

**1. ESTATE OF SOILAND, PP20170126****Petition for Instructions**

Before the court is the special administrator's request for instructions as to how (and to whom) to distribute Laila Soiland's<sup>1</sup> share of the net proceeds of the sale of the estate's Golden Bird sculpture. The amount set aside for Laila currently exceeds \$850,000.

The special administrator claims that Laila has been missing since at least the mid-1980s.<sup>2</sup> (Petn., filed Mar. 1, 2024, ¶ 29.) As such, the special administrator questions whether Laila should be presumed dead under Evidence Code section 667 and Probate Code section 12401.

Evidence Code section 667 provides: "A person not heard from in five years is presumed to be dead."

Probate Code section 12401 provides: "In proceedings under this part, a person who has not been seen or heard from for a continuous period of five years by those who are likely to have seen or heard from that person, and whose absence is not satisfactorily explained after diligent search or inquiry, is presumed to be dead. The person's death is presumed to have occurred at the end of the period unless there is sufficient evidence to establish that death occurred earlier."

Dr. Daniel Leu<sup>3</sup> disputes that Laila has not been seen or heard from in the past five years. Dr. Leu claims that: (1) Laila personally appeared at the Swiss Consulate in Frankfurt,

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<sup>1</sup> The court will refer to the Soiland parties by first name only for clarity. The court intends no disrespect.

<sup>2</sup> The special administrator is informed and believes that the last time anyone from the family had meaningful contact with Laila was in approximately 1985, although the special administrator is informed and believes that Tove Soiland claims to have made some form of contact with Laila in 2003. (Petn., filed Mar. 1, 2024, ¶ 29.)

<sup>3</sup> Dr. Leu claims to be the power of attorney for Ulrich Graber, who purports to be the guardian of Laila's estate as appointed by an administrative agency in Switzerland – the Swiss Confederation's Child and Adult Protection Agency (Kindes-und Erwachsenenschutzbehörde), Meilen District, which is commonly referred to as the "KESB."

Germany, on August 1, 2021, to obtain a passport (Leu Brief, filed Aug. 6, 2024, at 1:10–2:1); (2) Laila handwrote and signed correspondence in February 2022 (Leu Brief, filed Aug. 6, 2024, at 2:2–7); (3) Laila retained Dr. Harald Ramminger as counsel and executed a retainer and power of attorney in 2023 (Leu Brief, filed Aug. 6, 2024, at 2:8–12); and (4) Laila caused withdrawals of funds from her blocked bank account in January and February 2024 (Leu Brief, filed Aug. 6, 2024, at 2:13–18). Further, Dr. Leu claims, the KESB found Laila to be alive as of May 17, 2024. (Leu Brief, filed Aug. 6, 2024, at 2:19–3:23.)

However, as the special administrator points out, Dr. Leu’s claims are not supported by admissible evidence. On the court’s own motion, the matter is continued to November 15, 2024, so that Dr. Leu may obtain and submit supporting declarations or other admissible evidence regarding his claims.

**TENTATIVE RULING # 1: ON THE COURT’S OWN MOTION, THE MATTER IS CONTINUED TO 8:30 A.M., FRIDAY, NOVEMBER 15, 2024, SO THAT DR. DANIEL LEU MAY OBTAIN AND SUBMIT SUPPORTING DECLARATIONS OR OTHER ADMISSIBLE EVIDENCE REGARDING HIS CLAIMS.**

**2. ESTATE OF BUNCH, 23PR0098**

**Status of Administration**

On September 20, 2024, the court granted the petition for preliminary distribution.

**TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, OCTOBER 18, 2024, IN DEPARTMENT FOUR.**

**3. ESTATE OF WEAGLEY, 24PR0228**

**Petition to Administer Estate**

The petition indicates that all heirs at law are adults and have waived bond. To date, however, the required bond waiver form (Judicial Council Form DE-142) is not in the court's file.

**TENTATIVE RULING # 3: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, OCTOBER 18, 2024, IN DEPARTMENT FOUR.**

**4. GUARDIANSHIP OF SYNNOVE H., SP201900029**

**Annual Review Hearing**

This matter was continued from August 23 and September 20, 2024. There were no appearances at the last two hearings.

Letters of Guardianship of the person were issued on January 16, 2020. The annual guardianship status report (Judicial Council Form GC-251) concerning the minor was not submitted by the guardian.

**TENTATIVE RULING # 4: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, OCTOBER 18, 2024, IN DEPARTMENT FOUR.**