

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 9

12/15/2010

Court Convened at: 0130PM

Honorable Judge Reva G. Goetz
none, Deputy SheriffAndrea Murdock, Deputy Court Clerk
Tamara Vogl CSR #10186, Reporter

BP-108870 503 SPEARS, BRITNEY JEAN - CONSERVATORSHIP

Conservatorship-Pers

ALLOWANCE OF FEES

Petitioner(s): Spears, James P.

Attorney(s): Wyle, Geraldine A., Esq. ✓ J. Cohen

Continuance Number:

Continuance From:

Last Date Changed: 12/15/2010 8:26:03AM

Last Note Changed By: SRILEY

To clear probate notes "filed documents" must be submitted to Rm 258, within time frames set forth in Rule 10.3 of LASC Rules. You may contact the Probate Attorney whose E-Mail address appears at the end of these notes, subject to compliance with all conditions governing the use of Interactive E-Mail. E-mail Rules are available in Rm 258 and on the Court's web site at www.LASuperiorCourt.org.

SUMMARY:

filed 11/19/10

petnr James P. Spears is consor of the person & co-consor of the estate and Petnr Andrew Wallet is co-consor of the estate conservatee's waiver of ntc filed by PVP counsel

FACTS PRIOR ORDERS: per order dated 11/3/09 Mr. Wallet & Hoffman firm are auth are allowed & auth to receive pmt of 50% of their invoiced fees & 100% of advanced costs monthly on account - o/w Hoffman's & Wallet's fees to be approved & allowed on a periodic basis

In addition, petnrs are auth to make pmts on acct to the Bird firm in the amt of the lesser of 30,000/mo or the actual fees incurred + reimb for costs advanced

Per crt orders petnrs are authorized to pay Mr. Spears on account of consor fees 16,000/mo + 1,200/mo for office space, beginning 12/1/08 & continuing until further order of this crt

MATTERS TO CLEAR:

A. no spec ntc/copy atty Byam

RELIEF:

1. JTD approve co-consor fees 89,104 for svcs rendered by WALLET + costs 763.64 for period 5/1/10 to 10/31/10 less 45,316.14 pd on account of fees & costs AND Authorize pmt of balance in sum of 44,552
2. JTD allow and approve atty fees by HOFFMAN firm for svcs rendered to Mr. Spears from 5/1/10 to 10/31/10 in amt of 158,959.50 + costs 6,349.40 less pmt of fees 31,651.25 + costs 3,085.52 on account AND authorize pmt of the outstanding fee balance in sum of 127,308 + costs 3,263.88 for total fees & costs due in amt of 130,572.13
3. JTD allow and approve atty fees to Bird firm 170,901.09 re svcs from 12/1/09 to 10/31/10 less pmt of 170,829 pd on account = balance 0
4. JTD auth petnrs to pay the Bird firm the outstanding unpaid balance in sum of 40,179.07 previously omitted from prior crt orders
5. JTD allow and approve atty fees to Wasser firm atty fees re svcs from 11/1/09 to 10/31/10 in sum of 2,250 + costs 112.51 AND authorize petnrs to pay total amt in sum of 2,362.51
6. JTD allow and approve atty fees to Maki firm atty fees in sum of 25,842 + costs 191 (all of which has been pd) for svcs from 10/1/09 to 9/30/10
7. JTD Allow & approve monthly pmts of 16,000/m to Mr. Spears on acct of consor fees for period 5/1/10 to 10/31/10
8. JTD allow & approve pmts of 1,200/mo to Mr. Spears for office space for period 5/1/10 to 10/31/10

RECOMMENDED DISPOSITION:

Order to be Prepared By:

RELATED ITEMS: 501, 502, 505, 506

Clerk: _____ Attorney: _____

SPEARS, BRITNEY JEAN - CONSERVATORSHIP

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503

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9. JTD confirm previous fee order remains in full force & effect, allowing & auth petnrs to pay Mr. Wallet & Hoffman firm 50% of their monthly invoiced amts on acct & 100% of their costs advanced on acct and allowing and auth petnrs to pay the Bird firm their invoiced fees on acct, NTE 30,000/mo + costs advanced
10. JTD confirming that M.O. re compensation for auth to pay Mr. Spears 16,000/mo on account of co-consors fees & 1,200/mo for office space remains in full force and effect

PA's COMMENTS: see motion to seal o/w T/T
sriley@lasuperiorcourt.org
SRR 12/13/10

Off the Record: Court and counsels confer in chambers.

On the Record: order is made. A redacted declaration shall be filed not later than December 20, 2010. This matter will be under submission as of December 20, 2010.

Mr. Byam is present in chambers, but not when this matter is called on the record.

MINUTE ORDER

- | | | | | | |
|---|---|---|--|---|--|
| <input type="checkbox"/> Granted | <input type="checkbox"/> Denied Without Prejudice | <input type="checkbox"/> Completed | <input type="checkbox"/> Continued to _____ | <input checked="" type="checkbox"/> Submitted | <input type="checkbox"/> Off-calendar |
| <input type="checkbox"/> As Supplemented | <input type="checkbox"/> Person and Estate | <input type="checkbox"/> No Bond | <input type="checkbox"/> Bond of \$ _____ Additional | <input type="checkbox"/> Will and _____ | <input type="checkbox"/> Codicil(s) Admitted |
| <input type="checkbox"/> Full/Limited/No IAEA | <input type="checkbox"/> Lacks Medical Capacity and Voting Capacity | <input type="checkbox"/> Fees Granted in the Amount of \$ _____ | <input type="checkbox"/> County/Estate | | |
| <input type="checkbox"/> Dementia Powers Granted | <input type="checkbox"/> Medical and Placement | <input type="checkbox"/> PC 2351.5 powers granted | <input type="checkbox"/> Supplemental Probate Investigator/DCFS Report Ordered | | |
| <input type="checkbox"/> Court has Read and Considered/Approved Report | <input type="checkbox"/> Parties stipulate to Judge Pro Tem- written | <input type="checkbox"/> Give Notice Waived | <input type="checkbox"/> Bond Exonerated | | |
| <input type="checkbox"/> Court Investigation/DCFS/Regional Center Report is placed in the Confidential Envelope / is admitted into evidence as Court's Exhibit 1 and sealed | <input type="checkbox"/> Appearance of Minor(s)/counsel waived for next hearing | <input type="checkbox"/> No further review required | | | |
| <input type="checkbox"/> PVP/Attorney/Citee/Party Ordered Back/Discharged/As Prayed | <input type="checkbox"/> Re: if proof of deposit to a blocked account filed | <input type="checkbox"/> PVP Appointed/Remains/Discharged | | | |
| <input type="checkbox"/> New Citation to issue/personal service | <input type="checkbox"/> Commissions: _____, Title: _____ | | | | |
| <input type="checkbox"/> Confirmed for \$ _____ | <input type="checkbox"/> Time to Administer Estate // Special/Temporary Letters Extended/Granted to _____ | | | | |
| <input type="checkbox"/> Accounting to be filed by _____ | <input type="checkbox"/> and Set for Hearing on //Statue re: Accounting/Status Hearing is Set for _____ | | | | |

RECOMMENDED DISPOSITION:

Order to be Prepared By:
Clerk: _____ Attorney: _____

RELATED ITEMS: 501, 502, 505, 506

SPEARS, BRITNEY JEAN - CONSERVATORSHIP

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503