

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Department LA 9

09/16/2008

Court Convened at: 0830AM

Honorable Commr Reva G. Goetz, Judge Pro Tem
none, Deputy Sheriff*C.oshima*
Andrea Murdock, Deputy Court Clerk
Tamara Vogl CSR #10186, Reporter

BP-108870 104 SPEARS, BRITNEY JEAN - CONSERVATORSHIP

Conservatorship-Pers

APPT. CONSERVATOR OF ESTATE

Petitioner(s): Spears, James P.

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

J. Cohen

Continuance Number: 3 Continuance From: 8/14/2008 12:00:00AM

Last Date Changed: 9/8/2008 6:08:08PM

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.

PRIOR ORDERS: Cont to 09/16/08 < at 8:30 a.m. Parties stipulate to judge pro tem. Court and counsel confer in chambers (off the record). ON THE RECORD : Fees to Brian Spears remains deferred. Wasser Cooperman & Carter shall receive an additional \$ 5035.00 . This pabymnt plus the retainer equals half of the account balance. Luce Forward Hamilton & Scripps, LLP shall receive \$ 100,000 on account. No orders are made for fees due the Phillips Lerner Lauzon & Jamra, LLP because counsel Stacy Phillip is represented , and her counsel is not available today. Matter is continued to Sept.. 16, 2008 at 8:30 a.m., subject to counsel's availability. In the alternative, the next hearing will be set for August 27,2008 at 1:30 p.m. By Wyle shall contact the clerk by August 18, 2008 to advise August 27,2008 date will go forward. Court finds no reason for the Declaration submitted from Stacy Phillips to be sealed, although submitted conditionally under seal, and the document will be placed in the court file unsealed. The time for filing Declarations and Fee Petitions is extended to Sept.5, 2008. The document(s) shall be brought to department 9 after the filing fees are paid. > ; 8/14/08 <at 1:30 p.m. and 10/28/08 at 8:30 a.m. Matter is also continued to December 22, 2008 at 1:30 p.m. in this department, Court and counsels confer in chambers, off the record. ON THE RECORD: Geraldine Wyle and Jeryll S. Cohen appear on behalf of petitioner James P. Spears. Samuel D. Ingham III, court appointed PVP, appears on behalf of Britney Spears. Andrew M. Wallet appears on behalf of himself as co-conservator of the estate. Clark Byam appears on behalf of Bryan Spears and Ivan Taback, co-trustees. The temporary letters are extended to December 31, 2008, without prejudice, subject to review and subject to early termination. For the balance as of June 30, 2008, \$16,278.16 shall be paid to the firm of Hahn & Hahn. \$100,000.00 shall be paid to the firm of Hinojosa and Wallet, on account. For the balance as of June 30, 2008, the firm of Holland & knight shall receive up to 50% of their fees, not to exceed \$45,000.00 to include fees already paid to Holland & Knight. The outstanding balance of \$12,109.39 shall be paid to Mitchell M. Gaswirth. The prior order for payment to PVP remains in full force and effect until December 31, 2008, unless modified at an earlier date. Court defers orders for payment to 1) Luce Forward Hamilton & Scripps LLP, 2) Stacy Phillips, 3) Laura Wasser, and 4) the balance due to Bryan Spears to August 14, 2008 at 1:30 p.m., Petitions for Attorney Fees shall be filed not later than August 29, 2008, and set for hearing on September 25, 2008 at 1:30 p.m., October 28, 2008 is set as a status hearing/TSC, Parties stipulate to Judge Pro Tem, Temporary letters extended to 12/31/08, status hearing is set for 9/25/08 at 1:30 p.m.> Samuel D. Ingham, III apptd PVP atty temp letters expire 7/31/08

SUMMARY:

Filed?

Petrnr is father requesting apptmt of himself and Andrew M. Wallet as co-consors of ESTATE - Consent to act filed No spouse

OTHER MATTERS: BP 109096 Trust

Crt Invest Rept lodged

RECOMMENDED DISPOSITION:

Order to be Prepared By:

RELATED ITEMS: #102 RELATED CASE BP 109096

Clerk: _____ Attorney: _____

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MATTERS TO CLEAR:

- A. no citation & service for 7/31/08 hrng
- B. no ntc/copy rels w/in 2nd deg (5) other than petnr
- c. No PVP Rept lodged

RELIEF:

1. JTD The proposed conservatee consents (does not object) to the conservatorship/consor of the estate [] Or the proposed conservatee objects to the conservatorship/consor [].
2. JTD The Court finds from clear and convincing evidence that a conservatorship of the estate [] is necessary and appropriate (in that the proposed conservatee is unable to manage her financial resources [] and/or resist undue influence [] AND granting of the conservatorship is the least restrictive alternative needed for the protection of the conervatee
3. JTD the court finds that the proposed co-conservators are suitable and qualified and are hereby appointed conservator of the estate
4. JTD bond (requested amt not stated) and alleges value of conservatorship estate unknown -- bond to be required as provided in PC 2320, and must include amt of cost recovery as calculated in CRC Title 7, Rule 2.07 - unless crt finds the consorshp consee will not suffer harm as result of bond waiver or bond in lesser amt

PA's COMMENTS: see prior orders, fee petns filed & set for hrng on 9/25/08 - cont to meet hrng on those petns o/w re this petn, if ntc's given & citation served or svc waived, T/T o/w cont for proper ntc
sriley@lasuperiorcourt.org sc
SRR 3/6/08

MINUTE ORDER

- | | | | | | |
|---|---|--|--|---|---------------------------------------|
| <input type="checkbox"/> Granted | <input type="checkbox"/> Denied Without Prejudice | <input type="checkbox"/> Completed | <input checked="" type="checkbox"/> Continued to <u>9/25/08, 1:30 pm</u> | <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 _____ 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 \$_____ County/Estate | | | |
| <input type="checkbox"/> Dementia Powers Granted | <input type="checkbox"/> Medical and Placement | <input checked="" 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- <u>written</u> | <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:

Order to be Prepared By:

RELATED ITEMS: #102 RELATED CASE BP 109096

Clerk: _____ Attorney: _____

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