlement. Nothing new filed.

Continued from **2-14-08**. Attorney Eichler failed to appear at the time set for hearing. Court continued matter and set an O.S.C. re sanctions. Nothing new filed.

Continued from **4/22/08** at request of counsel as the 1st & 2nd should be resolved and 3rd should be filed by then. Court dismissed the OSC hearing. Nothing new filed.

Continued from 7/21/08 at request of counsel by stipulation. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First/Second and Review of Final Accounting

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

1. A final accounting is due from Stanley Oropesa for the period 10/1/04 – 3/29/07. The first and second accountings previously filed by Stanley Oropesa are the subject of the Court trial.

RECOMMENDATION:

Court's discretion.

(/GLS/NMT/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS05928

CASE NAME: ESTATE OF NORMA A VENTURE

HEARING:
Accounting Review

COUNSEL:
RAYMOND L VENTURE (PET)...ROBERT W CANNON
NORMA A VENTURE (DEC)...

GENERAL INFORMATION:

Continued from 6/16/08. No appearance. Clerk mailed notice. Nothing new filed.
Continued from 7/28/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Letters testamentary issued 8/9/04, no bond.
2. On 6/11/07 court approved the 2nd status report.
3. No accounting or status report of administration filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06512

CASE NAME: ESTATE OF FRANK ELLIOTT HUNTINGTON

HEARING:
Hearing re Final Discharge

COUNSEL:
RACHEL STILES (PET)...BETTY AUTON-BECK
FRANK ELLIOTT HUNTINGTON (DEC)...
SANDRA KOPP (PET)...MARTIN E KELLER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON final discharge

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

1. Final distribution approved on 9/24/07.
2. Need to file receipts.
3. Need Ex-parte petition/order for final discharge submitted.

RECOMMENDATION:

Inquire status. When receipts or final discharge order are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505.
(kra).

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06720

CASE NAME: MTR OF SOMSRI DAVIS

HEARING:
Probate status report filed.

COUNSEL:
KENNETH DAVIS (PET)...JACK B OSBORN
SOMSRI DAVIS (DEC)...

GENERAL INFORMATION:
Letters of Administration issued 5/3/06

THIS CASE IS SET FOR HEARING ON Report on Status of Administration

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

1. Petitioner alleges the estate consists of the right to received the settlement proceeds from the wrongful death proceeds filed in the Superior Court of New Jersey. That the estate is not in a condition to be closed as the proceeds of settlement have not yet been received. Petitioner requests an additional year to close the estate administration.

RECOMMENDATION:
If approved, court to set next accounting review/status report for 12/7/09.
(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06816

CASE NAME: ESTATE OF GERARDO GARCIA

HEARING:
Hearing Re: STATUS OF RECEIPT

COUNSEL:
JERRY GARCIA (PET)...LAWRENCE E CLARK
GERARDO GARCIA (DEC)...

GENERAL INFORMATION:

Waiver of Account continued from 4/24/08 for receipt from Franchise Tax Board.
Continued from 7/17/08 to clear notes and need additional information re eminent domain action.

Continued from 8/25/08 at request of counsel. Court requests that counsel file the fee agreement for the eminent domain action and give the court more information about that action.

THIS CASE IS SET FOR HEARING ON Status of receipt

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

1. On 4/24/08 Court accepts the final account as filed and continues for status hearing for filing receipt from Franchise Tax Board. **Receipt filed with withdrawal of claim for personal income tax in the amount of \$2,622.95 [2005] tax year.**
2. Supplement to Waiver of Account filed 4/17/08 indicates that after a mandatory settlement conference the real property was ordered transferred to the Redevelopment Agency of the City of San Bernardino for approximately \$300,000 over the original appraisal value. Petitioner alleges no escrow was involved and the sale was done pursuant to court order. Question if the proceeds have been received. Need verified supplement.
3. Statutory fees requested and approved by the court were based on a gain of \$200,000. As the estate has realized a substantial increase in assets, question if attorney will requests fees based upon the increase. Need verified supplement.

4. Need a fee agreement and more information re eminent domain action as ordered by the court on 8/25/08.

RECOMMENDATION:

Need to clear notes.

(gls/vet/gls/kra)

FUTURE HEARING DATES:

1/08/09 Hearing re Final Discharge

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS06988

CASE NAME: EST OF MADELINE M DEXTER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

DEBORAH L DEXTER (PET)...BRYAN C. HARTNELL
MADELINE M DEXTER (DEC)...

GENERAL INFORMATION

Continued from **11/19/07** at request of counsel.

Continued from **2/25/08** at request of counsel as tax issues are still being sorted out.

Continued from 6/2/08, 7/14/08 and 08/18/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON inventory & appraisal

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

1. Special Letters of Administration issued 4/5/06. Letters testamentary issued 5/12/06.
2. Status report filed 7/19/07 petitioner reports that it is unclear what assets will be estate assets – that Partial I&As 1-4 have been sent to the Probate Referee but have not been completed because of issues re intervivos transfers and capital gains versus estate tax issues.
3. No inventory filed. Need final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5 and/or 8505. There is no bonding company to notice.

(/kms/kra/cbr)

FUTURE HEARING DATES:

11/10/08 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07162

CASE NAME: MTR OF EVELYN JANE STONE

HEARING:

FIRST Account and Report of LEE P FARMER JR and Petition for fees

COUNSEL:

LEE P FARMER JR (PET)...JAMES ALLEN

EVELYN JANE STONE (DEC)...

GENERAL INFORMATION:

Continued from 5/19/08 at request of counsel to address notes and to review settlement approved by Riverside Court as to Lorna Perez.

Continued from 7/7/08 for counsel to file supplement stating the accounting cannot balance due to actions of prior administrator. Court suggests counsel cite the prior administrator to court and order her to bring records.

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final distribution

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

1. The summary of account is incomplete. 3rd Supp: corrects the summary of account so that it balances; however; question why the assets on hand reflect a difference of \$18,522.31 less than the previous supplements and no disbursements are accounted for. Need verified supplement.
2. Petitioner alleges that part of the assets subject to this probate are in the possession of the State of California. Question status of claim with the Unclaimed Property Division of the State Controller's office? Alternatively, will claim be distributed in kind to residual beneficiaries? File verified supplement. Not addressed in the 2nd supplement. **Not addressed in the 3rd supplement.**
3. Statutory fees are \$4,791.05 based on the I&A filed 2/14/07. Calculation ok. Petitioner waives compensation.
4. Submit order after hearing.

RECOMMENDATION:

Need to clear notes 1-2. If approved, court to set hearing re filing receipts and final discharge for **10/5/09**.

(kra/NMT/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002904

CASE NAME: ESTATE OF GARY L SHELTON

HEARING:

Hearing Re: INSTRUCTIONS RE NONCOMPLIANCE ON BENEFICIARY

COUNSEL:

DAVID COOK (PET)...ANDY J MARCUS
GARY L SHELTON (DEC)...

GENERAL INFORMATION:

On 8/18/08 matter taken under submission.

On 8/19/08 Court orders this matter reset. Mr. Gregory arrived to court late just after matter was concluded. Mr. Gregory is ordered to file any response or objection to the petition for instructions no later than 9/4/08. Court cautions Mr. Gregory to arrive on time or early for the next hearing.

Nothing new filed as of review of this file on 9/9/08.

THIS CASE IS SET FOR HEARING ON Petition for instructions re noncompliance of beneficiary

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

1. Petitioner is the Court appointed executor. On 10/1/07 petitioner filed a Petition for order interpreting terms of decedent's will as there was a question with regards to the rights of Jaysen Gregory to live on the estate's real property.
2. At the evidentiary hearing re Petition for order interpreting terms of decedent's will on 3/7/08 the Court ordered Jaysen Gregory to pay and reimburse all back taxes and insurance bills as to the real property by 5/30/08 and pay all future taxes on 4/10/08 and 12/10/08.
3. Petitioner alleges that an initial payment of \$4,381.85 was made representing the property taxes and insurance payments that were due by 4/10/08 per court order. Petitioner alleges that the \$7,710.20 ordered due by 5/30/08 has not been received.
4. Petitioner alleges that decedent's will required Mr. Gregory to make timely payments of taxes and insurance on the real property for a period of 10 years

following decedent's death before Mr. Gregory earns the right to inherit the real property. Decedent died 11/15/05.

5. As decedent's will and the Court required Mr. Gregory to make timely payments, petitioner requests instruction whether Mr. Gregory still in "substantial compliance" with the terms of the will, and if petitioner should accept a late payment tendered or has Mr. Gregory forfeited his right to inherit the subject real property.
6. Petitioner requests that the court order Mr. Gregory to reimburse the estate for reasonable attorney fees and costs in the amount of \$1,365.50 expended in this petition. Itemized.
7. No objections filed at the time of review of this file.

RECOMMENDATION:

Court's discretion.

(kra/cbr/kra)

FUTURE HEARING DATES:

1/27/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 09/29/08 TIME: 10:00 DEPT: E2

CASE #: SC SS02546

CASE NAME: MTR OF RAYMOND ESPINOZA

HEARING:

FIRST AND FINAL Account and Report of DEANA MULLICAN and
Petition for allowance of fees filed.

COUNSEL:

DEANA MULLICAN (CPE)...BRYAN C. HARTNELL
RAYMOND ESPINOZA (CEP)...JAMES B CHURCH
PUBLIC GUARDIAN (TC)...

(ACCOUNTING IS NOT BY THE PUBLIC GUARDIAN)

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON 1st & final account and petition for fees and final
distribution

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

1. Petitioner is the prior conservator. Petitioner's powers were suspended 4/23/07 and petitioner was removed on 7/23/07. The accounting ends at the date suspension. Does court wish to require an accounting through to the removal date of conservator? JTD
2. Accounting period covers 12/4/03 – 4/23/07 (3 yr. 4 months).
3. Assets on hand \$16,150.70 consisting of cash.
4. Disbursements regarding conservatees residence shows a payment of \$1,000 on 12-03/05-05 for "trips to the house, to see Raymond, pay bills, shopping, etc." Need detailed itemization of the breakdown of the disbursement. Need verified supplement.
5. Disbursements regarding conservatees residence shows two payments totaling 2,400.00 on 12-03/05-05 for securing and watching the house. Question to whom payments were made and itemization of expenses paid. Need verified supplement.

6. Disbursements regarding Other expenses shows 14 payments totaling \$12,446.83 paid to Conservator. Need itemization of purpose of payments made. Need verified supplement.
7. Petitioner requests compensation of \$7,500.00 for services rendered during this accounting period. JTD
8. Attorney requests fees of \$50,842.50 for legal services throughout this accounting period. Attorneys rendered services with regard to establishing the conservatorship which was opposed by the conservatee and decided by jury to be necessary, preserving of conservatee's real property, settled with creditors, and responded to all concerns when the conservator's health impeded her ability to serve as conservator. Itemized billing is based on a rate for attorneys at \$225-\$325/hour and paralegals at \$50-\$125/hour for a total of 227.4 hours. As the conservatorship does not contain the assets necessary to support these fees, question how attorney proposes payment.
9. Need proof of service of notice of hearing on the Veteran's Administration.

RECOMMENDATION:

Need to clear notes.

(kra)

FUTURE HEARING DATES:

10/08/08 Court Trial set for Petition for Conservatorship of Deana Mullican

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700040

CASE NAME: MARY JANE BEADLE

HEARING:
Accounting Review

COUNSEL:
DAVID KUHN (CPE)...C. WILLIAM NYMAN
MARY JANE BEADLE (CEP)...JAMES B CHURCH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON accounting review

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

1. Conservator, David Kuhn, was appointed on 7/23/07, \$66,000 bond.
2. No accounting filed.

RECOMMENDATION:
Inquire status.
(kra)

Future hearing dates: Compliance review 10/22/08

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800024

CASE NAME: RITA ANN NORTON

HEARING:

Petition for ATTORNEY FEES AND FOR ORDER TERMINATION APPT AS
COUNSEL AND REQUIRING NO FURTHER SERVICES

COUNSEL:

NICHOLAS L. NORTON (PCR)...MCCLELLAN & WILSON
RITA ANN NORTON (PCE)...DUANE P BOOTH

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON court appointed attorney fees and release of
counsel

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

1. Petitioner was appointed 2/13/08 to represent the conservatee in matters concerning appointment of conservator which was contested and a settlement reached.
2. Petitioner requests fees of \$3,575.00. Billing is based on a rate of \$275/hour for 13 hours. Itemized.
3. Petitioner further requests to be relieved as counsel for conservatee as no further services are to be performed in these proceedings.

RECOMMENDATION:

Court's discretion.

(kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800174

CASE NAME: GILBERT F HERRERA

HEARING:
Petition for Appointment of Conservator

COUNSEL:
FRANCES HERRERA (CP)...PRO/PER
GILBERT F HERRERA (CTP)...

A-O

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: SC SS00680

CASE NAME: IN THE MATTER OF ANNA R FIK

HEARING:
Accounting Review

| | |
|--------------|-----------------------|
| | COUNSEL: |
| ANNA R FIK | (CEP)... |
| DENISE KOUWE | (CPE)...GUAY P WILSON |
| DOUGLAS FIK | (CPE)...GUAY P WILSON |

GENERAL INFORMATION:

9th Account due for the period 7/1/06 – 6/30/08

Continued from 8/18/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review

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

1. No Accounting is filed.

RECOMMENDATION:

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02930

CASE NAME: MTR OF RICHARD MARRAPESE

SEE ALSO 27

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MELODIE Z SCOTT (CPE)...
RICHARD MARRAPESE (CEP)...ROGER E WALKER
JAMES MARRAPESE (SC)...LINDA ROBERTS ROSS
RICK MARRAPESE (PET)...PRO/PER

GENERAL INFORMATION

Continued from **06-04-08** at request of counsel. Notice to be given by Attorney Roberts-Ross to Veterans Administration. Nothing new filed.

Continued from 7/15/08 at request of counsel. Nothing new filed.

THIS CASE SET FOR HEARING ON Inventory and Appraisal

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

1. Partial No. 1 Inventory and Appraisal filed on 04/10/08. However, Attachment 1 is not provided. File verified supplement.
2. Need final Inventory and Appraisal.
3. Need Notice of Hearing and proof of service.

RECOMMENDATION

Inquire status. When an inventory and appraisal is not filed as ordered, the court may set a hearing in accord with Pr.C. 2614. There is no bond company to notice.

(cbr/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 09/29/08 TIME: 10:30 DEPT: E2

CASE #: SC SS02930

CASE NAME: MTR OF RICHARD MARRAPESE

SEE ALSO 26

HEARING:

FIRST Account and Report of RICHARD MARRAPESE and Petition for fees

COUNSEL:

MELODIE Z SCOTT (CPE)...
RICHARD MARRAPESE (CEP)...ROGER E WALKER
JAMES MARRAPESE (SC)...LINDA ROBERTS ROSS
RICK MARRAPESE (PET)...PRO/PER

GENERAL INFORMATION

Continued from **05-13-08 and 06-04-08** at request of counsel. Conservatee was discharged on 04-30-08 to the care of James Marrapese and is living in his home. Nothing new filed.

Continued from 8/18/08 at request of counsel to file a declaration or supplement stating waivers of accounting. Nothing new filed.

THIS CASE IS SET FOR HEARING ON First Account and Petition for Fees.

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

1. Petitioner was appointed successor conservatee of person and estate on 6/2/06.
 2. Accounting period 6/2/06 to 2/5/08 (20 months).
 3. Assets on hand \$739.00.
 4. Partial Inventory & Appraisal filed on same date as this accounting. Need Final Inventory & Appraisal's starting point for accounting assets.
 5. Petitioner reports that conservatee's son, Rick, was paid 42 cents per mile for a 150/day round trip to care for conservatee, that it was not known that court approval should have been obtained for such payments and that certain payments for son's credit card were made to cover rent, gas, telephone, utilities, meals, and other expenses related to ongoing travel to care for conservatee.
- Issues:

- a. Question how some of these expenses (e.g., rent, utilities, telephone, miscellaneous expenses) were travel related. Need verified supplement.
 - b. These disbursements show as dozens of ATM withdrawals (hundreds of dollars per event) throughout the accounting period, as well as payments of \$2,000+ per event to son's credit card. It is therefore impossible to analyze the propriety of the spending and cash movements of conservator.
 - c. Petitioner requests continuing authority to pay son's expenses in lieu of a nurse that would be required but for son's daily care. Suggest court require a more regimented and verifiable method for payment including potential monthly allowance or hourly billing.
6. Attorney does not request specific fees in the petition but attaches a declaration itemizing \$9,160 fees. Itemized, attorney at \$250/hr, paralegal at \$140/hr, and clerical staff at \$50/hr. issues (need verified supplement):
 - a. \$2,500 retainer paid, amount should be reduced by retainer. Also, petitioner requests reimbursement for fees advanced.
 - b. Dues process concern that request for fees was not made in petition, limiting the ability of interested parties to respond.
 - c. On what basis does atty bill non-attorney or paralegal time? CRC 7.754 limits billing to attorneys and qualified paralegals. (\$25 billed by clerical staff.)
 - d. CRC Rules 7.754 and 7.703(e) require a statement of the paralegal's qualifications. Need verified supplement.
 7. Reports and special reports filed by Court Investigator.
 8. Bank statements attached to accounting are not on letterhead and appear to be word processed. Suggest court require proper bank statements or authentication.
 9. Need bank statements for period preceding appointment and period of Inventory & Appraisal (appointment) - (provided statements do not cover some of the relevant periods).
 10. Summary of account and schedules are not on the new mandatory Judicial Council forms. Does court wish to require amended accounting or to advise parties to file all accountings on the required forms in the future?
 11. Accounting does not balance by \$115.50. Need verified supplement.
 12. Need notice of hearing and proof of service, including service upon Veterans Administration.
 13. Petitioner prays for termination of conservatorship and return to authority per prior power of atty. Issues:
 - a. Request is not supported nor included in the title of the petition. Suggest court require separate petition for termination of appropriate.
 - b. That power of attorney is described only as for health care decisions. How would conservatee's finances be managed?
 14. Suggest court require report of appointed counsel (Roger Walker).

RECOMMENDATION

Need to clear notes.

(/abs/vet/kra)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **MISC.**

DATE: 09/29/08 TIME: 1:30 DEPT: E2

CASE #: CONPS0800068

CASE NAME: DANIELLE S. OAKLEY

HEARING:

Court Trial set for PETITION FOR CONSERVATORSHIP of LUANN F MAGEE

COUNSEL:

LUANN F MAGEE (CP)...PRO/PER
DANIELLE S OAKLEY (CTP)...DONNASUE SMITH-ORTIZ

No calendar notes as this is on for Court Trial.