



SUPERIOR COURT OF SAN MATEO COUNTY

04/24/2024

Probate - Probate

8:29 AM

Courtroom 2H

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Hearing Date: 05/03/2024 - 09:00 AM

Judge: Davis, III, Leland

Clerk: Warren, Allie

Reporter: Conde, Wendy

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF SAN MATEO

Probate

Department 1

Courtroom 2H

Hon. Leland Davis, III

May 3, 2024 - 9:00 AM

**If an appearance by Zoom is allowed, parties must appear through Zoom Video.
Zoom Audio is only to be used if Zoom Video is unavailable.
Please check in with the clerk by 8:45 AM.**

Zoom Video/Audio Information	Zoom Phone-Audio Only Information Please Note: You must join by dialing in from a telephone; credentials will not work from a tablet or PC
<u>Click on this link to join the Zoom meeting (no meeting ID or passcode required):</u> Meeting ID: 160 844 3738 PASSWORD: 215010	Phone number: 1 (669) 254-5252 Meeting ID: 160 844 3738 PASSWORD: 215010

If a tentative ruling contains “APPEARANCE ORDERED (Zoom allowed/not allowed)”, failure to appear may cause the Petition to be denied or Opposition stricken. If Zoom is not allowed, an in-person appearance is required.

If a tentative ruling contains “APPEARANCE OPTIONAL”, failure to appear is a waiver of oral argument and the Court may issue orders differing from the tentative ruling. Zoom is allowed for all optional appearances.

If a tentative ruling contains “NO APPEARANCE”, an appearance is not required, as the matter has been pre-approved, continued, or dropped, as described.

You must notify the probate clerk at dept1@sanmateocourt.org if you wish to be heard in response to the tentative ruling. Any interested party who wishes to be heard in opposition to a petition must notify all other parties of the intent to appear. Both notifications must be completed no later than 4:30 p.m. on the court day immediately preceding the day of the hearing. Unless notification has been given as provided above, the tentative ruling shall become the rulings of the Court.



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PRO117902	CONSERVATORSHIP OF RUSSELL SHUBIN	
Line 1	Petitioner: SHUBIN, ANNA (GHOSSEIRI, NAZAR A.) Conservatee: SHUBIN, RUSSELL Conservator: KELLER, JUDY (Pro Se) Conservator: SHUBIN, NADIA (Pro Se) Payor: Payor	Conservatorship Review - Biennial
Tentative Ruling: NO APPEARANCE The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist.		

16-PRO-00652	Conservatorship of MARCO P GARCIA	
Line 2	Proposed Conservatee: GARCIA, MARCO P Petitioner: WEAVER-BARBA, ALMARIE (EMMONS, MELANIE J.) Conservatee: GARCIA, MARCO P Conservator: WEAVER-BARBA, ALMARIE (EMMONS, MELANIE J.) Father: GARCIA, JR., TITO Y. Mother: CAJALJAL, ROSEMARIE PARALEJAS Sister: WEAVER-BARBA, ALMARIE (EMMONS, MELANIE J.)	Conservatorship Review - Biennial
Tentative Ruling: NO APPEARANCE The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist.		



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17-PRO-00011	Conservatorship of MAURA ELIZABETH PHIPPS	
Line 3	Proposed Conservatee: PHIPPS, MAURA ELIZABETH Petitioner: PHIPPS, ELIZABETH (Pro Se) Petitioner: PHIPPS, KEVIN (Pro Se) Conservatee: PHIPPS, MAURA ELIZABETH Conservator: PHIPPS, ELIZABETH (Pro Se) Conservator: PHIPPS, KEVIN (Pro Se) Father: PHIPPS, KEVIN (Pro Se) Mother: PHIPPS, ELIZABETH (Pro Se) Sister: PHIPPS, BRIANA Sister: PHIPPS, BRIDGET	Conservatorship Review - Biennial
Tentative Ruling: NO APPEARANCE The Conservatorship shall continue and be reviewed in two (2) years; The assessment amount of \$850 for the cost of the Court's investigation is ordered and deferred until the Court determines sufficient funds exist.		



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20-PRO-00316	Conservatorship of RICHARD SAMUEL PAULSON	Accounting
Line 4	<p>Proposed Conservatee: PAULSON, RICHARD SAMUEL (BRADY, ROBERT J.) Petitioner: WILKINSON, CYNTHIA (ROMA, PATRICIA) Petitioner: WILKINSON, JAMES (ROMA, PATRICIA) Conservatee: PAULSON, RICHARD SAMUEL (WILKINS, PAUL A.) Proposed Conservator: WILKINSON, CYNTHIA Proposed Conservator: WILKINSON, JAMES Temporary Conservatee: PAULSON, RICHARD SAMUEL Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Conservator: WILKINSON, CYNTHIA (Pro Se) Conservator: WILKINSON, JAMES (Pro Se) Interested Party: Lamour, Kristie (DELLA SANTINA, JOSEPH A.) Temporary Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN (NIBBELIN, JOHN D.) Temporary Conservator: WILKINSON, CYNTHIA Temporary Conservator: WILKINSON, JAMES Objector: PAULSON, KENDALL RICHARD (Pro Se) Child: PAULSON, KENDALL RICHARD (Pro Se) Child: PAULSON, KEVIN Child: WILKINSON, CYNTHIA</p>	Status Hearing
<p>Tentative Ruling:</p> <p>APPEARANCE ORDERED</p> <p>The Second Amended Account is DENIED for failure to conform with all provisions of Probate Code section 1061 et seq and California Rules of Court 7.575.</p>		



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17-PRO-00842-A	Conservatorship of Briana C Raymond	As to why the matter should not be transferred to Marin County
Line 5	Proposed Conservatee: Raymond, Briana C Petitioner: Raymond, John (Pro Se) Petitioner: Raymond, Kaila (Pro Se) Petitioner: Raymond, Pamela (Pro Se) Proposed Conservator: Raymond, John Proposed Conservator: Raymond, Kaila Conservatee: RAYMOND, BRIANA C. Conservator: RAYMOND, JOHN (Pro Se) Conservator: RAYMOND, KAILA (Pro Se) Conservator: RAYMOND, PAMELA (Pro Se)	Order to Show Cause Hearing
Tentative Ruling: NO APPEARANCE This matter is CONTINUED to <u>October 9, 2024 at 9:00 am</u> for the Private Defender to be appointed to represent the conservatee in the proposed transfer in compliance with Probate Code 1471. All reports and requests must be filed no later than seven (7) days prior to the hearing.		

21-PRO-00564	Estate of Patricia Valuroso Sailor	FIRST AND FINAL ACCOUNT AND REPORT OF ADMINISTRATOR OF ESTATE AND PETITION FOR ITS SETTLEMENT, AND PETITION FOR FINAL DISTRIBUTION, FOR ALLOWANCE OF COMPENSATION TO ADMINISTRATOR AND ATTORNEYS FOR ORDINARY SERVICES
Line 6	Petitioner: Valuroso Herrera, Pamela (DEWYS, CHRISTOPHER A) Decedent: Valuroso Sailor, Patricia Personal Representative: Valuroso Herrera, Pamela Proposed Personal Representative: Valuroso Herrera, Pamela	Petition for Final Distribution



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Tentative Ruling:

NO APPEARANCE

Petition GRANTED absent cogent objection.

21-PRO-01252	Estate of Joseph Enright	FIRST ANNUAL STATUS REPORT OF ADMINISTRATION AND PETITION FOR ITS SETTLEMENT BY CO-ADMINISTRATORS STEPHANIE ENRIGHT AND LUSYANA ENRIGHT; REQUEST FOR EXTENSION OF TIME
Line 7	Petitioner: Enright, Stephanie (WINET, EVAN D.) Decedent: Enright, Joseph Objector: Enright, Lusyana (STEELE, ANNE E.) Personal Representative: Enright, Stephanie Personal Representative: ENRIGTH, LUSYANA Proposed Personal Representative: Enright, Stephanie Proposed Personal Representative: ENRIGTH, LUSYANA	Petition Hearing

Tentative Ruling:

NO APPEARANCE

Petition GRANTED absent cogent objection.



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22-PRO-00828	Conservatorship of Marilyn R. Melvin	FIRST ACCOUNT AND REPORT OF CONSERVATOR AND TRUSTEE AND PETITION FOR (1) SETTLEMENT OF ACCOUNTS; (2) RATIFICATION OF ACTS OF CONSERVATOR/TRUSTEE; (3) INCREASE OF CONSERVATOR BOND; (4) INCREASE OF TRUST BOND; (5) REIMBURSEMENT TO CONSERVATOR;
Line 8, 9	Proposed Conservatee: Melvin, Marilyn R. Petitioner: Morrow, Colleen R (TOLEDO, LETICIA G. BALAT, MEERA N.) Proposed Conservator: Morrow, Colleen R. Conservatee: Melvin, Marilyn R. Conservator: MORROW, COLLEN R. (TOLEDO, LETICIA G.) Temporary Conservator: MORROW, COLLEN R. (TOLEDO, LETICIA G.)	Conservatorship Review - Annual Petition Hearing

Tentative Ruling:

NO APPEARANCE

The First account of the conservator and trustee is approved. The conservatorship shall continue and be reviewed in two (2) years; bond in the conservatorship is set at \$656,000.00; bond in the trust is set at \$695,000.00. Conservator/Trustee and attorney fees are granted as requested. Petitioner's request for authority to sell the conservatee's car is granted. The assessment amount of \$850 for the cost of the Court's investigation is ordered to be paid from the conservatorship to the Superior Court of California, County of San Mateo, within fifteen (15) days.



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22-PRO-00936	Estate of ARTURO GONZALEZ	PETITION FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING
Line 10	Petitioner: GONZALEZ, HENRY (Pro Se) Decedent: GONZALEZ, ARTURO Personal Representative: GONZALEZ, HENRY	Petition for Final Distribution
Tentative Ruling: NO APPEARANCE Petition GRANTED absent cogent objection. Formal order required.		

22-PRO-01038	Estate of Roger C Cook	PETITION FOR POST DEATH CREDITOR CLAIM AGAINST EXECUTOR OF ESTATE; AND TO REQUEST EXECUTOR TO FILE INVENTORY AND APPRAISAL(S) FOR THE ESTATE [PROBATE CODE SECTION 8800]
Line 11	Petitioner: Chevalier, Andre (STROBEL, JEFF L.) Petitioner: TOPP, MICHELE AMATO (Pro Se) Decedent: Cook, Roger C Personal Representative: Chaevalier, Andre Claimant: AT&T UVERSE Claimant: G. JOANNOU CYCLE CO. Claimant: J&B IMPORTERS, INC. Claimant: JPMORGAN CHASE BANK N.A. Claimant: LARKIN, CHRISTOPHER Claimant: MARIN MOUNTAIN BIKES, INC. Claimant: TOPP, MICHELE AMATO (Pro Se)	Petition Hearing
Tentative Ruling: APPEARANCE ORDERED (Zoom allowed) Petition is DENIED without prejudice for failure to file a proof of service showing that notice and a copy of the Petition were served.		



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23-PRO-01192	Estate of Harold Barnes Handerson	
Line 12	Petitioner: Handerson, Kevin B. (WONG, DARCEY L.) Decedent: Handerson, Harold Barnes Proposed Personal Representative: Handerson, Kevin B.	Probate of Will and Letters Testamentary Hearing w/ ATA
Tentative Ruling: NO APPEARANCE Petition GRANTED absent cogent objection.		

23-PRO-01468	ANDREW FOTU, PETITIONER, V. JUDITH MORLEY, INDIVIDUALLY AND AS TRUSTEE OF THE DMITRI A. TALASKA 2022 LIVING TRUST, AND DOES 1-25, INCLUSIVE, RESPONDENTS	VERIFIED PETITION FOR (1) ORDER OF CONVEYANCE OF PROPERTY; (2) TO INVALIDATE WILL AND TRUST ON GROUNDS OF LACK OF CAPACITY; (3) TO INVALIDATE WILL AND TRUST ON GROUNDS OF UNDUE INFLUENCE; (4) FOR DAMAGES FOR ELDER FINANCIAL ABUSE; AND (5) IMPOSITION
Line 13	Petitioner: Fotu, Andrew (BROOKS, SARAH A.) Decedent: Talaska, Dmitri A. Respondent: Morley, Judith (SEYEDIN-NOOR, BAHRAM)	Petition Hearing
Tentative Ruling: APPEARANCE ORDERED (Zoom allowed) Parties are ordered to appear and provide status. The Court is inclined to CONTINUE this matter to <u>October 9, 2024 at 9:00 am</u> for status and order parties to file status reports ten (10) days before the next hearing.		



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23-PRO-01476	IN THE MATTER OF THE JOHN IRWIN LEE REVOCABLE TRUST	PETITION FOR INSTRUCTIONS PER PROBATE CODE 17200 (b) (13) regarding MODIFICATION OR TERMINATION OF THE TRUST
Line 14	Petitioner: GALLEGOS, DANIEL (DHAKHWA, SRIJANA) Petitioner: HILL, JOANNA FLYNN (DHAKHWA, SRIJANA) Petitioner: RAPTIS, CHRISTINE (DHAKHWA, SRIJANA) Decedent: LEE, JOHN IRWIN	Petition Hearing

Tentative Ruling:

APPEARANCE OPTIONAL

Petition for Instructions is DENIED without prejudice for failure to show that sufficient efforts were made to locate a copy of the Trust and failure to provide sufficient information for the Court to determine that all intestate heirs received notice. See Probate Code § 6402(f) and (g) and Probate Code § 240. The Court notes that the table of heirship provided for Priscila Authier is not signed.

23-PRO-01478	IN THE MATTER OF THE ALICE WAN-TSEN HSU 1994 REVOCABLE TRUST, ALICE WAN-TSEN HSU, THE SETTLOR AND DECEDENT, AND WILLIAM PUI-HANG FUNG, THE TRUSTEE, CREATED ON DECEMBER 10, 1994 RESTATED ON NOVEMBER 16, 2016	PETITION FOR AN ORDER TO CONFIRM ASSETS TO REVOCABLE TRUST
Line 15	Petitioner: FUNG, WILLIAM PUI-HANG (LI, VICTORIA) Decedent: HSU, ALICE WAN-TSEN	Petition to Confirm Trust Assets (Heggstad)

Tentative Ruling:

APPEARANCE OPTIONAL

Petition for an Order to Confirm Assets to Revocable Trust DENIED without prejudice for failure to comply with Probate Code 851(c).



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24-PRO-00043	Estate of William Henry Karr, III	
Line 16	Petitioner: Piccolotti, Johnny (HANSON, PIPER L.) Decedent: Karr, William Henry, III Proposed Personal Representative: Piccolotti, Johnny	Probate of Will and Letters Testamentary Hearing w/ ATA
Tentative Ruling: NO APPEARANCE Petition GRANTED absent cogent objection.		

24-PRO-00350	Conservatorship of FILOMENA TAMAYO	
Line 17	Proposed Conservatee: TAMAYO, FILOMENA Petitioner: GIRARD, BRANT (Pro Se) Proposed Conservator: SAN MATEO COUNTY PUBLIC GUARDIAN	Appointment of Temporary Conservator for Person and Estate
Tentative Ruling: APPEARANCE ORDERED (Zoom allowed) The Court intends to GRANT the Temporary Conservatorship of the estate and make the following orders: 1) a private fiduciary from the court list will be appointed to serve as temporary conservator of the estate pending the hearing on the general conservatorship; 2) the Temporary Conservatorship of the person is denied for failure to indicate good cause for the imposition of a temporary conservatorship of the person; 3) Any and all powers of attorney executed by Filomena Tamayo are suspended in favor of the conservatorship; 4) A ruling on the fees for the cost of the Public Guardian investigation are continued for consideration at the hearing on the General Conservatorship; 5) The temporary conservator is authorized to pay to the conservatee out of the estate up to \$700 per month, a reasonable allowance for the personal use of the conservatee and the authorization of which is in the conservatee's best interest; and 6) the temporary conservator shall submit orders conforming to this ruling.		



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24-PRO-00367-A	THADDEUS RUYER vs. RONALD BERG	
Line 18	Petitioner: RUYER, THADDEUS (Pro Se) Respondent: BERG, RONALD	Request for Orders to Stop Elder or Dependent Adult Abuse
Tentative Ruling: APPEARANCE ORDERED (Zoom not allowed) No proof of service filed.		

Hearings Total: 18