

**1. GUARDIANSHIP OF LYLIAUNNA J., PP20160100****Annual Review Hearing**

Letters of Guardianship of the person were issued on August 10, 2016. This is a co-guardianship, with the co-guardians being Patrick and Yvette McGrath (the maternal grandparents) and Wayne and Brenda Wright (Ms. Wright being the paternal third cousin). The annual guardianship status report (Judicial Council Form GC-251) concerning the minor was submitted by co-guardians Wayne and Brenda Wright. Having read and considered the report, the court finds and orders that the guardianship remains necessary and shall continue.

**TENTATIVE RULING # 1: THE GUARDIANSHIP SHALL CONTINUE. THE COURT SETS THE NEXT ANNUAL STATUS REVIEW HEARING AT 8:30 A.M., FRIDAY, AUGUST 21, 2026, IN DEPARTMENT FOUR.**

**2. ESTATE OF CARREAU, 24PR0139**

**Status of Administration**

Letters Testamentary were issued on August 23, 2024. To date, the Final Inventory and Appraisal is not in the court's file.

**TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, AUGUST 22, 2025, IN DEPARTMENT FOUR.**

**3. ESTATE OF BUNCH, 23PR0098****Status of Administration**

On May 23, 2025, the court approved the first and final account and report, and granted the petition for final distribution. Recently, the executor filed receipts of distribution. To date, the executor has not submitted an ex parte petition for final discharge (Judicial Council Form DE-295).

**TENTATIVE RULING # 3: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, AUGUST 22, 2025, IN DEPARTMENT FOUR.**

**4. MATTER OF DeTARR FAMILY TRUST, SP20140014**

**Status Review Hearing (See Related Item No. 5)**

**TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY,  
AUGUST 22, 2025, IN DEPARTMENT FOUR.**

**5. MATTER OF DeTARR FAMILY TRUSTS, 24PR0335****(A) Petition to Approve First Account and Report (See Related Item No. 4)****(B) Status Review Hearing**

On April 18, 2025, the court ordered the trustees of the three DeTarr Trusts (Trust A, Trust B, and the Trust for Andrea L. DeTarr)<sup>1</sup> to file accountings for the period covering the date of death of Andrea DeTarr, September 4, 2021, to April 18, 2025.

On June 20, 2025, the trustees filed a joint petition to approve the first account and report. On August 6, 2025, Katherine Alvord and Brandon Cauley (collectively, the “objecting beneficiaries”) filed joint objections to the accounting, and a separate memorandum of points and authorities opposing the petition to approve accounting. On August 19, 2025, the trustees filed a response to the objections, as well as a request for attorney fees from the objecting beneficiaries pursuant to Probate Code section 17211, subdivision (b).

Objection 1: the objecting beneficiaries object to the combined presentation of financials for three separate trusts. The trustees respond that “[t]his consolidated format was selected to streamline administration and reflect the interconnected nature of the trusts’ assets and beneficiaries.” (Trustees’ Resp. at 2:7–9.) The court agrees with the trustees and overrules the objection.

Objection 2: the objecting beneficiaries object to the omission of financial details for the Warehouse property after March 2024. The trustees respond, “[f]ollowing specific requests from [the objecting beneficiaries], net rental income from the Warehouse property was distributed directly to each beneficiary, bypassing the trust account. These distributions were not initiated, authorized, or processed by the Trustees and therefore fall outside the scope of the Trustees’ accounting responsibilities. The Trustees have no control over these funds and no access to the related records. The property manager, Julie

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<sup>1</sup> Darcy and Dawson DeTarr are successor co-trustees of Trust A and the Trust for Andrea L. DeTarr. Darcy DeTarr is the successor trustee of Trust B.

Lucksinger, is responsible for making these distributions and providing records to the beneficiaries.” (Trustees’ Resp. at 2:18–23.)

Objection 3: the objecting beneficiaries object to the lack of annual accounting summaries. The trustees point out that neither Probate Code section 1061 nor California Rule of Court 7.901 require an annual breakdown of trust accountings. (Trustees’ Resp. at 3:9–10.) The court agrees with the trustees and overrules the objection.

Objection 4: the objecting beneficiaries raise concerns about a \$24,000 payment to DeTarr Construction, alleging potential self-dealing with Dawson DeTarr. The trustees respond that “[d]etailed invoices and scope-of-work documentation are available and will be submitted to demonstrate that the transaction was conducted transparently and in accordance with fiduciary duties.” (Trustees’ Resp. at 3:21–23.) The court orders the trustees to submit said invoices and documentation.

Objection 5: the objecting beneficiaries object to \$57,736.25 in attorney fees, alleging they were used for personal defense of the trustees against allegations that they breached their fiduciary duties. The trustees respond that the legal fees incurred were for services directly related to trust administration and compliance with fiduciary duties, encompassing court-mandated actions, preparation of accountings, communications with beneficiaries, and participation in mediation. The trustees further state, “[i]temized billing statements are available and will be provided if ordered by the Court to confirm the nature and appropriateness of the legal work performed.” (Trustees’ Resp. at 4:12–14.) The court orders the trustees to submit said billing statements.

Objection 6: the objecting beneficiaries object to the distribution of the Jobs Peak residence and the associated promissory note. The trustees respond that they “will provide documentation of the note and its terms, along with evidence of compliance with Probate Code §§ 16003, 16004, and 16040.” (Trustees’ Resp. at 4:25–5:2.)

Objection 7: the objecting beneficiaries object to distributions for meals and personal expenses. The trustees respond that “[r]eceipts and explanations are available and will be

submitted if ordered by the Court to clarify the nature and purpose of each charge.” The court orders the trustees to submit said receipts and explanations.

Objection 8: the objecting beneficiaries object to a \$200,000 contingent liability for oil tank remediation. The trustees respond that they are “willing to obtain an independent estimate from a qualified environmental professional as required by law; any such estimate would be considered binding on all parties for purposes of trust accounting and allocation.” The court will address this issue with the parties at the hearing.

Objection 9: the objecting beneficiaries object to the proposed trustee compensation of \$62,984.96. However, the court finds the compensation to be reasonable (Prob. Code, § 15681) and overrules the objection.

Objection 10: the objecting beneficiaries object to a \$50,000 contingent liability for a settlement advance. The trustees respond, “[t]he \$50,000 item reflects an advance made in good faith to facilitate mediation and potential settlement discussions among the beneficiaries. Although the settlement did not proceed, the advance was made in furtherance of trust administration. The transaction was properly accounted for in Schedule C of the accounting and was not intended to be included in Schedule B.” The court needs additional information from the parties.

Objection 11: the objecting beneficiaries object to a \$10,000 contingent liability for remodel costs. The trustees respond, “[i]nvoices and receipts supporting this estimate can be provided upon request.” The court orders the trustees to submit said invoices and receipts.

Objection 12: the objecting beneficiaries object to the asset valuation used in the accounting as unsubstantiated and inaccurate. The court needs additional information from the parties.

Objection 13: the objecting beneficiaries object to the omission of agent identities. However, the trustees claim that, in accordance with Probate Code section 1964,

subdivision (b)(4), the accounting does identify all agents retained in connection with the administration of the trust within the petition seeking approval of the accounting.

Trustees' Request for Attorney Fees: The trustees request attorney fees in an unstated amount pursuant to Probate Code section 17211, subdivision (a),<sup>2</sup> which provides in pertinent part: "If a beneficiary contests the trustee's account and the court determines that the contest was without reasonable cause and in bad faith, the court may award against the contestant the compensation and costs of the trustee and other expenses and costs of litigation, including attorney's fees, incurred to defend the account." The court is not inclined to grant the trustees' request for attorney fees as there is no showing that the objecting beneficiaries' objections are without reasonable cause or in bad faith.

**TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, AUGUST 22, 2025, IN DEPARTMENT FOUR.**

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<sup>2</sup> It appears the trustees inadvertently cited to Probate Code section 17211, subdivision (b), which authorizes awarding attorney fees to a *beneficiary* contesting the trustee's account where the court determines that the trustee's opposition to the contest was without reasonable cause and in bad faith. The trustees' response quotes Probate Code section 17211, subdivision (a), which authorizes attorney fees to a *trustee* where a beneficiary contests the trustee's account and the court determines that the contest was without reasonable cause and in bad faith.