



## Superior Court of California, County of Butte

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### Minute Order

Estate of Rogers, Arvel Russell

18PR00249

Hearing Type: Petition Hearing  
*Petition for Damages for Fraud and Breach of Fiduciary Duty, Issuance of Citation to Debra J. Dutter, Suspension of the Representative's Powers, Removal of the Estate Representative, and Appointment of Successor Estate Representative*

Accounting Hearing  
*First and Final Account and Report of Status of Administrator; Waiver of Account by Administrator and Petition for Settlement Thereof; for Allowance of Statutory Attorney Compensation; and for Payment of Creditors and Final Discharge*

Petition Hearing  
*Petitioner Russell Roger's Competing Petition for Letters of Administration*

Hearing Date: October 01, 2019 at 9:00 AM

Location: NC-2; Department 10 -  
Robert A. Glusman

Heard by: Hon. Robert A. Glusman, Judge

Courtroom Clerk: Belinda Kolonay

Court Reporter: N/A

Court Interpreter: N/A

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#### **Appearances:**

Debra Dutter, Administrator, Petitioner, not present

Thomas Baker, Attorney, **present**

Russell Rogers, Beneficiary, not present

Mark Johnson, Attorney, **present**

Arvel Rogers, Decedent, not present

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#### **Proceedings:**

- The Court indicates the nature of the proceedings.

Parties are heard.

Parties have come to an agreement regarding the administration of the estate.

Mr. Baker withdraws his Petition for Appointment of Administrator filed 6/8/19 (and amended on 7/10/18) and petition for First and Final Account and Report of Status of Administration Waiver of Account filed 7/18/19. His client, Debra Dutter, agrees to no longer act as administrator of the estate and agrees to Mr. Johnson's client, Glen Eaton, being appointed as the administrator of the estate.

Ms. Dutter will deliver a check to Mr. Eaton as part of passing on the duties of administering the estate.

However, Mr. Baker requests that Mr. Johnson file his Petition to Appoint Administrator under a new case number as Mr. Baker does not want his work filed in this case to be used in the further administration of the case. Mr. Baker's client intends to file a creditor's claim in the estate once the new case number is established.

Mr. Baker also requests all future hearings be vacated as all future administration actions in settling this decedent's estate will be handled in the new case.

The Court grants Mr. Baker's request. Mr. Johnson will re-file his petition under a new case number, paying the required filing fee, to petition the court to have Glen Eaton appointed as Administrator of this estate.

The Case Management Conference set for 1/14/2020 at 9:00 a.m. is vacated.

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