

Tentative Rulings for July 25, 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 – Probate for the connection information.

Any person who wishes to make an appearance to contest the tentative ruling must inform the other parties and the Judicial Secretary by 4:00 PM on Wednesday (MCR 6.2 D).

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

**Judicial Secretary:
Tel: (415) 444-7260**

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Judge James T. Chou
Department C
9:00 Calendar

PR000018 CORINNE BARR MOSES, ESTATE OF

Final distribution.

Ruling. Absent objections, this Petition will be **granted without hearing**. The Order is modified to strike the omnibus clause. Distribution of any after-discovered assets of this Estate will require further court order as the 850 Order issued by the Contra Costa Court pertains only to the Novato real property.

PR000023 SUE ELLEN SOMMER, ESTATE OF

- 1) Petition regarding successor personal rep.
- 2) Petition regarding resignation.

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

PR000030 ESTATE OF RONALD D. PAGE

Petition regarding status report of administration.

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

Future Dates.

1. Status on Closing Estate.
 - a. Either: (1) a Petition for Final Distribution; or (2) another Report on Status of Administration shall be filed by July 10, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on July 31, 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 July 31, 2025 at 9:00.

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PR000040 IN THE MATTER OF MARY LOUISE PORTER 2006 TRUST

1. Petition – Compel
2. Status Conference - re mediation, potential resolution, and to set further proceedings if no resolution

Ruling. **Continued to November 21, 2024 at 9:00, pursuant to Stipulated Order issued 7/19/24.**

PR0000136 IN THE MATTER OF MANUEL A. RIVERA

Status regarding marshalling assets.

Ruling. **Appearance is required.**

**PR0000269 IN THE MATTER OF THE OLAV N. NORMAN AND ANNE G. NORMAN LIVING TRUST
DATED JUNE 26, 2014**

1. Petition for the Removal of Co-Trustee Charles Norman, for Instructions, for Related Relief, and for Judicial Notice, filed by Alan Norman on 11/20/23.
2. Counter-Petition for Removal and Suspension of Co-Trustee Alan Norman, filed by Charles Norman on 4/18/24

Ruling. **Appearance is required.**

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

- 1) Amended Petition for Instructions: Appointment of Successor Trustees and Petition for Modification of Trust Due to Changed Circumstances, filed by Anne Sommer on 6/17/24.
- 2) Status regarding appointment/nomination of professional fiduciary.
- 3) Order to show cause regarding dismissal.

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

**PR0000480 IN THE MATTER OF RICHARD T. SCHLIESMANN QUALIFIED PERSONAL RESIDENCE
TRUST**

Petition for Modification of Trust.

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

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PR0000481 IN THE MATTER OF SUSAN D. SCHLIESMANN QUALIFIED PERSONAL RESIDENCE TRUST

Petition for Modification of Trust.

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

PR0000494 IN THE MATTER OF STEVEN HARRIS 2007 SPECIAL NEEDS TRUST DATED JUNE 28, 2007

Petition regarding successor trustee.

Ruling. **Continued to August 29, 2024 at 9:00**, please provide the remaining information required by the 6/13/24 tentative ruling no later than August 22, 2024.

PR0000506 IN THE MATTER OF SUZETTE MUSETTI

Trust PROB C 850.

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

PR0000532 IN THE MATTER OF CATHERINE E. PONCIA

Petition for Order Confirming Trust Asset

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

PR0000542 IN THE MATTER OF DAVID ROSEN

Petition to Compel Distribution into the Rosen Family Trust; for Breach of Trust; for Financial Elder Abuse; for Removal of Trustee; for Accounting; and Recovery of Damages.

Ruling. **Continued to August 15, 2024 at 9:00 for further review.**

PR0000546 IN THE MATTER OF THE DITTO TRUST, DATED MAY 15, 1998

Petition regarding appointment of trustee.

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

1. Waiver of bond
2. GAL fees and expenses

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PR0000557 IN THE MATTER OF KATHLEEN G. MILES

Petition for letters of administration, filed by Shane Sadler on 4/25/24.

Ruling. **Appearance is required.**

PR0000613 IN THE MATTER OF FRANK ALLEN HUBERTT

Petition for letters of administration.

Ruling. **Appearance is required.**

PR0000618 IN THE MATTER OF PETER B. HIRSHFIELD

Petition for letters of administration with will annexed.

Ruling. **Continued to August 15, 2024.** The following issue raised in the tentative ruling for 6/27/24 has not yet been addressed. Please file no later than August 8, 2024:

1. File Proof of Service confirming that all heirs of Decedent received proper notice.

PR0000651 IN THE MATTER OF JOY DEAN WIECZOREK

Petition for letters of special administration.

Ruling. Absent objections, this Petition will be **granted without hearing. Special Administrator's sole power is to pursue the Camp Lejeune action on behalf of the Estate.**

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PR0000679 IN THE MATTER OF JEFFERY GLEN BELLINGER

Petition for letters of administration.

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 December 5, 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 July 31, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on August 21, 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 August 21, 2025 at 9:00.

PR0000690 IN THE MATTER OF JOHN JOLLEY

Petition for letters of administration.

Ruling. **Continued to August 22, 2024 at 9:00.** Please file Proof of Publication no later than August 15, 2024.

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PR0000691 IN THE MATTER OF JOHN ROBERT BOBAY

Petition for letters of administration.

Ruling. Absent objections, this Petition will be **granted without hearing**; but for the proposed amount of bond which is insufficient. Bond of \$1,080,000 shall be required.

Future dates.

1. Final Inventory and Appraisal.
 - a. A status hearing for the filing of the Final Inventory and Appraisal shall be set on December 5, 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.
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 - a. Either: (1) a Petition for Final Distribution; or (2) a Report on Status of Administration shall be filed by July 31, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on August 21, 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 August 21, 2025 at 9:00.

PR0000698 IN THE MATTER OF DOVIELEIGH LUCILLE AMOS

Petition for letters of administration.

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 December 5, 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 July 31, 2025, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on August 21, 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 August 21, 2025 at 9:00.

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PRO024550 THOMAS A. ACKLEY, ESTATE OF

Petition for final distribution.

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

PRO060171 ELENA BARAJAS SPECIAL NEEDS TRUST, TRUST OF

Status regarding filing of petition to terminate or petition to modify; confirmation of consultation with Colorado attorney; and filing of tenth accounting.

Ruling. **Appearance is required.**

PRO1900520 FREDERIC ALAN PERLEY, ESTATE OF

Status regarding meet and confer efforts with respect to remaining amount that is to be allocated to the Carminati estate.

Ruling. **Appearance is required.**

PRO2001545 EDWARD HALL NEWBEGIN II, ESTATE OF

Status Conference - Status Report of Administration or Petition for Final Distribution

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

Future Dates.

1. Status on Closing Estate.
 - a. Either: (1) a Petition for Final Distribution; or (2) another Report on Status of Administration shall be filed by December 31, 2024, as required by Prob. C §§ 12200 & 12201.
 - b. A status hearing re filing a Petition or Report shall be set on January 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 January 23, 2025 at 9:00.

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

Second accounting.

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

A status hearing on filing proof that the Massachusetts Court has accepted jurisdiction and supervision of this SNT is set for January 30, 2025 at 10:00. No appearance will be required if proof is filed by January 23, 2025.

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

Second accounting.

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

A status hearing on filing proof that the Massachusetts Court has accepted jurisdiction and supervision of this SNT is set for January 30, 2025 at 10:00. No appearance will be required if proof is filed by January 23, 2025.

PRO2101012 IN RE THE KATHERINE AND ELGIN ORCUTT TRUST, EST. FEBRUARY 1, 1996, TRUST OF

Petition regarding trust.

Ruling. **Continued to August 8, 2024 at 9:00 for further review of late-filed Objections.**

PRO2102980 IN RE THE TOTAL AMENDMENT AND RESTATEMENT OF THE RAYMOND W. ROSS LIVING TRUST

Status regarding civil action and if this matter is still abated.

Ruling. **Appearance is required.**

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PRO2103269 JACK LAWRENCE NELISSE, ESTATE OF

Final distribution.

Ruling. **Continued to August 15, 2024 at 9:00.** Please address the following no later than August 8, 2024:

1. A detailed description of the assets to be distributed has not been filed. Please file a Supplement to Petition, signed and verified by Petitioner, with this information.
2. The schedules of receipts, gains, and losses were attached to a pleading titled "PC § 9202 Notice with Proof of Service." Please include this information in the Supplement to Petition, signed and verified by Petitioner.

PRO2202444 BONNIE BEDONI PENPRASE, ESTATE OF

Petition for final distribution.

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

PRO2202628 ROBERT MICHAEL NAVE, ESTATE OF

- 1) Petition to determine ownership.
- 2) Petition regarding status of administration.
- 3) Status regarding filing of final inventory and appraisal.

Ruling. **Continued to August 22, 2024 at 9:00.** The Report of Status of Administration of Estate was filed too late for proper notice. Please file POS no later than August 15, 2024.

PRO2202904 JONAS-FINK FAMILY TRUST DATED JUNE 26, 2017, TRUST OF

Petition to confirm trust assets.

Ruling. **Continued to August 1, 2024 at 9:00 for further review.**

PRO2203072 ROBERT E. GREELEY, ESTATE OF

Status regarding mediation.

Ruling. **Appearance is required.**

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PRO2300238 SIDNEY L. ROBBINS INTER VIVOS TRUST DATED AUG. 9, 1990, AS RESTATED, TRUST OF

- 1) Petition for (1) an accounting by trustee; (2) breach of trust; (3) removal of trustee; (4) suspension of trustee's powers, etc. filed by Paris Robbins and Patrick Robbins.
- 2) Petition for order approving and settling account filed by Trevor Robbins and Rebecca Figone.
- 3) Status regarding settlement and potential trial setting.

Ruling. **Continued to August 29, 2024 at 9:00 for OSC re filing Request for Dismissal.**

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

Motion to compel further responses from Juliet McCormick, filed by Respondents on 4/15/24

Ruling. **Off calendar, pursuant to Respondent's Withdrawal of Motion filed 7/19/24.**

PRO2301116 ROBERT KINGSLEY MALOY, ESTATE OF

Petition regarding status of administration.

Ruling. **Continued to August 15, 2024 at 9:00. Please file the following no later than August 8, 2024:**

1. POS confirming that all interested parties received proper notice.

PRO2301328 RICHARD N. PARIANI, ESTATE OF

Final distribution.

Ruling. **Continued to August 1, 2024 at 9:00 for further review.**

PRO2301329 BRUCE LOGIE, ESTATE OF

Petition for final distribution.

Ruling. **Continued to August 1, 2024 at 9:00 for further review.**

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Judge James T. Chou
Department C
10:00 Calendar

PR000214 IN THE MATTER OF CAROLYN TUTTLE MEANS

Status regarding filing of final inventory and appraisal.

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

PR000371 IN THE MATTER OF HARRIET BABCOCK BROWN

Status regarding filing of final inventory and appraisal.

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

PR000609 IN THE MATTER OF MALAIJA NICOLE HAROLD AND JARYIA LENAY RANDOLPH

Status regarding notice and review of temporary guardianship.

Ruling. **Appearance is required.**

PR000616 IN THE MATTER OF BELLA MARIANA BRASIL

1. Petition to appoint guardian.
2. Status regarding receipt of the department's section 1513(b) report and further hearing.

Ruling. **Appearance is required.**

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PRO1802115 ROSEMARY THERESA BOCK, ESTATE OF

Petition regarding further report of status of administration or petition for final distribution.

Ruling. **Continued to September 12, 2024 at 10:00.**

- a. Either: (1) a Petition for Final Distribution; or (2) another Report on Status of Administration shall be filed by August 22, 2024, as required by Prob. C §§ 12200 & 12201.
- b. A status hearing re filing a Petition or Report shall be set on September 12, 2024 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 September 12, 2024 at 9:00.

Please be advised that all future requests for a continuance must be made by filed motion, with notice to all interested parties.

PRO2202846 VICTOR ERWIN RICE, IN THE MATTER OF

Status regarding report of administration or petition for final distribution.

Ruling. **Appearance is required.**

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

Status hearing regarding filing of tenth account.

Ruling. **Appearance is required.**

PRO2301615 IN THE MATTER OF TERESA C. WEBB, ESTATE OF

Status regarding receipt of petition for final distribution/report on status of administration.

Ruling. **Appearance is required.**

PRO2301818 ROGER JOHN CADLONI, ESTATE OF

Status regarding filing of final inventory and appraisal.

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

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Judge James T. Chou
Department C
1:30 Calendar

PR000245 IN THE MATTER OF KYAAN J. SMOYER

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

Ruling. **Off calendar.**

PR000534 IN THE MATTER OF JENNIFER HALL

Status of transferred-in conservatorship.

Ruling. **Appearance is required.**

PR000541 IN THE MATTER OF ROBERT GOODMAN

Petition to appoint conservator.

Ruling. **Appearance is required.**

PR000672 IN THE MATTER OF KADEN TEOH

Petition to appoint conservator.

Ruling. **Appearance is required.**

PRO085820 KEVIN O'KEEFE, CONSERVATORSHIP OF THE PERSON AND ESTATE

Eighth account and report.

Ruling. **Continued to August 15, 2024 at 1:30 for further review.**

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PRO1603322 ASHANTI JADA JOHNSON, GUARDIANSHIP OF THE PERSON

Status to confirm establishment of guardianship in Nevada.

Ruling. **Off calendar – proof of Nevada guardianship has been filed.**

PRO2203521 DAVID MARTIN ANDERSON, CONSERVATORSHIP OF THE PERSON AND ESTATE

Accounting - First report of conservator and petition for conservator and attorneys' fees

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

PRO39871 SIMA YAMIN, CONSERVATORSHIP OF THE PERSON AND ESTATE OF

Petition - Other - Fifteenth account

Ruling. **Continued to August 15, 2024 at 1:30.** Please address the following no later than August 8, 2024:

1. Schedule C of the accounting is labeled “Marilyn Wilkinson Revocable Trust.” Please file a revised Schedule C for this Conservatorship.
2. Please file a Declaration signed and verified by Conservator confirming that all expenses related to Conservatee’s residence were allocated among the owners, with 42.99% of each expense paid by this Conservatorship.

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