SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER

	RT MET AT 8:30 a.m. DEPT. NO.: 3
HON. LARRY D. GADDIS , JUD	GE. SHARYN VIEGA , DEPUTY CLERK
DARRI D. GADDIS , 00D	GE. SHARYN VIEGA , DEPUTY CLERK
MARY ANN SWEENEY , REPO	RTER ED LEIGHTON , BAILIFF
IN THE MATTER OF:	COUNSEL:
MARY A. ZISK,	Tosh Yamamoto-
	Marion A. Krivanec
Decedent.	William J. Zisk-
	Probate of Will ACTION NO. S PR 0567 S Testamentary
MATTER:	
Stricken from calendar. To coill, i	Sins are directed to like proper contest taken is what they desire total.
Case regularly called for hearing,	Court finds notice has been given.
Matter submitted upon the verified	Petition.
Court finds allegations of Petitio Witness(es) duly sworn and testify	
Court calls for higher bids	no bids given.
	having bid the sum of \$
COURT ORDERS	
Will Codicil(s) admitted to Executor of Decedent's Will.	probate. Personal Representative appointed.
Administrator with Will annex	ed.
Administrator.	
Letters shall issue upon qualification the sum \$	tionBond waivedupon filing of bond
Spousal Property Petition granted.	
Petition to Determine Succession to	o Real Property granted.
Sale confirmed. S	real estate commission allowed. \$
Fees allowed.	
Additional bond to be filed in the	sum of \$
	vedAccount waivedReport approved.
Fees allowed as requested.	fees S Pytraordinary food
\$ Commissions	fees. \$ Extraordinary fees. Extraordinary commissions
Distribution is granted as requested	
Petition is granted in accordance wi	th allegations of verified Potition.
1-92 deneral powers Probate Min	ministrator with limited authority with

SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER

DATE: FEBRUARY 7, 1995	COURT M	ET AT 8:30 a.	m. DEPT	. No.: 2				
HON. JAMES D. GARBOLINO	, JUDGE.	NIANNE FISC	<u> </u>	DEPUTY CLERK				
TON-EASEK	M. P. Willips , REPORTER WM. KLEPPE , BAILIFF							
IN THE MATTER OF:		COUNSEL:						
MARY A. ZISK,		Tosh Yamamoto						
Decedent.		\Marion A. Krivanec - Objector ~ William J. Zisk - Objector						
NATURE OF PROCEEDINGS: Peti and Letters Testamentary, C Full Disclosure of Alleged MATTER:	bjections fil	ed 11/17/94,	Motion for	S PR 0567 Continuance				
Continued toStricken from calendar.		animalimape ⁴						
Matter submitted upon to	Case regularly called for hearing, Court finds notice has been given. Matter submitted upon the verified Petition. After the court finds allegations of Petition to be true. Witness(es) duly sworn and testify:							
Court calls for higher to	Court calls for higher bids no bids given. [ourt allows with to look the sum of s gCertebrasi find with the write of states supreme							
COURT ORDERS								
Will Codicil(s) & Executor of Decedent Administrator with Administrator. Letters shall issue upor	's Will with Will annexed.	limited au	dhority					
in the sum \$			·u·upon	IIIIII OI DOMA				
Spousal Property Petitic Petition to Determine So	_	al Property grant	ed.					
Sale confirmed\$_ Fees allowed.		real estate commi	ssion allowe	ad. \$				
Additional bond to be f	iled in the sum	of \$	· Mary branches and a similar sum of the first sum of the state of the					
Account allowed, settled Fees allowed as requested \$	ed.							
Distribution is granted a Petition is granted in a Country to Submit	gordance with a	V	rified Petit:	ion. I of				
	Probate Minutes							

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3	SUPERIOR COURT OF THE STATE OF CALIFORNIA
4	IN AND FOR THE COUNTY OF PLACER
5	700o
6	(Sines, 07 0) MAY 18 1995.
7	CARL DePIETRO CLEPTO OF THE SUPERIOR DOURS
8	Plaintiff/Petitioner by DEPUN
, 9	vs./and No. OSG
10) ORDER FILING) TRANSCRIPT
11	Defendant/Respondent
12)
13	/
14	00
15	This Court orders that the transcript or partial
16	transcript of the proceedings conducted in the
17	above-entitled case on 184 7 95 is
18	ordered filed.
19	ordered filed.
20	
21	Dated:
22	
23	
24	SUPERIOR COURT JUDGE
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2	SUPERIOR COURT OF THE STATE OF CALIFORNIA					
3	IN AND FOR THE COUNTY OF PLACER					
4	DEPARTMENT NUMBER TWO HON. JAMES D. GARBOLINO, JUDGE					
5	000					
6	ESTATE OF:					
7	MARY A. ZISK					
8 9	DECEASED. DECEASED.) No. SPR-0567					
10	00					
11	REPORTER'S TRANSCRIPT					
12	OF PROCEEDINGS					
13	FEBRUARY 7, 1995					
14	00					
15	APPEARANCES:					
16	For the Petitioner, LAW OFFICES OF DONALD R. ZISK: TOSH G. YAMAMOTO					
17	930 Florin Road, Suite 200 Sacramento, CA 95831					
18	BY: TOSH G. YAMAMOTO Attorney at Law					
19						
20	For the Objector, WILLIAM J. ZISK WILLIAM J. ZISK: In Propria Persona					
21	205 Thomas Street Roseville, CA 95678					
22						
23	For the Objector, MARION A. KRIVANEC MARION A. KRIVANEC: In Propria Persona					
24	304 Drayton Court Walnut Creek, CA 94598					
25						
26						
27	Reported by: KATHLEEN M. PHILLIPS, CSR #3044					
28	Official Court Reporter County of Placer					

1	AUBURN, CALIFORNIA
2	FEBRUARY 7, 1995
3	000
4	In the Estate of MARY A. ZISK, DECEASED, case
5	number SPR-0567, came regularly this day before the
6	Honorable James D. Garbolino, Judge of the Superior
7	Court of the State of California, in and for the County
8	of Placer, Department Number Two thereof.
9	The Petitioner, DONALD R. ZISK, was represented
10	by TOSH G. YAMAMOTO, Attorney at Law, acting as his
11	Counsel.
12	The Objector, WILLIAM J. ZISK, was present and
13	represented himself, In Propria Persona.
14	The Objector, MARION A. KRIVANEC, was present and
15	represented herself, In Propria Persona.
16	The following proceedings were had, to wit:
17	00
18	THE COURT: The matter of Mary Zisk.
19	This is a Petition for Probate of Will and
20	Issuance of Letters.
21	MR. YAMAMOTO: Yes, your Honor.
22	Tosh Yamamoto appearing in this matter, your
23	Honor.
24	And also two of the children are present, who have
25	previously filed objections.
26	William J. Zisk and Mary A. Krivanec are both
27	present, your Honor.
28	In their Prayer to Continue, they had objected to

my client serving them with full authority under the --1 2 under the Estate Act. I spoke with my client, and he's agreeable to 3 dropping that request, and serving them with limited 4 authority. 5 And I believe they're agreeable to that. 6 7 THE COURT: Agreeable, Jim? 8 You have an Order? 9 MR. YAMAMOTO: 10 I'll submit a Supplemental. 11 THE COURT: Submit an Order, and submit a copy to 12 the Objector? 13 MR. YAMAMOTO: Correct, your Honor. 14 THE COURT: Yes, Mr. Zisk? MR. ZISK: Your Honor, I would also like to 15 present a copy of the Petition on Judicial Notice in my 16 motion. 17 18 If I could give it to the Clerk? 19 THE COURT: You want to file something? 20 MR. ZISK: Yes. 21 I would like to have her file this, and keep in it 22 in file. 23 THE COURT: What is it? 24 MR. ZISK: It's a copy of the Petition for the --25 for the property back on the East Coast, that's involved 26 in this. And it has a definite, direct bearing on the 27 circumstances of my mother's estate.

THE COURT: Mr. Yamamoto?

1 MR. YAMAMOTO: Your Honor, I know something about 2 it. Basically, we would have no objection to the 3 4 gentleman lodging it with the Court. THE COURT: Fine. Go ahead. 5 6 Why don't you give it to the Bailiff. MR. YAMAMOTO: We have no objection to lodging it 7 with the Court. 8 9 Basically, Mr. Zisk here had filed a lawsuit back East in regards to a sale of a piece of real property, 10 which his father and mother both had an interest in it. 11 12 And there was a part -- somewhat of a partition 13 action is my understanding. He had lost at the trial 14 level. And he lost at the appellate level. And he's -- now, he's brought a Writ of Certiorari 15 16 application in Pro Per before the Supreme Court of the United States. And this is the application for Writ of 17 18 Certiorari. 19 So, we have no objection to it being lodged with 20 the Court. 21 We have no objection to the Court taking judicial 22 notice, and no objection to it being lodged. 23 MR. ZISK: Your Honor, it's in -- regarding the --24 my Motion to Compel the Full Disclosure of the estate of 25 my mother, I would like to have that matter clarified, 26 also. 27 MR. YAMAMOTO: Your Honor, in that regard, the

only thing we can disclose at this time is what I filed

1 with the Court. He indicated, that I did not file certain things, 2 3 the proof of -- supplying witnesses. And I did forward 4 that to him. But as far as the inventory of things, we will now 5 6 do inventory. Now, that the client has been appointed, 7 we can go ahead, and file our inventory within 90 days. 8 And they'll be supplied with a copy of that. 9 Other than an accounting -- an accounting is not due. We just started the administration of the estate. 10 11 MR. ZISK: It's not a matter of accounting. 12 I want full disclosure. I want to have a full 13 understanding of what part of the Connecticut property 14 is involved in the estate. I have no way of knowing 15 what constitutes the estate. And this is my concern. 16 I don't have any problem --17 THE COURT: He's got 90 days to file an inventory 18 and appraisal. 19 And at that point in time, if you don't think that 20 it's complete, then at that point you make your objections. 21 22 MR. ZISK: Well, nothing will proceed before that 23. time then, your Honor? 24 THE COURT: No. 25 You get notice. 26 Have you made a request for Special Notice? 27 MR. YAMAMOTO: They have, your Honor.

And we acknowledged that.

ĺ	MR. ZISK: Thank you very much.
2	MR. YAMAMOTO: Thank you, your Honor.
3	THE COURT: Thank you.
4	(Proceedings concluded.)
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1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 2 3 IN AND FOR THE COUNTY OF PLACER DEPARTMENT NUMBER TWO HON. JAMES D. GARBOLINO, JUDGE 4 5 --000--6 ESTATE OF: 7 MARY A. ZISK, No. SPR-0567 8 DECEASED. REPORTER'S 9 CERTIFICATE 10 STATE OF CALIFORNIA 11 SS COUNTY OF PLACER 12 13 I, KATHLEEN M. PHILLIPS, Certified Shorthand Reporter of the Superior Court of the State of 14 California, for the County of Placer, do hereby certify 15 16 that the foregoing pages, 1 through 6, inclusive, 17 comprise a full, true and correct transcript of the 18 proceedings had in the above-entitled matter held on 19 February 7, 1995. 20 IN WITNESS WHEREOF, I have subscribed this 21 certificate at Auburn, California, this 25th day of 22 February, 1995. 23 24 25 KATHLEEN M. PHILLIPS, CSR #3044 Official Court Reporter 26 County of Placer 27 28

Law Offices of TOSH G. YAMAMOTO 1 A Professional Corporation, SB#63253 930 Florin Road, Suite 200 Sacramento, California 95831 FILED Telephone: (916) 421-8455 3 Attorney for Petitioner 4 APR 1 3 1995 5 CARL DEPIETRO 6 7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 8 IN AND FOR THE COUNTY OF PLACER 9 10 11 No. SPR-0567 In the Matter of the Estate of: 12 PROOF OF MAILING OF MARY A. ZISK, ORDER FOR PROBATE 13 14 Decedent. 15 16 PLEASE SEE ATTACHED. 17 18 19 20 21 22 23 24 25 **26** 27 28

Dept. 3

I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of eighteen (18) years and not a party to the within above-entitled action; my business address is 930 Florin Road, Suite 200, Sacramento, California, 95831.

On Corl /2 , 1995, I served the within Order Appointing Executor and Order Authorizing Independent Administration of Estate with limited authority on the person(s) below in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Sacramento, California, addressed as follows:

MARION J. KRIVANEC 304 Drayton Court Walnut Creek, CA 94598

WILLIAM J. ZISK 205 Thomas Street Roseville, CA 95678

Kathleen Silva

ATTO: NEY OR PARTY WITHOUT ATTORNEY (Name and A) 63253 -LAW OFFICES OF TOSH G. MAMOTO (916) 421-845 A Professional Corporation	FOR COURT USE ONLY
930 Florin Road, Suite 200	
Sacramento, CA 95831	FILED
ATTORNEY FOR (Name): DONALD R. ZISK SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER	
STREET ADDRESS: 101 Maple Street MAILING ADDRESS:	APR - 5 1995
CITY AND ZIP CODE: Auburn, CA 95603	CARL BePIETRO
BRANCH NAME:	OLINE OF THE SUPPLIES COUNT
ESTATE OF (NAME): MARY A. ZISK	N. FISCH
DECEDEN	N. Place
ORDER FOR PROBATE	CASE NUMBER:
ORDER X Executor	
APPOINTING Administrator with Will Annexed	SPR-0567
Administrator Special Administrator X Order Authorizing Independent Administration of Estate	
with full authority X with limited authority	·
1. Date of hearing: 2/7/95 Time: 8:30 A.M. Dept/Rm: 3 THE COURT FINDS	Judge: JAMES D. GARBOLINO
2. a. All notices required by law have been given. WILLIAM J. ZISK and MAR.	ION A. KRIVANEC were personally
b. Decedent died on (date): 9/8/94	present.
(1) X a resident of the California county named above	
 (2) a nonresident of California and left an estate in the county named above c. Decedent died 	•
(1) intestate	
(2) \overline{x} testate and decedent's will dated: 8/3/89, as set forth in	n Attachment "1"
and each codicil dated:	in Actachment 1.
was admitted to probate by Minute Order on (date): $2/7/95$	
THE COURT ORDERS	
3. (Name) DONALD R. ZISK	
is appointed personal representative: a. X Executor of the decedent's will d. Special Administrator	
a. X Executor of the decedent's will d. Special Administrator b. Administrator with will annexed (1) with general	DOWERS
	powers as specified in Attachment 3d
	ce of hearing
and letters shall issue on qualification.	
4. a. Full authority is granted to administer the estate under the Independent A	dministration of Estatos Act
 a. Full authority is granted to administer the estate under the Independent Ai b. X Limited authority is granted to administer the estate under the Independent Ai 	
authority, without court supervision, to (1) sell or exchange real property of	
or (3) borrow money with the loan secured by an encumbrance upon real pro	
5. a. X Bond is not required.	
b. Bond is fixed at: \$ to be furnished by an	authorized surety company or as otherwise
provided by law.	
c. Deposits of: \$ are ordered to be placed in a blocked a	ccount at (specify institution and
location): and receipts shall be filed. No withdrawals shall be made without a court or	der
2.12 (300), pla sitali 20 (1102), yil militarariano orian 20 mado (militarariano	
6. X (Name): A. E. DIERKES, P.O. Box, 7003 is appointed probate re	
Auburn, CA 95604 Date: APR - 5 1995	MES D. GARBOLINO
	JUDGE OF THE SUPERIOR COURT
7. X Number of pages attached: 2 Signature folio	ows last attachment

Form Approved by the Judicial Council of California DE-140 [Rev. July 1, 1998]



Hast Will and Testament

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

SECOND: I intentionally make no provisions for my son, WILLIAM J. ZISK, or my daughter, MARION A. KRIVANEC.

THIRD: I direct my Executor to pay my just debts and expenses of my last illness, funeral and burial as soon after my demise as can lawfully and conveniently be done.

FOURTH: It is my intention hereby to dispose of all real and personal property of which I have the right to dispose by Will, including any and all property as to which I may have a power of appointment by Will.

FIFTH: I hereby give, devise and bequeath the sum of Five Hundred Dollars (\$500.00) to each of my great-grandchildren, and the sum of One Thousand Dollars (\$1,000.00) to each of my grandchildren.

SIXTH: After the above gifts are made to my great-grandchildren and to my grandchildren, I hereby give, devise and bequeath the rest of my estate wheresoever situated, whether real, personal or mixed, and over which I have testamentary disposition, to my two sons, EDWARD J. ZISK and DONALD R. ZISK, in equal shares, or to their issue by right of representation.

SEVENTH: I hereby nominate and appoint my son, DONALD R. ZISK, Executor of this Will, to serve without bond. In the event he is unable or refuses to act, then I nominate and appoint my grandson, DONALD R. ZISK, JR., Executor of this Will to serve without bond.

EIGHTH: I have purposely made no provision for any other person whether claiming to be an heir of mine or not, and if any person mentioned under this Will, or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such a person so contesting or objecting, the sum of One Dollar (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

NINTH: I hereby give my Executor full power and authority to sell at public or private sale, any portion of my estate at such time or under such terms and conditions as may be deemed in the best interest of my estate subject only to such confirmation of court as may be required by law.

IN WITNESS WHEREOF, I have hereunto set my hand at Sacramento, California, this Red day of Lugues, 1989.

On the date written below, MARY A. ZISK, declared to us, the undersigned, that this instrument consisting of two pages including this page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, and in her presence and the presence of

It is our belief that she is of sound mind and memory and is under no constraint or undue influence whatsoever.

each other, subscribe our names as witnesses.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on CAMOUST 3, 1989, at Sacramento, California.

Jandra R ACMM, residing at 5310 Maddison Ave.

Sacramento, CA 95819

Michello Day Residing at 308 Nocto Althouse

Days CA 951016

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): 63253		TELEPHONE NO.:	FOR COURT USE ONLY
LAW OFFICES OF TOSH G. YAMAMOTO	(916) 421-8455	
A Professional Corporation			
930 Florin Road, Suite 200			
Sacramento, CA 95831			FILED
ATTORNEY FOR (Name): DONALD R. ZISK			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLAC STREET ADDRESS: 101 Maple Street	ER		APR - 5 1995
MAILING ADDRESS:			AI II 3 1773
CITY AND ZIP CODE: Auburn, CA 95603			CARL DePIETRO
BRANCH NAME:			CANL DUPIETAD
ESTATE OF (NAME): MARY A. ZISK			
ESTATE OF (NAME): Partie 11. Dist			
		DECEDENT	rl '
LETTERS		DEGEDENT	CASE NUMBER
LETTERS LETTERS	OF ADMINIS	TRATION	CASE NOWIDEN.
		MINISTRATION	SPR-0567
OF ADMINISTRATION WITH WILL ANNEXED	SPECIAL AL	JULINIS FRATION	A contract to the second secon
LETTERS	1.		AFFIRMATION
1. X The last will of the decedent named above having		1. PUBLIC	ADMINISTRATOR: No affirmation required
been proved, the court appoints (name):		(Prob. C	ode, § 1140 (b)).
DONALD R. ZISK			
	1	A-Marketonia	UAL: I solemnly affirm that I will perform the
a. X Executor	İ	duties o	f personal representative according to law.
b. Administrator with will annexed	Ī		
2. The court appoints (name):		3. INSTITU	ITIONAL FIDUCIARY (name):
	ļ		
•	į	l solemi	nly affirm that the institution will perform the
a. Administrator of the decedent's estate		duties o	f personal representative according to law.
b. Special administrator of decedent's estate			his affirmation for myself as an individual and
(1) with the special powers specifie			If of the institution as an officer.
in the Order for Probate		(Name a	and title):
(2) with the powers of a general	ŀ	,	
administrator			
3. X The personal representative is authorized to admin-	ŀ		
ister the estate under the Independent Administra-			
tion of Estates Act with full authority		4. Executed on (date): February 7, 1995
X with limited authority (no authority, without			acramento, CA ,California
court supervision, to (1) sell or exchange real proper	r_	at (place): 50	actamenco, ca ,oumonia
ty or (2) grant an option to purchase real property or			1 (26) (4)
(3) borrow money with the loan secured by an		. 2	(1-A) 1/1 · 1/
encumbrance upon real property).		1	T MATERIAL TO ANTI
encumbrance upon real property).	1/1	madepille	
WITNESS, clerk of the court, with seal of the court affixed.			(SIGNATURE)
WITHESS, CIEIR Of the Court, With Seal of the Court affixed.			CERTIFICATION
Date: APR - 5 1995		Logitify that thi	is document is a correct copy of the original
tu u a maa			nd the letters issued the personal representa
Clerk, by 11 AM (Deput	į		have not been revoked, annulled, or set aside
Clerk, by // Deput	rv i		I force and effect.
			10,00 4,10 0,1001.
(SEAL)		(SEAL)	Date:
WERIOR COUR			Clerk, by
Gus Control of the Co			
			(DEPUTY)
			(DEPO11)
		•	
	1 1		

From Approved by the Judicial Council of California DE-150 [Rev. July 1, 1988]



LETTERS (Probate)

Probate Code, 463, 465, 501, 502, 540 Code of Civil Procedure, 2015.6



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and / s) 63253 TELEPHONE NO.:	FOR COURT USE ONLY
-LAW OFFICES OF TOSH G. YAMAMOTO (916) 421-8455	
A Professional Corporation	
930 Florin Road, Suite 200	FILED
Sacramento, CA 95831	
ATTORNEY FOR (Name): DONALD R. ZISK	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER STREET ADDRESS 101 Maple Street	APR - 5 1995
MAILING ADDRESS:	CARL DePIETRO
CITY AND ZIP CODE: Auburn, CA 95603	BLEIN OF THE REPERSON ASSETS
BRANCH NAME:	m notice
ESTATE OF (NAME): MARY A. ZISK	
DECEDENT	
ORDER FOR PROBATE	CASE NUMBER:
ORDER X Executor	
APPOINTING Administrator with Will Annexed	SPR-0567
Administrator Special Administrator	
X Order Authorizing Independent Administration of Estate	
with full authority X with limited authority	
1. Date of hearing: 2/7/95 Time: 8:30 A.M. Dept/Rm: 3	Judge: JAMES D. GARBOLINO
THE COURT FINDS	
2. a. All notices required by law have been given. WILLIAM J. ZISK and MARIO	ON A. KRIVANEC were personally
b. Decedent died on (date): 9/8/94	present.
(1) X a resident of the California county named above	
(2) a nonresident of California and left an estate in the county named above	
c. Decedent died	
(1) intestate	
(2) $\overline{\mathbf{x}}$ testate and decedent's will dated: 8/3/89, as set forth in	Attachment "l".
and each codicil dated:	•
was admitted to probate by Minute Order on (date): $2/7/95$	
THE COURT ORDERS	
3 (Name) DONALD R. ZISK	
is appointed personal representative:	
a. X Executor of the decedent's will d. Special Administrator	
b. Administrator with will annexed (1) with general p	
	owers as specified in Attachment 3d
(3) without notice	e of hearing
and letters shall issue on qualification.	
4. a. Full authority is granted to administer the estate under the Independent Administer.	
b. X Limited authority is granted to administer the estate under the Independe	
authority, without court supervision, to (1) sell or exchange real property or	
or (3) borrow money with the loan secured by an encumbrance upon real prop	епу).
5. a. X Bond is not required.	the sixed curety economy or an otherwise
	ithorized surety company or as otherwise
provided by law. c. Deposits of: \$ are ordered to be placed in a blocked acc	nount at (enacify institution and
American Company of the Company of t	Count at (Specify institution and
location):	
and receipts shall be filed. No withdrawals shall be made without a court order.	₹1. •
6 V (Name) A P DIEDVEC B O Box 7003 is appointed probate	
6. X (Name): A. E. DIERKES, P.O. Box, 7003 is appointed probate ref	
Date: APR - 5 1995	
IAMES D CARROLL	JUDGE OF THE SUPERIOR COURT
7. X Number of pages attached: 2	s last attachment

Form Approved by the Judicial Council of California DE-140 [Rev. July 1, 1988]

ORDER FOR PROBATE

Probate Code 329

Hast Will and Testament of

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

SECOND: I intentionally make no provisions for my son, WILLIAM J. ZISK, or my daughter, MARION A. KRIVANEC.

THIRD: I direct my Executor to pay my just debts and expenses of my last illness, funeral and burial as soon after my demise as can lawfully and conveniently be done.

FOURTH: It is my intention hereby to dispose of all real and personal property of which I have the right to dispose by Will, including any and all property as to which I may have a power of appointment by Will.

FIFTH: I hereby give, devise and bequeath the sum of Five Hundred Dollars (\$500.00) to each of my great-grandchildren, and the sum of One Thousand Dollars (\$1,000.00) to each of my grandchildren.

SIXTH: After the above gifts are made to my great-grandchildren and to my grandchildren, I hereby give, devise and bequeath the rest of my estate wheresoever situated, whether real, personal or mixed, and over which I have testamentary disposition, to my two sons, EDWARD J. ZISK and DONALD R. ZISK, in equal shares, or to their issue by right of representation.

SEVENTH: I hereby nominate and appoint my son, DONALD R. ZISK, Executor of this Will, to serve without bond. In the event he is unable or refuses to act, then I nominate and appoint my grandson, DONALD R. ZISK, JR., Executor of this Will to serve without bond.

EIGHTH: I have purposely made no provision for any other person whether claiming to be an heir of mine or not, and if any person mentioned under this Will, or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such a person so contesting or objecting, the sum of One Dollar (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

NINTH: I hereby give my Executor full power and authority to sell at public or private sale, any portion of my estate at such time or under such terms and conditions as may be deemed in the best interest of my estate subject only to such confirmation of court as may be required by law.

IN WITNESS WHEREOF, I have hereunto set my hand at Sacramento, California, this Rod day of tugus, 1989.

MARY A. ZZSK

On the date written below, MARY A. ZISK, declared to us, the undersigned, that this instrument consisting of two pages including this page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, and in her presence and the presence of each other, subscribe our names as witnesses.

It is our belief that she is of sound mind and memory and is under no constraint or undue influence whatsoever.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on CHIGHST 3, 1989, at Sacramento, California.

Jandra R AldMan residing at 5310 Modelson Ave.

Sacramento, AA 95819

Mucho Co. Marcha residing at 303 Noche Arrow

Davis, CA 951010

1			
AT. JRNEY OR PARTY WITHOUT ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
LAW OFFICES OF TOSH G. YAM		421-8455	
A Professional Corporation			FILED
930 Florin Road, Suite 200			
Sacramento, CA 95831 ATTORNEY FOR (Name): DONALD R. ZISK			
SUPERIOR COURT OF CALIFORNIA, COUNT	TY OF PLACER		2000 0 0000
STREET ADDRESS: 101 Maple Street			MAR 2 1005
MAILING ADDRESS:			מאות היים ביים
CITY AND ZIP CODE: Auburn, CA 95603			CARL DePIETRO
BRANCH NAME:			DEPUTY
ESTATE OF (NAME): MARY A. ZISK	**************************************		BY
		DECEDENT	
ORDER FOR F	ROBATE		CASE NUMBER:
ORDER X Executor			GDD 0565
APPOINTING Administrator with Will	***		SPR-0567
Administrator	Special Administrator		
X Order Authorizing Independent Administra			
with full authority X with	limited authority		
1. Date of hearing CEN 55 Time: THE COURT FINDS	8:30 A.M. Dept/R	rm: 3	Judge: JAMES D. GARBOLINO
· · · · · · · · · · · · · · · · · · ·	en WILLTAM I ZI	SK and MART	ON A. KRIVANEC were personally
b. Decedent died on (date) 1078/94	,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	on and raint	present.
(1) Whe Chipprost the California co	unty named above		product
(2) Warnonresident of California and	d left an estate in the cour	nty named above	
c. Decedent died		•	
(1) intestate			
(2) x testate and decedent's will da	ated: 8/3/89, as s	set forth in	Attachment "l".
and each codicil dated:	, ,		
was admitted to probate by M	inute Order on (date): 2,	/7/95	
THE COURT ORDERS			
3. (Name): DONALD R. ZISK	•		
is appointed personal representative:			
a. X Executor of the decedent's will	٠ است	l Administrator	
b. Administrator with will annexed	(1)	with general p	
c. Administrator	(2)		powers as specified in Attachment 3d
and letters shall be up an auglification	(3)	without notice	e of nearing
and letters shall issue on qualification.			
4. a. Full authority is granted to admir	nister the estate under the	Independent Adr	ministration of Estates Act
			ent Administration of Estates Act (there is no
the state of the s			(2) grant an option to purchase real property
or (3) borrow money with the loan	7.		
5. a. X Bond is not required.	occorda of an eneameran	oo upon rour prop	,
b. Bond is fixed at: \$	to be t	furnished by an ac	uthorized surety company or as otherwise
provided by law.			
c. Deposits of: \$	are ordered to be place	d in a blocked ac	count at (specify institution and
location):			• • •
and receipts shall be filed. No with	ndrawals shall be made wi	thout a court ord	er.
·			
6. X (Name) A. E. DIERKES, F	.O. Box, 7003is appo	inted probate ref	eree.
Auburn, CA 95604		War 1	01 ail.
Date: $3/22/95$. —	rand	HUDGE OF THE SUPERIOR CAURT I.
7. X Number of pages attached: 2		Signature	Start attachment - Allen
[as] Italiano of pages attached. 2			· · · · · · · · · · · · · · · · · · ·

Hast Will and Testament

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

SECOND: I intentionally make no provisions for my son, WILLIAM J. ZISK, or my daughter, MARION A. KRIVANEC.

THIRD: I direct my Executor to pay my just debts and expenses of my last illness, funeral and burial as soon after my demise as can lawfully and conveniently be done.

FOURTH: It is my intention hereby to dispose of all real and personal property of which I have the right to dispose by Will, including any and all property as to which I may have a power of appointment by Will.

FIFTH: I hereby give, devise and bequeath the sum of Five Hundred Dollars (\$500.00) to each of my great-grandchildren, and the sum of One Thousand Dollars (\$1,000.00) to each of my grandchildren.

SIXTH: After the above gifts are made to my great-grandchildren and to my grandchildren, I hereby give, devise and bequeath the rest of my estate wheresoever situated, whether real, personal or mixed, and over which I have testamentary disposition, to my two sons, EDWARD J. ZISK and DONALD R. ZISK, in equal shares, or to their issue by right of representation.

SEVENTH: I hereby nominate and appoint my son, DONALD R. ZISK, Executor of this Will, to serve without bond. In the event he is unable or refuses to act, then I nominate and appoint my grandson, DONALD R. ZISK, JR., Executor of this Will to serve without bond.

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We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on august 3, 1989, at Sacramento, California.

Mucho 20. M. 1000 residing at 308 Morte Avenue Davis CA 95819

1 William J. Zisk 205 Thomas Street FILED 2 Roseville, CA 95678 Tel. (916) 782-2233 PRO PER JAN 24 1995 4 **RePIETRO** 5 UZERIOR COURT DEPUTY 6 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER 8 9 ESTATE OF: CASE NO. SPR-0567 MARY A. ZISK 10 PROOF OF SERVICE **DECEASED** 11 12 13 Date: February 7, 1995 14 Time: 8:30 A.M. Dept: No. 2 15 16 17 18 19 20 21 **2**2 23

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1	CASE TITLE: In re ESTATE OF MARY A. ZISK.							
2	COURT/CASE NO. Placer County Superior Court Case Number SPR-0567							
3								
4	PROOF OF SERVICE							
5	I am employed in the County of Placer; my business address is 205 Thomas Street, Roseville.							
6	California. I am over the age of 18 years and am a party to the foregoing action:							
7	On JANUARY 17,1995, I served by mail, the following document in accordance with §1013(a):							
8	DISCLOSURE OF DECEDENTS ALLEGED ESTATE; DECLARATION OF WILLIAM J. ZISK							
10 11	By placing a true and correct copy thereof, in a sealed envelope with postage thereon fully prepaid and addressed, to the person(s) and address(es) set forth below.							
12	Edward J. Zisk aka Marion A. Krivanec							
13	Edward Zisk, Sr. 304 Drayton Court 36524 Ed Yates Road Walnut Creek, California 95498 Pearl River, LA 70452							
14	V. Eldora Ford Donald R. Zisk aka							
15	Attorney at Law Donald Zisk, Sr. 925 G. Street, 2nd Floor 637 Encinal Avenue							
16	Sacramento, CA 95814 Roseville, CA 95678							
17	I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on January 17,1995 in Roseville, CA 95678.							
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20	Jullan John							
21	WILLIAM YZISK							
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William J. Zisk 205 Thomas Street Roseville, CA 95678 Tel. (916) 782-2233 PRO PER

JAN 1 7 1995

DEPUTY

CARL DePIETRO

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER

ESTATE OF:

CASE NO. SPR-0567

MARY A. ZISK

DECEASED

NOTICE OF MOTION AND MOTION FOR CONTINUANCE; AND FOR FULL DISCLOSURE OF DECEDENT'S ALLEGED ESTATE; **DECLARATION OF WILLIAM J. ZISK IN SUPPORT:** REQUEST FOR JUDICIAL NOTICE (EVIDENCE CODE §452, ET SEQ.]

Date: Time: FEBRUARY 7,1995

Dept.:

8:30 A.M. No. 2



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NOTICE IS HEREBY GIVEN that on February 7,1995 at 8:30 A.M., or as soon as the matter can be heard, in Department No. 2 of the above entitled court locate at 101 Maple Street in Auburn, CA 95603, [Respondent] William J. Zisk will move the court for an order of continuance and for an order to compel full disclosure of the alleged estate of Mary A. Zisk [deceased].

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The motion[s] will be based on this notice, the memorandum of points and authorities, the Declaration of William J. Zisk, and the request for Judicial Notice filed herewith. The grounds of the motion are based on the inclusion of documents in the court file by surprise, without proof of service, and on the grounds that a complete disclosure of the alleged estate is a prerequisite of due process.

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MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION

ON NOVEMBER 17,1994, respondent and movant herein, William J. Zisk, served and filed OBJECTION TO PETITIONERS REQUEST TO ADMINISTER ESTATE UNDER INDEPENDENT ADMINISTRATION OF ESTATES ACT [PROBATE CODE §10452]; REQUEST TO TAKE JUDICIAL NOTICE [EVIDENCE CODE §452, ET SEQ]. Respondent made it unequivically clear to those interested parties and this Honorable Court, that there was no objection to administering the estate, per se, unless the alleged estate included the 'Connecticut property' [JUDICIAL NOTICE]. Respondent simultaneously served and filed a request for full disclosure pursuant to Probate Code §1250(c), and that any and all matters of any papers, documents, witnesses, and the like, be further disclosed to all interested parties.

ARGUMENT

Respondent recently discovered documents in the file of this matter, that were apparently submitted by surprise, without any proof of service to [anyone] interested in the outcome of the matter of decedents alleged estate. The petitioner has not only failed to send movant herein, William J, Zisk, any of those discovered documents and papers, but also failed to serve those other interested parties [listed] in their own moving papers, proof of service.

Movant, William J. Zisk, in the interests of justice, therefore requests that the court not only issue an order to compel full and complete disclosure and accounting of the alleged estate, but also, for an order to continue this matter to a date to be set after full and complete compliance, of complete service of [secret] papers, documents, witnesses, or the like, which seem to creep into the court

file in violation of due process.

DATED THIS JANUARY 17,1995

WILLIAM *J. Z*ÍSK

DECLARATION OF WILLIAM J. ZISK

I, WILLIAM J. ZISK DECLARE:

- 1. On January 17,1995, I spoke with petitioner Donald R. Zisk's attorney Mr. Tosh G. Yamamoto Esq., pursuant to local rule 20.2.1, §20.2.7, in regard to my recent review of the court file in this matter and finding surprise documents, letters, orders, references to alleged witnesses, and the like, without any proof of service to [anyone]. Mr. Yamamoto flatly refused to stipulate to a continuance and that he would send me a complete lisiting of the [documents] he submitted, including true and correct copies thereof. I noted that those parties listed on his own proof of service should also be included in service, while preserving my right to address the papers when I receive them. I also noted the defect in the recent minute order and that I still had not received full and complete disclosure/accounting of the alleged estate involved.
- 2. On November 16,1994, I served and filed a request for special notice of all the matters pursuant to Probate Code §1250(c).
- 3. On January 13,1995, I discovered documents, papers, references to alleged witnesses, and the like including proposed order[s], which were not accompanied by proof of service to anyone listed in the initial proof of service commencing this action by Donald R. Zisk.

I declare inder penalty of perjury that the foregoing is true and correct.

EXECUTED THIS JANUARY 17,1995 in Roseville, California.

WILLIAM . ZÍSK

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REQUEST TO TAKE JUDICIAL NOTICE

1. PURSUANT TO EVIDENCE CODE §452, 453, MOVANT, WILLIAM J. ZISK, requests that the court take Judicial Notice of United States Supreme Court Case No. 94-1199, now pending.

Dated this Jnauary 17,1995

WILLIAM J. ZISK

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CASE TITLE: In re ESTATE OF MARY A. ZISK.

COURT/CASE NO. Placer County Superior Court Case Number SPR-0567

PROOF OF SERVICE

I am employed in the County of Placer; my business address is 205 Thomas Street, Roseville, California. I am over the age of 18 years and am a party to the foregoing action:

On JANUARY 17,1995, I personally served the following document:

NOTICE OF MOTION AND MOTION FOR CONTINUANCE; AND FOR FULL DISCLOSURE OF DECEDENTS ALLEGED ESTATE; DECLARATION OF WILLIAM J. ZISK IN SUPPORT; REQUEST TO TAKE JUDICIAL NOTICE [EVIDENCE CODES §452 ET SEQ]

By personally serving a true and correct copy thereof, in accordance with CCP §1011, to the person(s) and address(es) set forth below.

Receptionist: LAW OFFICES OF TOSH G. YAMAMOTO A Professional Corporation 930 FLORIN RD. No. 200 Sacramento, California 95831

Clerk, Superior Court of Placer County 101 Maple Street Auburn, CA 95603

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this document was executed on January 17,1995.

WILLIAM J. ZISK-

1 2 3 WILLIAM J. ZISK 205 THOMAS STREET ROSEVILLE, CALIFORNIA 95678 4 5 EDWARD J. ZISK aka EDWARD ZISK, SR. 6 36524 ED YATES ROAD PEARL RIVER, LA 70452 8 MARION A. KRIVANEC 304 DRAYTON COURT 9 WALNUT CREEK, CALIFORNIA 95498 10 DONALD R. ZISK aka 11 DONALD ZISK, SR. 12 637 ENCINAL AVENUE ROSEVILLE, CALIFORNIA 95678 13 V. ELDORA FORD 14 ATTORNEY AT LAW 925 G STREET, 2ND FLOOR 15 SACRAMENTO, CALIFORNIA 95814 16 LAW OFFICES OF TOSH G. YAMAMOTO 17 A PROFESSIONAL CORPORATION 930 FLORIN ROAD, SUITE 200 18 SACRAMENTO, CALIFORNIA 95831 19 20 21 **2**2 23 24

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		•
FORNEY (Name and Address): 63253	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY OF TOSH G. YAMAMOTO (916)) 421-8455	5
/ LAw hal Corporation		
/A p Road, Suite 200		
رم93 CA 95831		
/ Sar DONALD R. ZISK		
ATTORURT OF CALIFORNIA, COUNTY OF PLACER		
SUP 101 Maple Street		DEC 0 1 1001
STISS:		DEC 2 1 1994
/ Mode: Auburn, CA 95603		CADI O DIGGE
OF (NAME):		CARL DePIETRO
ARY A. ZISK		MI THARE
	DECEDENT	DEPUTY DEPUTY
PROOF OF SUBSCRIBING WITNESS		CASE NUMBER
(For decedents dying after December 31, 1984)		SPR-0567
(For decedents dying after December 31, 1984)		
1. I am one of the attesting witnesses to the instrument of which attac	hment 1 is a pho	tographic copy. I have examined attachment
1 and my signature is on it.		
a. X The name of the decedent was signed in the presence of the	he attesting with	esses present at the same time by
X the decedent personally.		,
another person in the decedent's presence and by the	e decedent's dire	ection.
b. X The decedent acknowledged in the presence of the attesti		
name was signed by		
X the decedent personally.		
another person in the decedent's presence and by the	e decedent's dire	ection.
c. X The decedent acknowledged in the presence of the attesti	ing witnesses pre	esent at the same time that the instrument
signed was decedent's		
X will.		
codicil.		
When I signed the instrument, I understood that it was decedent's	X will	codicil.
l. I have no knowledge of any facts indicating that the instrument, or an	ov part of it was	procured by durose manage fraud or undue
influence.	ly part of it, was	procured by duress, menace, fraud, or dridde
imaciico.		
declare under penalty of perjury under the laws of the State of California	a that the forezoi	ing is true and correct
Date: 12 - 1 - 1 4	a dide the loregor	ing to trac and correct.
	· 01	an PI
ELDORA FORD		villero Jord
(TYPE OR PRINT NAME)		(SIGNATURE OF WITNESS)
925 G Street, 2nd Floor		
Sacramento, CA 95814		
(ADDRESS)		
ATTORNEY'S CERT	IFICATION	
(Check local court rules for requirements for certify	ring copies of will	ls and codicils)
am an active member of The State Bar of California. I declare under pena	alty of neriusy us	der the laws of the State of California that
all all active member of the state bal of California. I declare under penalittachment 1 is a photographic copy of every page of the X will	made control	eretofore presented for probate.
varie: 11/23/94		1 / / / / / / / / / / / / / / / / / / /
TOSH G. YAMAMOTO	1	
(TYPE OR PRINT NAME)	'	(SIGNATURE OF AT/ORNEY)
Section with the section of the sect		(Signation of United MELL)

AT TORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): 63253	TELEPHONE NO.:	FOR COURT USE ONLY	
LAW OFFICES OF TOSH G. YAMAMOTO (916) 421-8455		
A Professional Corporation			
930 Florin Road, Suite 200		M. No. Posterior Designation	
Sacramento, CA 95831			
ATTORNEY FOR (NAME): DONALD R. ZISK			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER			
street ADDRESS: 101 Maple Street		DEC 2 1 1994	
MAILING ADDRESS:		DLG 2 : 1774	
CITY AND ZIP CODE: Auburn, CA 95603		OAD DIRTO	
BRANCH NAME:		CARL DePIETRO CLERK OF THE SUPERIOR COURT	
ESTATE OF (NAME):	****		
MARY A. ZISK		EY JEPUTY	
MARI A. ZISK	DECEDENT		
	DECEDENT		
PROOF OF SUBSCRIBING WITNESS		CASE NUMBER:	
(For decedents dying after December 31, 1984)		SPR-0567	
	**************************************	Hearing Date: 1/2//05	
Hearing Date: 1/24/95 1. I am one of the attesting witnesses to the instrument of which attachment 1 is a photographic copy. I have examined attachment 1 and my signature is on it.			
a. X The name of the decedent was signed in the presence of t X the decedent personally.		,	
another person in the decedent's presence and by the last of the decedent acknowledged in the presence of the attestion name was signed by X the decedent personally. another person in the decedent's presence and by the	ng witnesses pre e decedent's dire	sent at the same time that the decedent's ction.	
c. X The decedent acknowledged in the presence of the attesti signed was decedent's X will. codicil.	ng witnesses pre	sent at the same time that the instrument	
2. When I signed the instrument, I understood that it was decedent's	X will	codicil.	
I have no knowledge of any facts indicating that the instrument, or ar influence.	y part of it, was p	procured by duress, menace, fraud, or undue	
I declare under penalty of perjury under the laws of the State of California Date: $12/1/94$	a that the foregoir	ng is true and correct.	
	· Can 1.	11/1/1/1/2-	
SANDRA R. OLDHAM	+ MARA	an William	
(TYPE OR PRINT NAME)		(SIGNATURE OF WITNESS)	
5310 Moddeson avery Sucramens (ADDRESS) (100.) Sucramens	lo, CA		
ATTORNEY'S CERT	IFICATION		
(Check local court rules for requirements for certify		s and codicils)	
I am an active member of The State Bar of California. I declare under pen-	alty of perium und	er the laws of the State of Collifornia that	
attachment 1 is a photographic copy of every page of the X will		er the laws of the State of California that retofore presented for probate.	
Date: 10/27/94	// /	1 /A -1	
TOSH G. YAMAMOTO	+ Jak	- LI Warmando	
(TYPE OR PRINT NAME)		(SIGNATURE OF ATTORNEY)	

Form Approved by the Judicial Council of California DE-131 [New January 1, 1985]



Hast Will and Testament of

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

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Mucho 00: Mullon pesiding at 5310 Moddison Ave.

Sacramento, CA 95819

Mucho 00: Mullon pesiding at 308 North Aurous

Davis, CA 951010

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SEVENTH: I hereby nominate and appoint my son, DONALD R. ZISK, Executor of this Will, to serve without bond. In the event he is unable or refuses to act, then I nominate and appoint my grandson, DONALD R. ZISK, JR., Executor of this Will to serve without bond.

Attachment "1"

EIGHTH: I have purposely made no provision for any other person whether claiming to be an heir of mine or not, and if any person mentioned under this Will, or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such a person so contesting or objecting, the sum of One Dollar (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

NINTH: I hereby give my Executor full power and authority to sell at public or private sale, any portion of my estate at such time or under such terms and conditions as may be deemed in the best interest of my estate subject only to such confirmation of court as may be required by law.

IN WITNESS WHEREOF, I have hereunto set my hand at Sacramento, California, this Sad day of Lugus, 1989.

MARY N. ZISK

THE RESIDENCE OF THE PROPERTY
On the date written below, MARY A. ZISK, declared to us, the undersigned, that this instrument consisting of two pages including this page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, and in her presence and the presence of each other, subscribe our names as witnesses.

It is our belief that she is of sound mind and memory and is under no constraint or undue influence whatsoever.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on august 3, 1989, at Sacramento, California.

Mucho 00. M. 1001 residing at 3310 Maddison Ave.

Sacremento, CA 95819

Mucho 00. M. 1001 residing at 308 Nocto Avenue

Davis, CA 951416

SUPERIOR COURT OF THE STATE OF C. IFORNIA IN AND FOR THE COUNTY OF PLACER

Date: DECEMBER 16, 1994	Court Met	At	Dept.
Hon: JAMES L. ROEDER	Judge	N. Fisch	Clerk
non. <u>Grando D. Nobbli</u>	Reporter		
****	*****	*****	*****
Title:			
	,		ED
In the matter of the	,		
	/		
MARY A. ZISK,	/	DEC 1	5 1994
	/		, ~
Decedent.	/	CARL De	⇒PIETRO∕
	/	CLERK OF THE	SUPERIOR COURT
	/,	El	CY L DEPUTY
	/.		

**************************************	. +- D		
Nature of Proceedings: Notice	e to Reset n	earing Accion N	0. <u>3 FR 0307</u>
On Court's own motion and	d cause anne	aring	
On Court's own motion and god	. cause appe	aring	
YOU WILL PLEASE TAKE NOTICE	hat the abov	ve entitled matter se	et for hearing or
January 24, 1994 is he	reby reset f	for hearing on Fel	oruary 7. 1995
at 8:30 A.M. in Department			<u> </u>
at ovoc military and parameter			
		The state of the s	100/1-
Dated: 12/15/94		OF THE SUPERTOR COU	am
(- / (- / /)	JUDGE,	OF THE SUPERTOR COU	TRT
	(
CI	ERTIFICATE O	F MAILING	
		1.1. 3. 4.3. 2.4. 1. 4	
I certify that I am not a part	y to this ac	ction and that a true	and correct copy
of the foregoing was mailed b	y o S Mail a	and/or Placer County	interoffice mai
this Att day of Aidin	122-	1994, and addressed	CO:
Mach C Vamamata	7.7	illiam J. Zisk	
Tosh G. Yamamoto Attorney at Law		05 Thomas Street	
930 Florin Road, Suite 200		oseville, CA 95678	1
Sacramento, CA 95831	ľ	OSEVIIIE, CA 95076	•
Sacramento, CA 95651			
Marion A. Krivanec			
304 Drayton Court			
Walnut Creek, CA 94598			
Harmat Creek, Ch 34330			
	C	arl DePietro	
	Ţ		

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): 63253	TELEPHONE NO.:	FOR COURT USE ONLY
l	16) 421-8455	
A Professional Corporation 930 Florin Road, Suite 200		
Sacramento, CA 95831		
ATTORNEY FOR (Name): DONALD R. ZISK		E) Metric resolution
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER	and the second s	
street ADDRESS: 101 Maple Street		07014 1934
MAILING ADDRESS:		
CITY AND ZIP CODE: Auburn, CA 95603		CARL DePIETRO
BRANCH NAME:		CARL DEPIETRO CLERK OF THE SUPERIOR COURT BY J/ LAC BITTETY
ESTATE OF (NAME): MARY A. ZISK		6Y
	DECEDENT	<u></u>
LETTERS OF ADM	IINISTRATION	CASE NUMBER:
	L ADMINISTRATION	SPR-0567
LETTERS		AFFIRMATION
The last will of the decedent named above having		ADMINISTRATOR: No affirmation required
been proved, the court appoints (name):	(Plop. Ci	ode, § 1140 (b)).
	2. X INDIVIDU	JAL: I solemnly affirm that I will perform the
a. Executor		f personal representative according to law.
b. Administrator with will annexed		Factorial to be a second and a
2. X The court appoints (name):	3. NSTITU	TIONAL FIDUCIARY (name)
DONALD R. ZISK	·	
	i solemr	nly affirm that the institution will perform the
a. Administrator of the decedent's estate		personal representative according to law.
b. X Special administrator of decedent's estate	l make th	nis affirmation for myself as an individual and
(1) with the special powers specified	on behal	f of the institution as an officer.
in the Order for Probate	(Name a	nd title):
(2) X with the powers of a general	,	
administrator		
The personal representative is authorized to admin-		
ister the estate under the Independent Administra-	A	1.4.1 11/22/07
tion of Estates Act with full authority		date): 11/22/94
X with limited authority (no authority, without court supervision, to (1) sell or exchange real proper-	at (place): So	acramento, CA California.
ty or (2) grant an option to purchase real property or		
(3) borrow money with the loan secured by an	1//	
encumbrance upon real property).	11/100	July 1
Signature of the second of the	* (York	THE NATURE!
WITNESS, clerk of the court, with seal of the court affixed.		
Dec 1 4 1994		CERTIFICATION
Date: UEC 1 4 1994	•	s document is a correct copy of the original on
CARL DePIETROC 20 27	-	nd the letters issued the personal representative
Clerk, by Deputy		have not been revoked, annulled, or set aside,
	and are still in full	Torce and effect.
(SEAL)	(SÉAL)	Date:
		Clerk, by
UPERIOR COUR		
		(DEPUTY)
		,
The state of the s		

LETTERS (Probate)

Form Approved by the Judicial Council of California DE-150 [Rev. July 1, 1988]

Probate Code, 463, 465, 501, 502, 540 Code of Civil Procedure, 2015.6



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):		TELEPHONE NO.:	FOR COURT USE ONLY
-LAW OFFICES OF TOSH G. YAM	MOTO (916)	421-8455	
A Professional Corporation	•		
930 Florin Road, Suite 200		1	
Sacramento, CA 95831			
ATTORNEY FOR (Name): DONALD R. ZISK			FILED
SUPERIOR COURT OF CALIFORNIA, COUNT	OF PLACER		y y home home
STREET ADDRESS: 101 Maple Street			
MAILING ADDRESS:	•		DEC - 6 1994
CITY AND ZIP CODE: Auburn, CA 95603			
BRANCH NAME:			CARL DePIETRO
ESTATE OF (NAME): MARY A. ZISK			CLERK OF THE SUPERIOR COURT
ESTATE OF (NAME): PLATET AT A LOTE			BY 1 4100 G DEPUTY
		DECEDENT	·
ODOLO COD DO	ACD A TE	DECEDENT	OAST AUROPP
ORDER FOR PR	OBAIE	į	CASE NUMBER:
ORDER Executor	mmayad		CDD : 0567
APPOINTING Administrator with Will A			SPR-0567
Administrator X	Special Administrator		
Order Authorizing Independent Administrati			
with full authority X with li	nited authority		
	2 2 2 34 0 1/0		T DEGILL DO COLUMNIC
<u> </u>	3:30 A.M. Dept/Rm	1: 3	Judge: J. RICHARD COUZENS
THE COURT FINDS			
2. a. All notices required by law have been given	•		
b. Decedent died on (date): 9/8/94			
(1) X a resident of the California cou			
(2) a nonresident of California and	left an estate in the count	y named above	
c. Decedent died			
(1) intestate			
(2) testate and decedent's will dat	ed:		
and each codicil dated:			
was admitted to probate by Mir	ute Order on <i>(date)</i> :		
THE COURT ORDERS			
3. (Name): DONALD R. ZISK			
is appointed personal representative			
a. Executor of the decedent's will	d. X Special /	Administrator	
b. Administrator with will annexed		with general p	owers
c. Administrator	(2)	,	owers as specified in Attachment 3d
	(3)	without notice	·
and letters shall issue on qualification.	- Company Comp	,	
and to the original to the second sec			
4. a. Full authority is granted to adminis	ster the estate under the I	ndenendent Adm	ninistration of Estates Act
			nt Administration of Estates Act (there is no
			(2) grant an option to purchase real property
or (3) borrow money with the loan s			
5. a. X Bond is not required.	sessor by all enoundrane	- apolition prop	- , <i>,.</i>
b. Bond is fixed at: \$	to he for	rnished hy an au	thorized surety company or as otherwise
provided by law.	to be in	and a by an au	monte of some than of as otherwise
	are ordered to be placed	in a blocked ass	count at (specify institution and
c. Deposits of: \$ location):	are ordered to be braced	iii a biocked acc	count at (specify institution and
· · · · · · · · · · · · · · · · · · ·	rawale chall he made with	out a court and-	7
and receipts shall be filed. No without A. E. Di	ERKES	iout a court of Ge	#1. ·
	7000	ited probate refe	
terminal '		iren hinnate tete	51 GG.
Date:	, CA 95604		
	and the second s		JUDGE OF THE SUPERIOR COURT
7. X Number of pages attached: 1		X Signature follows	s last attachment.

The Petition for Probate of Lost Will or Probate of Will and for Letters Testamentary and Authorization to Administer Under the Independent Administration of Estates Act is continued to January 24, 1995 at 8:30 a.m. in Department 3 of the Placer County Superior Court.

Dated: DEC - 8 1994

JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Nat	ne and Aouress): 63253	TELEPHONE NO	FOR COURT USE ONLY
-LAW OFFICES OF TOSH	I G. YAMAMOTO	(916) 421-84	55
A Professional Corp	oration		
930 Florin Road, Su			here I I here had
Sacramento, CA 958			FILED
ATTORNEY FOR (Name): DONALD R.			
	and the second s) ·	
SUPERIOR COURT OF CALIFOR	MIA, COUNTY OF PLACE	`	# O U O O # O O #
STREET ADDRESS: 101 Maple	Street		NOV 2 2 1994
MAILING ADDRESS:			
CITY AND ZIP CODE: Auburn, CA	A 95603		CARL DePIETRS
BRANCH NAME:			CLEAR OF THE SUPERIOR COVER
ESTATE OF (NAME): MARY A.	ZISK		BY DEFUTY
LOTATE OF (TANDE).			7
	*	DECED	NENT
			· · · · · · · · · · · · · · · · · · ·
[75]	RDER FOR PROBATE		CASE NUMBER:
ORDER Executo			000 0545
APPOINTING Adminis	trator with Will Annexed		SPR-0567
Adminis	trator 🔀 Special Adminis	trator	
X Order Authorizing Independ	lent Administration of Estate		
with full authority	with limited authority		
25,	<u> </u>		
1 Date of hearing, 11/22/04	Time: 8:30 A.M.	Dont/Pm. 3	ludgo
1. Date of hearing: 11/22/94	Time: 6.50 A.M.	Dept/mill: 3	JUDGE: J. RICHARD COUZENS
THE COURT FINDS			9 , 9
2. a. All notices required by law h	ave been given.		
b. Decedent died on (date): 9/	8/94		
(1) X a resident of the	California county named abov	e	
- Control of the Cont	California and left an estate in		ove
c. Decedent died		to the terminal transfer and	
(1) intestate			
	-dMary - Market - 10 /0 /00		
	edent's will dated: 8/3/89		
and each codicil			
was admitted to	probate by Minute Order on (d	ate): 11/22/94	
THE COURT ORDERS			
3. (Name): DONALD R. ZIS	SK		
is appointed personal represe	ntative:		
a. Executor of the dece		Special Administrate	or
b. Administrator with w			
	iii dililexed	(1) with gene	
c. Administrator			cial powers as specified in Attachment 3d
		(3) without n	otice of hearing
and letters shall issue on qualif	ication.		
4. a Full authority is gra	nted to administer the estate	under the Independent	t Administration of Estates Act.
			endent Administration of Estates Act (there is no
			by or (2) grant an option to purchase real property
	with the loan secured by an er	cumprance upon real	property).
5. a. X Bond is not required.			
b. Bond is fixed at: \$		to be furnished by a	an authorized surety company or as otherwise
provided by law.			
c. Deposits of: \$	are ordered to	be placed in a blocker	d account at (specify institution and
location):	a. 5 4. 4. 5 4 6	ma branca a se as acasisto.	The management of the property of the state
•	filed No withdrawals shall be	manda sasithanid a accum	order
and receipts shall be	filed. No withdrawals shall be	made without a court	oruer.
	A. E. DIERKES		
6. X (Name):	P.O. Box 7003	is appointed probate	e referee.
	P.U. DUX 7000		
Date: NOV 2 2 1994	Auburn, CA 95604		
			JUDGE OF THE SUPERIOR SOURCE AND COUZERS
7. Number of pages attach	ied:	Signature	follows last attachment

Marion A. Krivanec 304 Drayton Court Walnut Creek, CA 94598 Telephone: (510) 945-7661 Pro Per



NOV 1 / 1994

CARL DEPIETRO

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

IN THE MATTER OF THE ESTATE OF:

MARY A. ZISK

DECEASED

NO. SPR-0567
OBJECTION TO PETITIONERS
REQUEST TO ADMINISTER
ESTATE UNDER INDEPENDENT
ADMINISTRATION OF ESTATES
ACT [PROBATE CODE §10452];
REQUEST TO TAKE JUDICIAL
NOTICE [EVIDENCE CODE §452,
ET SEQ]

DATE: NOVEMBER 22, 1994

TIME 8:30 A.M.

DEPT: 3

My objection to the petition for the court not granting authority is based on the following reasons:

- 1. There is somewhere in the Probate process the estate of my father, William W. Zisk, that needs to be settled. He died February 3, 1969, intestate. The distribution of probate from that estate (the Homestead at 106 High St, Higganum, CT) has not been resolved and is still in litigation. This has a direct bearing on any distribution addressed in my mother's will. I hereby request this court take judicial notice of the estate of my late father, William W. Zisk (Placer County Superior Court Case No. 12063). The matter was administered by Mary A. Zisk, the current deceased, and was erroneously processed in California Courts instead of the Connecticut courts of proper jurisdiction. Ancillary proceedings were filed in Haddam, CT.
- 2. My brother Donald R. Zisk is named as principal executor under the specified Independent Administration of Estates Act (to take many actions without obtaining court approval) with unilateral authority to execute terms as he sees fit. Because of the situation stated in item 1, there will be a conflict of interest. I feel that he will ignore any attempt to pursue settlement of my father's estate.

3. The documents I received stated that my mother's original will is lost. I believe this may be more of a convenience than fact to suit the intent of others. At the very least, witnesses to my mother's signing of her will and the contents of that will should be questioned under oath. Her signature on the copy does not appear as the one I am familiar with. The holographic will has no declaration, witnesses, or notarization.

Wherefore, for good cause shown, as the only daughter of the deceased, I respectfully request this court deny petitioners request to be appointed as personal representative of the estate of Mary A. Zisk, under the Independent Administration of Estate Act.

VERIFICATION

I, Marion A. Krivanec, am an interested party in this matter. I have read the foregoing objection to granting authorization to administer under the Independent Administration of Estate Act and am familiar with its content. The matters and facts stated are from personal knowledge and information. As to matters and statements of facts under belief, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED THIS NOVEMBER 16, 1994, AT WALNUT CREEK, CA.

narion n. nervano

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name ar Vress):	TELEPHONE NO.: FOR COURT USE ONLY
	945-7661
304 Drayton Court	
Walnut Creek, CA 94598	
ATTORNEY FOR (Name):	FILED
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Placer	
STREET ADORESS: 101 Maple Street MAJLING ADORESS:	
GITY AND ZIP CODE: Auburn, CA 95603	NOV 1 7 1994
BRANCH NAME:	CADI DODIETRO
ESTATE OF (NAME):	CARL DEPIETRO CLERK OF THE SUPERIOR COURT
MARY A. ZISK	DECEMBER 151 DEPUTY
·	DECEDENT CASE NUMBER:
REQUEST FOR SPECIAL NOTICE	SPR-0567
To the personal representative:	
1. I am a person interested in the estate of (name):	
2. I REQUEST SPECIAL NOTICE of (complete only a or b)	
a. the following matters (specify):	
b. the following matters (check applicable boxes):	(000/s) (00 mod shoot bin to (0) (0))
(1) X all the matters listed in Probate Code section 1 (2) Inventories and appraisals of property, including	
(3) accountings by the personal representative	ng supplements
(4) reports of the status of administration	
(5) objections to an appraisal	
(6) petitions for the sale of property (7) Spousal Property Petition (Probate Code, § 1365	0)
(8) other petitions: all petitions the follow	
	** ,
3. SEND THE NOTICES TO	•
a. x me at the following address (specify):	
	A. KRIVANEC RAYTON COURT
	CREEK, CA 94598
b. my attorney at the following address (specify):	
Date: NOVEMBER 16, 1994	
	(m
MARION A. KRIVANEC	Meron U- PSWase
(TYPE OR PRINT NAME)	(SIGNATURE)
Attorney for person requesting special notice (client's name):	•
(Continued on r	everse)

Form Approved by the Judicial Council of California DE-154 (Rev. July 1, 1989)

PROOF OF SERVICE MAILING LIST

WILLIAM J. ZISK 205 THOMAS STREET ROSEVILLE, CALIFORNIA 95678

EDWARD J. ZISK aka EDWARD ZISK, SR. 36524 ED YATES ROAD PEARL RIVER, LA 70452

MARION A. KRIVANEC 304 KRAYTON COURT WALNUT CREEK, CA 95498

DONALD R. ZISK aka DONALD ZISK, SR. 637 ENCINAL AVENUE ROSEVILLE, CALIFORNIA 95678

V. ELDORA FORD ATTORNEY AT LAW 925 G STREET, 2ND FLOOR SACRAMENTO, CA 95814

LAW OFFICES OF TOSH G. YAMAMOTO A PROFESSIONAL CORPORATION 930 FLORIN ROAD, SUITE 200 SACRAMENTO, CA 95831

William J. Zisk 205 Thomas Street Roseville, California 95678 Tel. (916) 782-2233

NOV 1 7 1994

CARL DePIETRO CLERK OF THE SUPERIOR COURT

TTOUS DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER

ESTATE OF:

NO. SPR-0567

MARY A. ZISK

DECEASED

OBJECTION TO PETITIONERS REQUEST TO ADMINISTER ESTATE UNDER INDEPENDENT ADMINISTRATION OF ESTATES ACT [PROBATE CODE \$10452]; REQUEST TO TAKE JUDICIAL NOTICE [EVIDENCE CODE §452, ET SEQ]

NOVEMBER 22, 1994 DATE:

TIME: 8:30 A.M.

DEPT:

TO PETITIONER DONALD R. ZISK:

Pursuant to California Probate Code § 10452, defendant William J. Zisk hereby objects to petitioner, Donald R. Zisks', requested authority to administer the estate of Mary A. Zisk (deceased) under the Independent Administration of Estates Act.

Defendant, William J. Zisk, further objects to the petitioners request that a "copy" of the decedents alleged lost will and codicils, if any, be admitted to probate, including the alleged proof of holographic instrument.

Upon examining the probate file of Mary A. Zisk (deceased), the following has been noted:

The file does not contain an "original" will of Mary A. Zisk but rather an alleged "copy". The original is purported to have

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been lost. Petitioner is requesting that the alleged "copy", dated August 3, 1989 be admitted to probate as the decedents' will.

Petitioner has also presented a holographic instrument for probate dated July 29, 1989, purporting to be the last will and testament of Mary A. Zisk. The Holographic Instrument bears no witnesses, no notarization, no declaration, or location of execution, and the signature bears little resemblence to the purported "copy" of the will, dated August 3, 1989, presented for probate.

Petitioner is requesting "full" authority be granted to administer the documents presented, under the Independent Administration of Estates Act, allowing petitioner to execute many actions without court approval.

Petitioner has estimated the value of the property of the estate to be "personal property" valued at \$140,000.00, with no indication as to the contents of the inventory or its whereabouts

The primary concerns of defendant, William J. Zisk are directed to the inclusion within the inventory to the estate of Mary A. Zisk, of any part, shape or form, which relates to the Zisk family homestead, located at 106 High Street, Higganum, Connecticut, having been in the family name for over 50 years. The Zisk family homestead has been involved in extensive litigation since 1989 and has not reached a dispositive conclusion. Mary A. Zisk, Donald R. Zisk, Edward J. Zisk, Marion A. Krivanec and William J. Zisk are named within the pending litigation and the granting of the petition of Donald R. Zisk to administer the estate of Mary A. Zisk would constitute a direct conflict of

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interest. Defendant, William J. Zisk respectfully requests that the court take judicial notice of the records of Connecticut Middlesex County Superior Court Case No. CV 89-56040S, No. CV 91-0062496S, and appeal No. A.C. 12482.

In addition, upon the death of my father, William W. Zisk, on February 3, 1969, Mary A. Zisk was appointed administratrix to the family estate at 106 High Street, Higganum, Connecticut. Without providing any notice to the legal heirs to the estate, Mary A. Zisk filed probate proceedings in this court in Placer County, California, without the notice or participation of any of the legal heirs to the estate. In the California court, Mary A. Zisk alleged to be the "sole heir" to the entire estate of William W. Zisk, wherever situated. Mary A. Zisk later filed ancillary proceedings in Haddam, Connecticut, thereby submitting only half of the estate to be administered by the court in Connecticut. Defendant respectfully request the court take judicial notice of the records of California probate file No. 12063 and Connecticut Middlesex County probate file No. SA-95875.

Wherefore, for good cause shown, and for all of the foregoing reasons, defendant, William J. Zisk, respectfully requests that the petition of Donald R. Zisk, requesting full authority to administer the estate of Mary A. Zisk, under the Independent Administration of Estates Act, be denied. Dated November 16, 1994.

Respectfully submitted,

VERIFICATION

I, William J. Zisk, am a defendant in the above captioned matter. I have read the foregoing objection to granting full authority to petitioner Donald R. Zisk to administer the estate of Mary A. Zisk under the Independent Administration of Estate Act, and am familiar with its content. The matters and facts stated are from personal knowledge and information. As to matters and statements of facts under belief, I believe them to be true.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this November 16, 1994 at Roseville, California

William J. Zisk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
WILLIAM J. ZISK (916) 782–2233	*
205 Thomas Street		
Roseville, CA. 95678		MANAGES E G MANAGES MANAGES
ATTORNEY FOR (Name):	nanan jirki kili kanan masa kanan nagi nagi na kanan daga sa kala masa kanan na sa kanan nagi sa	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Placer		
STREET ADDRESS: 101 Maple Street		NOV 1 7 1994
MAILING ADDRESS:		100 17177
CITY AND ZIP CODE: Auburn, CA 95603		CARL DePIETRO
BRANCH NAME:		CLERK OF THE SUPERIOR COURT
ESTATE OF (NAME):		TI TERRE DEPUTY
MARY A. ZISK	pagaing ang ani pagain a sa a	
	DECEDENT	
		CASE NUMBER:
REQUEST FOR SPECIAL NOTIC	E	SPR-0567
To the personal representative:	The state of the s	
	RY A. ZISK	
the family person thronous and the outside of themself.		
2. I REQUEST SPECIAL NOTICE of (complete only a or b)		
a. the following matters (specify):		
		
b. X the following matters (check applicable boxes):		
(1) X all the matters listed in Probate Code s	ection 1250(c). (Da not	rheck haves (2).(8)
(2) Inventories and appraisals of property,		5.105h 20000 (2)-(0).)
(3) accountings by the personal representa	· ·	
(4) reports of the status of administration	11140	
(5) Objections to an appraisal		•
(6) petitions for the sale of property		
(7) Spousal Property Petition (Probate Code	s \$ 13650)	
(8) other petitions: all petitions th		negify).
to, Comor pennons. Com pennons Conti	o ronowing patitions (S)	ogony);
3. SEND THE NOTICES TO		
a. X me at the following address (specify):	WILLIAM J.	ZISK
me at the remaining accuracy (opposity)	205 Thomas	Street
	Roseville,	
	•	
b. my attorney at the following address (specify):		
and an analysis and the control of t		
Date: November 15, 1994		
MOVEMBET 13, 1374		
	Af	11:151
WILLIAM J. ZISK	1/1/11	Witten / Make
(TYPE OR PRINT NAME)	1.76	(SIGNATURE)
	-1	7
Attorney for person requesting special notice (client's name	9):	
(Continu	ied on reverse)	

PROOF OF SERVICE MAILING LIST

1 2 3 WILLIAM J. ZISK 205 THOMAS STREET ROSEVILLE, CALIFORNIA 95678 4 5 EDWARD J. ZISK aka EDWARD ZISK, SR. 6 36524 ED YATES ROAD PEARL RIVER, LA 70452 8 MARION A. KRIVANEC 304 DRAYTON COURT 9 WALNUT CREEK, CALIFORNIA 95498 10 DONALD R. ZISK aka 11 DONALD ZISK, SR. 637 ENCINAL AVENUE 12 ROSEVILLE, CALIFORNIA 95678 13 V. ELDORA FORD 14 ATTORNEY AT LAW 925 G STREET, 2ND FLOOR 15 SACRAMENTO, CALIFORNIA 95814 16 LAW OFFICES OF TOSH G. YAMAMOTO 17 A PROFESSIONAL CORPORATION 930 FLORIN ROAD, SUITE 200 18 SACRAMENTO, CALIFORNIA 95831 19 20 21 22 23 24 25 26

27

PUBLIC NOTICE

PROOF OF PUBLICATION

STATE OF CALIFORNIA)

County of Placer

am a citizen of the. United States and resident of the County aforesaid, I am over ie age of eighteen years and not a party to or interested in the above entitled latter. I am the principal clerk of The Press-Tribune, a newspaper of general inculation printed an published in the County of Placer and which newspaper has een adjudged a newspaper of general circulation by the Superior Court of the lounty Of Placer, State of California, under date of May 5, 1952, by Superior Court of the county of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of the County Of Placer, State of California, under date of May 5, 1952, by Superior Court of California, under date of May 5, 1952, by Superior Court of California, under date of May 5, 1952 pe not smaller than nonpareil) has been published in each regular and entire issue I said newspaper and not in any supplement thereof on the following dates, to-wit:

November

all in the	year(s)		19	19	4				America Company		
certify (o	or declare oregoing) und is truc	er penalt and cor	y of pe rect	erjury un	der the	laws c	of the	State o	of Calif	ornia
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Signature

Date.

(last date of publication)

THE PRESS-TRIBUNE

916-786-6500 188 Cirby Way, Roseville, CA 95678 This space for the County Clerk's Filing Stamp:

FILE

NOV 1 4 1994

Mercy & adm. Eslate - Mary a Zisk	Proof of Publication:	CARL DEPIETBO CLERK OF THE SUPERIOR COURT OFF OFF OFF OFF OFF OFF OFF O
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Notice of Petition To Administer Estate

MARY A. ZISK No. SPR-0567

To all heirs, beneficiaries, creditors, contingent credi-tors, and persons who may otherwise be interested in the

otherwise be interested in the will or estate, or both, of MARY A. ZISK.

A PETITION has been filed by DONALD R. ZISK in the Superior Court of California, County of PLACER.

THE PETITION requests that DONALD R. ZISK be appointed as personal representations.

pointed as personal representative to administer the

estate of the decedent.
THE PETITION requests the decedent's WILL and codicils, if any, be admitted to probate. The will and any co-dicils are available for examination in the file kept by the court.

THE PETITION requests authority to administer the estate under the Independent Administration of Estates Act, (This authority will allow the personal represen-tative to take many actions without obtaining court approval. Before taking certain very important actions, however, the personal represen-tative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The indepen-dent administration authority will be granted unless an in-terested person files an ob-jection to the petition and shows good cause why the court should not grant the authority.

A HEARING on the petition will be held on November 22, 1994, at 8:30 a.m., in Dept. 3 located at 101 Maple Street, Auburn, CA 95603. IF YOU OBJECT to the granting of the petition, you

should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney. IF YOU ARE A CREDI-

TOR or a contingent creditor of the deceased, you must file your claim with the court and mail a copy to the personal representative appointed by the court within four months from the date of first issuance of letters as provided in section 9100 of the California Probate Code the California Probate Code. The time for filing claims will not expire before four months from the hearing date noticed above.

YOU MAY EXAMINE the file kept by the court. If you are a person interested in the estate, you may file with the court a formal Request for Special Notice in the filing of an inventory and appraisal of estate assets or of any peti-tion or account as provided in section 1250 of the California Probate Code. A Request for Special Notice form is available from the court clerk.

able from the court clerk.
Attorney for petitioner:
LAW OFFICES OF TOSH G.
YAMAMOTO, 930 Florin
Road, Suite 200, Sacramento, CA 95831.
Publish: November 1, 4, 6,
1994 — PT 7487

Name, Address and Telephone No. of Attorney(s)

LAW OFFICES OF TOSH G. YAMAMOTO A Professional Corporation, SB#63253 930 Florin Road, Suite 200 Sacramento, CA 95831

(916) 421-8455

In the matter of:

MARY A. ZISK,

Revised 12-1-87

Attorney for Petitioner

Space Below for Use of Court Clerk Only

FILED

NOV 1 0 1994

CARL DEPIETRO
CLERK OF THE SUPERIOR SOURT
DEPUTY
DEPUTY

Dept.

SUPPLEMENTAL

SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF SAXXRAMBNIXO PLACER

No. SPR-0567

Decedent.	DECLARATION OF MAILING NOTICE			
	Hearing Date: 11/22/94 Time: 8:30 a.m. Dept.: 3			
I, the undersigned, state:	4/			
That I am a citizen of the United States, over the age of	18 years; that on the day of			
	e NOTICE annexed hereto to			
PLEASE SEE ATTACHED MAILING LIST.				
said copies of the NOTICE was enclosed in a separate envel	ope, postage prepaid, and addressed to them at their respective so given, it was addressed to them in Sacramento, which is			
I declare under penalty of perjury that the foregoing is trope Executed on	Sacramento,,, California.			
	Kathleen Selva			
Local Probate Form P-9 DECLARATION OF	MAILING NOTICE			

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and 63253	TELEPHONE NO.:	FOR COURT USE ONLY
	5) 421-8455	. [
A Professional Corporation		
930 Florin Road, Suite 200		
Sacramento, CA 95831		
ATTORNEY FOR (Name): DONALD R. ZISK		u u dansa baren baren
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER street ADDRESS: 101 Maple Street		007.0.0.1001
MAILING ADDRESS: TOT MAPTE SCIENCE		OCT 2 8 1994
CITY AND ZIP CODE: Auburn, CA 95603		0.151.5
BRANCH NAME:		CARL DePIETRO CLERK OF THE SUPERIOR COURT
ESTATE OF (NAME): MARY A. ZISK		
ESTATE OF (IVAMIE): PART A. BIBR		N F130H DEPUTY
	DECEDENT	1.1.
NOTICE OF PETITION TO ADMINISTER ESTATE		CASE NUMBER:
OF (name): MARY A. ZISK		SPR - 0567
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1. To all heirs, beneficiaries, creditors, contingent creditors, and personal formalities. If personal translations are sense to the personal translations.		erwise interested in the will of estate, or both,
of (specify all names by which decedent was known): MARY A	. Zion	
2. A PETITION has been filed by (name of petitioner): DONALD I	7 T C K	
in the Superior Court of California, County of (specify): PLACE.		
3. THE PETITION requests that (name): DONALD R. ZISK		
be appointed as personal representative to administer the estate of	f the decedent	
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NOTE: If this notice is published print the caption, beginning with the words NOTICE OF PETITION, and do not print the information from the form above the caption. The caption and decedent's name must be printed in at least 8-point type and the text in at least 7-point type. Print the case number as part of the caption. Print items preceded by a box only if the box is checked. Co not continue instructions in parentheses, the paragraph numbers, the mailing information or the material on the reverse.

WILLIAM J. ZISK 1 205 Thomas Street Roseville, CA 94598 3 EDWARD J. ZISK aka EDWARD ZISK, SR. 36524 Ed Yates Road 4 Pearl River, LA 70452 5 MARION A. KRIVANEC 304 Drayton Court 6 Walnut Creek, CA 94598 DONALD R. ZISK aka 8 DONALD ZISK, SR. 637 Encinal Avenue Roseville, CA 95678 9 10 V. ELDORA FORD Attorney at Law 925 G Street, 2nd Floor 11 Sacramento, CA 95814 12 13 14 15 16 17 18 19 20 21 22 23 24

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HOUT ATTORNEY (Name and Aquie , 63		FOR COURT USE ONLY
S OF TOSH G. YAMAN	MOTO (916) 421-8455	
sional Corporation		
Jrin Road, Suite 200		
/ _mento, CA 95831 FOR(Name): DONALD R. ZISK		
ERIOR COURT OF CALIFORNIA, COUNTY C	E PI.ACER	
STREET ADDRESS: 101 Maple Street	op runcur	OCT 2 8 1994
MAILING ADDRESS:		331 2 3 1774
CITY AND ZIP CODE: Auburn, CA 95603		CARL, DePIETRO
BRANCH NAME:		N POSOTHE SUPERIOR COURT
ESTATE OF (NAME): MARY A. ZISK		ЕУ ТА.
	DECEDENT	
X Probate of Will and for Le		SWFR-0567
PETITION FOR Probate of Will and for Le	tters of Administration	HEARING DATE:
Prodate of		HEARING DATE:
Lost Will OR Letters of Administration Letters of Special Admini	stration	
December 31, 1984) X Authorization to Administ		DEPT.: TIME:
Administration of Estates	processory.	
Publication will be in (specify name of newspaper, a. Publication requested.	THE PRESS-TRIBUNE	al Nu. A
 b. X Publication to be arranged. 2. Petitioner (name of each): DONALD R. ZIS 	z v	(Signature of attorney or party without attorney)
requests	310	U
a. X decedent's will and codicits, if any, be add	mitted to probate.	
b. X (name)DONALD R. ZISK		
be appointed (1) X executor	(3) admir	nistrator
(2) administrator wi	-	al administrator
and Letters issue upon qualification.		
c. X that X full Imited authority	y be granted to administer under t	the Independent Administration of Estates Act
d. X bond not be required for the reasons state		
		itted surety insurer or as otherwise provided
		ne maximum required by Probate Code, § 8482.)
· ·	a blocked account be allowed. F	Receipts will be filed. (Specify institution and
location):		
3. a. Decedent died on (date): 9/8/94	at (place): Roseville, C	CA CONTRACTOR OF THE CONTRACTO
X a resident of the county named above.	,	
a nonresident of California and left an e	state in the county named above to	cated at (specify location permitting publication
in the newspaper named in item 1):		
b. Street address, city, and county of decedent's		
135 Cedar Street, Rosevill		cer
c. Character and estimated value of the property		
(1) Personal property\$	140,000.00	
(2) Annual gross income from (i) real property S		
(ii) personal property\$		
Total\$	140,000.00	
(3) Real property: \$ 0.00	•	dent Administration of Estates Act is requested
	state the fair market value of the re	
d. X Will waives bond. Special adminis	trator is the named executor and the	· · · · · ·
All beneficiaries are adults and have waiv	ed bond, <mark>and</mark> the will does not require	e a bond. (Affix waiver as Attachment 3d.)
All heirs at law are adults and have waive		3d.)
Sole personal representative is a corporal	te fiduciary.	
	(Continued on reverse)	

Petitioner is requesting decedent's Will dated August 3, 1989, a copy of which is attached hereto and incorporated herein by reference be admitted to probate as decedent's Will. After decedent executed her Will on August 3, 1989, decedent gave to petitioner for safekeeping the original Will of decedent dated August 3, 1989, a copy of which is attached hereto.

Unfortunately, despite making a diligent effort, petitioner has been unable to locate where he placed the original Will of decedent. Decedent at no time indicated an intent to revoke her Will dated August 3, 1989.

In the alternative, petitioner requests that decedent's holographic Will dated July 29, 1989 be admitted to probate. The July 29, 1989 holographic Will is totally consistent with the formal Will executed by the decedent on August 3, 1989. A copy of the said holographic Will is attached hereto and incorporated herein by reference. The original of said holographic Will has been located by petitioner and is being filed with the court simultaneously with this petition.



Hast Will and Testament of

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

SECOND: I intentionally make no provisions for my son, WILLIAM J. ZISK, or my daughter, MARION A. KRIVANEC.

THIRD: I direct my Executor to pay my just debts and expenses of my last illness, funeral and burial as soon after my demise as can lawfully and conveniently be done.

FOURTH: It is my intention hereby to dispose of all real and personal property of which I have the right to dispose by Will,

EIGHTH: I have purposely made no provision for any other person whether claiming to be an heir of mine or not, and if any person mentioned under this Will, or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such a person so contesting or objecting, the sum of One Dollar (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

NINTH: I hereby give my Executor full power and authority to sell at public or private sale, any portion of my estate at such time or under such terms and conditions as may be deemed in the best interest of my estate subject only to such confirmation of court as may be required by law.

IN WITNESS WHEREOF, I have hereunto set my hand at Sacramento, California, this \$\frac{1}{2}\tag{day} of \frac{1}{2}\tag{ugus}, 1989.

MARY A. ZZSKI

On the date written below, MARY A. ZISK, declared to us, the undersigned, that this instrument consisting of two pages including this page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, and in her presence and the presence of each other, subscribe our names as witnesses.

It is our belief that she is of sound mind and memory and is under no constraint or undue influence whatsoever.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on Current 3, 1989, at Sacramento, California.

Jandra R Aldham	residing at 5310 Maddison Ave.
	Sacramento, CA 95819
Miche 00 - My 0001	residing at 308 North Acron
	Davis CA 95616

Last Will and Testment

For Donald Jisk 50 percent

For Edward Jisk 50 percent To all my grandchildren To all my great grand cheldre \$500. each. any body objecting to my requests is to get to a administrator - Hon Zisk Sa. Mary 4. Zisk

1	ATTACHMENT "8"		
2	NAME AND ADDRESS	RELATIONSHIP	<u>AGE</u>
3	WILLIAM J. ZISK 205 Thomas Street	Son	Adult
4	Roseville, CA 94598		
5	EDWARD J. ZISK aka EDWARD ZISK, SR.	Son	Adult
6	36524 Ed Yates Road	3011	Addic
7	Pearl River, LA 70452	Daughter	72 T -
8	MARION A. KRIVANEC 304 Drayton Court	Daughter	Adult
9	Walnut Creek, CA 94598		
10	DONALD R. ZISK aka DONALD ZISK, SR.	Son	Adult
11	637 Encinal Avenue Roseville, CA 95678		
12			
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14			
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1	COLLEEN MARIE LOUDERBOUGH 4280 N. Shamrock Avenue
2	Boise, ID 83713
3	JOHN WILLIAM ZISK 2 Tomahawk Court
4	Novato, CA 94949
5	EDWARD JOSEPH ZISK, JR. 2027 Wellington Lane
6	Slidell, Louisiana 70459
7	DONALD RICHARD ZISK, JR. 135 Cedar Street
8	Roseville, CA 95678
9	KEVIN RICHARD KRIVANEC 304 Drayton Court
10	Walnut Creek, CA 94598
11	JAMES MARTIN ZISK 720 1/2 Orchid
12	Corona Delmar, CA 92625
13	MARIE YVETE DUFOUR 7552 River Ridge
14	Denham Springs, LA 70726
15	CHRISTOPHER EARLE KRIVANEC 304 Drayton Court
16	Walnut Creek, CA 94598
17	BRIDGET ELAINE ZISK THOMPSON 1010 Lane Avenue, #B21
18	Metaire, LA 70005
19	WILLIAM JOHN ZISK, JR. c/o William J. Zisk
20	205 Thomas Street Roseville, CA 94598
21	KRISTIE MARIE LOUDERBOUGH
2 2	4280 N. Shamrock Avenue Boise, ID 83713
23	BRIAN CHRISTOPHER LOUDERBOUGH
24	4280 N. Shamrock Avenue Boise, ID 83713
25	JAMI CHRISTINE LOUDERBOUGH
26	4280 N. Shamrock Avenue Boise, ID 83713
27	MICHAEL EDWARD ZISK
28	2027 Wellington Lane Slidell, Louisiana 70459

1 STEVEN MATTHEW ZISK 2 2027 Wellington Lane Slidell, Louisiana 70459 3 ELIZABETH MARY ZISK 2027 Wellington Lane 4 Slidell, Louisiana 70459 5 ZACHARY PAUL DUFOUR 7552 River Ridge 6 Denham Springs, LA 70726 LUKE de PAUL DUFOUR 7552 River Ridge 8 Denham Springs, LA 70726 9 KYLE MADISON ZISK 2 Tomahawk Court 10 Novato, CA 94949 11 LYNN ROUSSELL ZISK 12 2 Tomahawk Court Novato, CA 94949 13 14 15 16 17 18 19 20 21 22 23 24 25 26

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1 Law Offices of TOSH G. YAMAMOTO A Professional Corporation, SB#63253 930 Florin Road, Suite 200 Sacramento, California 95831 FILED 3 Telephone: (916) 421-8455 4 Attorney for Petitioner NOV 1 0 1994 5 CARL DePIETRØ 6 7 8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 IN AND FOR THE COUNTY OF PLACER 10 11 In the Matter of the No. SPR-0567 Dept. 3 12 Estate of:) ATTACHMENT 8 TO PETITION FOR 13 MARY A. ZISK,) PROBATE OF LOST WILL OR PROBATE OF WILL AND FOR 14 LETTERS TESTAMENTARY AND FOR AUTHORIZATION TO ADMINISTER UNDER THE 15 Decedent INDEPENDENT ADMINISTRATION 16 OF ESTATES ACT Hearing Date: 11/22/94 17 Time: 8:30 a.m. Dept .: 3 18 19 PLEASE SEE ATTACHED. 20 21 22 23 24 25 26 27 28

ATTACHMENT "8"

-			
2	NAME AND ADDRESS	RELATIONSHIP	AGE
3	WILLIAM J. ZISK 205 Thomas Street	Son	Adult
4	Roseville, CA 94598		
5	EDWARD J. ZISK aka EDWARD ZISK, SR.	Son	Adult
6	36524 Ed Yates Road Pearl River, LA 70452		
7	MARION A. KRIVANEC	Daughter	Adult
8	304 Drayton Court Walnut Creek, CA 94598		
9	DONALD R. ZISK aka	_	
10	DONALD ZISK, SR. 637 Encinal Avenue	Son	Adult
11	Roseville, CA 95678		
12	COLLEEN MARIE LOUDERBOUGH 4280 N. Shamrock Avenue	Grandchild	Adult
13	Boise, ID 83713		
14	JOHN WILLIAM ZISK 2 Tomahawk Court	Grandchild	Adult
15	Novato, CA 94949		3.37.
16 17	EDWARD JOSEPH ZISK, JR. 2027 Wellington Lane Slidell, Louisiana 70459	Grandeniid	Adult
18	DONALD RICHARD ZISK, JR.	Crandohild	Adult
19	135 Cedar Street Roseville, CA 95678	Grandentiu ,	Addic
20	KEVIN RICHARD KRIVANEC	Grandchild	Adult
21	304 Drayton Court Walnut Creek, CA 94598		
22	JAMES MARTIN ZISK 720 1/2 Orchid	Grandchild	Adult
2 3	Corona Delmar, CA 92625		
24	MARIE YVETE DUFOUR 7552 River Ridge	Grandchild	Adult
25	Denham Springs, LA 70726		
26	CHRISTOPHER EARLE KRIVANEC 304 Drayton Court	Grandchild	Adult
27	Walnut Creek, CA 94598		
28	BRIDGET ELAINE ZISK THOMPSON 1010 Lane Avenue, #B21 Metaire, LA 70005	Grandchild	Adult

1 2	WILLIAM JOHN ZISK, JR. c/o William J. Zisk 205 Thomas Street Roseville, CA 94598	Grandchild	Adult
3 4	KRISTIE MARIE LOUDERBOUGH 4280 N. Shamrock Avenue Boise, ID 83713	Great Grandchild	Minor
5 6	BRIAN CHRISTOPHER LOUDERBOUGH 4280 N. Shamrock Avenue Boise, ID 83713	Great Grandchild	Minor
8	JAMI CHRISTINE LOUDERBOUGH 4280 N. Shamrock Avenue Boise, ID 83713	Great Grandchild	Minor
9	MICHAEL EDWARD ZISK 2027 Wellington Lane Slidell, Louisiana 70459	Great Grandchild	Minor
11 12	STEVEN MATTHEW ZISK 2027 Wellington Lane Slidell, Louisiana 70459	Great Grandchild	Minor
13 14	ELIZABETH MARY ZISK 2027 Wellington Lane Slidell, Louisiana 70459	Great Grandchild	Minor
15 16	ZACHARY PAUL DUFOUR 7552 River Ridge Denham Springs, LA 70726	Great Grandchild	Minor
17 18		Great Grandchild	Minor
19 20	KYLE MADISON ZISK 2 Tomahawk Court Novato, CA 94949	Great Grandchild	Minor
21 22	LYNN ROUSSELL ZISK 2 Tomahawk Court Novato, CA 94949	Great Grandchild	Minor
23 24			
25 26			
27 28			

STATE OF CALIFORNIA County of Sacramento) I am a citizen of the United States and a resident of the County of Sacramento. I am over the age of eighteen (18) years and not a party to the within above-entitled action; my business address is 930 Florin Road, Suite 200, Sacramento, California, 95831. On <u>November 7</u>, 1994, I served the within Attachment 8 to Petition for Probate of Lost Will, etc. on the person(s) below in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Sacramento, California, addressed as follows: PLEASE SEE ATTACHED MAILING LIST. I, KATHLEEN SILVA, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on November 1

, 1994, at Sacramento, California.

* Nothber Silva

KATHLEEN SILVA

WILLIAM J. ZISK 1 205 Thomas Street Roseville, CA 94598 3 EDWARD J. ZISK aka EDWARD ZISK, SR. 36524 Ed Yates Road 4 Pearl River, LA 70452 5 MARION A. KRIVANEC 6 304 Drayton Court Walnut Creek, CA 94598 DONALD R. ZISK aka DONALD ZISK, SR. 637 Encinal Avenue Roseville, CA 95678 9 V. ELDORA FORD 10 Attorney at Law 925 G Street, 2nd Floor 11 Sacramento, CA 95814 12 COLLEEN MARIE LOUDERBOUGH 13 4280 N. Shamrock Avenue Boise, ID 83713 14 JOHN WILLIAM ZISK 2 Tomahawk Court 15 Novato, CA 94949 16 EDWARD JOSEPH ZISK, JR. 2027 Wellington Lane Slidell, Louisiana 70459 18 DONALD RICHARD ZISK, JR. 19 135 Cedar Street Roseville, CA 95678 20 KEVIN RICHARD KRIVANEC 21 304 Drayton Court Walnut Creek, CA 94598 22 JAMES MARTIN ZISK 23 720 1/2 Orchid Corona Delmar, CA 24 MARIE YVETE DUFOUR 25 7552 River Ridge Denham Springs, LA 70726 26 CHRISTOPHER EARLE KRIVANEC 304 Drayton Court Walnut Creek, CA 94598 28 BRIDGET ELAINE ZISK THOMPSON 1010 Lane Avenue, #B21

Metaire, LA 70005

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2 3	Novato, CA 94949
24	
25	
26	

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): 63253 TELEPHONE NO.:	FOR COURT USE ONLY
LAW OFFICES OF TOSH G. YAMAMOTO (916) 421-8455	
A Professional Corporation	graces ft g games party
930 Florin Road, Suite 200	
Sacramento, CA 95831	
ATTORNEY FOR (Name): DONALD R. ZISK	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER	OCT 2 8 1994
STREET ADDRESS: 101 Maple Street	
MAILING ADDRESS:	CARL DePIETRO
CITY AND ZIP CODE: Auburn, CA 95603	CLERK OF THE SUPERIOR COURT
BRANCH NAME:	DEPUTY
ESTATE OF (NAME): MARY A. ZISK	,
DECEDENT	and the state of t
1	CASE NUMBER:
or (name): MARI A. 215A	SPR-0567
	SPN - UJU
l. To all heirs, beneficiaries, creditors, contingent creditors, and persons who may be othe	erwise interested in the will or estate, or bo
of (specify all names by which decedent was known) MARY A. ZISK	
A PETITION has been filed by (name of petitioner) DONALD R. ZISK	
in the Superior Court of California, County of (specify). PLACER B. THE PETITION requests that (name). DONALD R . ZISK	
be appointed as personal representative to administer the estate of the decedent.	
be appointed as personal representative to administer the estate of the decedent	
I. X THE PETITION requests that the decedent's WILL and codicils, if any, be admitted to	probate. The will and any codicils are availa
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WILLIAM J. ZISK 1 205 Thomas Street Roseville, CA 94598 2 EDWARD J. ZISK aka 3 EDWARD ZISK, SR. 36524 Ed Yates Road 4 Pearl River, LA 70452 5 MARION A. KRIVANEC 304 Drayton Court 6 Walnut Creek, CA 94598 DONALD R. ZISK aka DONALD ZISK, SR. 8 637 Encinal Avenue 9 Roseville, CA 95678 V. ELDORA FORD 10 Attorney at Law 11 925 G Street, 2nd Floor Sacramento, CA 95814 12 13 14 15 16 17 18 19 20 21 22 **2**3 24 25 26

27

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) 63253 TELEPHONE NO	FOR COURT USE ONLY	
- LAW OFFICES OF TOSH G. YAMAMOTO (916) 421-8455		
A Professional Corporation		
930 Florin Road, Suite 200		
Sacramento, CA 95831 ATTORNEY FOR (Name): DONALD R. ZISK		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF PLACER	H BARE DATE:	
STREET ADDRESS: 101 Maple Street	OCT 2 8 1994	
MAILING ADDRESS:	001 2 0 1774	
CITY AND ZIP CODE: Auburn, CA 95603	CABL DePIETRØ	
BRANCH NAME:	CLERK OF THE SUPERIOR COUNTY	
ESTATE OF (NAME):	TI _ DEPUTY	
MARY A. ZISK	,	
DECEDENT		
PROOF OF HOLOGRAPHIC INSTRUMENT	PR-0567	
I was acquainted with the decedent for the following number of years (specify): 54	years.	
2. X I was related to the decedent as (specify) son		
3. I have personal knowledge of the decedent's handwriting which I acquired as follows:		
a. XX I saw the decedent write.		
b. I saw a writing purporting to be in the decedent's handwriting and upon v	which decedent acted or was charged.	
It was (specify):		
•		
c. I received letters in the due course of mail purporting to be from the decedent in reto the decedent.	esponse to letters I addressed and mailed	
d. Other (specify other means of obtaining knowledge):		
4. I have examined the attached copy of the instrument, and its handwritten provisions we ed by the hand of the decedent. (Affix a copy of the instrument as attachment 4).	re written by and the instrument was sign-	
I declare under penalty of perjury under the laws of the State of California that the foregoing Date: 10/27/94	is true and correct.	
DONALD R. ZISK	Let K. Mark	
637 Encinal Avenue, Roseville, CA 95678		
(ADDRESS)		
ATTORNEY'S CERTIFICATION	•	
(Check local court rules for requirements for certifying copies of w	vills and codicils)	
I am an active member of The State Bar of California, I declare under penalty of perjury und attachment 4 is a photographic copy of every page of the holographic instrument heretofore is		
Date: 10/27/94	6 11 1	
	$A \rightarrow A \rightarrow$	
TOSH G. YAMAMOTO (TYPE OR PRINT NAME)	(SIGNATURE OF ATTORNEY)	

CEB

ely 29,/989 Last Will and Testment

I mary 9. Ziok

for Donald Zisk 50 per To all my grandchildren 4/000. each To all my great grand children 500. oo each. any body objecting to my requests is to get to any administrator - Hon Zisk Sa. Mary a. Zisk

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address) 632		FOR COURT USE ONLY
LAW OFFICES OF TOSH G. YAMAN	IOTO (916) 421-8455	
A Professional Corporation		
930 Florin Road, Suite 200 Sacramento, CA 95831		
ATTORNEY FOR (Name): DONALD R. ZISK		
SUPERIOR COURT OF CALIFORNIA, COUNTY O	F PLACER	OCT 2 8 1994
STREET ADDRESS: 101 Maple Street	•	
MAILING ADDRESS:		CARL DePIETRO
CITY AND ZIP CODE: Auburn, CA 95603		SLERK OF THE SUPSRIOR DOURT
BRANCH NAMÉ:	este municipalitat de la companya d	DEPUTY DEPUTY
ESTATE OF (NAME): MARY A. ZISK		
	DECEDENT	
	ar elegant and analysis and analysis and an elegant and analysis and a second and analysis of an elegant and a	CA ENOME RA
X Probate of Will and for Let	•	DIV 000
PETITION FOR	ters of Administration	HEARING DATE
Produce of Administration		Control of the second of the s
Lost Will OR Letters of Special Administration	stration	
December 31, 1984) X Authorization to Administr	er Under the Independent	DEPT.: TIME:
Administration of Estates	Act with limited authority	
1. Publication will be in (specify name of newspaper)	THE PRESS-TRIBUNE	A
a. Publication requested	. .	
b. X Publication to be arranged.	and the second s	In Johnson
2. Petitioner (name of each): DONALD R. ZIS	SK ·	(Signature of attorney or party without attorney)
requests	nitted to probate	
 a. X decedent's will and codicils, if any, be adr b. X (name):DONALD R. ZISK 	intted to probate.	
be appointed (1) X executor	(3) admini	istrator
(2) administrator wi	The state of the s	al administrator
and Letters issue upon qualification.	1 Constitution of the Cons	
Land Land		ne Independent Administration of Estates Act
d. X bond not be required for the reasons state		
		tted surety insurer or as otherwise provided o maximum required by Probate Code, § 8482.,
		eceipts will be filed. (Specify institution and
location):	a braining addition to all all all all all all all all all al	
,		
3. a. Decedent died on (date): 9/8/94	at (place) Roseville, C	A
X a resident of the county named above.		
the state of the s	state in the county named above loc	cated at (specify location permitting publication
in the newspaper named in item 1):b. Street address, city, and county of decedent's	regidence at time of death.	
135 Cedar Street, Rosevill		THE Y
c. Character and estimated value of the property		and the state
(1) Personal property\$		
(2) Annual gross income from		
(i) real property\$		
(ii) personal property \$	1.40.000.00	
Total \$ (3) Real property: \$ 0.00	140,000.00	dent Administration of Estates Act is requested
(2) Heal blobelty: \$ 0.00	state the fair market value of the re-	
d. X Will waives bond. Special adminis	trator is the named executor and the	
All beneficiaries are adults and have waiv	ed bond, and the will does not require	a bond. (Affix waiver as Attachment 3d.)
All heirs at law are adults and have waive		3d.)
Sole personal representative is a corporation	te fiduci ary	
	(Continued on reverse)	

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ATTACHMENT "3e"

Petitioner is requesting decedent's Will dated August 3, 1989, a copy of which is attached hereto and incorporated herein by reference be admitted to probate as decedent's Will. After decedent executed her Will on August 3, 1989, decedent gave to petitioner for safekeeping the original Will of decedent dated August 3, 1989, a copy of which is attached hereto.

Unfortunately, despite making a diligent effort, petitioner has been unable to locate where he placed the original Will of decedent. Decedent at no time indicated an intent to revoke her Will dated August 3, 1989.

In the alternative, petitioner requests that decedent's holographic Will dated July 29, 1989 be admitted to probate. The July 29, 1989 holographic Will is totally consistent with the formal Will executed by the decedent on August 3, 1989. A copy of the said holographic Will is attached hereto and incorporated herein by reference. The original of said holographic Will has been located by petitioner and is being filed with the court simultaneously with this petition.



Hast Mill and Testament of

MARY A. ZISK

I, MARY A. ZISK, a resident of Sacramento County, California, hereby make and declare this to be my Last Will and revoke all other Wills and Codicils previously made by me.

FIRST: I declare that I am a widow; that I have four children, namely my son, WILLIAM J. ZISK, my son, EDWARD J. ZISK, my daughter, MARION A. KRIVANEC, and my son, DONALD R. ZISK; that I have no deceased children leaving issue now surviving.

SECOND: I intentionally make no provisions for my son, WILLIAM J. ZISK, or my daughter, MARION A. KRIVANEC.

THIRD: I direct my Executor to pay my just debts and expenses of my last illness, funeral and burial as soon after my demise as can lawfully and conveniently be done.

FOURTH: It is my intention hereby to dispose of all real and personal property of which I have the right to dispose by Will, including any and all property as to which I may have a power of appointment by Will.

EIGHTH: I have purposely made no provision for any other person whether claiming to be an heir of mine or not, and if any person mentioned under this Will, or not mentioned herein, shall contest this Will or object to any of the provisions hereof, I give to such a person so contesting or objecting, the sum of One Dollar (\$1.00) and no more, in lieu of the provisions which I have made or which I might have made herein for such person so contesting or objecting.

NINTH: I hereby give my Executor full power and authority to sell at public or private sale, any portion of my estate at such time or under such terms and conditions as may be deemed in the best interest of my estate subject only to such confirmation of court as may be required by law.

IN WITNESS WHEREOF, I have hereunto set my hand at sacramento, California, this Sad day of Jugust, 1989.

MARY A. ZZSK

On the date written below, MARY A. ZISK, declared to us, the undersigned, that this instrument consisting of two pages including this page signed by us as witnesses, was her Will and requested us to act as witnesses to it. She thereupon signed this Will in our presence, all of us being present at the same time. We now, at her request, and in her presence and the presence of each other, subscribe our names as witnesses.

It is our belief that she is of sound mind and memory and is under no constraint or undue influence whatsoever.

We declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on Cuiquist 3, 1989, at Sacramento, California.

Jandra R Oldham	residing at 5310 ModdISON AVE.
	Sacramento, CA 95819
Muchoo Mucoo	residing at 308 North Acrock
	Davis CA 95616

Last Will and Testment

For Donald Jisks 50 percent

For Edward Jisks 50 percent To all my grandchildren \$1000. Dach To all my great grand children 500. o each. any body objecting to my requests is to get to and administration- Lon Zick Sa. Mary 4. Zick

1		ATTACHMENT "8"	
2	NAME AND ADDRESS	RELATIONSHIP	AGE
3	WILLIAM J. ZISK 205 Thomas Street	Son	Adult
4	Roseville, CA 94598		
5	EDWARD J. ZISK aka EDWARD ZISK, SR.	Son	Adult
6	36524 Ed Yates Road Pearl River, LA 70452	5011	Addit
7	MARION A. KRIVANEC	Daughter	Adult
8	304 Drayton Court Walnut Creek, CA 94598	Daughter	Addit
9	DONALD R. ZISK aka		
10	DONALD ZISK, SR. 637 Encinal Avenue	Son	Adult
11	Roseville, CA 95678		
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Law Offices of TOSH G. YAMAMOTO A Professional Corporation, SB#63253 930 Florin Road, Suite 200 Sacramento, California 95831 Telephone: (916) 421-8455 Attorney for Petitioner OCT 2 8 1994 CARL DEPTETRO
CLARK OUTHE SUPERIOR COURT

11 4151 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER In the Matter of the Estate of: TYPEWRITTEN COPY OF MARY Z. ZISK, HOLOGRAPHIC WILL Decedent. PLEASE SEE ATTACHED.

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July 29, 1989

Last Will and Testiment of Mary A. Zisk for Donald Zisk Sr. 50 percent for Edward Zisk Sr. 50 percent

To all my grandchildren \$1000.00 each to all my great grandchildren \$500.00 each.

Anybody objecting to my requests is to get \$1.00 administrator - Don Zisk, Sr.

Mary A. Zisk

SPR-0567

OCT 2 8 1994

Last Will and testment

I mary 9. Ziok

For Donald Zisk 50 percent

For Edward Zisk 50 percent

Do all my grandchildren

4/000. each

To all my great grandchildren

500. each.

any body objecting to my requests is to get to and administrator for Zisk Sa. Mary a. Zisk

5 NR 0567

NO. 94 - 1199

IN THE

SUPREME COURT OF THE UNITED STATES

October, 1994 Term

* * *

William J. Zisk
Petitioner

RECEIVED

FEB - 7 1995

VS.

SUPERIOR COURT

High Street Associates
Respondent/Real Party In Interest

Mary A. Zisk; Edward J. Zisk; Donald R. Zisk; Architects Equity Inc.; A.C.F. Inc. (J Gottlieb) Respondents/Indispensable Parties.

* * *

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPERIOR COURT OF
MIDDLESEX COUNTY, STATE OF CONNECTICUT

* * *

PETITION FOR WRIT OF CERTIORARI

非非非

By: William J. Zisk 205 Thomas Street Roseville, CA 95678

(916) 782-2233

December 10, 1994

NO. 94-1199

IN THE

SUPREME COURT OF THE UNITED SPATES

October, 1994 Term

William J. Zisk Petitioner

VS.

High Street Associates Respondent/Real Party In Interest

Mary A. Zisk; Edward J. Zisk; Donald R. Zisk; Architects Equity Inc.; A.C.F. Inc. (J Gottlieb) Respondents/ Indispensable Parties.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPERIOR COURT OF MIDDLESEX COUNTY, STATE OF CONNECTICUT

PETITION FOR REHEARING **RULE 44.2**

William J. Zisk - Pro Se 205 Thomas Street Roseville, CA 95678

(916) 782-2233

March 22, 1995

SUPERIOR COURT OF THE STATE OF CALLFORNIA IN AND FOR THE COUNTY OF PLACER

DATE:	FEBRUARY 7, 1995	COU	RT MET	AT 8:3	30 a.m.	DEPT.	NO.:_	2
HON. JAME	ES D. GARBOLINO	_, JUD	GE.	NIANNE	FISCH	, D	EPUTY	CLERK
M. Y以	121121	, REPO			(LEPPE			
		,				····		
IN THE MAT	rer of:		co	UNSEL:			***************************************	- Andrew States and Andrew Consumption
MARY A. ZIS	SK,		1	osh Yama				
		Marion A. Krivanec - Objector William J. Zisk - Objector						
NATURE OF E and Letters Full Disclo	PROCEEDINGS: Petitics Testamentary, Objections of Alleged Est	on for ections tate.	Probat filed Filed	ce of Willby Will	ll ACTI 94, Moti liam Zisk	on no.	<u>S PR</u> Contir	<u>0567</u> iuance
	inued to	Mark de articus i armigin lassanogara, mais describitations		 ·				
Case Matt	regularly called for her submitted upon the vertical transport of ess(es) duly sworn and	erified Petitio	Petiti n to be	on. AR	ice has be	en given	•	
Cour	extended for higher bids	a Th	no t	oids give having b to stable Lunct	n. id the sum	of s Poteti	in the	- 10 x. () ()
WIII	Executor of Decedent's War Administrator with Wil Administrator.	Will.	ed.	e. rerso	nar Repres	encacive	appoin	cea.
in the	ers shall issue upon que sum \$sal Property Petition gtion to Determine Succe	ranted.				upon f	iling o	of bond
Fees a	confirmed. \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\						. \$	
Fees	unt allowed, settled an allowed as requested. Attor							
Petiti (Baccon	Libution is granted as relation is granted in accordance to the latest three latest	dance wi	th alle	egations of	of verified	d Petitio	n.	

SUPERIOR COURT OF THE STATE OF CALLFORNIA IN AND FOR THE COUNTY OF PLACER

1. KI. 11/10 - 20.74110	RT MET AT 8:30 a.m. DEPT. NO.: 3			
HON. LARRY D. GADDIS , JUD	GE. SHARYN VIEGA , DEPUTY CLERK			
MARY ANN SWEENEY , REPOR	RTER ED LEIGHTON , BAILIFF			
IN THE MATTER OF:	COUNSEL:			
MARY A. ZISK, Decedent.	Marieri A. Krivanec William J Zick			
	Probate of Will ACTION NO. S PR 0567 Testamentary			
MATTER:				
Stricken from calendar. A could be	Line are elimenteel to file, prepar acordost			
Case regularly called for hearing, Matter submitted upon the verified Court finds allegations of Petition Witness(es) duly sworn and testify	n to be true.			
Court calls for higher bids	no bids given. having bid the sum of \$			
COURT ORDERS Will Codicil(s) admitted to Executor of Decedent's Will. Administrator with Will annexed Administrator.	probate. Personal Representative appointed.			
in the sum \$ Spousal Property Petition granted.	tion. Bond waived. upon filing of bond			
Petition to Determine Succession to	Real Property granted.			
Sale confirmed. \$ Fees allowed. Additional bond to be filed in the	real estate commission allowed. \$sum of \$			
Fees allowed as requested.	vedAccount waivedReport approved.			
\$ Attorneys's Commissions	fees. \$ Extraordinary fees. \$ Extraordinary commissions			
Distribution is granted as requested Petition is granted in accordance wi				
1-92 general powers probate Min	th allegations of verified Potition. on medical server of the limite & dead hereity will be			



THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FREINTHIS OFFICE ATTEST GPRIL 10, 1997

CARL De PIETRO
Superior Court Clark, County of Placer, State of

I certify this entire file contains pages one through 84. H

April 10, 1997 Janeta II