

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 99

04/01/2016

Court Convened at: 0830AM

Lily Yu

Honorable Commissioner Brenda Penny
S. Mendoza, Deputy Sheriff

Sonia Herda, Deputy Court Clerk
., Reporter

BP108870 1049 SPEARS, BRITNEY JEAN - CONSERVATORSHIP
CONSERVATORSHIP-PERS

ALLOWANCE OF FEES

Petitioner(s): SPEARS, JAMES P. ✓

Samuel D. Ingham III ✓

WALLET, ANDREW M. ✓

Attorney(s): WYLE, GERALDINE A., ESQ. ✓ COHEN, JERYLL S., ESQ. ✓

Continuance Number: Continuance From:

Last Date Changed: 3/30/2016 11:05:57AM

Last Note Changed By: RESTERAS

To clear probate notes "filed documents" must be submitted to Rm 429, within time frames set forth in Rule 4.4 (b) of LASC Rules. You may contact the Probate Attorney or Probate Examiner 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 on the Court's web site at www.LACourt.org.

Filed 3/25/16

PRIOR ORDERS: ex parte 3/25/16, set hearing; minute order dated 10/21/15, reassignment to Dept 99 for all purposes

SUMMARY:

petnrs co-conservator James Spears (father) gen ltrs P&E issued 01/9/2009 bond 1.5 million & co-conservator of estate Andrew Wallet gen ltrs estate only issued 01/9/2009 bond 25 million
Atty for Spears Geraldine Wyle
Wallet self represented
PVP atty Samuel Ingham III

PVP atty waiver of ntc & consent to petn filed 3/25/16

related civil case no. BC406904 (Lutfi v. Spears)

FACTS: petnrs seek approval of partial payment of fees to Bonita Moore, a long time atty of trial team for the remaining civil litigation involving the conservatorship; Moore was formerly w/ Bird, Marella, et al firm and now w/ Faegre firm; trial is set for 10/2016; in accordance w/existing orders re: payment of petnrs attys' fees, petnrs seek payments to Faegre firm of 80% of legal fees billed & 100% of costs on acct on a monthly basis w/ remaining fees paid upon court's approval; court order dated 11/3/09, authorized payments to Bird Marella 80% of billed fees & 100% of costs

petnrs obtained TRO against Osama Sam Lutfi in 2009; Lutfi filed suit against conservatee and her parents; trial commenced in 10/2012; trial court granted defendants' non suit and judgment entered 11/28/12; Lutfi appealed verdict and court appeal reversed and remanded for trial on breach of contract claim, battery and punitive damages claims; court order dated 8/10/15, authorized payments to attys Sidley Austin, of 80% billed legal fees & 100% of costs (exhibit A); civil case assigned to Dept 12, Hon. Meiers and case mgmt. statement attached (exhibit B)

MATTERS TO BE CLEARED:

RECOMMENDED DISPOSITION:

Order to be Prepared By:

RELATED ITEMS:

Clerk: _____ Attorney: _____

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A) petition incomplete - no legal authority cited

RELIEF:

1) JTD co-conservators are authorized to pay 80% of the billed legal fees and 100% of costs on account on a monthly basis to Faegre Baker Daniels, LLP, with remaining 20% of billed legal fees to be paid upon Court's approval of fees

PA'S COMMENTS: request consistent w/ court's prior orders re: payments of attys fees for pending litigation - absent objection, appears OK

FUTURE HEARINGS: 6/30/16 & 7/20/16, OSC re: 8th acct (per minute 7/24/15; Dept NWK) - TO BE SET IN DEPT 99?

rcsteras@lacourt.org
RE 3/30

Dept NWK → Dept. 99.

-all filings to take place in central District.

MINUTE ORDER

- | | | | | | |
|--|---|---|--|---|--|
| <input checked="" type="checkbox"/> Granted <i>as prayed.</i> | <input type="checkbox"/> Denied Without Prejudice | <input type="checkbox"/> Completed | <input type="checkbox"/> Continued to _____ | <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 _____ | <input type="checkbox"/> Codicil(s) Admitted |
| <input type="checkbox"/> Full/Limited/No IAEA | <input type="checkbox"/> Lacks Medical Capacity | <input type="checkbox"/> Disqualified From Voting | <input type="checkbox"/> Fees Granted in the Amount of \$ _____ | 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 checked="" 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 <input type="checkbox"/> Petn. for Final Distribution or Status Report to be filed by _____ and set for hearing. An OSC re Accounting and/or Status of Distribution is set for hearing on _____. OSC date vacated if Accounting, Final Distribution or Status Report filed timely. | | | | | |

RECOMMENDED DISPOSITION:

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

RELATED ITEMS:

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