

1A In the Matter of the Verni Family Trust**Case No. 10CEPR00639**

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Status Hearing

Leonarda DOD: 7/31/2000	CARMELA DeSANTIS , daughter and Trust Beneficiary, filed the following pleadings in this matter: <ul style="list-style-type: none"> <i>Petition to Remove Trustees; Appoint Receiver; Surcharge Trustees; Deny Trustees Compensation; Impose Constructive Trust on Assets; and Cause Proceedings to Trace and Recover Assets on 7/26/2012.</i> <i>Amended Objections to First Account Current of Trustee, and Objections to Second Account Current of Trustee on 7/26/2012.</i> <i>Petition to Construe Trust Provision on 7/26/2012.</i> <i>Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust on 8/14/2012.</i> 	NEEDS/PROBLEMS/COMMENTS: Page 1B is the <i>Petition to Remove Trustees, etc.</i> Page 1C is the <i>Petition to Construe Trust Provision.</i> Page 1D is the <i>Petition to Establish Claim of Ownership in Favor of Trust to Property, etc.</i> Page 1E is the <i>Petition for Review of Accounts and Acts of Trustees.</i> Continued from 3/21/2014. Notes: <ul style="list-style-type: none"> <i>Petitioner Carmela DeSantis' Status Report filed 5/12/2014 states that on 4/29/2014 the Court issued its Tentative and Proposed Statement of Decision; Petitioner filed and served her request for a supplemental statement of decision on 5/9/2014.</i> <i>Direction for Preparation of Proposed Statement of Decision filed 5/15/2014 finds the Court orders counsel for Trustees Nicola Verni and Rosa Verni to prepare a Statement of Decision for consideration by the Court and Petitioner pursuant specifically to California Rule of Court 3.1590.</i>
Saverio DOD: 5/25/2009		
Cont. from 032114		
Aff.Sub.Wit.		
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Objections		
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Order	NICOLA "NICK" VERNI , son and Successor Trustee of the SURVIVOR'S TRUST , and ANTONIETTA "ROSA" VERNI , daughter and Trustee of the MERGED FAMILY SUB-TRUST , filed the following pleadings in this matter: <ul style="list-style-type: none"> <i>Response to Petition to Remove Trustees, etc. on 9/27/2012.</i> <i>Response to Petition to Construe Trust Provision on 9/27/2012.</i> <i>Response to Petition to Establish Claim of Ownership on 9/27/2012.</i> 	
	Court Trial Minutes – 2nd Day dated 1/27/2014 directed counsel to submit a list setting forth the depositions they wish the Court to review and consider, including objections thereto, and counsel is to submit their closing briefs [by the dates indicated, which were subsequently changed to later dates (now passed) by filed stipulation and signed order.] Court set a Status Hearing on 3/21/2014. Minute Order dated 3/21/2014 continues all matters to 5/30/2014.	
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG Reviewed on: 5/28/14 Updates: Recommendation: File 1A – Verni

1A

1B In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Armo, Lance, sole practitioner (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to: (1) Remove Trustees; (2) Appoint Receiver; (3) Surcharge Trustees; (4) Deny Trustees Compensation; (5) Impose Constructive Trust on Assets; and (6) Cause Proceedings to Trace and Recover Assets [Prob. C. 15642, 16420 & 17200]

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Screen</td></tr> <tr><td><input type="checkbox"/></td><td>Letters</td></tr> <tr><td><input type="checkbox"/></td><td>Duties/S</td></tr> <tr><td><input type="checkbox"/></td><td>Objection</td></tr> <tr><td><input type="checkbox"/></td><td>Video Receipt</td></tr> <tr><td><input type="checkbox"/></td><td>CI Report</td></tr> <tr><td><input type="checkbox"/></td><td>9202</td></tr> <tr><td><input checked="" type="checkbox"/></td><td>Order</td></tr> <tr><td><input type="checkbox"/></td><td>Aff. Post</td></tr> <tr><td><input type="checkbox"/></td><td>Status Rpt</td></tr> <tr><td><input type="checkbox"/></td><td>UCCJEA</td></tr> <tr><td><input type="checkbox"/></td><td>Citation</td></tr> <tr><td><input type="checkbox"/></td><td>FTB Notice</td></tr> </table>	Leonarda DOD: 7/31/2000		Saverio DOD: 5/25/2009						Cont. from 091112, 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114		<input type="checkbox"/>	Aff.Sub.W	<input checked="" type="checkbox"/>	Verified	<input type="checkbox"/>	Inventory	<input type="checkbox"/>	PTC	<input type="checkbox"/>	Not.Cred.	<input type="checkbox"/>	Notice of Hrg	<input type="checkbox"/>	Aff.Mail	<input type="checkbox"/>	Aff.Pub.	<input type="checkbox"/>	Sp.Ntc.	<input checked="" type="checkbox"/>	Pers.Serv.	<input type="checkbox"/>	Conf. 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Petitioner states:</p> <ul style="list-style-type: none"> The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and LEONARDA VERNI on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the VERNI MARITAL TRUST, the VERNI FAMILY TRUST, (which was amended once during both Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts attached as Exhibit A); following Leonarda's death, Saverio amended the SURVIVOR'S TRUST seven times, with the <i>Eighth Amendment</i> (the final) amending the SURVIVOR'S TRUST in its entirety; Saverio served as sole trustee of the three sub-trusts until his death on 5/25/2009, and upon his death the Marital Sub-Trust terminated and its principal was added to the Family sub-trust, which became the MERGED FAMILY SUB-TRUST; Pursuant to the Trust terms, ANTONIETTA ROSA VERNI, daughter, is first appointed and currently serves as Successor Trustee of the Merged Family Sub-Trust; pursuant to the <i>Eighth Amendment</i> to Trust, NICOLA VERNI, son, is first appointed and currently serves as Successor Trustee of the SURVIVOR'S TRUST; The beneficiaries of each of the Sub-Trusts are the Settlor's five children: ANTONIETTA ROSA VERNI (Rosa), NICOLA VERNI (Nick), LEONARD VERNI (Dino), MARIA STANZIALE, and CARMELA DeSANTIS (Petitioner); and specific distributions from the Survivor's Sub-Trust are to ERLINDA MARCIANO VERNI (\$200,000.00) and ST. ANTHONY OF PADUA CATHOLIC CHURCH (\$200,000.00); Following the death of Saverio and Leonarda, the Merged Family Sub-Trust names Rosa as First Successor Appointee, and Maria as Second Successor Appointee; Eighth Amendment provides that upon Saverio's ceasing to act as trustee, Nick will serve as trustee of the Survivor's Sub-Trust; Petitioner seeks a Court order pursuant to Probate Code § 15642 removing Rosa as trustee of the Merged Family Sub-Trust, and removing Nick as trustee of the Survivor's Sub-Trust; Petitioner also seeks a determination by the Court that Dino is not qualified to serve as next successor trustee of the Survivor's Sub-Trust. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3/21/2014.</u></p> <p>Note: Additional notes pages originally prepared with respect to this petition have been omitted.</p>
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1C In the Matter of the Verni Family Trust (Trust)**Case No. 10CEPR00639**

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to Construe Trust Provision [Prob. C. 17200]

Leonarda DOD: 7/31/2000	<p>CARMELA DeSANTIS, daughter and Trust Beneficiary, is Petitioner.</p> <p>Petitioner states:</p> <ul style="list-style-type: none"> The VERNI FAMILY TRUST of 1999 was created by SAVERIO VERNI and LEONARDA VERNI on 6/10/1999, and was amended once by Settlers on the following day, 6/11/1999; Leonarda died on 7/31/2000, thereby causing the Trust to be divided into three sub-trusts: the VERNI MARITAL TRUST, the VERNI FAMILY TRUST, (which was amended once during both Trustors' lifetimes), and the VERNI SURVIVOR'S TRUST (copies of Trusts attached as Exhibit A); The instant petition relates to a provision contained in the SURVIVOR'S SUB-TRUST; over Petitioner's objections, Trustees Nick and Rosa have provided a commingled accounting for the Merged Family and Survivor's Sub-Trusts, which fails to segregate each Sub-Trust's assets, liabilities, receipts and disbursements; The failure to appropriately segregate assets, liabilities, receipts and disbursements among the Sub-Trusts prevents the Court, trustee and beneficiaries from determining the size and holdings of the SURVIVOR'S SUB-TRUST; because the SURVIVOR'S SUB-TRUST will be used to fund the above-referenced equalization provision, any appropriate increase in size to that particular Sub-Trust will allow greater realization of the Trustor's intent and will provide a means for effectuating the equalization of prior distributions; conversely, any inappropriate decrease in the size of the SURVIVOR'S SUB-TRUST will undermine the Trustor's intent and deny the Trustee the ability to effectuate an equalization; The Trustee of the SURVIVOR'S SUB-TRUST believes that distributions made during Saverio's lifetime should <u>not</u> be considered for purposes of the equalization process; Petitioner believes this to be contrary to the language of the provision and intent of the Trustor. <p>Petitioner requests a judicial declaration from the Court concerning the proper construction of Subsection 1, of Section B, or Article IV of the SURVIVOR'S SUB-TRUST [refer to copy of Trust or Paragraph 11 of Petition for exact language requiring apportionment of the residue of the trust estate into equal shares for Trustor's living children.]</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Continued from 3/21/2014.</u></p> <p>Note: Additional notes pages originally prepared with respect to this petition have been omitted.</p>
Saverio DOD: 5/25/2009		
Cont. from 100212, 120512, 010313, 022113, 032213, 052413, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114		
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		<p>Reviewed by: LEG</p> <p>Reviewed on: 5/28/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1C – Verni</p>

1D In the Matter of the Verni Family Trust (Trust) Case No. 10CEPR00639

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition to Establish Claim of Ownership, in Favor of Trust, to Property and for Order Directing its Transfer to the Trustees to Hold in Trust (Prob. C. 850, 17200.1)

Leonarda DOD: 7/31/2000	CARMELA DeSANTIS , daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Saverio DOD: 5/25/2009		
Cont. from 100212, 120512, 010313, 022113, 032213, 062113, 062813, 083013, 092713, 103013, 120613, 012714, 032114	Summary of Petitioner's requests for specific relief:	Continued from 3/21/2014.
<input type="checkbox"/> Aff.Sub.W	1. Determining that the following is property of the Trust estate:	Note: Additional notes pages originally prepared with respect to this petition have been omitted.
<input checked="" type="checkbox"/> Verified	(a) Almond crops: (i) The almond meat inventory on hand at the date of Saverio's death; (ii) all almond crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the almond inventory and crops;	
<input type="checkbox"/> Inventory	(b) Olive crops: (i) The olive oil, olive crop and olive inventory on hand at the date of Saverio's death; (ii) all olive crops grown on Trust land since Saverio's death; and (iii) proceeds from the sale of the olive oil, inventory and crops;	
<input type="checkbox"/> PTC	(c) Other crops (Stone Fruit, Grapes, Etc.): (i) The inventory of other crop grown on Trust land, on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such crops grown on Trust land since Saverio's death and during 2009; and (iii) proceeds from the sale of the inventory and crops;	
<input type="checkbox"/> Not.Cred.	(d) Other Inventory on Hand: (i) The inventory of firewood and olive oil on hand at the time of Saverio's death but not reported in the Trustee's First Account; (ii) all such items produced from products grown on Trust land since Saverio's death and during 2009; [and (iii) proceeds from the sale of the other inventory;]	
<input type="checkbox"/> Notice of Hrg	(e) Proceeds from Sale of Trust Real Property: The money received by Nick and Dino from DeYoung Properties in connection with the option to purchase land and used by DeYoung Properties to actually purchase Trust land which sum is believed to be not less than \$1,000,000.00 ;	
<input type="checkbox"/> Aff.Mail	2. Directing each of the beneficiaries in possession or holding the property to transfer such property to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);	
<input type="checkbox"/> Aff.Pub.	3. Directing each of the beneficiaries in possession or holding any proceeds from the sale or exchange of any of the property to transfer such proceeds to the Trustees to hold for the benefit of the Trust and the appropriate Sub-Trust(s);	
<input type="checkbox"/> Sp.Ntc.	4. For judgment in favor of the Trustees of the Trust against any beneficiary who received the Trust property and proceeds, in an amount to be determined and as required to compensate for all of the detriment and damages cause to the Trust; and	
<input checked="" type="checkbox"/> Pers.Serv.	5. For treble damages pursuant to Probate Code § 859.	
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
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		Reviewed by: LEG
		Reviewed on: 5/28/14
		Updates:
		Recommendation:
		File 1D - Verni

1E In the Matter of the Verni Family Trust (Trust)**Case No. 10CEPR00639**

Atty Marchini, Joseph; Fashing, Peter; of Baker Manock & Jensen (for Petitioner Carmela DeSantis, daughter and Trust Beneficiary)

Atty Baldwin, Kenneth A.; Thompson, Timothy; Cunningham, Nikole; of McCormick Barstow (for Co-Trustees Antonietta "Rosa" Verni, daughter, and Nicola "Nick" Verni, son)

Atty Phillips, John, of Wild, Carter & Tipton (for Leonard "Dino" Verni, son)

Atty Childs, Jerry; Bohn, Jeffrey D., sole practitioner (for Erlinda M. Verni, surviving spouse)

Petition for Review of Accounts and Acts of Trustees [Prob. C. 16063(a)(5); 17200(b)(5)]

Leonarda DOD: 7/31/2000	CARMELA DeSANTIS , daughter and Trust Beneficiary, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 3/21/2014.</u> Note: Petitioner's prayer requests the Court disallow the accounts. Petitioner requests in the body of the <i>Petition</i> that the Court review the Second, Third and Fourth Accounts, but because the subject accounts have not been filed with the Court by the Co-Trustees as the fiduciaries, the accounts have not been reviewed by the Court.
Saverio DOD: 5/25/2009		
Cont. from 120613, 012714, 032114	Summary of Petitioner's requests in the Prayer for Relief: <ul style="list-style-type: none">That each of the Second, Third, and Fourth Accounts Current submitted to Petitioner by the Co-Trustees be disallowed;That the Co-Trustees, and each of them, be ordered to compensate the estate for any loss caused by their acts and omissions;That the Trustees be directed to prepare and file a true and full account of their acts and proceedings within such time as may be allowed by this Court; andThat Petitioner be reimbursed attorney's fees and costs.	
Aff.Sub.Wit.	Petitioner states the following in support of the requests for relief:	
<input checked="" type="checkbox"/> Verified	Accounts Provided by the Trustees <ul style="list-style-type: none">On or about 8/26/2010, the Co-Trustees, Rosa and Nick Verni, filed a <i>First Account Current and Report of Trustees and Petition for its Settlement</i>;On 10/5/2010, Petitioner filed written objections to the <i>First Account Current</i> based on, among other things, the limited scope of the Account, the Trustees' failure to render separate accountings for each Sub-Trust, the failure to provide information pertaining to transactions involving the Trustees, as well as with respect to various farming operations being managed by the Trustees on behalf of the Trust;At Petitioner's request, the Trustees provided Petitioner with a <i>Second Account Current</i>, covering the period of 1/1/2010 through 12/31/2010;	
Inventory	~Please see additional page~	
PTC		
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Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/28/14
		Updates:
		Recommendation:
		File 1E – Verni

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Petitioner states, continued:

- On 7/26/2012, Petitioner filed written *Objections to Second Account Current*, and attached a copy of the *Second Account Current (copy of the Objections to Second Account Current filed by Petitioner on 7/26/2012 attached as Exhibit B)*;
- The *Second Account Current* continued to be deficient in the same respects as noted with respect to the *First Account Current*, among others;
- In spite of Petitioner's repeated objections, the Trustees continue to fail to properly account to Petitioner and other beneficiaries, as required by the terms of the Trust and Probate Code § 16062 et seq., in the *Third Account Current*, covering the period of 1/1/2011 through 12/31/2011, mailed to Petitioner at her request on or about 11/19/2012, and the *Fourth Account Current* covering the period of 1/1/2012 through 12/31/2012, mailed to Petitioner at her request on or about 4/19/2013;
- The manner in which such Accounts are deficient is further described in Petitioner's *Objections to Third Account Current*, attached as *Exhibit C*, and Petitioner's *Objections to Fourth Account Current* attached as *Exhibit D*;
- Article 11, Section 4 of the Trust requires the Trustees to render an accounting upon written request of any beneficiary;
- To date, the Trustees have failed to provide adequate accounts in response to Petitioner's requests pursuant to this provision, thereby necessitating this request that the Court review the Second, Third and Fourth Accounts Current and the acts of the Trustees.

Response to Petition for Review of Accounts and Acts of Trustees filed on 12/5/2013 by Trustees Nick Verni and Rosa Verni states:

- Trustees admit that they filed the First Account Current and Report of Trustees and Petition for Settlement on 8/26/2010; Trustees further admit that Petitioner filed written objections to the First Account Current on 10/5/2010; however, Trustees deny that any deficiencies exist, legal or otherwise, in the First Account Current;
- Trustees admit that they submitted the Second Account Current to Petitioner; Trustees further admit that Petitioner filed written objections to the Second account current on 7/26/2012; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Second Account Current;
- Trustees admit that they submitted the Third Account Current to Petitioner on or about 11/19/2012; Trustees further admit that they submitted the Fourth Account Current to Petitioner on or about 4/19/2013; however, Trustees deny that any deficiencies exist, legal or otherwise, in the Third Account Current and Fourth Account Current;
- The Trustees have filed a full account of their acts and proceedings during the period embraced thereby, and their Report and Account should be allowed and approved;
- Trustees expressly deny that any of the Second, Third and Fourth Accounts Current are deficient or otherwise fail to comply with the Trust or the requirements set forth in the Probate Code;

Trustees pray for an Order of this Court finding that:

1. The objections of Petitioner be dismissed;
2. All acts and transactions of the Trustees as reflected in the Account and Report be ratified and confirmed;
3. The Trustees be authorized and directed to continue the administration of the Sub-Trusts until such time as the remaining tasks discussed herein are accomplished, the remaining legal actions discussed herein are resolved, and a plan of final distribution can be presented to the beneficiaries of the trust for their consent;
4. Petitioner take nothing by way of her Petition; and
5. Attorney's fees and costs of suit are awarded to Respondents.

Probate Status Hearing Re: First Account

DOD: 10/1/2010	RONALD T. OYE , cousin of Decedent's spouse and Guardian of Decedent's son, was appointed Administrator with Full IAEA authority without bond on 2/20/2013.		NEEDS/PROBLEMS/COMMENTS:
			Continued from 4/25/2014. Minute Order states no appearances. If accounting filed then status hearing may come off. Courtroom clerk will send minute order and examiner notes. Clerk's Certificate of Mailing filed 4/28/2014 shows a copy of the Minute Order and examiner notes mailed to Attorney Gromis on 4/28/2014.
Cont. from 042514	Letters issued on 2/20/2013.		1. Need first and final account, or current verified Status Report and proof of service of the Status Report pursuant to Local Rule 7.5(B).
Aff.Sub.Wit.			
Verified			Note: Minute Order dated 2/20/2013 from the hearing on the appointment of the Administrator indicates a Guardianship of the Person and Estate was established on 11/14/2011 in San Joaquin County for the Decedent's son, JIM ISAMU KAWANO . Copy of Letters of Guardianship recorded in Superior Court of San Joaquin County was filed 2/22/2013, showing the Petitioner RONALD T. OYE and MICHIKO YAMADA OYE were appointed Co-Guardians of Decedent's son.
Inventory			
PTC			Reviewed by: LEG
Not.Cred.			
Notice of Hrg			Reviewed on: 5/29/14
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Pers.Serv.			Recommendation:
Conf. Screen			
Letters			File 2 – Kawano
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt		X	
UCCJEA			
Citation			
FTB Notice			

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for
Failure to File a First Account or Petition for Final Distribution**

DOD: 06/13/2003	RICHARD MONIZ and HELEN MONIZ,	NEEDS/PROBLEMS/COMMENTS:
	were appointed Executors with full IAEA	
	authority without bond on 09/30/2002.	Continued from 03/28/2014
	Letters issued on 02/23/2004.	Minute Order of 02/07/2014: No
Cont. from 020714,		appearances. Mr. Milnes is directed
032814	Inventory and Appraisal was due	to contact his clients regarding this
Aff.Sub.Wit.	02/23/2004.	matter.
Verified		
Inventory	First Account or Petition for Final	Copy of Minute Order mailed to
PTC	Distribution was due on 11/2004.	Michael Milnes on 03/06/2014.
Not.Cred.		
Notice of	Notice of Status Hearing was mailed to	1. Need Final Inventory and
Hrg	Michael Milnes, Attorney, Richard	Appraisal and First Account or
Aff.Mail	Moniz, and Helen Moniz on 11/20/2013.	Petition for Final Distribution or
Aff.Pub.		current written status report
Sp.Ntc.		pursuant to Local Rule 7.5 which
Pers.Serv.		states in all matters set for status
Conf.		hearing verified status reports
Screen		must be filed no later than 10
Letters		days before the hearing. Status
Duties/Supp		Reports must comply with the
Objections		applicable code requirements.
Video		Notice of the status hearing,
Receipt		together with a copy of the Status
CI Report		Report shall be served on all
9202		necessary parties.
Order		
Aff. Posting		Reviewed by: LV
Status Rpt		Reviewed on: 05/28/2014
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 3 – Gracie

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or
Failure to File a First Account or Petition for Final Distribution**

DOD: 7-23-04	CRAIG ADAMS , Son, was appointed as Administrator with Full IAEA without bond on 3-29-05 and Letters issued on 3-30-05.	NEEDS/PROBLEMS/COMMENTS:
		1. Need Inventory and Appraisal pursuant to Probate Code §8800. 2. Need accounting and petition for final distribution pursuant to Probate Code §12200.
Cont From 021414	The original petition alleged real property valued at \$105,000.00, but encumbered for \$90,000.00.	Note: Pursuant to Assignment of Interest filed 3-30-05 by Terry Adams, Administrator Craig Adams appears to be the sole heir of the estate. However, the estate must be properly closed with notice as appropriate.
Aff.Sub.Wit.		
Verified		Note: On 4-25-14, Attorney Val Dornay submitted a Request for Dismissal; however, dismissal cannot be entered because Letters have issued. Therefore, a report of administration is required with noticed hearing. See Probate Code §12200.
Inventory		
PTC		Reviewed by: skc
Not.Cred.		
Notice of Hrg		Reviewed on: 5-28-14
Aff.Mail		
Aff.Pub.		Updates:
Sp.Ntc.		
Pers.Serv.		Recommendation:
Conf. Screen		
Letters		File 4 – Adams
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or
Failure to File a First Account or Petition for Final Distribution**

DOD: 9-15-04	ERICA HERNANDEZ , daughter, was appointed as Administrator with Full IAEA without bond and Letters issued on 5-20-05.	NEEDS/PROBLEMS/COMMENTS:
		Continued from 2-14-14
		As of 5-28-14, nothing further has been filed.
Cont from 021414	The original petition alleged personal property valued at \$2,000.00 and real property valued at \$270,000.00, encumbered for \$45,000.00.	3. Need Inventory and Appraisal pursuant to Probate Code §8800 and accounting and petition for final distribution pursuant to Probate Code §12200, or verified written status report pursuant to local rules.
Aff.Sub.Wit.	However, no Inventory and Appraisal was ever filed pursuant to Probate Code §8800.	Note: The decedent's intestate heirs are his three children: Erica Hernandez, Cristobal Hernandez, and Andrea Hernandez.
Verified	No accounting or petition for final distribution was ever filed pursuant to Probate Code §12200.	
Inventory	The Court set this status hearing for failure to file Inventory and Appraisal and failure to file accounting or petition for final distribution. Both attorney and personal representative are ordered to appear.	
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt	Notice of Status Hearing was mailed to Attorney Bruce A. Neilson and Administrator Erica Hernandez on 11-21-13.	
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: skc
Status Rpt		Reviewed on: 5-28-14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 5 – Hernandez

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

			<p>ROQUE RODRIGUEZ., son, appointed administrator with full IAEA authority with bond set at \$22,500.00 on 03/07/2006.</p> <p>Letters issued on 03/16/2006.</p> <p>Inventory and Appraisal filed 03/16/2006 shows an estate valued at \$22,500.00 consisting of real property.</p> <p>First Account or Petition for Final Distribution was due 05/2007.</p> <p>Notice of Status Hearing was mailed to Attorney Mortimer and Roque Rodriguez on 11/22/2013.</p> <p>Former Status Report filed 02/18/2014 states the only asset in the estate is an undivided ¾ interest in a residence located at 1364 "M Street, Firebaugh, Fresno, County, California. The Administrator owns the other undivided one-quarter interest in this property. The residence is currently vacant and the Administrator and other family members have been paying the property taxes and maintaining fire insurance on the property. Because of the depressed market for houses in Firebaugh, the property has not been actively listed for sale. Administrator plans to list the property in late spring or early summer with a real estate broker for sale. At such time as the property closes escrow, a final accounting and petition for distribution can then be promptly filed and the estate proceedings can then be concluded.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 02/28/2014</p> <p>1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 022814				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: LV				
Reviewed on: 05/28/2014				
Updates:				
Recommendation:				
File 6 – Rodriguez				

DOD: 02/16/06	JACQUELINE SHELTON and ANNA SHELTON , daughters, were appointed as Co-Administrators as the estate with full IAEA and without bond on 09/19/06. Letters of Administration were issued on 09/19/06.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 013114, 032814	Inventory & Appraisal, Final, filed 03/19/07 - \$230,049.53	<u>CONTINUED FROM 03/28/14</u>
Aff.Sub.Wit.		1. Need Final Account and Petition for Final Distribution.
Verified		
Inventory	Notice of Status Hearing set this matter for a status hearing regarding failure to file a First Account or Petition for Final Distribution.	
PTC	Clerk's Certificate of Mailing indicates that the Notice of Status Hearing was mailed to Stanley Teixeira on 11/14/13.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.	Status Report filed 05/22/14 states: that on 01/19/14, the Co-Administrators agreed to sell the real property asset of the estate.	
Sp.Ntc.	During the escrow process, it was discovered that Capital One through Household bank recorded an Abstract of Judgment against the real property pertaining to the decedent in the amount of \$6,705.61. On 05/02/14, written acknowledgment from Capital One was received stating that no claim will be made. After receiving the notice of no claim, attorney for Petitioner contacted the title company who handled the escrow on the sale of the real property, unfortunately, the title company had stated that the letter is insufficient for release of all funds held by the title company and that a Release of Abstract or Acknowledgement of Full Satisfaction is required. Attorney is now currently in the process of obtaining the needed documentation from Capital One.	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 05/28/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 7 – Shelton

Probate Status Hearing Re: Failure to File a Petition for Final Distribution

		<p>FRANKIE FRIETAS, daughter, was appointed Executor with full IAEA authority without bond on 04/21/2008.</p> <p>Letters issued on 04/21/2008.</p> <p>Inventory and Appraisal Partial No. 1 filed 10/02/2008 - \$175,000.00</p> <p>Inventory and Appraisal Partial No. 2 filed 07/30/2010 - \$2,109.22</p> <p>Final Inventory and Appraisal filed 02/10/2014 - \$500.00</p> <p>First Account or Petition for Final Distribution was due 06/2009.</p> <p>Notice of Status Hearing was mailed to J. Stanley Teixeira on 11/14/2013.</p> <p>Status Report filed 05/22/2014 the unlawful detainer action has been completed. A draft of the Petition for Final Distribution has been drafted. Attorney Teixeira hopes to be able to meet with his client for review and signing of the Petition for Final Distribution and have it on file prior to the hearing on status set for 05/30/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need First Account or Petition for Final Distribution.</p>
Cont. from 013114, 032814			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LV	
		Reviewed on: 05/28/2014	
		Updates:	
		Recommendation:	
		File 8 – Sconiers	

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Order for Settlement on Waiver of Account; For Final Distribution and for Allowance of Compensation for Ordinary Services filed 05/13/14
DOD:			
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: JF			
Reviewed on: 05/28/14			
Updates:			
Recommendation:			
File 9 - Bedrosian			

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 03/31/10	<p>JOSEPH W. MARTIN, spouse, was appointed as Administrator with full IAEA and without bond on 03/28/13.</p> <p>Letters of Administration were issued on 03/29/13.</p> <p>Inventory & Appraisal, Partial No. 1 filed 03/26/13 - \$95,000.00</p> <p>Inventory & Appraisal, Supplemental filed 05/07/13- \$24,123.74</p> <p>Inventory & Appraisal, Final filed 05/06/14 - \$6,750.00</p> <p>Status Report filed 05/22/14 states: Litigation involving the decedent's daughter from another marriage was recently settled and the matters have been dismissed. The Administrator is continuing to work on administering the estate. Administrator is experiencing mobility issues making it impossible to attend the hearing. He is focusing on his physical rehabilitation and requests that he be excused from attending the status hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need Account/Report of Administrator on Waiver of Account and Petition for Final Distribution.</p>	
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 05/28/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 10 - Martin</p>			

Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution

DOD: 12/25/12		MARY S. RODRIGUEZ , daughter, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13. Inventory & Appraisal, final filed 05/08/13 - \$100,000.00	NEEDS/PROBLEMS/COMMENTS: 1. Need Account/Report of Administrator on Waiver of Account and Petition for Final Distribution and/or Current Status Report.
Cont. from			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 05/28/14	
		Updates:	
		Recommendation:	
		File 11 - Rodriguez	

DOD: 07/04/12		WILLIAM MARTIN (MARTY) SHIBA , son, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		Inventory & Appraisal, final filed 07/15/13 - \$68,775.68	
Aff.Sub.Wit.			
Verified		Status Report filed 05/22/14 states that the Accounting/Petition for Final Distribution is currently being prepared and should be filed within the next 3 weeks. A 30 day continuance is requested.	
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 05/28/14	
		Updates:	
		Recommendation:	
		File 12 - Shiba	

Status Hearing Re: Filing Proof of Trustee's Bond

Age:			NEEDS/PROBLEMS/COMMENTS: <p style="text-align: center;"><u>OFF CALENDAR</u> Bond filed 04/15/14</p>	
DOD:				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: JF
				Reviewed on: 05/28/14
		Updates:		
		Recommendation:		
		File 13 - Katigbak		

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for
Failure to File a First Account or Petition for Final Distribution**

DOD: 9/18/2004	RENEE MASON , mother, was appointed as Administrator with full IAEA authority and without bond on 7/26/2005.	NEEDS/PROBLEMS/COMMENTS: Need inventory and appraisal, and first account or petition for final distribution, or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
	Letters issued 7/26/2005.	
Cont. from 021414		
Aff.Sub.Wit.	Inventory and appraisal was due December 2005.	
Verified		
Inventory	First account or petition for final distribution was due August 2006.	
PTC		
Not.Cred.	Creditor's Claim in the amount of \$799.97 filed on 3/26/2005 by Bank of America.	
Notice of Hrg		
Aff.Mail	Notice of Status Hearing was mailed to attorney Kenneth Brock and Administrator Renee Mason on 11/21/14.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	Minute order dated 2/14/14 indicates Administrator Renee Mason was present in court and was provided a copy of the examiner notes.	
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 5/28/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 – Swarm