1.	25PR0160	ESTATE OF CONSUELO R. RAMIREZ
STATUS OF ADMINISTRATION		

Letters Testamentary were issued on August 4, 2025.

An Inventory and Appraisal was filed on July 17, 2026. At the time the inventory and appraisal was filed, the change of ownership statement with the county recorder or assessor in each county where the decedent owned real property at the time of death, as provided in section 480 of the California Revenue and Taxation Code, was filed.

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

A Status Report on Administration by Personal Representative of the Estate was filed on July 17, 2026. Petitioner requests an additional six months to complete and file the final petition due to delays obtaining necessary bank records and communicating with other heirs/beneficiaries.

TENTATIVE RULING #1:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.

2.	**PP20180023**	**ESTATE OF EDGAR SHELTON**
ACCOUNTING HEARING/STATUS OF ADMINISTRATION		

On April 30, 2026, Petitioner, Ronald Crain ("Petitioner"), filed a Thirteenth Account and Report of Trustee and Petition for its Settlement and Approval Thereof, and for Allowance of Trustee Compensation and Attorney's Fees. Petitioner requests the following:

1. That the Thirteenth Account and Report of the Trustee be settled, allowed, and approved as filed;
2. That all of the acts and transactions of the Trustee, as set forth in the Thirteenth Account and Report, be ratified, confirmed and approved;
3. That bond be increased by the sum of $69,845.71 to a total bonded amount of $618,830.10;
4. That Petitioner be authorized to pay Ronald Crain, from the trust, compensation in the amount of Nine Hundred Thirty-Five Dollars ($935.00) for the period between January 1, 2024, through December 31, 2025, to be charged one-half to Trust income and one-half to Trust principal; and
5. That Petitioner be authorized and directed to pay to Corey, Luzaich, de Ghetaldi & Riddle, LLP, from the trust, the sum of Five Thousand One Hundred Sixty-Three Dollars and Eighty-Five Cents ($5,163.85), to be charged one-half to Trust income and one-half to Trust principal, if no appearance at the hearing is required, plus the sum of Four Hundred Seventy Dollars ($470.00) for reimbursement of advanced filing fees and the e-service charges.

Petitioner filed a Status Report Re Accounting and Administration on June 16, 2026. Petitioner advises there is no probate or administration currently active, as this is a Court-supervised trust that has been under Court supervision for decades and any probate or administration was wound up years ago. The only matter that should be before the Court is the Accounting Hearing regarding the Thirteenth Account and Report.

TENTATIVE RULING #2:

ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

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

3.	**25PR0342**	**IN THE MATTER OF HWA CHA CROUCH**
FINAL DISTRIBUTION HEARING		

Letters Testamentary were issued on February 2, 2026, granting Petitioner full authority under the Independent Administration of Estates Act.

A Final Inventory and Appraisal was filed on April 3, 2026. Decedent owed no real property at the time of death and thereby no change of ownership statement was filed as provided in section 480 of the California Revenue and Taxation Code.

Waivers of Account were executed by all of the heirs entitled to distributions under the estate. No Waivers of Notice were executed.

No Proof of Service of Notice of the hearing on the Petition was filed. No one has filed a request for special notice in this proceeding. Although Petitioners are the only heirs by intestate succession, the estate is bequeathed by the Will to a Trust, and the Trust document is not on file with the Court. There may be other beneficiaries of the Trust who require notice of the Petition.

The proposed distribution of the estate includes the property of the estate, together with any other property of the decedent not now known or discovered, distributed to decedent's trust as "Monica Marie Chaidez and Pamela Choe Leonard as co-trustees of the Richard Lee Crouch and Hwa Cha Crouch Revocable Trust."

Per Local Rule 10.07.12 Petitions for final distribution must include a report of the following:

1. That no federal or California estate taxes are payable or that they have been paid;
2. That income taxes and all other taxes (e.g. supplemental real property taxes or personal property taxes, if any, have been paid or otherwise provided for.

If estate taxes are payable or paid: 1) the petition shall set forth whether said taxes were prorated pursuant to Probate Code section 20100, et seq., or the provisions of the will; and 2) the petition must reflect whether or not there are non-probate assets includable in the gross estate for estate tax purposes.

Petitioner confirms that no federal or California estate taxes are payable, nor are any California or federal income or personal property taxes payable.

The Petition requests:

1. The administration of the estate be brought to a close;

2. The Waivers of Accounting of Petitioners as Personal Representatives are allowed;

3. All the acts and proceedings of Petitioners as Personal Representatives as alleged in the Petition be confirmed and approved;
4. All creditor claims not properly filed with the court and served on the estate be barred;
5. Personal Representatives be authorized and directed to pay their attorney, Clara Yang, $10,181.36 for statutory fees for her legal services to the Personal Representatives and to this estate;
6. The residual property of the estate together with any other property of the decedent not now known or discovered should be distributed as follows: Monica Marie Chaidez and Pamela Choe Leonard as co-trustees of the Richard Lee Crouch and Hwa Cha Crouch Revocable Trust; and
7. **Upon filing of receipts and the Ex Parte Petition for Discharge, Petition may be discharged and released from all liability that may be incurred thereafter.**

TENTATIVE RULING #3:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

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

4.	**25PR0104**	**IN THE MATTER OF DARLENE CHERNEY**
STATUS OF ADMINISTRATION		

Letters of Administration have not been issued despite an order being granted on October 22, 2025.

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.

The Court ordered the Parties to appear at the hearing on June 8, 2026. As there were no appearances, the Court continued the hearing to August 3, 2026.

Nothing has been filed since this time.

TENTATIVE RULING #4:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.

5.	**26PR0183**	**IN RE THE MATTER OF: THE JAMES A. AND NORMA M. DUNN FAMILY TRUST OF 2007, DATED JANUARY 17, 2007**
INSTRUCTION HEARING		

Before the Court is an Amended Petition filed by Petitioners, Gordon C. Dunn, as Beneficiary, Lucky Lawrence, as Trustee of the James A. and Norma M. Dunn Revocable Living Trust UDT 1/17/2007, and Larry W. Janes, as putative owner (collectively the "Petitioners").

The original Petition was filed on June 18, 2026, and a Notice of Hearing was issued by the Court on the same date. The Proof of Service by Mail within the Notice of Hearing was executed prior to the Court issuing the hearing date on the Notice. Petitioner has not separately filed the Notice of Hearing indicating the Notice was served which contains the hearing date.

The Amended Petition was filed on June 23, 2026. The Proof of Service indicates the Petition was served via mail but is silent as to the Notice of Hearing.

TENTATIVE RULING #5:

PETITION IS DENIED WITHOUT PREJUDICE FOR LACK OF NOTICE.

6.	**26PR0155**	**THE ESTATE OF THE WILLIAM A. JONES & MARY H. JONES TRUST**
PETITION HEARING		

On July 17, 2026, Petitioners, Donna Veerkamp Foster and Susan Jones Lewis (collectively "Petitioners") filed a First Amended Verified Petition. A Notice of Hearing and Proof of Electronic Service were filed on the same date indicating the Petition, Joint Verification, and Notice of Hearing were electronically served.

Probate Code § 1215(c) prohibits electronic service of notice or other paper unless the person to receive notice has expressly consented on the appropriate Judicial Council form to receive electronic delivery in the proceeding before the court and has provided an electronic address for that express purpose.

The Court is not in receipt of any party's or interested person's consent to electronic service, rendering service improper.

TENTATIVE RULING #6:

PETITION IS DENIED WITHOUT PREJUDICE DUE TO IMPROPER SERVICE.

7.	**25PR0143**	**ESTATE OF MATT ALAN MILLIKEN**
STATUS OF ADMINISTRATION		

Letters of Administration were issued on September 15, 2025.

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.

TENTATIVE RULING #7:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.

8.	PP20210160	ESTATE OF CAROLE JOHNSON
OSC/FINAL DISTRIBUTION HEARING		

At the hearing of October 23, 2023, the Court advised Petitioner that, although a proposed Order for Final Distribution had been filed, there was no Petition for Final Distribution or notice of hearing on the Petition for Final Distribution on file with the Court. There were no appearances at the hearing of October 21, 2024. A Petition for Final Distribution was filed on March 5, 2026. However, the court continues to have no proof of notice of the petition despite the petition asserting notices have been given as required. The Administrator is pro per.

The Court ordered appearances at the hearing on June 8, 2026. No parties appeared. The Court continued the hearing to August 3, 2026. Nothing further has been filed since this time.

TENTATIVE RULING #8:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.

9.	**25PR0305**	**ESTATE OF LINDA ABRAHAMSON**
SUCCESSION TO REAL PROPERTY		

Decedent died on December 25, 2019. This Petition is filed by Myrna Lunceford and Deborah Land, who are presumably decedent's siblings, pursuant to Probate Code § 13150 et seq. That statute allows the Court to determine succession to real property outside of probate for real property that is valued at less than $166,250 for a decedent who died prior to April 1, 2022. The Petition indicates that the decedent died intestate with no surviving parents, children or spouse, and that no probate was opened for the estate.

The matter was heard on December 29, 2025, but there were no appearances. The Court continued the matter to allow the Petitioners an opportunity to conform the Petition to the requirements of Probate Code § 13152. At the hearing on March 16, 2026, counsel for Petitioners appeared and the Court continued the matter.

At the hearing on April 6, 2026, counsel requested a continuance.

On May 18, 2026, the Court issued an ex parte minute order directing an appraisal by a probate referee and an Inventory and Appraisal Form. The Inventory and Appraisal was filed with the court on June 17, 2026. The total appraisal by representative, guardian, or conservator was $83,455.00.

At the hearing on June 29, 2026, the Court continued the hearing until August 3, 2026, after determining it had not received the probate referee's appraisal.

<u>To date, the Court has not received the probate referee's appraisal as required by Probate Code § 13152(b)</u>.

TENTATIVE RULING #9:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

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

10.	26PR0185	IN THE MATTER OF OATMAN FAMILY TRUST DATED JULY 23, 1996
DETERMINING QUESTIONS OF CONSTRUCTIONS OF TRUST INSTRUMENT		

On June 22, 2026, Petitioner, Mark Oatman ("Petitioner" or "Trustee"), filed a Petition Under Cal. Prob. Code § 17200 for Orders Determining Questions of Construction of Trust Instrument, Determining Validity of Trust Amendments, Ascertaining Beneficiaries, and Passing Upon the Acts of the Trustee. A Notice of Hearing was filed on June 24, 2026. No opposition has been filed.

<u>Background:</u>

Floyd W. Oatman and Jeanette M. Oatman (collectively "Settlors") established the Oatman Family Trust (the "Trust") on July 23, 1996. On September 25, 2003, the Settlors executed a handwritten document entitled "Codicil to the Oatman Family Trust of July 23, 1996." The document states:

> On page 4 of the Trust strike everything beginning with "(i) if Floyd is the deceased spouse" to the bottom of page 4. In other words remove from the Trust all of 6(i), 6(ii) and 6(iii).

On September 26, 2003, the Settlors executed two handwritten documents, each entitled "Codicil to the Oatman Family Trust," consisting of two separate pages. The first document states: Page 9 last paragraph 9(i) strike the words "or in more frequent intervals."

The third document provides:

> Page 10 following the words "principal and accrued income" in the second line add the following "of the 10% give one quarter of one percent to each of the following: St. Paul's Lutheran Church 5588 E Co Road 9005 Cross Plains Indiana 47017-9707; Grace Lutheran Church 2825 Alameda, San Mateo CA 94403-3299; Ministerial Training Fund California Nevada Hawaii District Livermore, CA; St John's Lutheran Church 7291 State Road 62 Dillsboro Indiana 47018-9738."

Upon the death of Surviving Settlor, the Settlors had four living children: Mark Oatman, Theresa Oatman, Bruce Oatman, and Dean Oatman. They had no deceased children survived by issue. On August 9, 2025, Bruce Oatman died, leaving behind four living children: Michael Oatman, Sarah Oatman, Jonathan Oatman, and Rachael Mortensen. Bruce Oatman had no deceased children survived by issue.

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Legal Principles:

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:
>
> > (1) Determining questions of construction of a trust instrument.
> >
> > (3) Determining the validity of a trust provision.
> >
> > (4) Ascertaining beneficiaries and determining to whom property shall pass or be delivered upon final or partial termination of the trust, to the extent the determination is not made by the trust instrument.
> >
> > (6) Settling the accounts and passing upon the acts of the trustee, including the exercise of discretionary powers.

Discussion:

1. Validity of Handwritten Amendments

Petitioner argues that the Settlors intended to amend the Trust by way of the three handwritten documents created on September 25, 2003, and September 26, 2003. Petitioner requests a court order determining that each of these amendments is a valid amendment to the Trust.

Probate Code § 15401(a) allows for a trust that is revocable by the settlor or any other person may be revoked in whole or in part by compliance with any method of revocation provided in the trust instrument or by writing, other than a will, signed by the settlor or any other person holding the power of revocation and delivered to the trustee during the lifetime of the settlor or person holding the power of revocation. If the trust instrument explicitly makes the method of revocation provided in the trust instrument the exclusive method of revocation, the trust may not be revoked pursuant to this paragraph.

Paragraph 23(b) of the Trust provides, in part:

> 23. Revocation and Amendment. (b) We may at any time during our joint lifetimes amend any of the terms of this trust agreement by an instrument in writing signed by both of us and delivered to trustee…

Each of the three handwritten documents were prepared during the Settlors' lifetimes and were signed by each Settlor in compliance with the Trust's procedures. The Court finds that the three handwritten documents are valid Trust amendments. The Court orders the Trust instrument shall be amended consistent with the handwritten documents and read, in part, as follows:

> 6. Administration Upon First Death. (a) The First Settlor to die shall be called the deceased spouse, and the living spouse shall be called the surviving spouse.
>
> …
>
> 14. Continuing Trust for Beneficiaries. (a) The Beneficiaries of the Continuing Trust shall be the Settlors' children, but if any of said children shall fail to survive, then said child's children shall be beneficiaries of that child's share, by right of representation. If a Settlor's child leaves no surviving children, then said child's surviving spouse shall be the beneficiary of that child's share.
>
> (b) The rest, residue and remainder of the trust estate shall be administered for the benefit of the beneficiaries in the following manner:
>
> > (i) The Trustees may distribute, annually, a sum not to exceed ten percent (10%) of the then present value of the trust, which shall include principal and accrued income. Of the 10% give one quarter of one percent to each of the following: St. Paul's Lutheran Church 5588 E Co Road 9005 Cross Plains Indiana 47017-9707; Grace Lutheran Church 2825 Alameda, San Mateo CA 94403-3299; Ministerial Training Fund California Nevada Hawaii District Livermore, CA; St John's Lutheran Church 7291 State Road 62 Dillsboro Indiana 47018-9738. Any income not so distributed shall be added to the trust principal. The trustee's election to distribute principal must be made in the current year. The trustees shall not be allowed to cumulate undistributed amounts of principal from a previous year or years.
> >
> > …

2. Determining Questions of Construction

Petitioner argues the modification to section 14 of the Trust permits the Trustee to distribute a total sum of up to ten percent (10%) of the then present value of the trust, including principal and accrued income, on an annual basis as follows: up to nine percent (9%) of the then present value of the Trust to the Settlors' children, equally, and up to one percent (1%) of the then present value of the Trust, split equally among St. Paul's Lutheran Church, Grace Lutheran Church, St. John's Lutheran Church, and Ministerial Training Fund California Nevada Hawaii District. Petitioner requests an order confirming this construction regarding the timing and amount of distributions from the Trust.

Pursuant to Probate Code § 17200(b)(1), the Court confirms this construction regarding the timing and amount of distributions from the Trust.

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3. Ascertaining Beneficiaries of Trust

Petitioner requests an order determining that the beneficiaries of the Continuing Trust shall be the children of the Settlors, equally, and that, upon the death of a child, the deceased child's share shall pass to the deceased child's children by right of representation until such time as no issue of the Settlors remain, when the remaining trust estate shall be distributed to the Ministerial Training Endowment Fund.

Bruce Oatman, one of the children of the Settlors, survived the Settlors but later died on August 9, 2025. Petitioner requests a court order ascertaining the present beneficiaries of the Continuing Trust.

Paragraph 14(a) of the Trust provides:

> The Beneficiaries of the Continuing Trust shall be the Settlors' children, but if any of said children shall fail to survive, then said child's children shall be beneficiaries of that child's share, by right of representation.

Paragraph 13(d) provides:

> Except as otherwise specifically provided in this trust agreement, if any person named herein fails to survive the surviving spouse for thirty (30) days, for all purposes of this trust agreement, the person shall have been considered to have predeceased the surviving spouse.

There is no provision that states what happens to a child's share when a child survives the Settlors but later dies during administration of the Continuing Trust. Petitioner is informed and believes that the Settlors intended to benefit future generations of their family with the ongoing Continuing Trust established under Paragraph 14 of the Trust. Petitioner understood from conversations with his parents that they desired that distributions be made to their grandchildren in the case where a child died during administration of the Continuing Trust for Beneficiaries.

Petitioner further argues this intent is evident in other language within the Trust, such as Paragraph 14(b)(ii), which provides:

> This trust shall continue until all of the beneficiaries of the Continuing Trust shall have deceased, or as hereinafter provided in Paragraph 20, at which time the remaining balance of the trust estate shall be distributed to the Ministerial Training Endowment Fund of the California-Nevada-Hawaii District of the Lutheran Church-Missouri Synod, or to its successor in interest.

Paragraph 20 of the Trust provides:

> Perpetuity Provision. Unless terminated earlier in accordance with provisions of this instrument, all trusts created under this trust agreement shall terminate twenty-one (21) years after the death of the last survivor

> of our issue living on the date of the death of the first Settlor to die. The principal and undistributed income of a terminated trust shall be distributed to the income beneficiaries of the trust in the same proportion that the beneficiaries are entitled to receive income when the trust terminates. If at the time of termination the rights to income are not fixed by the terms of the trust, distribution under this clause shall be made, by right of representation, to the persons who are then entitled or authorized, in the trustee's discretion, to receive trust payments.

Probate Code § 21102 instructs that:

> (a) The intention of the transferor as expressed in the instrument controls the legal effect of the dispositions made in the instrument.
>
> (b) The rules of construction in this part apply where the intention of the transferor is not indicated by the instrument.
>
> (c) Nothing in this section limits the use of extrinsic evidence, to the extent otherwise authorized by law, to determine the intention of the transferor.

All parts of an instrument are to be construed in relation to each other and so as, if possible, to form a consistent whole. If the meaning of any part of an instrument is ambiguous or doubtful, it may be explained by any reference to or recital of that part in another part of the instrument. Probate Code § 21121.

Considering the Trust as a whole, the Court finds that the Settlors intended each child's share to pass to said child's children by right of representation when the child dies during the administration of the Continuing Trust. <u>The Court grants Petitioner's request and orders that the beneficiaries of the Continuing Trust shall be the children of the Settlors, equally, and that, upon the death of a child, the deceased child's share shall pass to the deceased child's children by right of representation until such time as no issue of the Settlors remain, when the remaining trust estate shall be distributed to the Ministerial Training Endowment Fund.</u>

Petitioner further wishes to clarify the distribution of any of the named charitable organization's shares should that organization cease to exist, which is not provided under the terms of the amendment. Petitioner is informed and believes that the Trustee may make annual discretionary distributions of up to one percent (1%) to charitable organizations supporting their religious beliefs. Petitioner contends Settlors intended that should one of the named charitable organizations cease to exist, the remaining named organizations should share equally in the one percent (1%) available for distribution to charitable organizations. Petitioner requests an order determining that the specified named charitable organizations, or the survivor(s) of them, shall receive up to one percent (1%) of the discretionary distributions from the Continuing Trust.

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Paragraph 14(b)(i) and (ii) instructs:

> 14. Continuing Trust for Beneficiaries. (b) The rest, residue and remainder of the trust estate shall be administered for the benefit of the beneficiaries in the following manner:
>
> > (i) The Trustees may distribute, annually, a sum not to exceed ten percent (10%) of the then present value of the trust, which shall include principal and accrued income. Of the 10% give one quarter of one percent to each of the following: St. Paul's Lutheran Church 5588 E Co Road 9005 Cross Plains Indiana 47017-9707; Grace Lutheran Church 2825 Alameda, San Mateo CA 94403-3299; Ministerial Training Fund California Nevada Hawaii District Livermore, CA; St John's Lutheran Church 7291 State Road 62 Dillsboro Indiana 47018-9738. Any income not so distributed shall be added to the trust principal. The trustee's election to distribute principal must be made in the current year. The trustees shall not be allowed to cumulate undistributed amounts of principal from a previous year or years.
> >
> > (ii) This trust shall continue until all of the beneficiaries of the Continuing Trust shall have deceased, or as hereinafter provided in Paragraph 20, at which time the remaining balance of the trust estate shall be distributed to the Ministerial Training Endowment Fund of the California-Nevada-Hawaii District of the Lutheran Church-Missouri Synod, or to its successor in interest.

It is generally held that a gift to a charitable or religious nonprofit corporation is deemed to have been made in trust "to carry out the objects for which the organization was created." (*Lynch v. Spilman* (1967)67 Cal.2d 251, 260, 62 Cal.Rptr. 12, 18, 431 P.2d 636, 642; *Estate of Fitzgerald* (1923) 62 Cal.App. 744, 750, 217 P. 773.) No technical words or further manifestations of general charitable intent are necessary in order to create such a trust. (Estate of Connolly (1975) 48 Cal.App.3d 129, 133, 121 Cal.Rptr. 325; see also: Samoan Congregational etc. Church in *U. S. v. Samoan Congregational etc. Church of Oceanside* (1977) 66 Cal.App.3d 69, 73-74, 135 Cal.Rptr. 793; Rest.2d Trusts (1959), s 397, com. f., p. 287; 4 Scott, Trusts (3d ed. 1967) s 351, pp. 2797-2798.) *Estate of Klinkner* (1978) 85 Cal.App.3d 942, 946 [151 Cal.Rptr. 20, 22–23].

"(C)y pres is an equitable power which makes it possible for a court to carry out a testamentary trust established for a particular charitable purpose if the testator has expressed a general charitable intent, and for some reason his purpose cannot be accomplished in the manner specified in the will (citation); the court, to meet unexpected contingencies, directs the disposition of the property to some related charitable purpose in order to carry out the testator's intention as nearly as possible (citation)." (*Estate of Gatlin* (1971) 16 Cal.App.3d 644, 648, 94 Cal.Rptr. 295, 296-297. Footnote omitted.) *Id.* at 951.

In determining whether there has been expressed a general charitable intent, the trust instrument is always construed most strongly against the trustor, for the reason that the courts favor charities. Once it has been determined that the creator of the trust had a general charitable purpose, the courts will presume that the creator of the trust did not desire the trust to fail.' *O'Hara v. Grand Lodge I. O. G. T.*, 213 Cal. 131, 141, 2 P.2d 21, 25. It is 'the general rule that in case of doubt a gift must be interpreted in favor of a charity [citations] * * *.' *In re Estate of Loring*, 29 Cal.2d 423, 435, 175 P.2d 524, 531. *In re Faulkner's Estate* (1954) 128 Cal.App.2d 575, 578–579 [275 P.2d 818, 821].

Probate Code § 15409 allows for the court to modify the administrative or dispositive provisions of the trust, owing to circumstances not known to the settlor and not anticipated by the settlor, the continuation of the trust under its terms would defeat or substantially impair the accomplishment of the purposes of the trust. In this case, if necessary to carry out the purposes of the trust, the court may order the trustee to do acts that are not authorized or are forbidden by the trust instrument.

Considering the Trust as a whole, the Court finds that the Settlors expressed a general charitable intent, as evidenced by paragraph 14(b)(i) and 14(b)(ii), which bequeathed trust assets to various Lutheran churches. Should one of the churches in paragraph 14(b)(i) cease to exist, their partition of the 1% would lapse into trust principal. The Court does not find that this would further the intent of the Settlors. Should one of the specified named charitable organizations in paragraph 14(b)(i) cease to exist, the remaining charitable organizations or their survivors (so long as they carry out the same related charitable purpose) shall receive shares equally in the one percent (1%) of the discretionary distributions from the Continuing Trust.

4. Passing Upon Acts of Trustee

Petitioner, as Trustee, made a discretionary distribution to beneficiary, Bruce Oatman, just prior to his death on August 9, 2025. Following Bruce's death on December 19, 2025, Petitioner made a second discretionary distribution to Rebecca Oatman, Bruce's surviving spouse, in the amount of $24,750 which represented Bruce's share of the discretionary distributions made by the Trustee in 2025 and did not exceed the amount permitted to be distributed to Bruce pursuant to the Trust terms. Petitioner requests an order passing on his discretionary distribution of Bruce's share to his surviving spouse.

As this Court has ruled, Bruce Oatman's share of the discretionary funds of the Continuing Trust passes to his children by representation consistent with the Settlor's intent. By distributing Bruce's share to his surviving spouse, Trustee has made an unauthorized distribution. Petitioner's request for an order passing on his discretionary distribution of Bruce's share to his surviving spouse is denied.

TENTATIVE RULING #10:

ABSENT OBJECTION PETITIONER'S REQUESTS FOR THE FOLLOWING ARE GRANTED:

1. **THE THREE HANDWRITTEN DOCUMENTS ARE VALID TRUST AMENDMENTS.**
2. **TRUSTEE SHALL DISTRIBUTE A TOTAL SUM OF UP TO TEN PERCENT (10%) OF THE THEN PRESENT VALUE OF THE TRUST, INCLUDING PRINCIPAL AND ACCRUED INCOME, ON AN ANNUAL BASIS AS FOLLOWS: UP TO NINE PERCENT (9%) OF THE THEN PRESENT VALUE OF THE TRUST TO THE SETTLORS' CHILDREN, EQUALLY, AND UP TO ONE PERCENT (1%) OF THE THEN PRESENT VALUE OF THE TRUST, SPLIT EQUALLY AMONG ST. PAUL'S LUTHERAN CHURCH, GRACE LUTHERAN CHURCH, ST. JOHN'S LUTHERAN CHURCH, AND MINISTERIAL TRAINING FUND CALIFORNIA NEVADA HAWAII DISTRICT.**
3. **THE BENEFICIARIES OF THE CONTINUING TRUST SHALL BE THE CHILDREN OF THE SETTLORS, EQUALLY, AND THAT UPON THE DEATH OF A CHILD, THE DECEASED CHILD'S SHARE SHALL PASS TO THE DECEASED CHILD'S CHILDREN BY RIGHT OF REPRESENTATION UNTIL SUCH TIME AS NO ISSUE OF THE SETTLORS REMAIN, WHEN THE REMAINING TRUST ESTATE SHALL BE DISTRIBUTED TO THE MINISTERIAL TRAINING ENDOWMENT FUND.**
4. **SHOULD ONE OF THE SPECIFIED NAMED CHARITABLE ORGANIZATIONS IN PARAGRAPH 14(B)(I) CEASE TO EXIST, THE REMAINING CHARITABLE ORGANIZATIONS OR THEIR SURVIVORS (SO LONG AS THEY CARRY OUT THE SAME RELATED CHARITABLE PURPOSE) SHALL RECEIVE SHARES EQUALLY IN THE ONE PERCENT (1%) OF THE DISCRETIONARY DISTRIBUTIONS FROM THE CONTINUING TRUST.**

PETITIONER'S REQUEST FOR AN ORDER PASSING ON HIS DISCRETIONARY DISTRIBUTION OF BRUCE OATMAN'S SHARE TO HIS SURVIVING SPOUSE IS DENIED.

ANY PERSON WHO HAS AN OBJECTION MAY MAKE IT ANY TIME, EVEN ORALLY AT THE HEARING (PROBATE CODE § 1043).

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

11.	**25PR0098**	**ESTATE OF BREDNA SUE PIGNATA**
STATUS OF ADMINISTRATION		

Letters Testamentary were issued on June 9, 2025.

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.

The Court ordered the Parties to appear at the hearing on June 8, 2026. As there were no appearances, the Court continued the hearing to August 3, 2026.

Nothing has been filed since this time.

TENTATIVE RULING #11:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.

12.	**24PR0084**	**IN RE THE MATTER OF THE VISMAN FAMILY REVOCABLE TRUST**
REVIEW HEARING - COMPLIANCE		

On June 22, 2026, the Court entered an Order After Hearing on petition Under Cal. Prob. Code §§ 16400 & 17200 & Request for Judicial Notice. The Court ordered Trustees to serve upon Petitioners and file with the Court a Probate Code-compliant accounting covering the period from October 15, 2023, and continuing through the date of the order within thirty (30) days of the notice of entry of order. A hearing was set for August 3, 2026, to ensure the Trustee's compliance with the order.

On July 10, 2026, Respondents, Michael C. Visman and Mark S. Visman, as Successor Co-Trustees filed a Notice of Filing of Trust Accounting and Compliance with Order After Hearing, which included a true and correct copy of the Trust accounting as Exhibit A.

TENTATIVE RULING #12:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

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

13.	26PR0133	IN RE: THE PARKER FAMILY TRUST U/A/D OCTOBER 16, 1989
PETITION HEARING – COMPEL TRUSTEE, REMOVAL		

On May 11, 2026, Petitioner, Victoria Vivar ("Petitioner") filed a Petition to Compel Trustee; for Removal of Trustee (Prob. C § 17200); for Elder Financial Abuse (Welfare & Institutions Code Section 15610.30); for Return of Trust Property (Prob. C § 850); for Damages for Breach of Fiduciary Duty; for Double Damages (Prob. C § 859); and for Attorney's Fees and Costs. At the hearing on June 29, 2026, counsel requested a continuance to file a written objection. The hearing was continued to August 3, 2026.

Respondent, Karen Morgan ("Respondent") filed an Objection and Response on July 16, 2026. Respondent objects that the Petition is not ready to be heard on its merits unless and until Petitioner serves valid notice of hearing upon all interested persons, including Petitioner's siblings.

The Notice of Hearing filed by Petitioner indicates service was effectuated upon Petitioner, Respondent, and Dennis Parker, Decedents' son. The Trust includes additional beneficiaries who are required to receive notice pursuant to Probate Code §17203. As notice is improper, the Petition is denied without prejudice.

TENTATIVE RULING #13:

PETITION IS DENIED WITHOUT PREJUDICE FOR LACK OF NOTICE.

14.	**25PR0159**	**ESTATE OF DEBRA ANN WEGSCHEIDER-CRIMMEN**
STATUS OF ADMINISTRATION		

Letters of Administration were issued on August 4, 2025.

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.

TENTATIVE RULING #14:

APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, AUGUST 3, 2026, IN DEPARTMENT NINE.

A STATUS OF ADMINISTRATION HEARING IS SET FOR 8:30 A.M. ON MONDAY, AUGUST 2, 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.