

Tentative Rulings for April 18, 2024 Probate Calendar

Judge James T. Chou
Department C

**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 Wednesday (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

PR000068 IN THE MATTER OF JULIE OLSON

- 1) First amended petition to remove agent under power of attorney and for accounting consolidation.
- 2) Petition regarding filing the first amended petition; potential consolidation pursuant to the stipulation; Debra Dolch's report; and any further requests in light of Debra Dolch's report.
- 3) Status Conference - regarding filing the First Amended Petition; potential consolidation pursuant to the stipulation; Debra Dolch's report; and any further requests in light of Debra Dolch's report

Ruling. **Continued to 1:30 to be heard with the related matter: Conservatorship of Gillam.**

PR0000201 IN THE MATTER OF DEIDRA ANN CARSON

1. Petition for letters of administration with will annexed.
2. Status hearing re filing of documentation to support continuation of family allowance.

Ruling. **Appearance is required.**

PR0000294 IN THE MATTER OF JEAN ANITA SCHUCH

Petition for letters of administration.

Ruling. **Appearance is required.**

PR0000295 IN THE MATTER OF THE VACCARO FAMILY REVOCABLE TRUST, DATED JUNE 2, 1996

Petition for Approval of Trust Real Property Sale to Trustee and Distribution of Trust Assets to the Trust Beneficiaries

Ruling. **Continued to May 23, 2024 at 9:00. Please file the following no later than May 16, 2024:**

1. POS confirming that all interested parties received at least 30 days' notice on the mandatory Judicial Counsel form (DE-120).

PR0000358 IN THE MATTER OF RICHARD J. SHIPPY

Petition for letters testamentary.

Ruling. **Continued to May 23, 2024 at 9:00, pursuant to Stipulation and Order.**

**PR0000386 IN THE MATTER OF PETER S. SOMMER AND DYLLIS SOMMER 1996 REVOCABLE TRUST,
AS AMENDED AND RESTATED ON APRIL 24, 2015**

Petition for Instructions: Appointment of Successor Trustees.

Ruling. **Appearance is required.**

PR0000397 IN THE MATTER OF THE BARKER LIVING TRUST AGREEMENT

Petition for Order Approving Modification of Trust Terms.

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

PR0000398 IN THE MATTER OF EROL AND REBECCA AKIN 2016 TRUST, DATED DECEMBER 12, 2016

Petition for Determination that Trust Is Valid, Confirmation of Trustee, and Confirmation of Trust Assets.

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

PR0000424 IN THE MATTER OF CHARLES KENNETH LEWIS

Petition for letters of administration.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.**

**PR0000469 IN THE MATTER OF THE JACK B. NEUMAN AND FLORENCE S. NEUMAN REVOCABLE
TRUST, MARITAL EXEMPTION SUBTRUSTS**

Petition for (1) approval of account; and (2) instructions regarding distribution.

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

PR0000470 IN THE MATTER OF RAYMOND W. ROSS LIVING TRUST DATED MARCH 27, 2006, AS AMENDED

Petition to determine invalidity of trust amendment and to confirm beneficiaries of trust.

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

PR0000471 IN THE MATTER OF THE TOTAL AMENDMENT AND RESTATEMENT OF THE RAYMOND W. ROSS LIVING TRUST

Petition for: (1) to determine invalidity of purported trust amendments; and (2) confirm gift to petitioners.

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

PR0000476 IN THE MATTER OF CLARA BULLOCK

Petition for letters of administration.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.** The Court notes that no Proof of Service is on file.

PR0000488 IN THE MATTER OF THOMAS H. SINGLETON

Petition for letters testamentary.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.** The Court notes that no Proof of Publication is on file.

PRO1006042 IN RE THE MATTER OF THE MEL CHEPLOWITZ 2010 SPECIAL NEEDS TRUST

Status hearing re filing Seventh Account.

Ruling. **Appearance is required.**

PRO1702411 IN RE THE BRUCE T. CONZELMAN 2006 REVOCABLE TRUST

- 1) Status conference regarding further status and trial setting.
- 2) Motion to compel.

Ruling. **Continued to May 9, 2024 at 9:00,** by stipulation of parties.

PRO210029 IN RE THE 2007 DINO AND JOANNE BERTOLOZZI TRUST, TRUST OF

- 1) Petition to compel co-trustees to account and distribute and for surcharge.
- 2) Status regarding approval of accounting, addressing objections, and ruling on surcharge.

Ruling. **Appearance is required.**

PRO2100268 AVRIL A. HARRISON, ESTATE OF

Petition for fourth and final report of administrator; and petition for final distribution.

Ruling. **Continued to May 16, 2024 at 9:00.** Please file the following no later than May 9, 2024:

1. Letters that have been certified no more than 60 days before the hearing to confirm that Mr. Johnson is still the Administrator of the Estate of Johnson.
2. Declaration signed and verified by Petitioner addressing payment of the DHCS creditor's claim. Petitioner states that it was not rejected, but does not state whether it was paid. As the accounting was waived, the Court is not able to confirm payment.

PRO2100627 COLIN EMERY DOYLE, ESTATE OF

Petition for final distribution.

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

PRO2100935 IN THE MATTER OF THE STEPHEN K. LEE TRUST

- 1) Motion to quash compliance with deposition subpoena for production of business records of J.R. Hastings Law Corp.
- 2) Status regarding confirmation of filing second amended petition and further status.

Ruling. Pursuant to Local Rule 2.13B, on March 21, 2023, attorney Sylvia K. Shapiro was appointed to preside as Discovery Facilitator for the motion to quash compliance with deposition subpoena for production of business records of J.R. Hastings Law Corp filed by respondent Bruce McKay ("Respondent") on February 23, 2023. The Court has not received a declaration of non-resolution from either party, in particular *the moving party*, five court days prior to the hearing on the motion set for April 18, 2024, as required by Local Rule 2.13H. The Court reminds the parties that compliance with Local Rule 2.13H not only includes the timely filing of the Declaration of Non-Resolution by each party five court days prior to the hearing, but also requires that "[t]he Declaration shall not exceed three pages and *shall briefly summarize the remaining disputed issues and each party's contentions.*" (Local Rule 2.13H(1), emphasis added.)

The Court concludes and expects that this discovery matter is being resolved by the facilitator. The motion is therefore ordered OFF CALENDAR. (Local Rule 2.13H(2).) Should the parties fail to reach

resolution through the facilitator, either party may request (by ex parte application) that the Court re-set the motion for an expedited hearing.

PRO2103571 LEE ARTHUR WALLACE, ESTATE OF

Petition – Status Report

Ruling. Continued to May 23, 2024 at 9:00. Please file the following no later than May 16, 2024:

1. POS confirming that all interested parties received at least 15 days' notice on the mandatory Judicial Counsel form (DE-120).
2. Please note that the box in Item 1 must be checked.

PRO2103827 MICHAEL JOHN FAHY, ESTATE OF

Petition regarding status of administration.

Ruling. Absent objections, the Report of Status of Administration is **accepted and approved**.

- Administrator is to file either: (1) a Petition for Final Distribution; or (2) a Further Report on Status of Administration no later than October 17, 2024, as required by Prob. C. §§ 12200 & 12201.
- A status hearing re filing the Petitioner/Report shall be set on November 7, 2024 at 10:00:
 - If not timely filed, an appearance will be required.
 - If timely filed, the hearing will be set on November 7, 2024 at 9:00

PRO2104180 ELFRIEDE ANNEMARIE TUCKER, ESTATE OF

Final distribution.

Ruling. Continued to May 2, 2024 at 9:00 for further review.

PRO2104199 RONALD EMLLEN TAYLOR, ESTATE OF

Final distribution.

Ruling. Continued to May 2, 2024 at 9:00 for further review.

PRO2200162 IN RE THE SPENCER J. SHAW SPECIAL NEEDS TRUST, TRUST OF

Sixth accounting.

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

1. Trustee is to file the Seventh Account for the period 12/1/23 – 11/30/25 by February 12, 2026.
2. A status hearing re filing the Seventh Account shall be set on March 19, 2026 at 10:00.
 - a. If not timely filed, an appearance will be required.
 - b. If the Seventh Account is timely filed, the hearing will be set on March 19, 2026 at 9:00.

PRO2200694 RICHARD JOHN GOEBEL, ESTATE OF

Petition for final distribution.

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

PRO2201181 IN RE THE CAROL JOSEPHINE SLATTERY REVOCABLE INTERVIVOS TRUST, TRUST OF

- 1) Petition to remove trustee and appoint a successor trustee filed by Jeffrey M. Slattery.
- 2) Further status.

Ruling. **Appearance is required.**

PRO2202103 PETER MICHAEL LEVIN AKA PETER M. LEVIN, ESTATE OF

Final distribution.

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

PRO2202750 JOHN WILLIAMS HINDS, ESTATE OF

Petition for final distribution.

Ruling. **Continued to June 6, 2024 at 9:00.**

1. The Petition is incomplete contains contradictory information and/or allegations.
2. Please file an Amended Petition no later than May 16, 2023 that
 - a. Omits extraneous and conflicting allegations,
 - b. Provides all required information, and
 - c. Completes the prayer for relief.

PRO2203324 ROBERTA J. MYERS, ESTATE OF

Final distribution.

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

PRO2204029 LLOYD QUONG WONG, ESTATE OF

Report of status of administration.

Ruling. Absent objections, the Report of Status of Administration is **accepted and approved**.

- Administrator is to file either: (1) a Petition for Final Distribution; or (2) a Further Report on Status of Administration no later than October 17, 2024, as required by Prob. C. §§ 12200 & 12201.
- A status hearing re filing the Petitioner/Report shall be set on November 7, 2024 at 10:00:
 - If not timely filed, an appearance will be required.
 - If timely filed, the hearing will be set on November 7, 2024 at 9:00

PRO2204172 RUTH YOUNG AKA RUTH DUNBAR YOUNG, ESTATE OF

Petition for final distribution.

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

PRO2300348 DEBORAH ALICE YOUNG AKA DEBBIE YOUNG, ESTATE OF

Petition regarding status report of administration.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.**

PRO2300361 KENNETH GARY MASSA, ESTATE OF

Petition regarding status report of administration.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.**

PRO2300717 RONALD RICHARD JARAGOSKY, ESTATE OF

Accounting.

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

PRO2301090 PETER C. BROWN, ESTATE OF

Petition to terminate probate and discharge executor.

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

PRO2301361 SHARON R. KAUFMAN, ESTATE OF

Final distribution.

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

PRO2301731 IN THE MATTER OF LUCY LAU HOM, ESTATE OF

Final distribution.

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

PRO086141 IN RE THE IAN JEFFREY DAVIES DREYER SPECIAL NEEDS TRUST, TRUST OF

Petition Third Account

Ruling. **Continued to May 30, 2024 at 9:00.** Please file POS confirming that proper notice has been given to all interested parties.

Judge James T. Chou
Department C
10:00 Calendar

PR000038 IN THE MATTER OF BRADFORD E. THOMSON

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PR0000190 IN THE MATTER OF CATHERINE EBERHARD JACOBSON

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required. The Court notes that a Partial Inventory and Appraisal has been filed.**

PR0000216 IN THE MATTER OF JOANNE THERESA BJORK

Status regarding filing of final inventory and appraisal.

Ruling. **Off calendar – Final I&A has been filed.**

PR0000230 IN THE MATTER OF ELSIEN EVERARDINA BEENS

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PR0000234 IN THE MATTER OF GARY WINFIELD HOLBROOK

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PR0000238 IN THE MATTER OF ISAIAH NENGO

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PRO2201543 WALTER R. HADDAD, ESTATE OF

Petition regarding status report of administration or final distribution.

Ruling. **Continued to May 2, 2024 at 9:00 for further review.**

PRO2300022 CONNIE E. JACOBSON, ESTATE OF

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PRO2300295 RAYA ANN WARHAFTIG SMITH, ESTATE OF

Petition regarding status report of administration or final distribution.

Ruling. **Appearance is required.**

Judge James T. Chou
Department C
1:30 Calendar

PR0000241 IN THE MATTER OF JAESHAUN MALEEK FELDER

Petition to appoint temporary guardian of the person.

Ruling. **Appearance is required.**

PR0000068 IN THE MATTER OF JULIE OLSON

- 1) First amended petition to remove agent under power of attorney and for accounting consolidation.
- 2) Petition regarding filing the first amended petition; potential consolidation pursuant to the stipulation; Debra Dolch's report; and any further requests in light of Debra Dolch's report.
- 3) Status Conference - regarding filing the First Amended Petition; potential consolidation pursuant to the stipulation; Debra Dolch's report; and any further requests in light of Debra Dolch's report

Ruling. **Appearance is required.**

PR0000305 IN THE MATTER OF JANE JENNINGS GILLAM

Amended Petition to appoint conservator of person and estate.

Ruling. **Appearance is required.**

PRO001633 GLENN FISCHER, CONSERVATORSHIP OF THE PERSON AND ESTATE OF

Petition for attorney's fees.

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

PRO2202297 LUCY ELLEN MITCHELL, CONSERVATORSHIP OF THE PERSON

Status hearing re filing first accounting.

Ruling. **Off calendar.**

PRO29934 FRANK GARNT, CONSERVATORSHIP OF THE ESTATE

Fourth account and report of successor conservator and petition for its settlement.

Ruling. **Continued to May 9, 2024 at 1:30 for further review.**
