

JUDGE SUSANNE M. FENSTERMACHER

Date: 10/19/21

Dept.: 15

Room: 320

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GENERAL HEARINGS - CIVIL  
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1. MSP-66339 EST. OF JAMES GELDERMANN  
9:00 HEARING RE: 30TH ACCOUNT AND REPORT OF TRUSTEE, PETITION FOR  
COMPENSATION FILED ON 07/30/21 BY THOMAS V BRET
  
2. MSP15-02168 MATTER OF THE JOSEPHINE CABLE-  
9:00 HEARING RE: PTN TO APPROVE 3RD ACCT & RPT OF TRUSTEE FROM  
1/1/19-12/31/2020 FILED ON 07/19/21 BY KAREN L FISHER
  
3. MSP16-00576 ESTATE OF DONNA MAE SMITH  
9:00 HEARING RE: FIRST & FINAL ACCOUNT AND REPORT, PTN FOR  
SETTLEMENT, FINAL DISTRIBUTION FILED ON 07/30/21 BY TAMARA  
TOBIASSEN
  
4. MSP19-01366 ESTATE OF TED S HILLIARD  
9:00 HEARING RE: FIRST & FINAL REPORT OF ADMIN, PETITION FOR  
SETTLEMENT, FINAL DISTRIBUTION FILED ON 08/03/21 BY KAREN A  
HILLIARD
  
5. MSP19-01777 IN RE THE MATTER OF THE JEFFRE  
9:00 HEARING RE: 1ST ACCT & RPT OF TRUSTEE, PTN TO SETTLE ACCT FILED  
ON 07/22/21 BY HERB THOMAS
  
6. MSP20-00391 THE CLEGG FAMILY TRUST  
9:00 HEARING RE: PTN FOR APPROVAL OF ACCTG OFACTING TRUSTEE PTN TO  
CONFIRM CO TRUSTEES FILED ON 04/21/20 BY MELANDI C RAMEY
  
7. MSP20-00436 ESTATE OF CATHERINE LOUISE HAR  
9:00 HEARING RE: PETITION FOR FINAL DISTRIBUTION ON WVR OF ACCOUNT  
FILED ON 08/03/21 BY HAAKON JOHNSON
  
8. MSP20-00588 ESTATE OF MICHAEL JOSEPH WEISS  
9:00 HEARING RE: PTN FOR FINAL DISTRIBUTION ON WVR OF ACCT & REQ FOR  
STAT FEES FILED ON 07/26/21 BY SIMONE J POTTER
  
9. MSP20-00787 ESTATE OF ROBIN M ENGLER  
9:00 HEARING RE: PETITION FOR ORDER ESTABLISHING ESTATE'S OWNERSHIP  
OF PROPERTY FILED ON 08/02/21 BY STEPHANIE HUTCHENS

JUDGE SUSANNE M. FENSTERMACHER

Date: 10/19/21

Dept.: 15

Room: 320

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GENERAL HEARINGS - CIVIL  
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10. MSP20-00979 ESTATE OF ANNIE G COLE  
9:00 HEARING RE: PETITION FOR ORDER DIRECTING PERSONAL REP TO PAY  
MEDI-CAL CLAIM FILED ON 07/30/21 BY DEPARTMENT OF HEALTH CARE  
SERVICES
11. MSP21-00676 RE THE GERALDINE MCDONOUGH LIV  
9:00 HEARING RE: PTN FOR APPROVAL OF ACCT OF 1ST RPT FILED ON  
04/05/21 BY EDWARD MCDONOUGH
12. MSP21-01165 ESTATE OF HARRY FONE  
9:00 HEARING RE: PETITION FOR LETTERS OF ADMINISTRATION WITH IAEA  
FILED ON 08/02/21 BY LI YI FONE
13. MSP21-01189 ESTATE OF ELLEN FUNK  
9:00 HEARING RE: PTN FOR LTRS OF ADMIN FILED ON 07/26/21 BY DEANN KING

# CONTRA COSTA SUPERIOR COURT

725 COURT STREET; DEPT. 15

MARTINEZ, CALIFORNIA

JUDGE SUSANNE M. FENSTERMACHER

PROBATE CALENDAR AND TENTATIVE RULINGS

DATE: 10/19/2021

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PROBATE EXAMINER NOTES-SUBJECT TO REVISION  
AFTER REVIEW BY THE JUDGE

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**Unless the Court directs otherwise, appearances by counsel and parties in Department 15 may be made as follows:**

- **In Person**
- **Remotely through Zoom Videoconferencing**
- **Remotely through CourtCall**

Please note the following contact information for your reference:

**CourtCall: (888) 882-6878**

Parties are to call CourtCall in advance of the hearing to arrange for the telephonic court appearance, not on the day of the hearing.

**Zoom videoconferencing for Department 15, Judge Fenstermacher:**

**<http://www.cc-courts.org/zoom/dept15.aspx>**

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**IF YOU HAVE MATTERS IN BOTH  
DEPARTMENT 30 AND DEPARTMENT 15,  
PLEASE NOTIFY THE BAILIFFS  
THE MORNING OF YOUR APPEARANCE.**

THANK YOU.

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1. **TIME: 9:00**

CASE # MSP-66339

EST. OF JAMES GELDERMANN

RE: 30TH ACCOUNT AND REPORT OF TRUSTEE, PET'N FOR COMPENSATION

FILED ON 07/30/21 BY THOMAS V BRET

Petition Approved  
Proposed Order Submitted  
No Appearance Required

Parties:

CHARLES J. KEENAN III  
HUY TRONG TA  
JAMES HARLAN GELDERMANN  
JOHN K. SMITH  
JUDITH GELDERMAN  
RICHARD CROWLE  
THE MARITAL AND RESIDUAL TRUST  
THOMAS V BRET

Attorneys:

GOULD, DENNIS J.  
RAMSAUR, JAMES W.  
GOULD, DENNIS J.  
KASS, STEPHEN M.  
BRET, THOMAS V.  
MARK L CEDERBORG

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2. TIME: 9:00

CASE # MSP15-02168

MATTER OF THE JOSEPHINE CABLE-NACHAND TRUST

RE: PET'N TO APPROVE 3RD ACCT & RPT OF TRUSTEE FROM 1/1/19-12/31/2020

FILED ON 07/19/21 BY KAREN L FISHER

Need:

1. Verified declaration by petitioner to clarify bond calculation. Calculation at ¶ 24 includes carry value of assets, not fair market value. It appears bond should be increased to \$383,000.00.
2. \$43,000.00 additional bond (presented before the order will be signed).
3. Proposed order to provide for additional bond of \$43,000.00, to increase bond to \$383,000.00.

KAREN L FISHER  
SUSAN M NACHAND  
THE JOSEPHINE CABLE-NACHAND SP

STEPHEN W DALE  
STEPHEN W DALE

3. TIME: 9:00

CASE # MSP16-00576

ESTATE OF DONNA MAE SMITH

RE: FIRST & FINAL ACCOUNT AND REPORT, PET'N FOR SETTLEMENT, FINAL  
DISTRIBUTION

FILED ON 07/30/21 BY TAMARA TOBIASSEN

Need:

1. Verified declaration by petitioner to state why status report was not filed within 12 months as required by PrC § 12200(b)
2. Proof of mailing to all persons entitled to receive notice, including persons requesting special notice. LR 7.300
3. Verified declaration by petitioner to state whether notice was given, or needed, to the Director of the California Victim Compensation Board, i.e., does petitioner have any reason to believe any heir has previously been confined in any prison or other correctional facility. PrC §§ 216, 9202(b)
4. Verified declaration by petitioner to clarify account period. Accounting should begin as of date of death, not date letters were issued as stated at ¶ 5
5. Verified declaration by petitioner to include Accounting that complies with PrC § 1060 *et seq.* Need itemized list of securities sold, including sale price of each so court can verify gain/losses on sale. Need itemized costs of sale re: each real property. Accounting must include losses on sale. It appears net gains are reported.
6. Verified declaration of petitioner showing compliance with Probate Code § 11005
7. Verified declaration by petitioner to show revised calculation of statutory fee base as required by CRC § 7.705 and as needed in resolution of accounting issues. Specifically, must state any loss on sale as relates to maximum statutory fees allowable.
8. Verified declaration by petitioner to clarify total value of estate. ¶ 9 includes "aggregate value" of \$2,310,757.70; however, Inventory and Appraisals total \$2,283,826.55.
9. Declaration to state need for \$25,000.00 reserve.
10. Revised, proposed Order as needed in resolution of above

DONNA MAE SMITH  
JOHN DAVID MARSHALL  
KAREN FIELD  
TAMARA TOBIASSEN

TRACY M POTTS  
EVA ROBERTSON  
CHRISTIAN A. ATHERTON

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4. TIME: 9:00

CASE # MSP19-01366

ESTATE OF TED S HILLIARD

RE: FIRST & FINAL REPORT OF ADMIN, PET'N FOR SETTLEMENT, FINAL  
DISTRIBUTION

FILED ON 08/03/21 BY KAREN A HILLIARD

Need:

Proposed Order

KAREN A HILLIARD  
TED S HILLIARD

ENDY UKOHA-AJKE

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5. TIME: 9:00

CASE # MSP19-01777

IN RE THE MATTER OF THE JEFFREY P BANTA TRUST

RE: 1ST ACCT & RPT OF TRUSTEE, PET'N TO SETTLE ACCT  
FILED ON 07/22/21 BY HERB THOMAS

Petition Approved  
Proposed Order Submitted  
No Appearance Required

HERB THOMAS  
JACQUI BANTA  
JEFF BANTA

KEVIN URBATSCH  
KEVIN URBATSCH  
KEVIN URBATSCH

THE JEFFREY P. BANTA SPECIAL N

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6. TIME: 9:00

CASE # MSP20-00391

THE CLEGG FAMILY TRUST

RE: PET'N FOR APPROVAL OF ACCTG OFACTING TRUSTEE PET'N TO CONFIRM CO  
TRUSTEES

FILED ON 04/21/20 BY MELANDI C RAMEY

Drop.

Notes:

1. Request for Dismissal entered 8-26-2021.
2. Notice of Motion and Motion to be Relieved as Counsel filed by atty. Elliot Peters is set for hearing 12-23-2021.

ADNAN R CLEGG  
IVANA C JACKS  
KETURAH CLEGG  
MELANDI C RAMEY  
MELANDI C RAMEY  
SHARON D CLEGG  
THE CLEGG FAMILY TRUST

ELLIOT R PETERS  
ELLIOT R PETERS  
ELLIOT R PETERS  
DENISE E CHAMBLISS  
EMILY NASHBAN  
ELLIOT R PETERS

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7. TIME: 9:00

CASE # MSP20-00436

ESTATE OF CATHERINE LOUISE HAREID

RE: PET'N FOR FINAL DISTRIBUTION ON WVR OF ACCOUNT

FILED ON 08/03/21 BY HAAKON JOHNSON

Petition Approved  
Proposed Order Submitted  
No Appearance Required

CATHERINE LOUISE HAREID  
HAAKON JOHNSON

TIMOTHY B WALKER



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8. TIME: 9:00

CASE # MSP20-00588

ESTATE OF MICHAEL JOSEPH WEISS

RE: PET'N FOR FINAL DISTRIBUTION ON WVR OF ACCT & REQ FOR STAT FEES  
FILED ON 07/26/21 BY SIMONE J POTTER

Petition Approved  
Proposed Order Submitted  
No Appearance Required

Note: Schedule of gains/losses should include carry value of assets. PrC § 1062(d)

MICHAEL JOSEPH WEISS  
SIMONE J POTTER

MARK L CEDERBORG

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9. TIME: 9:00

CASE # MSP20-00787

ESTATE OF ROBIN M ENGLER

RE: PET'N FOR ORDER ESTABLISHING ESTATE'S OWNERSHIP OF PROPERTY  
FILED ON 08/02/21 BY STEPHANIE HUTCHENS

Need:  
Proposed Order

ROBIN M ENGLER  
STEPHANIE HUTCHENS

SCOTT J. JUDSON

10. TIME: 9:00

CASE # MSP20-00979

ESTATE OF ANNIE G COLE

RE: PET'N FOR ORDER DIRECTING PERSONAL REP TO PAY MEDI-CAL CLAIM  
FILED ON 07/30/21 BY DEPT. OF HEALTH CARE SERVICES

Need:

1. Appearances
2. Verified declaration by petitioner to state names, current addresses and relationships of all persons entitled to receive notice. LR 7.112
3. Proof of mailing to all persons entitled to receive notice. Proof of Service attached to Notice filed 8-26-2021 is not signed.
4. Proof of mailing to California Victim Compensation Board who requested special notice or waiver of notice. PrC § 1202

Notes:

1. Letters of Administration issued to daughter Iris Thompson 12-31-2020.
2. Rejection of Creditor's Claim filed 5-20-2021.

ANNIE G COLE  
DEPT. OF HEALTH CARE SERV KATHERINE J GRAINER  
IRIS R THOMPSON

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11. TIME: 9:00  
RE THE GERALDINE McDONOUGH LIVING TRUST  
RE: PET'N FOR APPROVAL OF ACCT OF 1ST RPT  
FILED ON 04/05/21 BY EDWARD McDONOUGH

CASE # MSP21-00676

Need:

1. Appearances to report status
2. Proposed Order

Notes:

1. Objections filed by Mark McDonough and Robert McDonough 7-25-2021.
2. Per 7-20-2021 minute order, Marianne McDonough appeared in objection and court ordered written objections to be filed and served by 8-19-2021. None has been filed.

EDWARD McDONOUGH                      DANIEL I SPECTOR  
MARK McDONOUGH                        ROWENA C NAVIA  
ROBERT McDONOUGH                     ROWENA C NAVIA  
THE MATTER OF THE GERALDINE C.

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12. TIME: 9:00  
ESTATE OF HARRY FONE  
RE: PET'N FOR LETTERS OF ADMINISTRATION WITH IAEA  
FILED ON 08/02/21 BY LI YI FONE

CASE # MSP21-01165

Petition Approved  
Proposed Order Submitted  
No Appearance Required

Note: Bond will be fixed at \$873,000.00.

HARRY FONE  
LI YI FONE

JEFFREY WOO

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13. TIME: 9:00  
ESTATE OF ELLEN FUNK  
RE: PET'N FOR LTRS OF ADMIN  
FILED ON 07/26/21 BY DEANN KING

CASE # MSP21-01189

Need:

Verified declaration by petitioner to add deceased spouse with date of death to petition Item #  
8. LR 7.151(d)

DEANN KING  
ELLEN MIRIAM FUNK

CAROLYN J. MARTIN