

# Probate Calendar Tentative Rulings

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JULY 26, 2010

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DECEDENT ESTATES / TRUSTS  
DEPARTMENT K, COURTROOM K  
JUDGE FAYE D'OPAL  
at 8:30 am

- and -

CONSERVATORSHIPS / GUARDIANSHIPS  
DEPARTMENT A, COURTROOM A  
COMMISSIONER HARVEY E. GOLDFINE  
at 9:00 am

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Probate tentative rulings will be posted by noon on the court  
day preceding the probate calendar.

There will be no probate calendar on the following dates this year:  
September 27, Oct 4.

Probate Examiner:  
Tel: (415) 444-7315  
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DECEDENT ESTATES / TRUSTS  
DEPARTMENT K, COURTROOM K  
JUDGE FAYE D'OPAL  
at 8:30 am

#1. PR 090862, LEWIS A. VOGLER, CONSERVATORSHIP OF THE PERSON  
AND ESTATE

PETITION FOR DISCHARGE AND COMPENSATION OF ATTORNEY filed for  
Lewis Vogler

TENTATIVE RULING  
Appearance is required.

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#2. PR 1000053, GERALD D. CARVER, TRUST OF  
  
FOR APPOINTMENT OF NEUTRAL ACCOUNTANT

TENTATIVE RULING  
Appearance is required.

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#3. PR 000981, LYLE LEVERICH, ESTATE OF

ORDER TO SHOW CAUSE WHY PERSONAL REPRESENTATIVE SHOULD NOT  
BE REMOVED FOR FAILURE TO MAKE STATUTORY FILINGS

TENTATIVE RULING  
Continued to Aug 30, 2010 to allow filing of petition to appoint successor personal  
representative.

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#4. PR 064280, ELLAWYNN BEW TAYLOR, ESTATE OF

REPORT OF SALE AND PETITION FOR ORDER CONFIRMING SALE OF REAL  
PROPERTY filed for the Public Administrator

TENTATIVE RULING  
Appearance is mandatory.

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#5. PR 083310, ELVA IACONO VERGARI, TRUST OF

PETITION FOR SETTLEMENT TO FIRST ACCOUNT AND REPORT; PETITION FOR INSTRUCTIONS AND/OR APPROVAL OF ACTS filed for Donna Santana, Christina McNair and Jason Moody

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. Case is disposed.

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#6. PR 092786, ELEANOR C. MCGILL, TRUST OF

CASE MANAGEMENT CONFERENCE

TENTATIVE RULING

Appearance is required.

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#7. PR 093481, RICHARD WARREN LACAZE, ESTATE OF

ORDER TO SHOW CAUSE WHY THE PERSONAL REPRESENTATIVE SHOULD NOT BE REMOVED FOR FAILURE TO MAKE STATUTORY FILINGS

TENTATIVE RULING

As Inventory and Appraisal was filed this Order to Show Cause is discharged and off calendar.

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#8. PR 095067, HUBERTUS DALLWITZ, ESTATE OF

REPORT OF SALE AND PETITION FOR ORDER CONFIRMING SALE OF REAL PROPERTY filed for the Public Administrator

TENTATIVE RULING

Appearance is mandatory.

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#9. PR 095211, MARILYNNE A. BAKER, ESTATE OF

REPORT OF SALE AND PETITION TO CONFIRM SALE OF REAL PROPERTY filed for Public Administrator

TENTATIVE RULING

Appearance is mandatory.

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#10. PR 095893, HELEN N. ROTH, TRUST OF

SUPPLEMENTAL ACCOUNTING BY FORMER TRUSTEE

TENTATIVE RULING

Appearance is required.

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#11. PR 1001861, W. BRENT DICKENS AND PATRICIA B. DICKENS, TRUST OF

PETITION PURSUANT TO PROBATE CODE SECTION 850 filed by Mark Dickens

TENTATIVE RULING

Appearance is required. If there is no appearance then case is dismissed.

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#12. PR 1002497, BROWN FAMILY TRUST

PETITION TO DISTRIBUTE ASSETS AND TERMINATE IRREVOCABLE BYPASS TRUST filed for Elaine Brown

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. The relief requested has not subjected this trust to continuing court supervision. Case is disposed.

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#13. PR 1002635, RICHARD OLSON KRAUSE, ESTATE OF

SPOUSAL PROPERTY PETITION filed for Helen Krause

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. Case disposed.

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#14. PR 1002715, JOHN H. GRAVES, JR., IN THE MATTER OF

PETITION FOR ORDER AUTHORIZING PARTICULAR TRANSACTIONS filed for Diane S. Graves

TENTATIVE RULING

Continued to Aug 9, 2010.

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#15. PR 1002785, VINCENT D. MULROY, ESTATE OF

PETITION FOR PROBATE filed for Ann H. Mulroy

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. The Inventory and Appraisal shall be filed by Nov 26, 2010. The Final Distribution or Status Report shall be filed by July 26, 2011.

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#16. PR 1003295, MILTON SPENCER SARTAIN, ESTATE OF

PETITION FOR PROBATE filed for Yvonne Marie Sartain

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. The Inventory and Appraisal shall be filed by Nov 26, 2010. The Final Distribution or Status Report shall be filed by July 26, 2011.

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#17. PR 1003331, ARTHUR LEWIS WHITE, ESTATE OF

PETITION FOR PROBATE filed for Robert Lewis White

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary. The Inventory and Appraisal shall be filed by Nov 26, 2010. The Final Distribution or Status Report shall be filed by July 26, 2011.

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CONSERVATORSHIPS / GUARDIANSHIPS  
DEPARTMENT A, COURTROOM A  
COMMISSIONER HARVEY E. GOLDFINE  
at 9:00 am

#1. PR 002044, ANNE PHILBERT-FERRIS, CONSERVATORSHIP OF THE PERSON AND ESTATE

PETITION FOR PUBLIC DEFENDER FEES filed for Anne Philbert-Ferris

TENTATIVE RULING

If no objections are raised then the matter is pre-granted and no appearance is necessary.

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#3. PR 051387, DOROTHY REHM, CONSERVATORSHIP OF THE PERSON AND ESTATE

STATUS CONFERENCE

TENTATIVE RULING

Continued to Aug 16, 2010 for filing of Petition for Exclusive Authority to Give Consent for Medical Treatment for placement of conservatee in a secured facility.

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#3. PR 073873, MARJORIE KLAMP, CONSERVATORSHIP OF THE PERSON AND ESTATE

- 1) STATUS CONFERENCE - CONFIRMATION OF DISMISSAL
- 2) AMENDED FIRST ACCOUNT AND REPORT OF CONSERVATOR AND PETITION FOR ITS SETTLEMENT filed for David Leipsic

TENTATIVE RULING

All issues regarding accountings, fees, distribution of estate, etc. have been resolved by the parties in a stipulated judgment. However, Wes Cahill's signature is not on final settlement. CI fees of \$1,630 have not been paid. Court will not approve final settlement without Wes Cahill's signature and proof that CI fees have been paid. Appearance is required.

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#4. PR 090599, PETER STUART BUCHANAN, CONSERVATORSHIP OF THE PERSON AND ESTATE

1) FIRST AND FINAL ACCOUNT AND REPORTS OF CONSERVATOR AND SUCCESSOR TRUSTEE, PETITION FOR FEES TO CONSERVATOR, SUCCESSOR TRUSTEE AND HER ATTORNEY, PETITION FOR SETTLEMENT OF ACCOUNTS, FOR FINAL DISTRIBUTION AND DISCHARGE OF CONSERVATOR AND SUCCESSOR TRUSTEE filed for Caron Schmierer

2) DECLARATION OF PAULINE EDGEMON REGARDING ATTORNEYS FEES AND COSTS PERTAINING TO THE SAN FRANCISCO FAMILY LAW CHILD SUPPORT ENFORCEMENT PROCEEDING filed for Caron Schmierer

TENTATIVE RULING

If no objections are raised then the First and Final account is pre-granted and no appearance is necessary. If the proposed order is received and no objections are raised then the fees of Pauline Edgemon are pre-granted and no appearance is necessary. Case is disposed

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#5. PR 39484, JESSICA SUGARMAN, LIMITED CONSERVATORSHIP OF THE PERSON

PR 090889, JESSICA SUGARMAN, TRUST OF  
(Consolidated cases, PR 3984 is lead action)

FIFTH ACCOUNT AND REPORT OF TRUST ADMINISTRATION OF SUCCESSOR TRUSTEE AND PETITION FOR ITS SETTLEMENT; PETITION FOR AUTHORIZATION TO DISTRIBUTE TRUST FUNDS FOR THE BENEFIT OF JESSICA SUGARMAN TO COURT-APPOINTED RECIPIENT; PETITION FOR APPROVAL OF SUCCESSOR TRUSTEE'S FEES; PETITION FOR APPROVAL FO ATTORNEY'S FEES AND REIMBURSEMENT OF COSTS ADVANCED; AND PETITION FOR AUTHORIZATION TO PAY ATTORNEY'S FEES ON ACCOUNT filed for First Bank & Trust

TENTATIVE RULING

Continued to Aug 9, 2010 for appearance of conservator, counsel for trustee and counsel for conservatee. The court has serious concerns regarding the conduct of the conservator over the use of the monthly allowance and receipt of government benefits.

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#6. PR 094006, JOAN R. BERGQUIST, CONSERVATORSHIP OF THE PERSON  
AND ESTATE

PETITION FOR FEES OF COURT-APPOINTED ATTORNEY FOR CONSERVATEE  
filed for Joan Bergquist

TENTATIVE RULING

If the proposed order is received and no objections are raised then the matter is pre-  
granted and no appearance is necessary.

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#7. PR 094495, ELIZABETH PAGE (AKA BETTY LOU PAGE),  
CONSERVATORSHIP OF THE PERSON AND ESTATE OF

PETITION FOR EXCLUSIVE AUTHORITY TO GIVE CONSENT FOR MEDICAL  
TREATMENT filed for the Public Guardian

TENTATIVE RULING

Continued to Aug 9, 2010 by request of Public Defender.

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#8. PR 1002447, ADOLFO AND BELSI AGUILAR, GUARDIANSHIP OF THE  
PERSON

PETITION FOR APPOINTMENT OF GUARDIAN OF MINORS filed for Argelia  
Aguilar

TENTATIVE RULING

Appearance is required to include both minors.

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#9. PR 1002583, ANNE S, ANDERSON, CONSERVATORSHIP OF THE PERSON  
AND ESTATE OF

PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE PERSON  
AND ESTATE filed for Anne F. Smith

TENTATIVE RULING

Continued to Aug 23, 2010 by request of petitioner.

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#10. PR 1002784, ROSEMARY SAUDERS, CONSERVATORSHIP OF THE  
PERSON AND ESTATE OF

PETITION FOR APPOINTMENT OF CONSERVATOR OF THE PERSON AND  
ESTATE filed for Thomas F. Locke, Thomas M. Locke and Kevin Locke

TENTATIVE RULING  
Appearance is required.

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#11. PR 33906, GREG BURRILL, CONSERVATORSHIP OF THE ESTATE OF

SECOND ACCOUNTING AND CONSERVATORSHIP REPORT AND PETITION  
FOR ALLOWANCE OF CONSERVATOR'S COMMISSION AND ATTORNEY'S  
FEES filed for the Public Guardian

TENTATIVE RULING  
If no objections are raised then the matter is pre-granted and no appearance is necessary.  
Accountings are waived hereafter as long as conservatee's estate remains exempt as a  
small estate under §2628.