

## SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 9

03/08/2010

Court Convened at: 0830AM

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

BP-108870 119 SPEARS, BRITNEY JEAN - CONSERVATORSHIP

Conservatorship-Pers

## ACCOUNT CURRENT

Petitioner(s): Spears, James P. Wallet, Andrew M.

Attorney(s): Wyle, Geraldine A., Esq.

Continuance Number: 7 Continuance From: 12/22/2009 12:00:00AM

Last Date Changed: 3/3/2010 10:39:10AM

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](http://www.LASuperiorCourt.org).

PRIOR ORDER: Cont to 3/8/10 at 8:30 am <re: JTD 4,8; granted JTD 2,3,5,6 as prayed; parties stipulate to Judge Pro Tem; Bond of \$25 million previously ordered; Court and counsel confer in chambers off the record. ON THE RECORD: a petition regarding the appraisal shall be filed not later than February 1, 2010 and set for hearing on March 8, 2010 at 8:30 am., a supplement shall be filed regarding note Z. >; 12/22/09 <at 1:30 p.m.>; 12/3/09 <at 1:30 p.m., Court and counsels Geraldine Wyle, Samuel D. Ingham III, Andrew M. Wallet, Clark Byam, and Jeryll Cohen confer in chamber. Thomas Hansen is also present for th chambers conference. The chambers conference is off the record. On The Record: The Motion for Sealing shall be continued to December 3, 2009 at 1:30 p.m. to meet this Accounting. The notes for this Accounting shall be cleared. Newly filed Fee Petition shall be filed and set for December 22, 2009 at 1:30 p.m. in this department. Parties stipulate to Judge Pro Tem>; 11/12/09 at 8:30 a.m. <Matters to clear: E,F,G,O,P, Q,R,S, and T are deferred to November 12, 2009. Authority is given to pay up to \$5,000.00 for employment counsel. Parties stipulate to Judge Pro Tem> 9/23/09 Please see #501 for the Court's orders. <Parties stipulate to Judge Pro Tem-written; Court and counsel confer in chambers. Matter is called for hearing. Regarding fees, Court approves payment of the fees to the firm of Bird, Marella, Boxer et al as follows: A) in the amount of \$23,977.32 which includes fees and costs from May and June from civil litigation. Mr. Boxer's fees are on account. B) Regarding fees from the other litigation that was international, Court approves fees in the sum of \$6,324.28 including costs of \$32,00, C) Court authorizes the periodic payment of fees in relation to the civil litigation in the amount of \$30,000 per month, actual fees, or if the bill is less than that sum then Court approves the payment of the actual amount plus costs. This is subject to court review regarding the Court's application of the reasonable standard of the total fees. Regarding fees for Hoffman, Sabban & Watenmaker, Court approves fees as follows: A) in the amount of \$44,458.00 for this Petition and approves costs of \$2,556.53. B) Periodic payment on account is authorized in an amount not to exceed 50% of the monthly fee bill plus the actual costs and this is subject to court review regarding the Court's application of the reasonable standard of the total fees. Regarding Mr. Wallet's fees, Periodic payment on account is authorized in an amount not to exceed 50% of the monthly fee bill plus the actual costs and this is subject to court review regarding the Court's application of the reasonable standard of the total fees. Mr. Ingham's fee order is to remain in full force and effect unless otherwise modified by the Court. The issue of fees related to preliminary injunctions issued by Judge Bobb is taken under submission. This accounting Petition is continued to September 23, 2009 at 1:30 p.m. in Department CE9. Ms. Cohen to prepare the Orders After Hearing.> 7/24/09 <Parties stipulate to Judge Pro Tem; Court and counsel confer in chambers, off the record. ON THE RECORD: The firm of Hinojosa and Wallet is awarded fees in the amount of \$182,886.05 for the period of December 1, 2008 to and including May 13, 2009. The firm of Hoffman Sabban & Watenmaker is awarded fees in the amount of \$87,500.00 and fees on account in the amount \$15,000.00 for the period of March 1, 2009 to and including May 13, 2009. The fees are subject to further review. The firm of Luce Forward Hamilton & Scripps L.L.P is awarded fees in the amount of \$223,000.00, cost in the amount of \$11,900.00, and fees on account in the amount of \$65,000.00 for the period of December 1, 2008 to and including April 30, 2009. The firm of Bird Marella Boxer Wolpert Nessim Dooks & Lincenberg, P.C. is awarded fees in the amount of \$46,511.00 and fees on account in the amount of \$55,000.00 for the period of February 10, 2009 to and including April 30, 2009. PVP fees are approved. Court does not state an amount.>

## RECOMMENDED DISPOSITION:

CONTINUED TO 3/16/10 ON THE COURTS OWN MOTIO

Order to be Prepared By:

RELATED ITEMS:

Clerk: \_\_\_\_\_ Attorney: \_\_\_\_\_

SPEARS, BRITNEY JEAN - CONSERVATORSHIP

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Attorney(s): Wyle, Geraldine A., Esq.

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Last Date Changed: 3/3/2010 10:39:10AM

Last Note Changed By: SRILEY

6/17/09 < Court and counsel confer in chambers, off the record. ON THE RECORD: Counsels appearing are G. Wyle, A. Wallet, S. Ingham (PVP), J. Wexler, and J. Boxer. (B. Ross appeared briefly for the chambers conference, but was not present when this matter was called on the record). The Request for Attorney Fees for the firms for counsels S. Ingham (PVP), A. Wallet, J. Wexler, and J. Boxer are deferred to July 17, 2009 at 1:30 p.m., Attorney fees, not as prayed, for the firm of Holland and Knight are approved for \$152,133.90. Attorney fees for the firm Wasser Cooperman & Carter are approved and allowed for \$31,736.26 (which includes cost) and \$7600.01. The amount of \$25,000.00 for Wasser Cooperman & Carter is approved, but not allowed. Attorney fees for the firm Turlow & Berk are approved for \$2128.00. Court approves the Ex Parte Request re Settlement of the Wright Case filed in Florida. Parties stipulate to Judge Pro Tem>

## SUMMARY

Filed 5/18/09

1st acct 2/1/08 to 12/31/08 (includes final acct of temp co-consor)

supp filed 5/15/09 &amp; supp filed 5/29/09 - supp filed 9/22/09 &amp; 11/6/09

## MATTERS TO CLEAR:

D. reconciliation of City National Bank financial statement does not agree with balance reported in the accounting 1,536,959.09; Also, No financial statements for Bank of Greensberg CD & Southern Farm Annuity - & no bank statements (all accts) for period immediately preceding apptmt of conservator - see PC 2620 and PC 2890 & 2892

P. Addendum to accounting lists several businesses (or interests in business entities) that will be inventoried & I/A filed under seal - inventory not filed as of 12/20/09

Q. business Entities listed in Addendum and royalties and residuals have not been inventoried - how were values determined? Supp required

W. NEW- supp filed 11/6/09 states consee has an interest in Louisiana LLC - appears it should be inventoried

X. NEW - ALLEGES IN 7/13/09 petnrs lodged w/crt transaction repts for all entities etc - this document is not imaged - filed conditionally under seal?

Y. NEW - the Probate Referee must appraise U.S. Savings bonds, Southern Farm Annuity and other principal received during the account period 726,482.85 (these are attachment 2 items to I/A)

Z. beg bal of acctng per summary does not agree with I/A - supp required

## RECOMMENDED DISPOSITION:

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Clerk: \_\_\_\_\_ Attorney: \_\_\_\_\_

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**RELIEF:**

1. JTD No ntc re amended acct contained in supp filed 11/6/09 - will ntc be waived
2. JTD acct as amended by 4th supp filed 11/6/09
3. JTD failure establish interest bearing checking acct - alleges petnrs did not have possession or control of liquid assets in excess of amts reasonably needed to pay consorshp expenses
4. JTD dispense with I/A re royalty and residual rights be inventoried? Alleges impractical and extremely expensive to inventory
5. JTD Re Greenberg bank acct - shouldn't consor marshal & account for this asset? Alleges Mr. Covington, conservatee uncle, is co-signer on the acct
7. JTD Establishment of new business entities - states petnrs are authorized to operate at the risk of the estate a business constituting an asset of the estate - does this encompass establishing new business entities?
7. JTD appears bond 1,500,000 is insuff
8. JTD fees to Hoffman firm re acctg

O/w rept o/w discharge of temp co-consors ok

PA's COMMENTS: continue to 5/3/10 to meet petn for waiver of appraisal by probate referee o/w Note: a motion to seal is set for 3/19/10  
sriley@lasuperiorcourt.org        jj  
SRR 6/4/09

**MINUTE ORDER**

<input type="checkbox"/> Granted	<input type="checkbox"/> Denied Without Prejudice	<input type="checkbox"/> Completed	<input checked="" type="checkbox"/> Continued to <u>3-16-10</u>	<input 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 _____ 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"/> PVP Appointed/Remains/Discharged				
<input type="checkbox"/> New Citation to issue/personal service	<input type="checkbox"/> Re: if proof of deposit to a blocked account filed				
<input type="checkbox"/> Confirmed for \$ _____, Commissions: _____, Title: _____					
<input type="checkbox"/> Time to Administer Estate // Special/Temporary Letters Extended/Granted to _____					
<input type="checkbox"/> Accounting to be filed by _____ and Set for Hearing on //Statue re: Accounting/Status Hearing is Set for _____					

**RECOMMENDED DISPOSITION:** CONTINUED TO 3/16/10 ON THE COURTS OWN MOTIO

Order to be Prepared By:

RELATED ITEMS:

Clerk: \_\_\_\_\_ Attorney: \_\_\_\_\_

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