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6 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**
7 **IN AND FOR THE COUNTY OF WASHOE**
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9 In the Matter of the Estate of Case No. PR14-00025
10 HILLYGUS FAMILY TRUST, Dept. No. PR
11 dated August 17, 1993.

12 **RECOMMENDATION FOR ORDER ASSUMING JURISDICTION OVER TRUST;**
13 **ORDER SETTING PRETRIAL CONFERENCE**

14 The Commissioner held a duly-noticed hearing on June 19, 2014 upon the
15 *Petition Regarding Administration of Revocable Trust* filed by H. EUGENE HILLYGUS,
16 through his counsel STEPHEN C. MOSS, ESQ.

17 Counsel MOSS appeared at the hearing. Also appearing at the hearing were
18 the following additional interested parties:

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- 20 • TODD L. TORVINEN, ESQ., representing ROBIN (HILLYGUS) RENWICK, who
21 joined in the Petition;
 - 22 • SHARON JANNUZZI, ESQ., representing ROGER E. HILLYGUS, who opposed
23 the Petition.

24 Not appearing was SUSAN HILLYGUS, co-Settlor of the Trust, nor her counsel
25 GORDON R. MUIR, ESQ., although the Court is informed that he is still counsel for
26 SUSAN HILLYGUS.

27 The matter is contested. The Commissioner therefore scheduled the parties
28 for a Pretrial Conference on July 1, 2014 at 4:00 p.m. before Dept. 4 of this Court,
the Honorable Connie J. Steinheimer presiding.

The Commissioner made the following additional recommendations:

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1. The Court assumes jurisdiction over the HILLYGUS FAMILY TRUST, dated August 17, 1993.
2. The Court declines to confirm the appointment of any Successor Trustee, although the record indicates that the same may have become necessary based upon the incapacity of both Settlor: H. EUGENE HILLYGUS and SUSAN L. HILLYGUS. Instead, the Pretrial Conference date was expedited so as to allow these issues to be addressed soon, if necessary.
3. The Court further declines to act upon the oral Motions to appoint a Guardian *ad Litem* for either Settlor, and instead allows the opposing party, ROGER E. HILLYGUS, to file his written Opposition to that Motion. Nothing in this portion of the Recommendation, however, constitutes a finding that would bar a party from seeking further relief in this area or in continuing to pursue the pending Petitions for Appointment of Adult Guardians, if the same becomes necessary or appropriate.

Pursuant to WDCR 57.3(7), this Recommendation shall become final ten (10) days after service of the Recommendation upon the parties, unless a proper written request for judicial review is filed and served.

Pursuant to WDCR 57.3(12), the parties may stipulate to immediate entry of Order confirming this Recommendation in lieu of allowing the ten-day period to pass.

DATED this 1st day of July, 2014.

IT IS SO RECOMMENDED:

Robin Wright
PROBATE COMMISSIONER

1 **CERTIFICATE OF SERVICE**

2 CASE NO. PR14-00025

3 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the
4 STATE OF NEVADA, COUNTY OF WASHOE; that on the 5th day of July 1, 2014, I
5 electronically filed the **RECOMMENDATION FOR ORDER ASSUMING JURISDICTION**
6 **OVER TRUST; ORDER SETTING PRETRIAL CONFERENCE** with the Clerk of the Court
7 by using the ECF system.

8 I further certify that I transmitted a true and correct copy of the foregoing document by the
9 method(s) noted below:


10 **Personal delivery to the following: [NONE]**

11
12 **Electronically filed with the Clerk of the Court by using the ECF system**
13 **which will send a notice of electronic filing to the following:**

14 JASON MORRIS, ESQ. for ROGER HILLYGUS
15 TODD TORVINEN, ESQ. for ROBIN RENAE RENWICK
16 MICHAEL SPRINGER, ESQ. for HUBERT E. HILLYGUS
17 STEPHEN MOSS, ESQ. for HUBERT E. HILLYGUS

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19
20 **Deposited in the Washoe County mailing system for postage and mailing with the United**
21 **States Postal Service in Reno, Nevada:**

22 Don Leslie Ross, Esq.
23 Woodburn and Wedge
24 6100 Neil Rd., Ste. 500
25 P.O. Box 2311
26 Reno, NV 89505

27 
28 Greg Bartlett
Court Clerk