

August 28, 2026, Probate Tentative Rulings

1. P16-16034 In the Matter of Raymond Woods Family Trust, et al.

No appearances are required. The petition for accounting and fees is granted as prayed. A proposed order has been submitted.

2. P17-16158 In the Matter of Richard Joseph Nathaniel Rouse, et al.

No appearances are required. The petition to transfer property to trust is denied. There is insufficient evidence presented to establish that the grantor intended the savings bonds at issue to be trust property.

3. P20-16779 In the Matter of Garwood Judd

No appearances are required. The Court has received notice of death of the Conservatee. The Court notes that accountings were waived on December 15, 2022.

4. P21-16890 In the Matter of John W. Chapman

No appearances are required. The petition is granted as prayed. A new proposed order should be lodged that is consistent with the amended petition.

5. PR0000824 In the Matter of Keith Dean Emmerton

Appearances are required. Conservator Monica Blake or her counsel shall update the Court on what actions, if any, she wishes to take with the instant petition requesting transfer of assets including whether an amended petition will be filed.

6. PR0000844 In the Matter of Janet Schaper

No appearances are required. Petitioner Janet Schaper's April 10, 2026, petition to enforce court-approved stipulation is denied. Code of Civil Procedure section 664.6 permits a court to retain jurisdiction to enforce the settlement. However, the court's power is limited in that it cannot resolve new issues that have arisen after settlement. See *Howeth v. Coffelt* (2017) 18 Cal.App.5th 126, 134. Here, Petitioner requests the Court to issue a temporary stay of appointment of the trustee of a special needs trust, order an accounting from 2024 to present related to the present trust, characterize certain monies and property as trust property, require bond for the proposed trustee of the special needs trust, and order that the document creating the special needs trust be reviewed and approved by this Court. These requests go far beyond the terms of the original stipulation of the parties. The stipulation by Petitioner and other beneficiaries required that Petitioner be paid \$145,000 and certain property be returned to her if it was located. Petitioner admits she has received the monetary distribution and most of the property. The remaining Karsh photograph and Einstein books have not yet been located. The requested relief far exceeds the scope of the parties' agreement and the powers of the Court to enforce that agreement. Accordingly, Petitioner's request is denied.

Respondent Schaper's request for attorney fees and costs is denied without prejudice. Any motion for the same will only be entertained after the filing of a noticed motion duly served on all interested parties.

7. PR0000906 In the Matter of Mimi Simmons

No appearances are required. The petition for instructions regarding the creation of a separate trust is granted as prayed. A proposed order has been submitted.

8. PR0000911 In the Matter of Victoria Frazer

No appearances are required. The petition for approval of compensation to court-appointed counsel is granted as prayed. A proposed order has been submitted.

9. PR0001015 In Re Donna Chamberlain

No appearances are permitted. This hearing date was improvidently left on calendar and is now removed from calendar.

10. PR0001069 In the Matter of Kathleen O'Neill-Starr

Appearances are required. Before the Court is Petitioner O'Neill-Starr's petition for instructions. The Court is favorably inclined to order the parties to attend mediation, with costs of the same to be paid by the trust, pursuant to Probate Code section 17206 and *Breslin v. Breslin* (2021) 62 Cal. App.5th 801, 806 ("The probate court has the power to order the parties into mediation."). The parties are hereby advised:

Mediation may result in a settlement of the matters that are the subject of this case and of any and all interested persons and parties interests therein. Settlement of the matter may result in an agreement for the distribution of assets of the above-referenced trust and of the estates of the settlors therein, however those assets may be held. Settlement of the matter may also result in an award of attorneys' fees to one or more parties under *Smith v. Szezyller* (2019) 31 Cal.App.5th 450, 242. Interested persons or parties who do not have counsel may attend the mediation and participate.

Non-participating persons or parties who receive notice of the date, time and place of the mediation may be bound by the terms of any agreement reached at mediation without further action by the Court or further hearing. Rights of trust beneficiaries or prospective beneficiaries may be lost or forfeited by the failure to participate in mediation. Participation in mediation is a prerequisite to an evidentiary hearing. By failing to participate in mediation, a person or party will waive their right to an evidentiary hearing.

Petitioner Kathleen O'Neill-Starr and Respondent Hugh Daniel O'Neill, III, shall meet and confer regarding selection of a mutually acceptable mediator. The Court continues this matter for review on the status of mediation to December 4, 2026, at 9:00 a.m., in Department 6, and continues to reserve jurisdiction over the pending motion. No later than two weeks prior to the continued hearing date, the parties shall submit a joint statement indicating the status regarding selection of a mediator.

11. PR0001072 In the Matter of Brigitte Fisher

No appearances are required. The petition for order confirming trust assets is granted as

prayed. Petitioner shall submit a proposed order.

12. PR0001076 In the Matter of Doris Lucille Minard

No appearances are required. The petition to administer is granted as prayed. Letters shall issue. A proposed order has been submitted.

13. PR0001077 In the Matter of Emily Bessette

No appearances are required. There is good cause to dispense with the same given the showing made in the petition and the absence of any objections thereto. *See* Rules of Court, Rule 7.952. The petitioner for approval of compromise of claim is granted as prayed. Petitioner shall submit a proposed order.

14. PR0001078 In the Matter of Charlotte Bessette

No appearances are required. There is good cause to dispense with the same given the showing made in the petition and the absence of any objections thereto. *See* Rules of Court, Rule 7.952. The petitioner for approval of compromise of claim is granted as prayed. Petitioner shall submit a proposed order.