

Tentative Rulings for October 9, 2023 Probate Calendar

Judge Kelly V. Simmons
Department J
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 J 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 Kelly V. Simmons
Department J
9:00 Calendar

PR000006 MAREN J. RANDRUP, ESTATE OF

Petition for succession to real property.

Ruling. **Continued to November 6, 2023 at 9:00.** Please file the following no later than October 30, 2023:

1. Proof of Service confirming that all parties named in the Petition received at least 15 days' notice of the hearing (Judicial Council Form DE-120).
2. Supplement to Petition, signed and verified by Petitioner, that provides the following information:
 - a. Decedent's date of death
 - b. Relationship of Chris to Decedent

PR000010 IN RE THE MATTER OF ANNA O'DEA TRUST DATED NOVEMBER 27, 2019

Petition confirming trust assets.

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

PR000015 IN THE MATTER OF FRANK J. BONAVIA AND CLARA M. BONAVIA REVOCABLE TRUST

Petition for guardian ad litem.

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

1. Is there a capacity declaration or other evidence of Mr. Bonavia's inability to consent on his own behalf?
2. What is the proposed GAL's relationship to Mr. Bonavia? Item 7b was not completed.

PR000017 IN THE MATTER OF ROBIN N. ASSALI REVOCABLE TRUST 2023

Petition.

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

PRO000056 IN THE MATTER OF LEE C. DELLWIG

Petition for letters testamentary.

Ruling. **Appearance is required.** Please be prepared to discuss the next steps.

1. Do the parties wish to submit the matter on the papers?
2. Proceed to evidentiary hearing?

PRO1504206 IN RE THE 2002 ALBERT A. DANGEL REVOCABLE TRUST, TRUST OF

Petition for first and final accounting.

Ruling. **Continued to October 30, 2023 at 9:00 for further review.**

PRO2200334 GEOFFREY M. HALABURT, ESTATE OF

Final distribution.

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

PRO2200558 JACLYN GLADYS MENOR, ESTATE OF

Petition for first and final accounting.

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

PRO2200620 ALBA JAMES, ESTATE OF

Petition for first and final accounting and second report of executor.

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

PRO2201046 HERBERT J. KONKOFF, ESTATE OF

Petition to dismiss lack of assets.

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

PRO2203470 IN RE THE BENNET FAMILY 1996 REVOCABLE TRUST AS AMENDED AND RESTATED IN 2009, TRUST

- 1) Petition for breach of fiduciary duty.
- 2) Status conference.

Ruling. **Continued to December 11, 2023**, by stipulation of parties.

PRO2203977 ESTATE OF CHARLENE G. BASWELL

Final distribution.

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

PRO2300133 MARYBETH ANN AYLWARD, ESTATE OF

Final distribution.

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

PRO2300347 IN RE THE 1984 SEMPELL LIVING TRUST

- 1) Petition to compel trust information and for instructions regarding decedent's handwritten will filed by Pennie Sempell.
- 2) Status conference re mediation.

Ruling. **Appearance is required.**

PRO2300361 KENNETH GARY MASSA, ESTATE OF

1. Petition regarding status of administration.
2. Ex Parte Petition for Authority to Sign Fee Agreement.

Ruling. **Appearance is required.**

1. In the Petition to Approve Status, Petitioner stated that she anticipated filing a Final I&A within 60 days. The Petition was signed more than 60 days ago. Why should the Court continue the status hearing on filing the Final I&A that is set more than a month from now, on 11/13/23?
2. The Court is inclined to grant the Ex Parte Petition with regard to authorizing Petitioner to sign a fee agreement. The Court is not inclined to make any ruling at this time with regard to apportionment of attorney fees.

PRO2300392 JERRY MICHAEL O'HANLON, ESTATE OF

Final distribution.

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

PRO2300576 ROSE N. CLARK, ESTATE OF

Petition correcting clerical error.

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

PRO2301001 GERALD FRANCIS BELLETTO, ESTATE OF

Petition to determine succession to real property filed by Sarah Belletto, Gerald Samour Belletto and Benjamin Belletto.

Ruling. **Continued to October 23, 2023 at 9:00.** Attachment 8 is missing, please file no later than 10/16/23.

PRO2301787 IN THE MATTER OF THE RANDLE FAMILY TRUST

Petition confirming trust assets.

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

Judge Kelly V. Simmons
Department J
10:00 Calendar

PRO2204217 DONALD DUANE TURI, ESTATE OF

Status of filing final inventory and appraisal.

Ruling. **Appearance is required.**

PRO2301096 STEPHEN MICHAEL BOYLE, ESTATE OF

Status regarding filing final inventory and appraisal.

Ruling. **Appearance is required.**

PRO2301116 ROBERT KINSLEY MALOY, ESTATE OF

- 1) Status of filing final inventory and appraisal.
- 2) Petition regarding report of status.

Ruling.

1. Status hearing for filing Final I&A is continued to November 14, 2023 at 9:00.
 2. The Report of Status is granted.
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Judge Kelly V. Simmons
Department J
1:30 Calendar

PR0000043 IN THE MATTER OF ELSIEN E. BEENS

Petition to appoint conservator.

Ruling. **Continued to October 23, 2023 at 1:30**, at request of counsel.

PRO045029 LAURA KATHRYN SOLLID, LIMITED CONSERVATORSHIP OF THE PERSON AND ESTATE

1. Order to show cause regarding failure to file seventh account.
2. Seventh, Eighth and Ninth Accounts

Ruling.

3. **OSC is discharged.**
4. **The Accounting Petition is continued to November 6, 2023 at 1:30 for review and proper notice.**

PRO061681 ERIK J. PEERAND, LIMITED CONSERVATORSHIP OF THE PERSON

Petition to appoint successor co-conservator.

Ruling. **Appearance is required.**

PRO1504486 ALEXANDER ANOLIK, CONSERVATORSHIP OF THE ESTATE

Order to Show Cause - Failure to File Fourth Account

Ruling. **Appearance is required.**

PRO1801367 MARY CLAIRE CLIFFORD, CONSERVATORSHIP OF THE PERSON AND ESTATE

Third Account and Report of Conservators and Petition for Its Approval.

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

1. Conservator is to file the Fourth Account for the period ending 7/1/25 by September 8, 2025.
2. A hearing shall be set on October 20, 2025 at 1:30 for either: (1) hearing on the Fourth Account; or (2) explanation as to why it was not timely filed.

PRO1901763 LYNN J. MURRAY, CONSERVATORSHIP OF THE PERSON AND ESTATE

Petition for exclusive authority to give consent for medical treatment.

Ruling. **Appearance is required.**

PRO1904774 BRANDON D. PETERMAN, CONSERVATORSHIP OF THE PERSON

Petition for change of venue.

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

PRO1904784 CHRISTINA A. LEE, CONSERVATORSHIP OF THE PERSON AND ESTATE

Accounting.

Ruling. **Continued to October 23, 2023 at 1:30 for further review.**

PRO2100745 CLYDE E. EATON, CONSERVATORSHIP OF THE PERSON AND ESTATE

Petition for review and ruling of first accounting.

Ruling. **Continued to October 16, 2023 at 1:30**, to be heard with related petition for fees. Please be prepared to address the following:

1. The 10/13/22 Amended Order Confirming Sale of Real Property ordered that additional bond of \$1,279,100 was required.
2. Petitioner alleges that the current bond is still \$40k.
3. Why wasn't additional bond obtained as ordered?

PRO39742 SHANNON DOOLEY, CONSERVATORSHIP OF THE PERSON

Petition regarding amended letters.

Ruling. **Appearance is required.**

PR0000029 JAYDEN DAVID DE LA ROCA, GUARDIANSHIP OF THE PERSON

Petition for Appointment of Guardian of Person.

Ruling. **Appearance is required.**

Judge Mark A. Talamantes
Department L
1:30 Calendar
