

Tentative Rulings for February 22, 2024 Probate Calendar

Judge James T. Chou
Department C
Judge Mark A. Talamantes
Department L

**APPEARANCES MAY BE MADE
IN PERSON
OR ON ZOOM.**

To Join a Zoom Meeting, please follow this link: www.marin.courts.ca.gov

Click on the “Virtual Courtrooms” icon and then on “Zoom Civil / Family / Probate Court Calendar Appearance Information”

Scroll down to Department C for the connection information.

Any person who wishes to make an appearance to contest the tentative ruling must inform the other parties and the Probate Research Attorney by 4:00 PM on Friday (MCR 5.2 D).

There is no need to inform the Court of your intent to appear if the tentative ruling requires an appearance.

Probate Research Attorney:

Trudy Verzosa

E-mail: trudy.verzosa@marin.courts.ca.gov (preferred)

Tel: (415) 444-7315

Judge James T. Chou
Department C
9:00 Calendar

PR000028 IN THE MATTER OF THE ESTATE OF JUDY H. BLOCH

Petition to terminate and discharge.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR0000111 IN THE MATTER OF THE MORTON H. GOTHELF TRUST DATED MAY 22, 2000, AS
AMENDED AND RESTATED THEREAFTER

Motion to consolidate.

Ruling. **Continued to March 21, 2024 at 9:00, for further review.**

PRO2300998 IN RE THE MORTON H. GOTHELF TRUST DATED MAY 22, 2000, TRUST OF

Motion to Consolidate

Ruling. **Continued to March 21, 2024 at 9:00, for further review.**

PRO2301051 ESTATE OF MORTON HERBERT GOTHELF

Motion to Consolidate

Ruling. **Continued to March 21, 2024 at 9:00, for further review.**

PR0000184 IN THE MATTER OF KIRK RODNEY WILLWERTH

Spousal Property Petition

Ruling. **Continued to March 21, 2024 at 9:00. Petitioner cannot be appointed GAL for the Minor as this is a conflict of interest. Please file an Amended Petition to Appoint an impartial GAL no later than March 14, 2024.**

PR0000189 IN THE MATTER OF JANG OK OH

Spousal Property Petition

Ruling. **Appearance is required.** Please be prepared to address the following:

1. Jang Oh died with a Will that requires distribution of his assets directly to the Oh Trust.
2. What is the legal authority allowing the Court to distribute Mr. Oh's estate assets to his surviving spouse's estate instead?

PR000217 IN THE MATTER OF LOCKWOOD FAMILY TRUST, DATED JULY 26, 2023

850 Petition.

Ruling. Absent objections, this Petition will be **granted without hearing.**

**PR000221 IN THE MATTER OF EXEMPTION TRUST UNDER THE THOMAS P. AND DIANA W. SINGER
1993 TRUST , UTA MAY 18, 1993**

Petition to modify trust.

Ruling. **Appearance is required.**

PR000226 IN THE MATTER OF PARIANI FAMILY LIVING TRUST

Petition to modify trust.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR000254 IN THE MATTER OF THE BOB & KAREN PIPER TRUST AGREEMENT

850 Petition

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR000255 IN THE MATTER OF DARRICK T. CHASE

Petition for spousal property.

Ruling. **Continued to March 21, 2024 at 9:00.** Please address the following no later than March 14, 2024:

1. Notice/Proof of Service. Please file.
2. Proof of Will. As the Will is not self-proving, a proof of will must be filed.

PR0000258 IN THE MATTER OF MARY JO MCGAUGHEY 1998 REVOCABLE TRUST DATED MARCH 18, 1998

850 Petition

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR0000278 IN THE MATTER OF THE OH TRUST

Petition to modify trust.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR0000279 IN THE MATTER OF THE BERTOLINO FAMILY TRUST

Petition to modify trust.

Ruling. **Continued to March 7, 2024 at 9:00, for further review.**

PR0000326 IN THE MATTER OF THE QUINN FAMILY TRUST DATED MARCH 12, 1992

Petition for trust.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR0000352 IN THE MATTER OF THE AMENDMENT AND RESTATEMENT OF ELEANOR N. NOLAN SURVIVOR'S TRUST DATED FEBRUARY 10, 2015

Petition to modify trust.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PR0000358 IN THE MATTER OF RICHARD J. SHIPPY

Petition for letters testamentary.

Ruling. Absent objections, this Petition will be **granted without hearing.**

Future dates.

1. Final Inventory and Appraisal.
 - a. A status hearing for the filing of the Final Inventory and Appraisal shall be set on June 27, 2024 at 10:00.
 - b. An appearance will be required on that date if the Final I&A is not filed at least 5 court days prior to hearing.
2. Status on Closing Estate.
 - a. Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by February 24, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on March 13, 2025 at 10:00.
 - i. If neither document has been timely filed, an appearance will be required.
 - ii. If the Petition or Report is timely filed, the hearing will be set on March 13, 2025 at 9:00.

PR0000359 IN THE MATTER OF CHRISTIAN A. STRACHWITZ

Petition for letters testamentary.

Ruling. Absent objections, this Petition will be **granted without hearing.**

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PRO000360 IN THE MATTER OF BRENDAN O'CONNOR

Petition for succession of real property.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO000376 IN THE MATTER OF ARTHUR HARRY KERN

Petition for letters testamentary.

Ruling. **Continued to February 29, 2024 at 9:00 for further review.** Upon cursory review, the Court notes that the Fourth Codicil is not self-proving because the original did not include date and location of verification.

PRO2001571 DAVID FREDERICK COURY, ESTATE OF

- 1) Petition for first accounting; request for order reimbursing executor for expenditures in behalf of the estate; request for order unblocking the estate bank account filed by James W. Haworth.
- 2) Status conference.

Ruling. **Continued to March 21, 2024 at 9:00.**

PRO2003204 IN RE THE JAYNE O. BROWN FAMILY TRUST, UDT 11/28/1994, TRUST OF

Petition to compel accounting.

Ruling. **Continued to March 28, 2024 at 9:00 to be heard with related petitions.**

PRO2200268 DAVID M. HELLMAN, ESTATE OF

Status conference regarding potential settlement.

Ruling. **Appearance is required.**

PRO2200726 ROBERT LESLIE HILL, ESTATE OF

Final Distribution

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO2200875 EDIE LOUISE MAXWELL, ESTATE OF

Final Distribution

Ruling. **Continued to March 21, 2024.** Please address the following no later than March 14, 2024:

1. File Notice/POS to confirm proper notice to Etude Genealogique (Prob. C. § 11604(a)).
2. The Petition for Probate alleged that Decedent did not have any next of kin. The Petition for Final Distribution requests distribution to 10 second cousins, but the Court cannot locate anything in the file reporting that heirs had been found and providing all information required by Item 8 of the Petition for Probate for each heir. Please file a Supplement to Petition that sets forth names, ages, relationships, and addresses of each heir.
3. File the heirs' assignments to Etude Genealogique.

PRO2202216 PHYLLIS METCALFE, ESTATE OF

Final distribution.

Ruling. **Continued to February 29, 2024 at 9:00 for further review.**

PRO2202220 MARGARETHE ANN WELCH, ESTATE OF

Petition - Status Report of Administration

Ruling. **Appearance is required.**

PRO2202628 ROBERT MICHAEL NAVE, ESTATE OF

Petition to determine ownership.

Status Conference - Filing of Final Inventory and Appraisal

Ruling. **Continued to February 29, 2024 at 9:00 for further review.**

PRO2203324 ROBERTA J. MYERS, ESTATE OF

Final distribution.

Ruling. **Continued to March 21, 2024.**

1. As the Petition was not filed by 1/31/24 as ordered by the Court on 12/18/23, there was not sufficient time for proper notice.
2. Please file POS to confirm proper notice to all interested parties no later than March 14, 2024.

**PRO2203499 IN RE THE VICTOR PETRESHENE AND SUSAN S. PETRESHENE 1981 LIVING TRUST,
TRUST OF**

- 1) Motion to relieve counsel.
- 2) Petition for orders suspending trustee's powers pending removal, etc.
- 3) Status conference.

Ruling. **Appearance is required.**

PRO2203965 MARY FAZZAFERRI-FOSSE, ESTATE OF

Final distribution.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO2204026 RICHARD SPRANG, ESTATE OF

Final distribution.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO2204217 DONALD DUANE TURI, ESTATE OF

Final distribution.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO2300282 JEFFREY J. HOLM, ESTATE OF

Accounting - Final

Ruling. Absent objections, this Petition will be **granted without hearing.**

**PRO2300466 GRETCHEN MULLER AKA GRETCHEN RENEE MULLER AND GRETCHEN R. MULLER,
ESTATE OF**

Final distribution.

Ruling. **Continued to March 7, 2024 at 9:00 for further review.**

PRO2300892 CHRISTEL MARTIN, ESTATE OF

Final distribution.

Ruling. Continued to March 7, 2024 at 9:00 for further review.

PRO2301707 JONATHAN DALE SHORE, ESTATE OF

Final distribution.

Ruling. Continued to March 7, 2024 at 9:00 for further review.

Judge James T. Chou
Department C
10:00 Calendar

PR000009 IN THE MATTER OF JAMES ANGELO MUSCATO

- 1) Status conference regarding filing of final inventory and appraisal.
- 2) Order to show case regarding failure to file final inventory and appraisal and failure to appear on 01/18/24.

Ruling. **Appearance is required.**

PRO000028 IN THE MATTER OF THE ESTATE OF JUDY H. BLOCH

Status regarding filing of final inventory and appraisal.

Ruling. **Off calendar.**

PR000067 IN THE MATTER OF RICHARD HEINZ

Status regarding filing final inventory and appraisal.

Ruling. **Appearance is required.**

PRO2002254 IN RE THE Yael ILINETSKY SPECIAL NEEDS TRUST, TRUST OF

Status regarding filing of Second account.

Ruling. **Appearance is required.**

PRO2002255 IN RE THE YOEL ILINETSKY SPECIAL NEEDS TRUST, TRUST OF

Status regarding filing of Second account.

Ruling. **Appearance is required.**

PRO2203032 ERIC HENRY BENEKEN, ESTATE OF

Order to show cause regarding why the probate estate should not be terminated for lack of assets (PC12251).

Ruling. **Appearance is required.**

Judge James T. Chou
Department C
1:30 Calendar

PR000039 IN THE MATTER OF ENZO F. VENTURA

Status regarding filing the conservatorship general plan and determination of conservatee's appropriate level of care.

Ruling. **Off calendar** – both documents have been filed.

PR000229 IN THE MATTER OF JAMES G. GILLAM

Petition to appoint conservator.

Ruling. **Appearance is required.**

PR000235 IN THE MATTER OF JAMAHL NOBEL HEWITT, JAMES JOSEPH HEWITT AND JAMAYA FAITH HEWITT

Petition to appoint guardian.

Ruling. **Appearance is required.**

PR000241 IN THE MATTER OF JAESHAUN MALEEK FELDER

Petition to appoint guardian.

Ruling. **Appearance is required.**

PRO1005016 STEPHANIE TSAI, CONSERVATORSHIP OF THE PERSON

Petition for change of venue.

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO1202726 JORDAN WILLIAMS, CONSERVATORSHIP OF THE ESTATE

Petition to unblock account.

Ruling. **Continued to March 7, 2024 at 1:30, for further review.**

PRO1602938 ALEXI GIRLANDO, LIMITED CONSERVATORSHIP OF THE PERSON AND ESTATE

1. Further status of the first accounting and termination of conservatorship.
2. Petition for Termination of Limited Conservatorship

Ruling. **Appearance is required.**

PRO2000894 JOSEPH H. HERZBERG, CONSERVATORSHIP OF THE PERSON AND ESTATE

Final Distribution

Ruling. Absent objections, this Petition will be **granted without hearing.**

PRO2001689 THEODORE KRAUS, CONSERVATORSHIP OF THE PERSON AND ESTATE

Second and final accounting.

Ruling. **Continued to March 7, 2024 at 1:30, for further review.**
