

09-18-23
Dept. 9
Probate Tentative Rulings

1. ESTATE OF SCAMARA 23PR0152

Petition for Letters of Administration

Decedent died intestate on December 11, 2022, survived by four adult siblings. Petitioner is the El Dorado County Public Administrator; next of kin have declined to probate the estate.

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

A Duties/Liabilities Statement (DE 147) was filed on July 13, 2023, but there is no DE-147s form on file with the court. Local Rules of El Dorado County Superior Court, Rule 10.02.10 does not require a DE-147s form from public officers.

Proof of service of Notice of the Petition was filed on August 3, 2023.

Proof of publication was filed on August 18, 2023.

TENTATIVE RULING #1: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED. A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, SEPTEMBER 16, 2024, 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.

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2. ESTATE OF SKINKLE 23PR0110

Objection Hearing

TENTATIVE RULING #2: THE MATTER HAVING BEEN HEARD ON AUGUST 7, AND AUGUST 14, 2023, AND LETTERS OF ADMINISTRATION HAVING BEEN ISSUED, THE MATTER IS DROPPED FROM CALENDAR.

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. ESTATE OF SWERTFEGER 23PR0164

Determine Succession to Real Property

Decedent died intestate on March 2, 2023. Petitioner is decedent's spouse, and applies for a determination of the succession of decedent's interest in specified real property that was decedent's separate property. Decedent owned a 50 percent interest in the real property, which he inherited. Decedent's sister owns the other 50 percent interest in the property.

Decedent is survived by Petitioner (his spouse) and two adult children. Each of these heirs is entitled to inherit one third of decedent's 50 percent interest in the property pursuant to Probate Code §§ 6401(c)(2)(B) and 6402(a).

One of decedent's children has assigned his one-third interest in his father's half interest to Petitioner, his mother. The executed assignment is attached to the Petition as Exhibit B. The other child has not assigned her one-third interest.

Accordingly, if the Petition is granted, Petitioner would retain ownership of two-thirds of decedent's fifty percent share in the real property.

Notice of the hearing on the Petition was filed on August 3, 2023.

The DE-310 form ("Petition to Determine Succession to Real Property"), paragraph 8(b), requires a Form DE-300 to be attached to the Petition indicating that the value of the property qualifies as a small estate set-aside. In addition, the Petition is required to include an appraisal of the value of the real property by the probate referee on Form DE-160. Probate Code § 8902(b).

TENTATIVE RULING #3: THE MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY OCTOBER 16, 2023, IN DEPARTMENT NINE TO ALLOW PETITIONER AN OPPORTUNITY TO SUBMIT AN APPRAISAL OF THE REAL PROPERTY BY THE PROBATE REFEREE.

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. ESTATE OF SHELTON PP20180023

(1) Accounting

(2) Appoint Successor Trustee

On September 14, 2021, the court entered an Order settling that Tenth Account and Report filed by Trustee Brenda Crain.

The Eleventh Account, for the period between January 1, 2020 and December 31, 2022, was being prepared when the Trustee died on May 4, 2023, leaving a vacancy in the office of Trustee.

Brenda Crain's spouse, Petitioner Ronald Crain, has prepared and submitted the Eleventh Account, which shows some losses from the sale of energy related stocks following the COVID pandemic.

Petitioner requests that he be appointed as successor Trustee because he is familiar with the past administration of the Trust by his wife, and he lives next door to one of the two Trust beneficiaries, John Shelton. The other beneficiary, Charles Hailey, is un-housed and lives out of state. Although he has been notified of the Tenth Account and Petitioner is attempting to contact him regarding the Eleventh Account, he has not been responsive to notices sent to his last known address and he is difficult to locate.

Petitioner requests that he be authorized to post a new bond and that the bond amount be reduced to reflect the current value of the estate, from the current bond amount set for Brenda Crain (\$548,000) to \$407, 314.45.

Petitioner requests that the estate of the deceased trustee, Brenda Crain, be paid the statutory fee amount for her efforts to administer the Trust since the Tenth Account, in the amount of \$2,793.75, notwithstanding her inability to submit a declaration describing the work that she performed.

Petitioner requests that he be authorized to pay counsel for the Trust attorney's fees in the amount of \$15,998.50 based upon work described in Schedule K of the Petition, to be charged one half to Trust income and one half to the Trust principal. Further Petitioner requests authority to reimburse counsel for costs advanced to the estate in the amount of \$435.00.

Petitioner further requests that

1. The Eleventh Account and Report be settled, allowed and approved as filed; and
2. That all the acts and transactions of the Trustee as set forth in the Eleventh Account and Report be ratified, confirmed and approved.

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TENTATIVE RULING #4: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

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5. ESTATE OF WILKINSON 22PR0292

Final Distribution

Letters of Administration were issued on March 24, 2023.

A Final Inventory and Appraisal was filed on May 12, 2023.

Notice of the Petition was filed on August 4, 2023.

The proposed distribution of the estate includes fifty percent to the decedent's domestic partner, and the remaining fifty percent to be divided equally among decedent's three adult siblings.

The Petition requests:

1. The administration of the estate be brought to a close;
2. The first and final report filed with the Petition be settled, allowed and approved as filed;
3. All acts and proceedings of the Administrator be confirmed and approved;
4. The Administrator be authorized to pay statutory attorney fees in the amount of \$13,647.56;
5. Distribution of the estate in Petitioner's hands and any other property of the decedent not now known or discovered that may belong to the estate on which the decedent of the estate may have any interest be made to the persons entitled to it, as set forth in the Petition.

TENTATIVE RULING #5: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED.

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6. ESTATE OF RYAN PP20180230
Review Hearing – Status of Administration

TENTATIVE RULING #6: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 18, 2023, 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.

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7. IN THE MATTER OF EBELING FAMILY TRUST 23PR0174

Petition to Appoint Successor Trustee

TENTATIVE RULING #7: THIS MATTER IS CONTINUED TO 8:30 A.M. ON MONDAY, NOVEMBER 6, 2023, IN DEPARTMENT NINE, TO BE HEARD CONCURRENTLY WITH THE OBJECTION THAT HAS BEEN FILED TO THE PETITION.

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. IN THE MATTER OF JAMES DEAN ESTATE HEARING 23PR0166

Petition to Determine Title to Real Property

Ben and Elsin Dean established a living trust on April 19, 1999 (“the Trust”) a copy of which is attached to the Petition as Exhibit A. By May 21, 2023, both settlors had passed away.

At the time that the trust was established the settlors owned two parcels of real property, one of which was deeded to the name of the Trust, and the other of which remains in the name of the settlors as husband and wife, joint tenants. See Exhibit C to the Petition.

Petitioner believes that when the settlors transferred one parcel to the Trust it had been their intent to transfer both parcels to the Trust.

The Trust is named as the beneficiary of their estate in the decedent’s pour over Will, which is attached as Exhibit D to the Petition.

Article Three, Paragraph A of the Trust demonstrates decedents’ intent:

to execute and deliver all deeds, assignments, bills of sale, written instructions and other legal documents necessary to convey and register all of our assets that we choose to place in trust under this trust to be owned by the trustee(s) of this trust and held and administered under the terms and conditions of this trust. Assets which are evidenced by titles or deeds currently being transferred to the trustee(s) of this trust are listed on Schedule A.

* * *

All such property is hereby transferred to and the same shall be owned by such trust.

This declaration shall apply even though record ownership or title, in some instances, may, presently or in the future, be registered in the individual name or names of either of us, in which event such record ownership shall hereafter be deemed held in trust even though such trusteeship remains undisclosed.

All assets transferred to the trustee(s) of this trust, whether now or at a later date, shall become part of the trust estate and be subject to all terms and provisions of this trust document.

Schedule A of the Trust includes “All Real Estate”.

In addition, the settlors executed a transfer document restating some of the above-referenced provisions on the same day the trust was created, stating again their intent that any interest they currently held or any assets they acquired in the future were to be assets of the Trust. See Petition, Exhibit E.

Accordingly, the Petition requests that the real property referenced in the Petition be confirmed by the court as an asset of the Trust.

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Probate Code § 850 permits a trustee who has a claim to property, the title to or possession of which is held by another, to file a petition requesting that the court make an order pursuant to Probate Code § 856 authorizing and directing the person having title to or possession of real property to execute a conveyance or transfer to a person entitled thereto, or granting other appropriate relief. *See also, Estate of Heggstad*, 16 Cal.App.4th 943 (“[A] declaration of trust is sufficient to create a trust, without the need for a conveyance of title to the settlor as trustee.”)

Probate Code § 851 requires the Petitioner to serve notice of the hearing and a copy of the Petition at least 30 days prior to the hearing to each person claiming an interest in or having title to or possession of the property. When the matter concerns a decedent estate, notice shall also be given to any heir or devisee whose interest may be affected by the Petition in accordance with Probate Code § 1200. Notice of the hearing on the Petition was filed on July 25, 2023 to all of the Trust beneficiaries.

Probate Code § 857 provides that in the event that the court issues such an Order:

- (a) The order is prima facie evidence of the correctness of the proceedings and of the authority of the personal representative or other fiduciary or other person to make the conveyance or transfer.
- (b) After entry of an order that the personal representative, other fiduciary, or other person execute a conveyance or transfer, the person entitled thereunder has the right to the possession of the property, and the right to hold the property, according to the terms of the order as if the property had been conveyed or transferred in accordance with the terms of the order.

The Petition requests the court to issue an Order making the following findings:

1. The Trust is valid;
2. James dean is the Successor Trustee of the Trust;
3. The real property referenced in the Petition is an asset of the Trust;
4. Title to the real property referenced in the Petition be transferred to James Dean, Trustee of the Dean Trust dated April 19, 1999.

TENTATIVE RULING #8: 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.

9. IN THE MATTER OF ROBERT CARL HILL, SR 23PR0173

Letters of Administration

Decedent died intestate on April 18, 2023, survived by Petitioner. Petitioner is decedent's child.

The Petition requests full authority under the Independent Administration of Estates Act. Petitioner has waived bond.

A Duties/Liabilities Statement (DE 147) was filed on July 27, 2023, but there is no DE-147s form on file with the court, as required by Local Rules of El Dorado County Superior Court, Rule 10.02.10.

Proof of service of Notice of the Petition was filed on August 24, 2023.

Proof of publication was filed on August 25, 2023.

TENTATIVE RULING #9: ABSENT OBJECTION, THE PETITION IS GRANTED AS REQUESTED, PENDING PETITIONER'S FILING OF A FORM DE-147S WITH THE COURT. A STATUS OF ADMINISTRATION HEARING IS SET AT 8:30 A.M. ON MONDAY, SEPTEMBER 16, 2024, 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. IN THE MATTER OF DESIMONE REVOCABLE TRUST 23PR0160

Petition to Determine Ownership of Estate Property

Petitioner is the surviving settlor and sole successor trustee of the DeSimone Revocable 1999 Trust ("Trust"). On May 5, 1999 Joseph DeSimone executed his Will to provide that the residue of his estate shall be added to the Trust. Petition, Exhibit B. Joseph DeSimone died on June 16, 2023 survived by Petitioner and three children.

The settlors of the Trust bought the property in 2010, and for tax reasons they elected to execute an interspousal grant deed to put the property in the name of Joseph DeSimone as his separate property. See Petition Exhibit D. However, when Joseph DeSimone died the recorder's office did not recognize any ownership interest of the Trust or of Petitioner because of the title on the deed.

Petitioner considers it to have been Joseph DeSimone's intent to include the real property as a Trust asset, as evidenced by his Will, which states in the Sixth Paragraph:

I give the residue of my estate is given to the Trustee or -Co-Trustees then serving, of the DeSimone Revocable 1999 Trust held under that Trust Agreement established earlier this day, entered into between my wife and myself as Grantors and as Trustees, to be administered as provided in said Trust Agreement. I direct that the residue of my estate shall be added to, administered and distributed as a party of that existing Trust according to any amendments made to it prior to the date of my death, and any amendments thereafter made in accordance with the terms of that Trust by the exercise of a power of amendment, appointment or withdrawal or otherwise. Unless the existing Trust is invalid or has been revoked this Paragraph shall not create, or be construed as creating, a separate of Testamentary Trust of the assets governed by this Paragraph, nor shall the provisions of this Paragraph subject the existing Trust to the laws relating to Testamentary Trusts.

Further, on the same day as the execution of the Will and Trust documents, the settlors executed a General Transfer Agreement, which is appended to the end of the Trust document. Paragraph 1 of that document states:

The Grantors hereby grant, transfer, assign and convey to the Trustees all of the Grantor's interests in all real property, of whatever nature and wherever situation. Further the Grantors hereby transfer and convert all real property held as joint tenants between them to community property which real property shall be designated as the Grantors' community property pursuant to the terms of the Trust Agreement.

Each of the Trust beneficiaries has executed a joinder to the Petition and a consent to transfer the property to the Trust. See Petition, Exhibit E.

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Probate Code § 850 permits a trustee who has a claim to property, the title to or possession of which is held by another, to file a petition requesting that the court make an order pursuant to Probate Code § 856 authorizing and directing the person having title to or possession of real property to execute a conveyance or transfer to a person entitled thereto, or granting other appropriate relief. *See also, Estate of Heggstad*, 16 Cal.App.4th 943 (“[A] declaration of trust is sufficient to create a trust, without the need for a conveyance of title to the settlor as trustee.”)

Probate Code § 851 requires the Petitioner to serve notice of the hearing and a copy of the Petition at least 30 days prior to the hearing to each person claiming an interest in or having title to or possession of the property. When the matter concerns a decedent estate, notice shall also be given to any heir or devisee whose interest may be affected by the Petition in accordance with Probate Code § 1200. Notice of the hearing on the Petition was filed on July 25, 2023 to all of the Trust beneficiaries.

Probate Code § 857 provides that in the event that the court issues such an Order:

(a) The order is prima facie evidence of the correctness of the proceedings and of the authority of the personal representative or other fiduciary or other person to make the conveyance or transfer.

(b) After entry of an order that the personal representative, other fiduciary, or other person execute a conveyance or transfer, the person entitled thereunder has the right to the possession of the property, and the right to hold the property, according to the terms of the order as if the property had been conveyed or transferred in accordance with the terms of the order.

The Petition requests the court to issue an Order confirming that the real property referenced in the Petition as an asset belonging to the Trust.

TENTATIVE RULING #10: 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.

11. IN THE MATTER OF ISAAC YOON SPECIAL NEEDS TRUST PP20180198

Accounting

This special needs trust was created, and Petitioner was appointed Trustee of the Trust, by order of the Yolo County Superior Court on August 6, 2015. The period covered by the report of account is August 26, 2020-September 25, 2022.

The Petition requests the court to issue an Order:

1. Settling and allowing and approving the account as filed;
2. Confirming and approving all reported acts and transactions of Petitioner;
3. Authorizing Petitioner to pay attorney fees in the amount of \$9,780.00 for legal services to the Trustee, and \$200.00 for reimbursement of costs.

Notice of the hearing on the Petition was filed on August 1, 2023.

TENTATIVE RULING #11: 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.

12. IN THE MATTER OF THE SUE BROWN TRUST PP20170050

**Final Account/Petition for Instructions
Release of Property**

Petition for Release of Property (filed June 13, 2023)

Respondent is the trustee of the Sue E. Brown Trust Dated August 26, 2015 ("Trust"), which was created by court Order of Substituted Judgment on August 16, 2015, and Respondent was named trustee at that time and has served continuously ever since.

Petitioner is one of Sue E. Brown's four children and a beneficiary of the Trust. The first seven pages of the Petition describe the long history of litigation involving Petitioner, his ex-wife and the Trust. Petitioner asserts that, those issues now having been resolved, his share of the Trust should be distributed to him. He demands that deeds transferring the land to him be executed within 30 days. He also asserts that he has made demands of the trustee for billable time of the trustee and counsel for the Trust but he has not been provided with the information.

Chronology

July 16, 2016: Sue E. Brown died.

March 13, 2018: Respondent filed Petition to Approve Second and Final Account and Report and to Approve Distribution of Trust Estate, with hearing set for May 9, 2018.

April 16, 2018: Petitioner's former spouse Carol Carlisle filed a Petition to Enforce Court Orders Against Trust Beneficiaries ("Enforcement Petition") and Petitioner filed an Objection on April 26, 2018. At issue was whether Petitioner's share of Trust assets should be redirected to satisfy spousal support orders in divorce proceedings.

May 9, 2018: The court approved the Second and Final Accounting but ordered that the Petitioner's share at issue on the Enforcement Petition be reserved pending the resolution of that Petition.

May 22, 2019: Petitioner filed another Petition, prior to the resolution of the Enforcement Petition, seeking distribution of the Trust assets to him. The court denied the Petition at the hearing on October 9, 2019.

July 11, 2019: The court issued an Order with respect to the Enforcement Petition and ordered distribution of the remaining assets in accordance with the spousal support order.

July 26, 2019: Respondent trustee distributed \$47,740.76 to Petitioner's former spouse in accordance with the court's Order.

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August 22, 2019: Petitioner filed a Notice of Appeal of the court's resolution of the Enforcement Petition, which prevented Respondent from distributing any further Trust assets until the appeal was resolved.

May 30, 2020: Respondent filed a Petition to reduce the bond of the Trust, to which Petitioner objected, as well as requesting a court Order for immediate release of the Trust property.

August 19, 2020: The court agreed to reduce the bond and denied Petitioner's request for release of the Trust property. On the same day, Petitioner filed a new petition for the release of the Trust property and/or removal of the trustee. The court's December 20, 2020 Tentative Ruling on that Petition is attached to the current Petition.

February 18, 2021: Following trial on the issues raised in Petitioner's August 19, 2020 petition, the petition was denied.

March 8, 2023: The stay on the court's resolution of the Enforcement Petition was lifted by resolution of the appeal. The appellate court affirmed the trial court's July 11, 2019 decision.

July 11, 2023: Petitioner filed Amended Motion for Release of Property, the subject of the current hearing. Respondent argues that all issues raised in the current Petition have been resolved at the February 18, 2021 trial and are barred by res judicata.

Petition for Approval of Final Accounting and Request for Instructions

July 20, 2023: Trustee filed a Petition for Approval of Final Accounting, which was set for hearing on September 18, 2023. This Petition seeks the court's instruction as to whether Petitioner's former spouse is entitled to any remaining distribution of the Trust estate, and how to pay for remaining expenses and liabilities of the estate prior to distribution, including attorney's fees. The liquid assets of the estate are insufficient to pay these costs.

According to the Final Accounting, the Trust has liabilities of \$8,221 in accrued trustee fees and attorney's fees from the last accounting period, plus additional costs of filing fees, the cost of deed preparation and recording fees, as well as ongoing trustee and attorney's fees that are anticipated. There are insufficient liquid assets to pay those fees.

In addition, the total spousal award of \$77,744 has only been partially satisfied by the prior payment of \$47,740 to Carol Fauerbach, Mr. Carlisle's ex-wife. If that judgment has not been modified or satisfied in proceedings of which the trustee is not aware, then Ms. Fauerbach still has a claim to Trust assets.

The Trustee requests the court to provide instruction on the following matters:

1. A determination that trustee and attorney's fees are just and reasonable expenses of the Trust estate for the period of the accounting (all prior fees have

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already been approved and the time for objections has passed). Declarations of K. Cain and J. Ellerman are attached regarding fees during the current accounting period.

2. An instruction that either Mr. Carlisle must pay the outstanding liabilities of the Trust prior to distribution of the Trust assets to him, or that the income producing mineral rights shall remain in Trust until the liabilities of the Trust have been paid in full, following which they would be distributed.
3. The trustee requests that upon filing proof of transfer of assets in accordance with the court's Order, that the Trust administration be determined to be completed, the bond be discharged, and the trustee and her agents and attorneys be released of all liability related to the Trust.

September 12, 2023: The beneficiary William Carlisle filed an objection to the trustee's Petition requesting approval of the Final Accounting. He asserts:

- That he has paid all property taxes on the properties;
- He is not aware of any other expenses associated with the properties; Exhibit D of his objection is the most recent K-1, showing no income in 2022 for income tax purposes;
- The 2019 K-1 form shows royalties in the amount of \$8,343, and a 2019 Profit and Loss statement shows \$30,899 in income which the trustee failed to collect. See also Exhibit G and H to his objection, a June 5, 2020 email showing the trustee's awareness that there should have been continuing royalty payments, and a balance sheet from one of the parcels showing a royalty payment of \$2,615.41. This failure to collect payments has resulted in a loss to the Trust of \$108,150.
- The trustee has failed to collect gross lease payments, see Exhibits I and J to the objection, resulting in a loss of \$8,960 to the Trust.
- Exhibit K to the objection relates to a check in the amount of \$3,623.14 that should have been paid to him and is not accounted for.
- The trustee has failed to provide regular billing statements.

The trustee filed a response to Mr. Carlisle's objections on September 13, 2023. It notes:

- Real property parcels located in Kansas is co-owned by the Trust and Petitioner, having been transferred from LLCs to Petitioner so that he could pay property taxes on those parcels, as the Trust had limited cash. Taxes on the mineral interests associated with those parcels were paid by the Trust, as reflected in the accounting. Other expenses associated with those parcels that were paid by the Trust are listed in Schedule C of the accounting.

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- Although expenses exceeded income for those parcels, actual income from those parcels, including royalty interests is listed in Schedule B of the accounting.
- The 2019 K-1 Profit and Loss statement that is referenced by Petitioner is from a prior accounting period and is not before the court, as the time for objections has passed.
- When the LLCs were dissolved in 2019, the Trust's interests in grazing leases passed with the real property and the prior lease ended. One of those leaseholders did negotiate a new lease but if Petitioner took part in that effort he did not involve the the Trust, as he never requested the Trustee to take any action to negotiate a new lease.
- The issue with the checks totaling \$3,623.124 was resolved at the February 18, 2021 trial. They were cashier's checks that the Trustee brought to the trial to deliver to Petitioner, but as he did not appear, the court ordered the Trustee to leave them with the court clerk, and Petitioner picked them up from the clerk.
- The remaining allegations are inflammatory, spurious claims that have been raised by Petitioner multiple times in separate Petitions and on three occasions have been denied by three different judges.
- The current accounting period begins on December 1, 2020 and any of the Trustee's actions prior to that date are not before the court, including trustee and attorney's fees from prior periods that are shown in the current accounting as accrued and unpaid.
- The trustee would have resigned in favor of a successor trustee long ago except that the Trust had insufficient liquid assets to pay trustee and attorney fees, and Petitioner's litigation resulted in a court order or the trustee to continue indefinitely until Petitioner's appeal was resolved.
- The trustee is not Petitioner's attorney and he is not entitled to monthly billings or rights of approval.

TENTATIVE RULING #12: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 18, 2023, 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.

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13. CROWELL v. LIDTHALL, ET AL PCL20210539

Default Judgment

TENTATIVE RULING #13: APPEARANCES ARE REQUIRED AT 8:30 A.M. ON MONDAY, SEPTEMBER 18, 2023, IN DEPARTMENT NINE.

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