

Tentative Rulings for April 3, 2025 Probate Calendar

Judge James T. Chou
Department C

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

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Any interested party who wishes to appear for oral argument on the tentative ruling **must do the following no later than 4:00 PM** one Court day prior to the scheduled hearing date (MCR 6.2.D):

1. Notify all other parties entitled to notice of the underlying petition, including the attorneys for represented parties; and
 2. Advise the clerk’s office by leaving a message at **(415) 444-7046, option 5.**
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There is no need to inform the Court of your intent to appear if the tentative ruling requires an appearance.

PLEASE NOTE: Probate cases that are designated as confidential by California law will not be posted online. For tentative rulings in those matters, please contact the judicial secretary at **(415) 444-7260**. Confidential cases include applications for Special Immigrant Juvenile Status.

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Judge James T. Chou
Department C
9:00 Calendar

PR0000188 IN THE MATTER OF RICHARD AND CONNIE ADAMS REVOCABLE TRUST

Motion for Terminating Sanctions filed on 12/24/24.

Ruling. While the Court may order a terminating sanction as a first measure in extreme cases, “a terminating sanction should generally not be imposed until the court has attempted less severe alternatives and found them to be unsuccessful and/or the record clearly shows lesser sanctions would be ineffective.” (*Lopez v. Watchtower Bible & Tract Society of New York, Inc.* (2016) 246 Cal.App.4th 566, 604.) Furthermore, the Court recognizes that a terminating sanction is a “drastic measure which should be employed with caution.” (*Deyo v. Kilbourne* (1978) 84 Cal.App.3d 771, 793.) Such a sanction is not warranted based on the facts presented.

The Motion for Terminating Sanctions is **denied**.

PR0000196 IN THE MATTER OF DONNA JEAN APICE

Petition regarding status report of administration.

Ruling. **Continued to April 24, 2025 at 9:00.** The 3/6/25 ruling ordered Petitioner to file Proof of Service showing that all interested parties received notice; and specifically stated that “notice must be given on the mandatory form (DE-120) with the box checked in Item 1 stating this is a report of status of status of administration.” The Notice/POS filed 3/7/25 shows that the box in Item 1 was not checked.

Petitioner is ordered to file the following no later than 5 Court days prior to hearing: Proof of Service confirming that all interested parties received proper notice on the DE-120 with the box checked in Item 1.

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PR0000228 IN THE MATTER OF CHAPMAN MARITAL EXEMPT TRUST & CHAPMAN MARITAL NON-EXEMPT TRUST

Petition to compel trustee to provide information and redress breaches of trust.

Ruling. **Continued to July 3, 2025** pursuant to the Stipulated Order issued on April 2, 2025.

The POS filed 3/13/25 shows that only 22 days' notice was provided. **Petitioner is ordered to file the following at least 5 court days prior to hearing:** Proof of Service confirming that all interested parties received 30 days' notice of continued hearing date.

PR0000403 IN THE MATTER OF RUNA M. SCHWARTZ

Petition for Final Distribution on Waiver of Account and for Allowance of Statutory Compensation to Executor's Attorney.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0000404 IN THE MATTER OF STEVEN CHARLES FLAHIVE

Report of Status and Petition for Additional Time for Estate Administration.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0000405 IN THE MATTER OF DAWN A. GOODMAN

Petition for Final Distribution on Waiver of Account on First and Final Report of Administrator; for Waiver of Statutory Compensation to Administrator; for Allowance of Statutory Compensation to Attorney, for Reimbursement of Costs Advanced to Attorney; and, for Retention of Reserve.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0000599 IN THE MATTER OF SHIRLEY MAY HAMILTON

- 1) Order to show cause regarding dismissal.
- 2) Petition for letters of administration.

Ruling. **The Parties are ordered to appear.**

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**PR0000659 IN THE MATTER OF THE TESTAMENTARY TRUST FBO JANICE YATES ESTABLISHED
UNDER THE WILL OF ARTHUR P. MONTANARO**

Petition for Order Approving Modification of Trust Terms Under Probate Code Section 15403.

Ruling. Guardian ad Litem Alice Fishler is **ordered to appear** to update the Court on the status of her filing a report and recommendation re this outstanding petition.

**PR0000785 IN THE MATTER OF THE ARMAND AND CORRINE GREENFIELD LIVING TRUST A AND
TRUST B DATED JULY 28, 2000**

1. First and Final Report and Account of Trust A and Trust B of the Armand and Corrine Greenfield Living Trust and Petition for Settlement of Account and for Reimbursement, filed by Lydia Greenfield on 1/21/25.
2. Petition for Orders to: (1) Compel Report; (2) Compel Accounting; (3) Instruct Trustee; (4) Remedy Breach of Trust; (5) for Double Damages; (6) Surcharge Trustee; (7) Suspend Trustee; (8) Remove Trustee; (9) Appoint Neutral Trustee, and; (10) Prohibit Payment of Pendente Lite Attorney Fees from Truste Funds, filed by Mark Greenfield on 8/15/24.

Ruling. The Petition to Compel an accounting for Trust B for the period from 6/30/17 through Corrine's DOD on 12/28/22 is **denied** in that Lydia Greenfield had no obligation to provide an accounting for that period pursuant to Prob. C. § 16062(a). At the death of Armand, Trust A became irrevocable, and Corrine became the sole Trustee of that Trust. At Armand's death, Corrine became the sole Trustee of Trust B. The June 30, 2017 Amendment and Restatement of Trust B named Lydia as Co-Trustee with Corinne. Trust B provided for distribution of net income and discretionary principal to Corrine for her lifetime. After Corrine's death, distribution was to be made to her three children in the manner specified by Trust B as amended restated. Pursuant to Probate Code § 6062(a), Co-Trustees Corrine and Lydia did not have a duty to account to Mark prior to Corrine's date of death.

The Parties are ordered to appear to address the need to meet and confer and to determine which of the remaining causes of action remain at issue.

**PR0000906 IN THE MATTER OF RHONDA AND ROBERT ANDERSON TRUST U/A/D FEBRUARY 26,
2019**

Petition for Order Authorizing and Directing Transfer of Property to Trustee of Trust.

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

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PR0000929 IN THE MATTER OF PATRICK J. GALLAGHER

Petition to Determine Terms of Lost Trust; for Breach of Trust; to Confirm Trust Property; and for Constructive Trust.

Ruling. **The Parties are ordered to appear.**

**PR0001011 IN THE MATTER OF PATRICK J. GALLAGHER AND LUCILLE S. GALLAGHER LIVING TRUST
DATED DECEMBER 4, 1988**

First Amended Petition to Determine Terms of Lost Trust; for Breach of Trust; to Confirm Trust Property; and for Constructive Trust, filed by David Gallagher, Brian Gallagher, and Colin Gallagher on 1/27/25.

Ruling. **The Parties are ordered to appear.**

PR0000955 WYATT FAMILY TRUST

Petition: (1) to Remove Trustee; (2) to Compel Trustee to Account; (3) for Surcharge of the Trustee; (4) to Void Deed or Compel Return of Trust Real Property; and (5) for Instructions.

Ruling. Absent objections, this Petition will be **granted in part and continued in part, as set forth below.**

1. Trustee. George Edward Wyatt III (“Edward”) is **removed** as Trustee of the Survivor’s Trust and Decedent’s Trust. Ellen Wyatt McCartan (“Petitioner”) is **appointed** as Successor Trustee of the Survivor’s Trust and Decedent’s Trust.
2. Information. Edward is **ordered** to immediately provide information to the beneficiaries regarding the administration of the Trust;
3. Accounting. Edward is **ordered** to file a Probate Code compliant accounting for the period January 1, 2012 to the present. Such accounting shall be filed no later than May 15, 2025 and will be set for hearing on June 26, 2026 at 9:00.
4. Surcharge. Edward shall be **surcharged** in an amount according to proof. Petitioner shall file a supplemental pleading re amount of surcharge no later than May 15, 2025.
5. Offset Provision. The portion of the Petition regarding the request for instructions as to the offset provision is continued to June 26, 2026 at 9:00. Petitioner is to **submit** a proposed order re instructions no later than May 15, 2025.
6. 475 Property. Phillip Wyatt (“Phillip”) and Edward are **ordered** to return the 475 Property to the Trust, along with all rental income generated by the property, no later than May 15, 2025.

PR0000982 IN THE MATTER OF NANNAPAT THERDSTEERASUKDL SUPPLEMENTAL NEEDS TRUST

Petition for Authorization to Purchase a Vehicle, to Fund Home Modifications, and to Approve Attorney’s Fees.

Ruling. **The Parties are ordered to appear.**

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PR0001025 IN THE MATTER OF MICHELE MARIE BERTRAND LIVING TRUST DATED APRIL 5, 2003

Petition for Order Confirming Trust Property.

Ruling. **Continued to May 15, 2025 at 9:00.** The POS filed 3/21/25 shows that only 14 days' notice was provided. **Petitioner is ordered to file the following at least 5 court days prior to hearing:** Proof of Service confirming that all interested parties received 30 days' notice of the continued hearing date (Prob. C. §§ 851(b) and 17203).

PR0001051 IN THE MATTER OF ANY KAO

Spousal Property Petition.

Ruling. This Petition is **granted** as to confirmation of Petitioner's 50% community property share of the property. This Petition is **denied** as to determination that Decedent's 50% community property share of the property passes to Petitioner without administration. Decedent's Will requires that his property be distributed to the Kao Family Trust, making it subject to administration pursuant to Prob. C. § 13501.

PR0001062 IN THE MATTER OF KEITH STONEKING

Amended Petition for Probate of Will and for Letters Testamentary.

Ruling. **Continued to April 24, 2025 at 9:00.** Petitioner is ordered to file the following at least 5 court days prior to hearing:

1. Proof of Service confirming that all interested parties received at least 15 days' notice of the Amended Petition.

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PR0001068 IN THE MATTER OF JUDITH ANNE BRISCOE

Petition for letters testamentary.

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

Petitioner is ordered to comply with the following future dates:

1. Final Inventory and Appraisal.
 - a. A status hearing for the filing of the Final Inventory and Appraisal shall be set on August 7, 2025 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 April 9, 2026, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on April 30, 2026 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 April 30, 2026 at 9:00.

**PR0001081 IN THE MATTER OF RICHARD A. NELSON AND SHIRLEY M. NELSON REVOCABLE TRUST
DATED JUNE 3, 2014**

Petition for Approval of Trust Accounting.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0001088 IN THE MATTER OF EDWARD LOUIS DEROSIS

Petition for Probate of Will and for Letters Testamentary.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

**PR0001095 IN THE MATTER OF JON AGUIRRE IRREVOCABLE TRUST FBO NATHAN AGUIRRE, U/A
DATED JULY 24, 2007**

Petition for Settlement of First Account and Report of Trustee and for Approval of Attorney Fees.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

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**PR0001096 IN THE MATTER OF THE JON AGUIRRE IRREVOCABLE TRUST FBO TYLER AGUIRRE, U/A
DATED JULY 24, 2007**

Petition for Settlement of First Account and Report of Trustee and for Approval of Attorney Fees.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0001110 IN THE MATTER OF NEIL ALAN ESKIND

Petition for letters of administration.

Ruling. **Continued to April 24, 2025 at 9:00.** Petitioner is ordered to file the following at least 5 court days prior to hearing:

1. Supplement to Petition that includes the following:
 - a. Response to Item 7b(a)-(e) re heirs of predeceased spouse.
 - b. Name, relationship, age and address of each person for the box checked.
2. Proof of Service confirming that all parties named in Issue 1b above received at least 15 days' notice of the continued hearing date.

PR0001115 IN THE MATTER OF CANDICE YEW RODGERS

Spousal Property Petition.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0001125 IN THE MATTER OF RONALD J. REID

Petition for letters of administration with will annexed.

Ruling. **Continued to April 24, 2025 at 9:00.** Petitioner is ordered to file the following at least 5 court days prior to hearing:

2. Supplement to Petition that includes the following:
 - a. Was Decedent's sister Patricia survived by issue?
 - b. Name, relationship, age and address of any person named in response to Issue 1a.
3. Proof of Service confirming that all parties named in Issue 1b above received at least 15 days' notice of the continued hearing date.
4. Waivers of Notice executed by the Trustee(s) of the Ronald Reid Trust. If not waived, bond will be required in the amount of \$200,000 (The Will waives bond for anyone nominated in the Will; Petitioner was not nominated in the Will).

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PR0001156 IN THE MATTER OF ANETTE MARIE FALKNER

Petition for letters of administration.

Ruling. **Continued to April 17, 2025 at 9:00 for further review.**

PR0001158 IN THE MATTER OF NOEL ERNESTO MENDOZA BORGE

Amended Petition for Probate of Will and for Letters Testamentary.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

PR0001159 IN THE MATTER OF MARILYNN IRENE LAUBSCHER

Petition for letters testamentary.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

PR0001164 IN THE MATTER OF GEORGE JIRI MRAZ

Petition for letters testamentary.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

PR0001168 IN THE MATTER OF LARRY ALLEN COCHRAN

Petition for letters of administration.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

PRO1604636 IN RE THE JAIME ESCAMILLIA JR. SPECIAL NEEDS TRUST

Report of Status of Administration.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

PRO2001267 PARRISH ALLEN, ESTATE OF

Motion regarding judgment on the pleadings.

Ruling. **Off calendar – withdrawn.**

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PRO2201292 LINDA KAY ADAMS, ESTATE OF

Fourth Report of Status of Administration.

Ruling. Absent objections, the Fourth Report of Status of Administration is **accepted and approved**. Personal Representative is ordered to comply with the following future dates:

3. Status on Closing Estate.
 - a. Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by October 2, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on October 23, 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 October 23, 2025 at 9:00.

PRO2201977 CHARLES MALCOLM STEWART, ESTATE OF

Petition regarding status of administration.

Ruling. Absent objections, the Fourth Report of Status of Administration is **accepted and approved**. Personal Representative is ordered to comply with the following future dates:

1. Status on Closing Estate.
 - a. Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by October 2, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on October 23, 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 October 23, 2025 at 9:00.

PRO2203072 ROBERT E. GREELEY, ESTATE OF

First accounting.

Ruling. **Continued to May 15, 2025 at 9:00.** Petitioner is ordered to file the following at least 5 court days prior to hearing:

1. Amendment to Petition:
 - a. The beginning assets on hand must equal the total amount of the Inventory and Appraisals of Decedent's date-of-death assets.
 - b. The total amount of the I&A's is \$31,438,722.55. The beginning assets on hand in the accounting is entered as \$31,464,835.56.
2. Proof of Service confirming that all parties named in Issue 1 above received at least 15 days' notice of the Amendment to Petition.

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PRO2203095 TSUNG-YUEN SHEN, ESTATE OF

Motion for the Termination of Further Proceedings and for Discharge of the Personal Representative and for an Order.

Ruling. **Continued to April 24, 2025 at 9:00.** Petitioner is ordered to file the following at least 5 court days prior to hearing:

1. Proof of Service confirming that all parties who were required to receive notice of the Petition for Probate of Will received at least 15 days' notice of the Petition to Terminate.

PRO2203293 IN RE THE DEBORAH A. COOPER SPECIAL NEEDS TRUST, TRUST OF

Tenth accounting and report of trustee and petition for settlement, etc.

Ruling. Absent objections, this Petition will be **granted without hearing**. Trustee is ordered to comply with the following future dates:

1. Trustee is to file the Eleventh Account for the period 1/1/24 – 12/31/25 by March 12, 2026.
2. A status hearing re filing the Eleventh Account shall be set on April 16, 2026 at 10:00.
 - a. If not timely, an appearance will be required.
 - b. If the Eleventh Account is timely filed, the hearing will be set on April 16, 2026 at 9:00.

PRO2301625 YUTAKA WADA, ESTATE OF

First and Final Account and Report of Administrator and Petition for Its Settlement, for Allowance of Administrator's Commission and Attorney's Fees for Ordinary Services, and for Final Distribution.

Ruling. **Continued to April 24, 2025 at 9:00 for further review.**

Judge James T. Chou
Department C
10:00 Calendar

PR000344 IN THE MATTER OF DOLORES HEEB

Status report of administration or petition for final distribution.

Ruling. **Continued to May 15, 2025 at 10:00.** The Status Report filed 3/13/25 was signed by counsel; Prob. C. § 12200 specifies that the personal representative shall make a report on status of administration. **Executor is ordered to file the following at least 5 court days prior to hearing:**

1. Report of Status of Administration, signed and verified by the Executor;
2. Proof of Service showing that all interested parties received at least 15 days' notice of the Report on Status of Administration. Notice must be given on the mandatory form (DE-120) with the box checked in Item 1 stating this is a report of status of administration.

PR000552 IN THE MATTER OF ISABEL PONCE FLORES

Status regarding filing of final inventory and appraisal.

Ruling. **Appearance is required.**

PR000691 IN THE MATTER OF JOHN ROBERT BOBAY

Status regarding filing of final inventory and appraisal.

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

PR000730 IN THE MATTER OF WILLIAM CLINT STOCK

Status regarding filing of final inventory and appraisal.

Ruling. Continued to July 3, 2025 at 10:00, pursuant to Status Report filed 3/18/25.

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Judge James T. Chou
Department C
1:30 Calendar

PR0000978 IN THE MATTER OF CAROLYN ANITA STARR

Petition for Appointment of Probate Conservator of the Person and Estate.

Ruling. **The Parties are ordered to appear.**

PR0001098 IN THE MATTER OF JORDAN WILLIAMS

Petition for settlement of third account of the special needs trust of Jordan Williams.

Ruling. Absent objections, this Petition will be **granted without hearing**. Trustee is ordered to comply with the following future dates:

1. Trustee is to file the Fourth Account for the period 12/21/24 – 12/20/26 by March 4, 2027.
2. A status hearing re filing the Fourth Account shall be set on April 8, 2027 at 10:00.
 - a. If not timely, an appearance will be required.
 - b. If the Fourth Account is timely filed, the hearing will be set on April 8, 2027 at 9:00.

PRO031778 KATHLEEN RUTH GREEN, CONSERVATORSHIP OF PERSON AND ESTATE

Petition for Appointment of Successor Probate Conservator of the Person and Estate.

Ruling. **The Parties are ordered to appear.**

PRO1202726 JORDAN WILLIAM, CONSERVATORSHIP OF THE ESTATE

Report of conservator in the matter of the conservatorship of Jordan Williams.

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

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PRO1903570 MARJORIE A. SNOW, CONSERVATORSHIP OF THE ESTATE

Settling and approving third accounting and report of conservator of estate and reducing conservator's bond.

Ruling. Absent objections, this Petition will be **granted without hearing**. Conservator is ordered to comply with the following future dates:

1. Conservator is to file the Fourth Account for the period 11/1/24 – 10/31/26 by January 14, 2027.
2. A status hearing re filing the Fourth Account shall be set on February 25, 2027 at 1:30.
 - a. If not timely filed, an appearance will be required.
 - b. If the Fourth Account is timely filed, the hearing will be set on February 25, 2027 at 1:30.

PRO2001689 THEODORE KRAUS, CONSERVATORSHIP OF THE PERSON AND ESTATE

First accounting and report of successor conservator.

Ruling. **Continued to April 24, 2025 at 1:30 for further review.**

PRO2104179 JO ANN KERN, CONSERVATORSHIP OF THE PERSON AND ESTATE

Second accounting.

Ruling. **Continued to April 24, 2025 at 1:30**, pursuant to the ex parte application heard on March 27, 2025.
