

July 13, 2026
Dept. 9
Probate Tentative Rulings

1.	22PR0061	ESTATE OF NANCY GRISHAM
STATUS		

16.	PP20200066	CONSERVATORSHIP OF NANCY GRISHAM
STATUS		

TENTATIVE RULING #1 AND 16:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

2.	22PR0066	ESTATE OF RICHARD BEAUPRE
STATUS OF ADMINISTRATION		

An Order for Final Discharge was entered on September 29, 2025.

TENTATIVE RULING #2:

AN ORDER FOR FINAL DISCHARGE HAVING BEEN ENTERED BY THE COURT SEPTEMBER 29, 2025, THE MATTER IS DROPPED FROM CALENDAR.

July 13, 2026
Dept. 9
Probate Tentative Rulings

3.	23PR0035	ESTATE OF JAMES R. STUART
STATUS HEARING		

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

4.	25PR0029	ESTATE OF JOHN WILLIAM NYBERG
STATUS OF ADMINISTRATION		

Letters of Administration were issued on August 5, 2025.

An Inventory and Appraisal Partial No. 1 was filed on June 9, 2026. Decedent owed no real property at the time of his death and thereby no change of ownership statement was filed as provided in section 480 of the California Revenue and Taxation Code.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JULY 19, 2027, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

July 13, 2026
Dept. 9
Probate Tentative Rulings

5.	25PR0052	ESTATE OF JUDITH DONAHUE
STATUS OF ADMINISTRATION		

Letters of Administration were issued on February 26, 2026.

There is no Inventory and Appraisal on file with the court. Probate Code §8800 requires that the personal representative file an Inventory and Appraisal with the Court within 4 months from the issuance of letters.

There is no Petition for Final Distribution on file with the court.

A Request for Special Notice was filed by Probate Advance, LLC on April 27, 2026.

No status report has been received.

TENTATIVE RULING #5:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JULY 19, 2027, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

IF A PARTY OR PARTIES WISH TO APPEAR BY ZOOM, PLEASE CONTACT THE COURT AT (530) 621-5867 AND MEETING INFORMATION WILL BE PROVIDED.

July 13, 2026
Dept. 9
Probate Tentative Rulings

6.	25PR0122	ESTATE OF SHARON M. HAMILTON
STATUS OF ADMINISTRATION		

Per the Court's order dated May 18, 2026, this status hearing has been dropped from calendar.

TENTATIVE RULING #6:

THE MATTER IS DROPPED FROM CALENDAR.

7.	25PR0126	ESTATE OF MARY V. MENSING
STATUS OF ADMINISTRATION		

Letters of Administration/Letters Testamentary were issued on July 28, 2025, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on November 12, 2025.

Waivers of Account were executed by all the heirs entitled to distributions under the estate.

There is no Proof of Service of Notice of the hearing on the Petition on file with the Court.

The proposed distribution of the estate is in equal shares to each of decedent's three adult children.

The Petition is in compliance with Local Rule 10.07.12

The Petition requests:

1. The administration of the estate be brought to a close without the requirement of an accounting;
2. All acts, transactions and proceedings of the Administrator be ratified, confirmed and approved;
3. The Administrator be authorized to pay statutory attorney fees in the amount of \$6,920.14;
4. Approval of distribution of the estate to the persons entitled to it pursuant to the Petition for Final Distribution;
5. Distribution of the estate in Petitioner's hands and any other property of the estate not now known or later discovered be distributed to the beneficiaries as set forth in the Petition; and
6. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petitioner may be discharged and released from all liability that may be incurred thereafter.**

An Order Settling First and Final Account and Report of Administrator, Allowing of Compensation to Attorneys for Ordinary Services and for Final Distribution was entered on March 23, 2026.

There are no Receipts of Distribution on file with the Court.

There is no Ex Parte Petition for Final Discharge (Judicial Council Form DE-295) on file with the Court.

July 13, 2026
Dept. 9
Probate Tentative Rulings

TENTATIVE RULING #7:

AN ORDER FOR FINAL DISTRIBUTION HAVING BEEN ENTERED BY THE COURT ON MARCH 23, 2026, THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, JULY 19, 2027, IN DEPARTMENT NINE, BY WHICH TIME THE COURT EXPECTS RECEIPTS AND AN EX PARTE PETITION FOR FINAL DISCHARGE (JUDICIAL COUNCIL FORM DE-295) TO BE FILED WITH THE COURT.

July 13, 2026
Dept. 9
Probate Tentative Rulings

8.	25PR0265	ESTATE OF DAVID Z HILL, JR
PETITION FOR ORDERS		

This Petition seeks to recover property that belongs to the estate that is currently in the possession of Jacqueline Thomas, decedent's mother.

Decedent David Hill, Jr. died intestate on September 10, 2023. Letters of Administration were issued to Lori O'Rourke on December 2, 2025. Decedent is survived by a minor child, Aubrey Hill, and Marcy O'Rourke is serving as her guardian *ad litem*.

Decedent's uncle, Curtis Hall, owned certain real property, and when he died intestate in 2009, his estate was admitted to probate in El Dorado County, Case No. PP20090112. Curtis Hall's intestate heirs assigned their interest in the estate to Jacqueline Thomas and decedent David Hill, Jr., such that each was entitled to a 50 percent share of the estate. Petition, Attachment A (Final Order of Distribution for Hall estate). The title of the real property was not changed to reflect this ownership.

The real property went into foreclosure and was sold for \$453,700. The net proceeds after all debts and costs were paid was \$303,992.06, the amount to which David Hill, Jr. and Jacqueline Thomas each were entitled to a 50 percent interest.

In 2023, the bank that sold the real property filed a petition to deposit these funds with the Court (23CV0593) and the Court granted the petition on Jun 23, 2023. Petition, Attachment B. The Court ordered the bank to notice the claimants to the surplus funds, but when the hearing was held on November 20, 2023, no parties appeared and the Court dismissed the case. Decedent had died on September 10, 2023, before the November hearing.

Jacqueline Thomas filed a motion to amend the Order dismissing the case nunc pro tunc on the grounds that the November 20, 2023, hearing was held without notice to the potential claimants due to a clerical error. Petition, Attachment C. Part of that motion included Thomas' Declaration, stating that she knew of no other person with a superior claim to the surplus funds from the sale of the property, and therefore, she claimed all of the funds. *Id.* That motion was heard on October 25, 2024, and as a consequence the Court ordered 100 percent of the surplus funds disbursed to Jacqueline Thomas. Petition, Attachment H.

Petitioner in this case asserts that decedent never received notice of the hearing regarding the surplus funds, and in any event, had died by the time the hearing was held. The proofs of service of notice of Thomas' motion, and also the proof of service of Thomas' claim, were sent to decedent in care of Thomas, at Thomas' address, a P.O. Box in Ukiah. Petition, Attachments D, G.

This Petition seeks the return from Thomas of decedent's 50 percent interest, and the imposition of double damages pursuant to Probate Code §§ 850-859.

July 13, 2026
Dept. 9
Probate Tentative Rulings

If a court finds that a person has in bad faith wrongfully taken, concealed, or disposed of property belonging to a conservatee, a minor, an elder, a dependent adult, a trust, or the estate of a decedent, or has taken, concealed, or disposed of the property by the use of undue influence in bad faith or through the commission of elder or dependent adult financial abuse, as defined in Section 15610.30 of the Welfare and Institutions Code, the person shall be liable for twice the value of the property recovered by an action under this part. In addition, except as otherwise required by law, including Section 15657.5 of the Welfare and Institutions Code, the person may, in the court's discretion, be liable for reasonable attorney's fees and costs. The remedies provided in this section shall be in addition to any other remedies available in law to a person authorized to bring an action pursuant to this part.

Probate Code § 859.

Petitioner also seeks the imposition of a constructive trust pursuant to Civil Code § 2224 and the governing standards for imposing a constructive trust set forth in the cases of *Calistoga Civic Club v. City of Calistoga* (1983) 143 Cal. App. 3d 111, 116, and *Estate of Yool* (2007) 151 Cal. App. 4th 867, 874.

One who gains a thing by fraud, accident, mistake, undue influence, the violation of a trust, or other wrongful act, is, unless he or she has some other and better right thereto, an involuntary trustee of the thing gained, for the benefit of the person who would otherwise have had it.

Civil Code Section 2224.

Petitioner further requests the Court to award Petitioner attorneys' fees and costs:

Unless it is otherwise provided by this code or by rules adopted by the Judicial Council, either the superior court or the court on appeal may, in its discretion, order costs to be paid by any party to the proceedings, or out of the assets of the estate, as justice may require.

Probate Code § 1002.

Proof of service of notice of the Petition on Jacqueline Thomas by personal service on January 9, 2026, is attached to the Petition as Attachment I, and was filed on January 13, 2026.

At the hearing on February 9, 2026, Jacqueline Thomas expressed an objection and the Court continued the matter, directing her to file a written objection.

On March 23, 2026, the Court continued the hearing as Respondent had filed a response that morning. A Proof of Personal Service for Respondent's Response and Objections was filed

July 13, 2026
Dept. 9
Probate Tentative Rulings

on the same date. Respondent makes several objections and requests the Court deny Petitioner's requests.

Respondent asserts that Petitioner is time barred from making a claim for any of the Surplus Funds. Respondent claims the foreclosure company made a notification which was recorded with the County Recorder and anyone with a claim had a prescribed time limit to assert an interest, which has now lapsed. Respondent asserts Decedent was alive when the foreclosure company obtained the funds for the foreclosed home and Petitioner thereby waived her ability to make any claim to the Surplus Funds.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

9.	25PR0362	IN THE MATTER OF THE 2016 CHARLES H. CONN REVOCABLE TRUST (AS AMENDED AUGUST 30, 2023)
MOTION TO CONTINUE TRIAL, DISCOVERY MOTIONS, PRELIMINARY INJUNCTION		

This matter stems from five motions: 1) Motion to Quash Deanna Martynse's Deposition Subpoena for Production of Business Records to Trumark Services, Inc.; 2) Motion to Quash Deanna Martynse's Deposition Subpoena for Production of Business Records to Wells Fargo Bank, National Association; 3) Ex Parte Application for Temporary Restraining Order and Order to Show Cause Regarding a Preliminary Injunction to Enjoin Entry into and Destruction of Trust Property, Retaining Trust Property and Documents, and to Order Parties to Return All Trust Property; 4) Motion to Compel Further Responses to Requests for Admission, Set One, and Form Interrogatories, Set One; Request for Monetary Sanctions; and 5) Motion to Continue Trial Date

MOTION TO CONTINUE TRIAL DATE

The Notice does not comply with Local Rule 7.10.05. Repeated violations will be grounds for sanctions pursuant to Local Rule 7.12.13.

On June 29, 2026, Petitioner, Deanna Martynse ("Petitioner"), filed a 1) Motion to Continue Trial Date; 2) Memorandum of Points and Authorities; and 3) Declaration of Robert Vaughan in Support of Motion to Continue Trial Date.

On the same date, Respondent/Trustee, Ronald J. Conn ("Respondent" or "Trustee") filed a 1) Response to Motion to Continue Trial and Related Dates; Request for *Breslin* Order; and 2) Declaration of Uri Grant in Support of Response to Motion to Continue Trial and Related Dates; Request for *Breslin* Order.

Petitioner requests the Court continue the Trial Confirmation Hearing presently scheduled for July 31, 2026, and the Court Trial presently scheduled for August 4, 2026 for one hundred twenty (120) days, together will all related pretrial deadlines and discovery related deadlines.

Respondent agrees to continue the evidentiary hearing scheduled for August 4, 2026 and all trial-related discovery, motion, disclosure, and pretrial deadlines.

The Court grants Petitioner's request to continue the Trial Confirmation Hearing scheduled for July 31, 2026, and the Trial scheduled for August 4, 2026, together with all related discovery, motion, disclosure, and pretrial deadlines. The Court continues the Trial Confirmation Hearing to January 15, 2027 and Trial to January 19, 2027.

//

//

BRESLIN ORDER

Respondent/Trustee seeks an order to require the parties to mediate pursuant to Probate Code § 17206 and *Breslin v. Breslin* (2021) 62 Cal.App.5th 801.

There is presently no opposition from Petitioner in regards to Respondent's request for mediation. Exhibit B of the Declaration of Uri Grant in Support of Response to Motion to Continue Trial and Related Dates; Request for *Breslin* Order includes email exchanges between counsel wherein it appears the Parties are informally in agreement to mediate; however, no stipulation has been received by the Court.

The probate court has the power to order the parties into mediation. (See Prob. Code § 17206 [“The court in its discretion may make any orders and take any other action necessary or proper to dispose of the matters presented by the petition”].) *Breslin v. Breslin* (2021) 62 Cal.App.5th 801, 806 [276 Cal.Rptr.3d 913, 918]

The Court has the discretion to order costs to be paid by any party to the proceedings, or out of the assets of the estate, as justice may require. Probate Code § 1002.

The Court grants Respondent/Trustee's request. The Court orders all Parties to attend mediation. Trustee shall provide notice to all Parties and beneficiaries of the mediation. Such notice shall instruct that any Party's failure to attend and participate in mediation may forfeit their interest and ability to challenge the result. Payment of mediation fees and expenses shall be paid from the trust. A Status Conference will be held on October 12, 2026 at 8:30 a.m. in department nine.

DISCOVERY MOTIONS

On June 11, 2026, Petitioner/Trustee, Ronald Conn, filed two Motions to Quash relating to Deposition Subpoenas for Production of Business Records to Trumark Services, Inc. and Wells Fargo Bank, National Association.

On June 29, 2026, Petitioner, Deanna Martynse, filed a Motion to Compel Further Responses to Requests for Admission, Set One, and Form Interrogatories, Set One; Request for Monetary Sanctions.

The Court reserves jurisdiction over these discovery motions to October 12, 2026.

PRELIMINARY INJUNCTION

Background

On June 22, 2026, Applicant/Trustee, Ronald J. Conn, filed an Ex Parte Application for Temporary Restraining Order and Order to Show Cause Regarding a Preliminary Injunction to Enjoin Entry into and Destruction of Trust Property, Retaining Property and Documents, and to Order Parties to Return All Trust Property. Trustee requested the Court estop Deanna Martynse

("Deanna") and Cherie Guthrie ("Cherie") from trespassing upon the real property located at 4325 White Rose Lane, Placerville, CA 95667 ("White Rose Lane"), from damaging said property, and from absconding with financial records located therein, thereby ordering them to return the property.

Trustee asserted that on December 28, 2025, Deanna and Cherie entered in the residence of Charles Conn without authorization and absconded with bank statements and financial records belonging to Charles and Ronald. This was discovered by Trustee on February 3, 2026. Of significant importance, divorce documents reflecting the estate distribution between Charles and his ex-wife confirming that the White Rose Lane property was to be titled solely in Charles' name were missing.

Trustee further alleges that on May 15, 2026, Deanna and Cherie committed trespass by entering White Rose Lane without authorization, attempted to disable security cameras that recorded their entry, and attempted to break into a locked room formerly belonging to Charles. Trustee believes they were looking for financial records relating to Charles and Ronald's personal assets. This trespass was witnessed by a neighbor and security cameras. A police officer assisted Ronald in monitoring the home by assessing the damage caused by Deanna and Cherie and noting the documents that had been removed from the home.

Deanna opposed Trustee's request and denied his allegations. Deanna requested the Court deny Trustee's request but if the Court was inclined to grant relief, that she be permitted to: 1) transport her mother to and from medical appointments; 2) visit her mother at her mother's request; 3) provide care and assistance to her mother; 4) communicate freely with her mother; and 5) enter the property with her mother's consent for purposes related to her mother's health, safety, and welfare.

The Court granted the TRO as requested and set a hearing for July 13, 2026.

Legal Principles

"As its name suggests, a preliminary injunction is an order that is sought by a plaintiff prior to a full adjudication of the merits of its claim. [Citation.]" (*White v. Davis* (2003) 30 Cal.3d 528, 554.) The purpose of such an order is to preserve the status quo pending a determination on the merits of the action. (*Id.*, at p. 553; *Continental Baking Co. v. Katz* (1968) 68 Cal.2d 512, 528.)

Code of Civil Procedure section 526 provides for an injunction in the following cases: "(1) When it appears by the complaint that the plaintiff is entitled to the relief demanded, and such relief, or any part thereof, consists in restraining the commission or continuance of the act complained of, either for a limited period or perpetually. [¶] (2) When it appears by the complaint or affidavits that the commission or continuance of some act during the litigation would produce waste, or great or irreparable injury, to a party to the action. [¶] (3) When it

appears, during the litigation, that a party to the action is doing, or threatens, or is about to do, or is procuring or suffering to be done, some act in violation of the rights of another party to the action respecting the subject of the action, and tending to render the judgment ineffectual.

[¶] (4) When pecuniary compensation would not afford adequate relief. [¶] (5) Where it would be extremely difficult to ascertain the amount of compensation which would afford adequate relief. [¶] (6) Where the restraint is necessary to prevent a multiplicity of judicial proceedings. [¶] (7) Where the obligation arises from a trust.” (*Id.*, subd. (a).)

A ruling on an application for a preliminary injunction is not an adjudication of the ultimate rights in the controversy. It merely represents the trial court’s discretionary decision whether the defendant should be restrained from exercising a claimed right pending trial. (*Cohen v. Bd. of Supervisors* (1985) 40 Cal.3d 277, 286.) “In deciding whether to issue a preliminary injunction, a trial court must evaluate two interrelated factors: (i) the likelihood that the party seeking the injunction will ultimately prevail on the merits of [their] claim, and (ii) the balance of the harm presented, i.e., the comparative consequences of the issuance and nonissuance of the injunction.” (*Common Cause v. Bd. of Supervisors* (1989) 49 Cal.3d 432, 441–442 [fn. omitted].) “The trial court’s determination must be guided by a ‘mix’ of the potential-merit and interim-harm factors; the greater the plaintiff’s showing on one, the less must be shown on the other to support an injunction. [Citation.]” (*Butt v. State of Cal.* (1992) 4 Cal.4th 668, 678.) However, “[a] trial court may not grant a preliminary injunction, regardless of the balance of interim harm, unless there is some possibility that the plaintiff would ultimately prevail on the merits of the claim.” (*Ibid.*)

Discussion

Trustee has submitted a Petition to Determine Ownership of Real Property and Personal Property, demonstrating Charles’ intention to include White Rose Lane as an asset of the Trust. Trustee asserts that he has demonstrated some possibility of success from evidence presented in Trustee’s Petition, the Ex Parte application, and supporting documents that the property can’t be sold and must be distributed to him. The Petition includes a copy of the Trust, the Declaration of Trust signed by Charles, and Charles’ pour-over will which demonstrate Charles’ intent. Trustee’s Petition seeks the same relief as Deanna’s Petition, indicating the Petition will be unopposed.

Trustee asserts that without a preliminary injunction, the Trust and Trust beneficiaries will suffer severe interim harm if Deanna and Cherie are not barred from trespassing upon White Rose Lane and from removing and damaging Trust property or further possessing sensitive property belonging to the trust. As acting Trustee, he has a duty to protect and control trust property. Cherie and Deanna’s actions are opening Trustee up to further allegations of breach of fiduciary duty for failing to protect and control trust property, therefore causing irreparable harm to Trustee.

Alternatively, Trustee indicates that Deanna and Cherie will suffer less harm if the preliminary injunction is granted, as they will still receive the financial documentation pursuant to Probate Code § 16060 and they will receive their respective shares of the Trust corpus at the time of distribution.

Deanna argues that the requested relief would interfere with her ability to care for her mother, Bonnie Conn, who resides at the property that is the subject of the temporary restraining order. Deanna assists Bonnie with transportation and medical care. A preliminary injunction would prevent her from caring for Bonnie and would impose substantial hardship.

The Court finds that Trustee has a likelihood of prevailing on the merits of their claim. Additionally, the balance of interim harms weighs in Trustee's favor. The Court grants Trustee's request for a preliminary injunction with the following exceptions:

1. Deanna and Cherie shall be permitted to visit their mother, Bonnie Conn, at the White Rose Lane residence upon Bonnie's request. Deanna and Cherie shall be permitted to provide Bonnie with transportation and assist her with medical appointments and other reasonable caregiving activities at Bonnie's request.
2. During such visits, Deanna and Cherie shall not remove, inspect, inventory, photograph, copy, or otherwise interfere with Charles' personal property or effects, except as reasonably necessary to assist Bonnie or access Bonnie's belongings.
3. Deanna and Cherie are prohibited from removing, turning off, covering or otherwise interfering with any cameras on the property. They shall not instruct Bonnie and or any other agents to conduct prohibited actions referenced herein.

TENTATIVE RULING #9:

MOTION TO CONTINUE TRIAL DATE

PETITIONER'S REQUEST TO CONTINUE THE TRIAL CONFIRMATION HEARING SCHEDULED FOR JULY 31, 2026 AND THE TRIAL SCHEDULED FOR AUGUST 4, 2026, TOGETHER WITH ALL RELATED DISCOVERY, MOTION, DISCLOSURE, AND PRETRIAL DEADLINES IS GRANTED. THE COURT CONTINUES THE TRIAL CONFIRMATION HEARING TO JANUARY 15, 2027, AND THE TRIAL TO JANUARY 19, 2027.

BRESLIN ORDER

THE COURT GRANTS RESPONDENT/TRUSTEE'S REQUEST. ALL PARTIES ARE ORDERED TO ATTEND AND PARTICIPATE IN MEDIATION. TRUSTEE SHALL PROVIDE NOTICE TO ALL PARTIES AND BENEFICIARIES OF THE MEDIATION WHICH WILL INSTRUCT THAT ANY PARTY'S FAILURE TO ATTEND AND PARTICIPATE IN THE MEDIATION MAY FORFEIT THEIR INTEREST AND ABILITY TO CHALLENGE THE RESULT. MEDIATION FEES AND EXPENSES SHALL BE PAID FROM THE TRUST.

PARTIES ARE ORDERED TO APPEAR ON OCTOBER 12, 2026 AT 8:30 A.M. IN DEPARTMENT 9 FOR A STATUS CONFERENCE.

DISCOVERY MOTIONS

THE COURT RESERVES JURISDICTION OVER THE DISCOVERY MOTIONS AS REFERENCED HEREIN TO OCTOBER 12, 2026.

PRELIMINARY INJUNCTION

THE COURT GRANTS TRUSTEE'S REQUEST FOR A PRELIMINARY INJUNCTION WITH THE FOLLOWING EXCEPTIONS:

- 1. DEANNA MARTYNSE ("DEANNA") AND CHERIE GUTHRIE ("CHERIE") SHALL BE PERMITTED TO VISIT THEIR MOTHER, BONNIE CONN, AT THE WHITE ROSE LANE RESIDENCE UPON BONNIE'S REQUEST. DEANNA AND CHERIE SHALL BE PERMITTED TO PROVIDE BONNIE WITH TRANSPORTATION AND ASSIST HER WITH MEDICAL APPOINTMENTS AND OTHER REASONABLE CAREGIVING ACTIVITIES AT BONNIE'S REQUEST.**
- 2. DURING SUCH VISITS, DEANNA AND CHERIE SHALL NOT REMOVE, INSPECT, INVENTORY, PHOTOGRAPH, COPY, OR OTHERWISE INTERFERE WITH CHARLES' PERSONAL PROPERTY OR EFFECTS, EXCEPT AS REASONABLY NECESSARY TO ASSIST BONNIE OR ACCESS BONNIE'S BELONGINGS.**
- 3. DEANNA AND CHERIE ARE PROHIBITED FROM REMOVING, TURNING OFF, COVERING OR OTHERWISE INTERFERING WITH ANY CAMERAS ON THE PROPERTY. THEY SHALL NOT INSTRUCT BONNIE AND OR ANY OTHER AGENTS TO CONDUCT PROHIBITED ACTIONS REFERENCED HEREIN.**

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG

July 13, 2026
Dept. 9
Probate Tentative Rulings

**CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED.
PARTIES MAY PERSONALLY APPEAR AT THE HEARING.**

July 13, 2026
Dept. 9
Probate Tentative Rulings

10.	26PR0080	ESTATE OF JOEL DAVID PITTO
LETTERS OF ADMINISTRATION		

Decedent died testate on February 25, 2026, survived by two adult children. Petitioner is decedent's daughter, Jennifer Maestretti ("Petitioner").

The Petition requests full authority under the Independent Administration of Estates Act.

Mary Pitto was named as Executor in the Will. Ms. Maestretti has indicated Ms. Pitto has declined to act as Executor. No declination to serve or nomination has been filed. Petitioner seeks to be appointed as personal representative.

The Will was lodged with the court on May 26 2026, and is admitted to probate.

The Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on May 26, 2026.

There is no proof of service of notice of the Petition on file with the court, as required by Probate Code § 8110.

Proof of publication was filed on June 22, 2026.

TENTATIVE RULING #10:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, JULY 13, 2026, IN DEPARTMENT NINE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

11.	26PR0152	RE: JOYCE MARIE LANG LIVING TRUST, AKA: LANG LIVING TRUST
PETITION SEEKING APPOINTMENT OF TRUSTEE AND REASONABLE COMPENSATION		

Petitioner, Lori Kocher ("Petitioner"), filed a petition to appoint a successor trustee as there is currently a vacancy and the only named successor trustee under the Trust has died, and no other person or entity is serving or able to act as trustee.

Probate Code § 15660

(a) If the trust has no trustee or if the trust instrument requires a vacancy in the office of a cotrustee to be filled, the vacancy shall be filled as provided in this section.

(b) If the trust instrument provides a practical method of appointing a trustee or names the person to fill the vacancy, the vacancy shall be filled as provided in the trust instrument.

(c) If the vacancy in the office of trustee is not filled as provided in subdivision (b), the vacancy may be filled by a trust company that has agreed to accept the trust on agreement of all adult beneficiaries who are receiving or are entitled to receive income under the trust or to receive a distribution of principal if the trust were terminated at the time the agreement is made. If a beneficiary has a conservator, the conservator may agree to the successor trustee on behalf of the conservatee without obtaining court approval. Without limiting the power of the beneficiary to agree to the successor trustee, if the beneficiary has designated an attorney in fact who has the power under the power of attorney to agree to the successor trustee, the attorney in fact may agree to the successor trustee.

(d) If the vacancy in the office of trustee is not filled as provided in subdivision (b) or (c), on petition of any interested person or any person named as trustee in the trust instrument, the court may, in its discretion, appoint a trustee to fill the vacancy. If the trust provides for more than one trustee, the court may, in its discretion, appoint the original number or any lesser number of trustees. In selecting a trustee, the court shall give consideration to any nomination by the beneficiaries who are 14 years of age or older.

Proof of service of notice was filed on May 29, 2026.

//

//

MODIFICATION OF TRUST

Petitioner seeks a modification of the trust to have the ability to receive compensation. The Trust currently provides, “The Trustee shall receive no compensation for services as Trustee under this Declaration.”

Petitioner is not a beneficiary of the trust. The Trust requires ongoing administration including managing and safeguarding Trust assets, maintaining records, preparing accountings, coordinating tax compliance, communicating with beneficiaries, and engaging professionals as needed. Petitioner asserts performing these substantial fiduciary services warrant reasonable compensation consistent with customary standards for trustees administering trusts of similar size and complexity in California.

Petitioner believes without reasonable compensation:

1. Trustee may be unwilling or unable to continue serving, risking disruption to Trust administration;
2. It may be difficult to recruit or retain qualified successor trustees in the future;
3. The trust may incur greater expense and delay due to the need for repeated court involvement or trustee turnover;
4. The requested modification is administrative in nature and is intended to facilitate proper Trust administration and to further the Trust’s purposes; and
5. The requested modification does not change the nature of the trust as it was drafted gifting the trust assets to the solely named successor trustee and thus there was no need to have compensation.

Probate Code § 15680

(a) Subject to subdivision (b), and except as provided in Section 15688, if the trust instrument provides for the trustee's compensation, the trustee is entitled to be compensated in accordance with the trust instrument.

(b) Upon proper showing, **the court may fix or allow greater or lesser compensation** than could be allowed under the terms of the trust in any of the following circumstances:

- (1) **Where the duties of the trustee are substantially different from those contemplated when the trust was created.**
- (2) **Where the compensation in accordance with the terms of the trust would be inequitable or unreasonably low or high.**
- (3) **In extraordinary circumstances calling for equitable relief.**

(c) An order fixing or allowing greater or lesser compensation under subdivision (b) applies only prospectively to actions taken in administration of the trust after the order is made. (emphasis added)

In *Thorpe v. Reed* (2012) 211 Cal.App.4th 1381, the court held that where the trust instrument specifically states that a successor trustee is not entitled to compensation, and the trustee unconditionally accepted the appointment by performing duties, the trustee is bound by the no compensation clause.

“If a trust contains a fee clause that a potential successor trustee believes will provide inequitably low compensation, the trustee should either condition acceptance on modification of the clause by the court or should refuse to accept the appointment until the current trustee has obtained a modification.”.) “However this may be, the [trust] having limited the amount which [plaintiff] should receive as compensation for [his] services ... and [plaintiff] having accepted the[] trust, [he is] bound thereby, and the order of the court allowing [him] a greater amount is without authority.” (*Estate of Whitney*, supra, at p. 650, 248 P. 754.) *Id.* at 1393

Here, Petitioner seeks appointment as successor trustee while simultaneously requesting reasonable compensation due to the fact that the Trust prohibits compensation. The Court finds that such circumstances exist to allow for reasonable compensation pursuant to Probate Code § 15680.

TENTATIVE RULING #11:

ABSENT OBJECTION THE PETITION FOR APPOINTMENT OF SUCCESSOR TRUSTEE IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

PETITIONER’S REQUEST FOR MODIFICATION OF THE TRUST TO AUTHORIZE REASONABLE COMPENSATION IS GRANTED.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY

July 13, 2026
Dept. 9
Probate Tentative Rulings

AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

12.	26PR0153	IN THE MATTER OF D.J. AND L.J. CHASE FAMILY 1988 REVOCABLE TRUST, DATED DECEMBER 27, 1988, INCLUDING THE DANIEL J. CHASE SURVIVING SPOUSE'S TRUST AND THE FAMILY BYPASS TRUST
PETITION TO CONTEST TRUST AMENDMENTS AND TRUSTEE'S NOTIFICATION, AND COMPEL ACTIONS		

Pending before the court is the petition of Scott Alan Chase and Daniel Lee Chase (collectively, "petitioners"), pursuant to Probate Code section 17200, et seq.,¹ seeking a determination that the January 28, 2026, trustee's notification was materially defective under section 16061.7 and therefore, did not trigger the 120-day limitations period for petitioners to contest the trust under section 16061.8. (Petn., ¶¶ 43-44.) Alternatively, petitioners seek to assert a timely claim contesting the validity of certain trust amendments, and request that the court determine construction of the trust, compel accounting, tracing, and restoration, and impose a surcharge. (Petn., ¶ 45.)

Proof of service filed May 28, 2026, indicates the petition and notice of hearing were served upon the trustee, all beneficiaries, and all other persons whose right, title, or interest would be affected by the petition. (Petn., ¶ 124; see, § 17203.) To date, no opposition has been filed.

When a trust becomes irrevocable, section 16061.7 requires the trustee to serve a notice advising, among other things, that any contest to the trust must be filed within 120 days.

Petitioners claim the trustee's notice issued by respondent James Robert Johnson on January 28, 2026, is invalid because: (1) the notice did not inform petitioners that they are entitled, upon reasonable request to the trustee, to receive from the trustee a true and complete copy of the terms of the trust; (2) the declaration of mailing the notice omits the date of mailing and date of execution; (3) the notice's references to "the Trust" is vague and ambiguous because it is unclear whether the trustee was referring to the Survivor's Trust, the Family Bypass Trust, or any other portions of the trust estate; (4) the notice identifies respondent James Johnson as trustee of "the Trust," while other communications reportedly take the position that he is trustee only of the Survivor's Trust (and not the Family Bypass Trust); and (5) the notice and transmittal materials indicate petitioners may not have received a true and complete copy of all trust terms. (Petn., ¶ 42.)

Section 16061.8's 120-day statute of limitations begins to run on the date a valid section 16061.7 notice is served on the recipient. (§ 16061.8.) The court agrees with petitioners that the declaration of mailing does not include the date the trustee's notice was mailed or the date the declaration was executed. (See Petn., Ex. A.) Without any other evidence before the court

¹ Further undesignated statutory references are to the Probate Code.

showing when the trustee's notification was served, the court finds that petitioners have demonstrated the trustee's notification dated January 28, 2026, is insufficient to trigger the 120-day statute of limitations against them.

Where the court determines that the notice otherwise required is insufficient in the particular circumstances, the court may require that further or additional notice, including a longer period of notice, be given. (§ 1202.) The trustee shall serve section 16061.7 notification upon both petitioners within 60 days of the notice of entry of order.

Based on the court's finding that the section 16061.7 notice issued January 28, 2026, is invalid, the court does not reach petitioners' alternative claims in their petition at this time.

TENTATIVE RULING #11:

THE PETITION IS GRANTED. THE COURT FINDS THAT THE TRUSTEE NOTIFICATION DATED JANUARY 28, 2026, IS INSUFFICIENT TO TRIGGER THE 120-DAY STATUTE OF LIMITATIONS AGAINST PETITIONERS UNDER PROBATE CODE SECTION 16061.8. THE TRUSTEE SHALL SERVE PROBATE CODE SECTION 16061.7 NOTIFICATION UPON BOTH PETITIONERS WITHIN 60 DAYS OF THE NOTICE OF ENTRY OF ORDER.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

13.	26PR0154	IN THE MATTER OF THE CARE FAMILY REVOCABLE TRUST AS RESTATED SEPTEMBER 17, 2021 AND AMENDED JANUARY 12, 2023
PETITION HEARING		

On May 29, 2026, Petitioner, Carole Good ("Petitioner"), filed a Petition for an Order to Confirm Validity of Trust; Confirm Trustee; and Confirm Assets to Revocable Trust. Notices of Hearing were filed on June 10, 2026.

Settlors and initial Trustees, Gary J. Carr and Sally F. Carr (collectively the "Settlors"), Restated The Carr Family Revocable Trust (the "Trust") on September 17, 2021. Mrs. Carr thereafter amended the Trust on January 12, 2023, wherein she retired as Trustee.

Petitioner asserts the Settlers intended the Charles Schwab IRA account no. 2124-9819 and ROTH IRA account 2124-9820 (collectively the "Schwab accounts") to be part of the Trust Corpus, which is supported by the Schedule of Community Property Assets signed and dated September 17, 2021. Exhibit A.

Mr. Carr passed away on October 5, 2022 and Mrs. Carr passed away on November 5, 2025. Article Two, paragraph 2.1 of the Last Will of Sally F. Carr provides the following:

2.1 Gift of Entire Estate

I give all of my property to the trustee of the CARR FAMILY REVOCABLE TRUST, created on April 24, 2007, and amended and restated under the declaration of trust executed on the same date as, but immediately before, the execution of this will, by GARY J. CARR and SALLY F. CARR, as Settlers and Trustees. The trustee of that trust shall add the property disposed of under this will to the trust principal and hold, administer, and distribute the property in accordance with the provisions of that declaration of trust, including any amendments and restatements of that declaration of trust that have been made before or after execution of this will. Exhibit D.

Petitioner asserts the Schwab accounts were not transferred into the Trust correctly as intended by the Settlers and there is no evidence to support the conclusion that the property was to come distributed as a separate, non-trust asset.

Petitioner seeks the following orders:

1. Determine the Trust as Restated on September 17, 2021 and amended January 12, 2023 is valid;
2. Confirm Carole Goold is the current acting trustee of the Trust; and

July 13, 2026
Dept. 9
Probate Tentative Rulings

3. Confirm the Schwab accounts are assets of the Trust to be held, administered and distributed by Carole Goold, as the current acting trustee, under the terms of the Trust.

Probate Code § 17200, in part, provides:

(a) Except as provided in Section 15800, a trustee or beneficiary of a trust may petition the court under this chapter concerning the internal affairs of the trust or to determine the existence of the trust.

(b) Proceedings concerning the internal affairs of a trust include, but are not limited to, proceedings for any of the following purposes:

(3) Determining the validity of a trust provision.

(5) Settling the accounts and passing upon the acts of the trustee, including the exercise of discretionary powers.

(10) Appointing or removing a trustee.

The Amendment and Restatement of the Carr Family Revocable Trust Article Two, section 2.1 provides:

2.1 Definition of Trust Estate

All property subject to this instrument from time to time is referred as the “trust estate” and shall be held, administered, and distributed as provided in this instrument. The trustee shall hold, administer, and distribute the property in the Schedule of Community Property Assets (which are attached hereto and made part of this trust instrument), any other property that may be hereafter subject to this trust, and the income and proceeds attributable to all such property, in accordance with the provisions of this instrument.

Schedule A includes “All Investment Accounts with Charles Schwab: Acct No.: 1119-6345, 2122-6352, 2122-6358, 2122-6365, 2124-9819, 2124-9820.”

Section 1.4 of the Trust instructs Carole Goold to be successor trustee in the event of a vacancy. Section 1.5 of the Trust provides for Mrs. Carr’s resignation as trustee effective immediately. An Acceptance of Trustee was signed by Carole Goold.

TENTATIVE RULING #13:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT’S WEBSITE OR BY TELEPHONE TO THE

July 13, 2026
Dept. 9
Probate Tentative Rulings

COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

14.	26PR0155	THE ESTATE OF THE WILLIAM A. JONES & MARY H. JONES TRUST
PETITION HEARING		

On June 1, 2026, Petitioners, Donna Foster and Susan Lewis (collectively "Petitioners"), filed a Verified Petition for: 1) Removal of Trustee; 2) Appointment of Neutral Successor Fiduciary; 3) Accounting; 4) Instructions; 5) Preservation of Trust Assets; 6) Determination of Disputed Property and Claims; 7) Determination of Occupancy, Rental Value, Offset, and Surcharge Issues, and Related Relief.

The Verified Petition is not signed.

Petitioners have not filed a Notice of Hearing.

TENTATIVE RULING #14:

PETITION IS DENIED WITHOUT PREJUDICE.

NO HEARING ON THIS MATTER WILL BE HELD UNLESS A REQUEST FOR ORAL ARGUMENT IS TRANSMITTED ELECTRONICALLY THROUGH THE COURT'S WEBSITE OR BY TELEPHONE TO THE COURT AT (530) 621-6551 BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; LOCAL RULE 8.05.07; SEE ALSO LEWIS V. SUPERIOR COURT, 19 CAL.4TH 1232, 1247 (1999).

NOTICE TO ALL PARTIES OF A REQUEST FOR ORAL ARGUMENT AND THE GROUNDS UPON WHICH ARGUMENT IS BEING REQUESTED MUST BE MADE BY TELEPHONE OR IN PERSON BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. CAL. RULE CT. 3.1308; EL DORADO COUNTY LOCAL RULE 8.05.07. PROOF OF SERVICE OF SAID NOTICE MUST BE FILED PRIOR TO OR AT THE HEARING.

LONG CAUSE HEARINGS MUST BE REQUESTED BY 4:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED AND THE PARTIES ARE TO PROVIDE THE COURT WITH THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. LONG CAUSE ORAL ARGUMENT REQUESTS WILL BE SET FOR HEARING ON ONE OF THE THREE MUTUALLY AGREEABLE DATES ON FRIDAY AFTERNOONS AT 2:30 P.M. THE COURT WILL ADVISE THE PARTIES OF THE LONG CAUSE HEARING DATE AND TIME BY 5:00 P.M. ON THE DAY THE TENTATIVE RULING IS ISSUED. PARTIES MAY PERSONALLY APPEAR AT THE HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings

15.	26PR0160	THE ESTATE OF JOSEPH BAGNALL
HEARING FOR LETTERS TESTAMENTARY		

Decedent died testate on October 18, 2025, survived by one adult child. Petitioner is decedent's daughter.

The Petition requests full authority under the Independent Administration of Estates Act.

Nichole Bagnall was named as Executor in the Will.

The Will was lodged with the court on June 1, 2026, and is admitted to probate.

The Will waives bond.

A Duties/Liabilities statement (DE 147/DE 147s) was filed on June 1, 2026.

Proof of service of notice of the hearing on the Petition was filed on June 2, 2026.

Proof of publication was filed on June 25, 2026.

TENTATIVE RULING #15:

ABSENT OBJECTION THE PETITION IS GRANTED AS REQUESTED. ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, JULY 19, 2027, IN DEPARTMENT NINE. PETITIONER OR COUNSEL ARE ORDERED TO PERSONALLY APPEAR, OR FILE A STATUS UPDATE WITH THE COURT AT LEAST TWO WEEKS BEFORE THAT HEARING.

July 13, 2026
Dept. 9
Probate Tentative Rulings