

PAST HEARINGS

Department LA Dept. 29 **Court Convened at:** 8:30 AM 6/8/2023

Honorable Lee R. Bogdanoff

22STPB03616 1003 Brandel, Norma Lee - Decedent

Appointment Hearing - Decedent's Estate

Petitioner(s): Williams, Rhonda

Attorney(s):

Continuance Number: 4 **Continuance From:** Thursday, March 2, 2023

Last Date Changed: Wednesday, May 24, 2023 6:45:06 AM

Last Note Changed By: Matthew Osborne

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PETITION FOR PROBATE OF WILL

Petition filed on 4/11/2022

PRIOR ORDERS: Cont to 6/8/2023 at 8:30 a.m. <Petition to expand the letters of special administration to general letters shall be filed no later than April 6, 2023. Petition to expand the letters of special administration to general letters shall be filed no later than April 6, 2023. Said petition has the OKAY TO SET on Thursday, June 8, 2023 at 8:30 AM in this department. The filing comments section of the electronic filing needs to set forth the okay to set or the Clerk will not set the matter per the okay to set in accordance with this minute order. Michael D. Bishop and Steven N. Mayer are ordered to be present at the next hearing date. If they fail to appear at the continued hearing date, the Court will overrule objections and override the will contest. The Court orders the Petitioner to give notice.>; Cont to 3/2/2023 <Any request of counsel regarding real property shall properly be brought before the court.>; Cont to 11/30/2022 at 8:30 a.m. in this department to meet the will contest petition. The Court orders the Petitioner to give notice. The Court gives the OKAY TO SET petition for special letters on Wednesday, November 30, 2022 at 8:30 AM in this department. Said petition shall be filed no later than October 21, 2022.>; Cont to 10/6/2022 at 8:30 a.m. <Objector represents that objections have been filed this date.>

PETITIONER: Rhonda Williams

ATTORNEY: Sam D. Ekizian, Esq. (Kreger & Ekizian, LLP)

SUMMARY: D/D 2/27/2022

Petnr is decd's friend/named extr seeking apptmt of herself as extr

Will dated 8/5/2017 waives bond for petnr

Full IAEA requested

Bond waiver requested

Notice of petition to administer estate filed ok

Pub ok

Will dated 8/5/2017 (2 pages) deposited with the court – WILL REVIEWED IN VAULT

Proofs of subscribing witness filed 4/14/2022

1st supp filed on 4/25/2022

OTHER CASES: N/A

MATTERS TO CLEAR: N/A

FACTS: Paragraph 3.d. allegations:

Personal Property: \$ 14,000

Annual gross income from real property: \$ 0

Annual gross income from personal property: \$ 0

Subtotal: \$ 14,000

Gross Fair Market Value of Real Property: \$ 1,140,000

(Less) Encumbrances: (\$ 705,000)

Net value of real property: \$435,000

Total: \$ 449,000

Objs filed on 10/5/2022

Objr is Steven N. Mayer (Self-Represented)

Rhonda Williams' response to the objections filed on 8/23/2022 - Petnr alleges objr lacks standing as he is not an interested individual in decd's estate and not a beneficiary under decd's last will. Objr neither has a property right in or claim against the testator's estate and thus has not standing to bring his objections.

Objr's response to response filed on 10/5/2022

SUMMARY:

Objr is listed in Attachment 8 as a member of the American Auto Racing Writers and Broadcasters Association, Inc. ("AARWBA")

Objs verified & served

ARGUMENT: Objr alleges petnr's violations of Probate COde section 8502 include, but is not limited to:

a) The Proposed Executor has always purported to be the Executor. She never revealed that her role as Executors had to be approved by the Court;

b) The Proposed Executor represented herself to be the Treasurer of AARWBA when she is not.

c) The Proposed Executor ostensibly believes that AARWBA is a Tenant At Will (for which the Objector does not concur), and has removed personal property in violation of Civil Code Section 789.3(b)(3)

d) The Proposed Executor has a personal animus toward the Decedent's unregistered Domestic Partner that predated the passing of the Decedent who remains on the real property commonly known as 922 Pass Avenue, Burbank.

Objr alleges there are major discrepancies in the Petition For Probate of Will. For example, it was stated that Gross Fair Market Value Of The Real Property was \$1.140,000. Both Red?n and another online site cite the value to be in excess of \$1.3 million. In addition, the estimated value of the Personal Property appears to be understated. The amount of \$14,000 likely re?ects the cash only. The Decedent's hat collection probably had a value of \$5,000 to \$10,000.

MATTERS TO CLEAR: N/A

Objs filed on 10/5/2022

Objr is Michael D. Bishop (Self-Represented)

SUMMARY:

Objr is decd's unregistered domestic partner

Objs verified & served

ARGUMENT: Objr alleges he is the unregistered Domestic Partner of decd for close to 42 years, except for a period of ten years and one month. Objr alleges that during ten years and one month of that period, the objr and decd were married. Objr alleges the reason for the divorce was that decd wanted to use her maiden name professionally but that the divorce did not end the relationship. Objr alleges they lived together all that time in their martial home; that they were never separated; they continued to accumulate personal property together. They referred to themselves as Husband and Wife.

Objr alleges he is also a part owner in real property of the Solar Power System installed in 2020, which was not disclosed to the Court.

Objr alleges that neither the Proposed Executor nor the Will's secondary proposed appointment of an Executor should be allowed full IAEA and at best, it should be limited IAEA.

Objr alleges the proposed executor has violated the terms of Will with premature and improper distribution of the Estate of the decd's collection of hats, which was decd's fashion trademark.

Objr alleges he was not mentioned in the will, despite, at the time, in 2017, decd and objr having been together for close to forty years.

Objr alleges the will was created under undue influence.

MATTERS TO CLEAR: N/A

RELIEF:

1. JTD appointment of petitioner Rhonda Williams as executor
2. JTD full IAEA
3. JTD admit will dated 8/5/2017
4. JTD bond waiver
5. JTD objections of Steven N. Mayer
6. JTD objections of Michael D. Bishop

otherwise appointment of California Probate Referee _____ ok

Petition for final distribution or status report to be filed no later than 6/9/2024 & set for hearing & Court to set OSC on 11/14/2024 (not as prayed)

PA COMMENTS: See will contest of Michael D. Bishop at calendar number 1005.

Per 11/30/2022 minute order, Rhonda Williams appointed special administrator with full IAEA and bond of \$409,000 with special letters (issued on 1/3/2023) to expire on 3/16/2023. The court ordered to Ms. Williams to endeavor and cooperate with Mr. Bishop and manager Mr. Mayer in identifying business records of the American Auto Racing Writers & Broadcasters Association, Inc. (AARWA) and in getting them removed. Rhonda Williams' Petition to expand the letters of special administration to general letters at calendar number 1004.

Recommended Disposition:

Related Items: 1003 - 1005

Is Contested: True

Steven N. Mayer; Michael D. Bishop

Department LA Dept. 29 **Court Convened at:** 8:30 AM 6/8/2023

Honorable Lee R. Bogdanoff

22STPB03616 1004 Brandel, Norma Lee - Decedent

Appointment Hearing - Decedent's Estate

Petitioner(s): Williams, Rhonda

Attorney(s):

Continuance Number: **Continuance From:**

Last Date Changed: Thursday, June 1, 2023 12:42:07 PM

Last Note Changed By: Matthew Osborne

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PETITION FOR LETTERS OF SPECIAL ADMINISTRATION

PRIOR ORDERS: N/A

Petition filed on 4/13/2023

PETITIONER: Rhonda Williams

ATTORNEY: Sam D. Ekizian, Esq. (Kreger & Ekizian, LLP)

SUMMARY: D/D 2/27/2022

Petr is decd's friend seeking apptmt of herself as special administrator

General powers requested

Full IAEA requested

Bond waiver requested

Notice of petition to administer estate ok

Pub ok

Supp filed 4/11/2023

2nd supp filed 5/31/2023

OTHER CASES: N/A

MATTERS TO CLEAR: N/A

FACTS: Per 11/30/2022 minute order, petitioner appointed special administrator with full IAEA and bond of \$409,000 with special letters (issued on 1/3/2023). The court ordered to Ms. Williams to endeavor and cooperate with Mr. Bishop and manager Mr. Mayer in identifying business records of the American Auto Racing Writers & Broadcasters Association, Inc. (AARWA) and in getting them removed.

Petrn alleges decd's ex-husband, Michael D. Bishop, occupies the estate's residential property. He pays no rent and makes no mortgage payments.

Petrn alleges the residence is subject to a reverse mortgage. No payments have been made on this obligation since on or about decd's passing and the residence is now subject to foreclosure and trustee's sale. Petrn alleges a Notice of Default has been already recorded with the County Recorder's Office.

Petrnr alleges that given the lack of estate funds to pay the mortgage as well as will contestant, Michael Dane Bishop's unpaid occupation, there has already been a devaluation of the property by about sixty-two thousand eight hundred dollars (\$62,800.00, in interest, since decd's death on 2/27/2022 and an additional \$5,400.00 of interest is being added to the loan balance each month. This, in addition to the reduced estimated value of the residence, amounts to a devaluation of the estate of \$119,600.00 to date.

Petrnr now seeks reappointment as special administrator with general powers and full IAEA authority. Petrnr alleges it is necessary that a Special Administrator with General Powers and Full Authority bere-appointed to administer decedent's estate pending resolution of the Objections and Will Contests of decd's former spouse, Michael D. Bishop, and decedent's friend, Steven N. Mayer, because:

1. Decd's residence will need to be vacated and sold in order to preserve its net value
2. Foreclosure proceedings need to be headed off as a Notice of Default has already been recorded
3. Continue to review all of the business records of the American Auto Racing Writers & Broadcasters Association, Inc. (AARWA), remove and store them. It is believed that this organization no longer exists. Nonetheless, the records need to be maintained
4. Inventory and Appraisal needs to be prepared and filed in a timely manner.

Petrnr alleges it is apparent that until resolution of the issues pending before this court, determination of entitlement to decd's estate cannot be accomplished. However, in the interim, petnr alleges she should be empowered to clear and sell the principal estate asset before additional irreparable harm is done to the estate.

Paragraph 3.d. allegations:

Personal property: \$ 14,000

Annual gross income from real property: \$ 0

Annual gross income from personal property: \$ 0

Subtotal: \$ 14,000

Gross fair market value of real property: \$ 1,062,000

(Less Encumbrances: \$ 758,067)

Net value of real property: \$ 303,933

Total: \$ 317,933

RELIEF:

1. JTD appointment of Rhonda Williams as special administrator
2. JTD general powers
3. JTD full IAEA
4. JTD bond \$297,000 (per 2nd supplement, petitioner alleges the total net value of the estate is \$317,933. The value of the real properties in the City of Burbank, State of California has gone down by over two percent (2%) and given the lack of estate funds to pay the mortgage as well as the will contestant, Michael Dane Bishop's unpaid occupation,

an additional \$5,400.00 of interest is being added to the loan balance each month. This amounts to a devaluation of the estate in the amount of over \$21,000).

PA COMMENTS: See other matters on calendar. No objections to this petition for letters of special administration filed as of 6/1/2023 probate attorney review.

MOsborne@lacourt.org

MO(5/24/2023)

Recommended Disposition:

Related Items: 1003 - 1005

Is Contested: False

Department LA Dept. 29 **Court Convened at:** 8:30 AM 6/8/2023

Honorable Lee R. Bogdanoff

22STPB03616 1005 Brandel, Norma Lee - Decedent

Contest of Will Hearing

Petitioner(s): Bishop, Michael Dane

Attorney(s):

Continuance Number: 2 **Continuance From:** Thursday, March 2, 2023

Last Date Changed: Wednesday, May 24, 2023 6:46:45 AM

Last Note Changed By: Matthew Osborne

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WILL CONTEST AND OBJECTION TO PROBATE

Petition filed 10/5/2022

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hearing date. If they fail to appear at the continued hearing date, the Court will overrule objections and override the will contest. The Court orders the Petitioner to give notice.>; Cont to 3/2/2023 <Any request of counsel regarding real property shall properly be brought before the court.>;

PETITIONER: Michael D. Bishop (Self-Represented)

SUMMARY:

Contestant is agent under power of attorney for purported surviving spouse Steven Mayer

OTHER CASES: N/A

MATTERS TO CLEAR:

A. No proof of service of summons and contest (in the manner required by CCP section 412.10 et seq. and 413.10 et seq.) per Probate Section 8250(a) on all persons entitled to notice. See Probate Code section 8271(b).

FACTS: Steve Mayer is agent under power of attorney for petnr Michael Dane Bishop. Petnr, 85, in poor health, asked that Steven Mayer advocate for him at the hearing on this matter.

Petnr alleges he should be deemed decd's surviving spouse under the definition of Probate Code section 78(b)(2).

Petnr alleges decd and petnr's divorce did not end the spousal relationship between the petnr and decd. Petnr alleges they lived together all that time in their martial homes; that they were never separated; that they continued to accumulate personal property together; that they referred to themselves as Husband and Wife.

Petrnr believes that the contested will was created under the undue influence, most likely by the proposed executor.

Objs filed on 11/14/2022

Objr is Rhonda Williams

Objr's counsel is Sam D. Ekizian, Esq. (Kreger & Ekizian, LLP)

SUMMARY:

Objr is proponent of will/proposed executor

Objs verified & served

1st supp filed 11/21/2022

2nd supp filed 11/22/2022 - Steven N. Mayer is not a licensed attorney and cannot represent Objector Michael D. Bishop. The purported power of attorney granted by Objector to Steven Mayer does not change this fact. Under the statute, one who is not a licensed attorney cannot appear in court for another person.

ARGUMENT: In his Will Contest and Objections to Probate, petrnr proclaims that "It was not discovered until last week that the Petitioner was a Surviving Spouse."

Other than his self-serving contentions, he does not offer any supporting evidence for this claim. Indeed, as set forth in the Objections of Michael D. Bishop, he and the decd were divorced on or about 8/30/1991, with the entry of the court's Judgment of Dissolution. No

claim or any evidence that this Judgement of Dissolution is in any way invalid has been presented.

Petrnr contends that he should be deemed a surviving spouse pursuant to Probate Code §78(b)(2), claiming that he and Norma lived together as spouses after their divorce. Petrnr misapplies this code section. Specifically, Probate Code §78(b)(2) does not apply as the aforementioned judgement of dissolution is valid and, per the statute, does not comport with the requirement that Probate Code §78(b)(2) applies where “[the] decree or judgment of dissolution or annulment of marriage or domestic partnership with the decedent is not recognized as valid in California.” Probate Code §78(b)(2) This is a condition precedent to the exception cited in the code as having lived together as spouses. Specifically, Probate Code §78(b)(2) states: “(2) a person whose decree or judgment of dissolution or annulment of marriage or domestic partnership with the decedent is not recognized as valid in California unless the parties subsequently remarry or live together as spouses;” As previously noted, petrnr presents no claim or any evidence that the present 1991 Judgement of Dissolution is in any way invalid.

Furthermore, at all times since the recording of the a first Quitclaim Deed dated July 2, 1997, Norma was the sole owner of the Pass Avenue property, as an unmarried woman.

Petrnr has no standing to file objections or contest the admission of decedent’s Last Will to probate. He is not a “surviving spouse” by any definition and he acquired no interest in the Pass Avenue property, the major asset of the estate. Additionally, he is not in any way mentioned in the decedent’s will. The only person/entity having an interest in decedent’s estate, either testate or intestate, is decedent’s niece, Christie Lee Benitez.

MATTERS TO CLEAR: N/A

RELIEF:

1. JTD will contest and objection to probate

2. JTD objections of Rhonda Williams: a) Determining that contestant has no standing in the instant proceedings; b) Overruling all of the Objections of Michael D. Bishop to the Petition for Probate of Will of Rhonda Williams; c) Denying the Contest to the Last Will of the decedent.

PA COMMENTS: See remaining note. Contest not yet at issue.

Also see Rhonda Williams' underlying petition for probate of will at calendar number 1003.

mosborne@lacourt.org

MO(11/15)MO(2/15/2023)MO(5/24)

Recommended Disposition:

Related Items: 1003 - 1005

Is Contested: True

Rhonda Williams