

In the estate of Edmund Peter Siva, the matter is still pending in the courts. It is not uncommon for an attorney to lose in the trial court and prevail at a subsequent hearing. In the matter of Mr. Siva, the fact that a conservator was not appointed for him in the trial court, while costly to Mr. Siva and to those who were petitioning for the appointment of a conservator, is not conclusive on the propriety of the establishment of a conservator for the simple reason that the decision of the trial court will be appealed, but the time has not yet elapsed.

In the matter of the estate of Eugene Segundo, the report not only—

Mr. EDMONDSON. Mr. Hollowell, would you suspend for just a minute?

Mr. HOLLOWELL. Yes, sir.

Mr. EDMONDSON. We haven't located—we're having a little difficulty identifying which is exhibit B.

Mr. SIGLER. Is this it?

Mr. HOLLOWELL. That's my statement. Open up the file, Mr. Sigler.

Mr. SIGLER. Is that the file for exhibit B?

Mr. HOLLOWELL. That's it, and the letter should be on the bottom of that pile of papers on the top, from the clerk's office.

Mr. EDMONDSON. And, the substance of exhibit B then consists of the pleadings that you have filed with the court roughly, from 1962 to the present time?

Mr. HOLLOWELL. Yes, sir.

Mr. EDMONDSON. All right.

Mr. HOLLOWELL. Mr. Segundo petitioned for the removal of myself as his conservator and the appointment of another fiduciary. I did not object. His wife, with whom he was engaged in a divorce action, did object, not to the change of conservator, but to the appointment of the successor who had been nominated by Mr. Segundo.

A long, involved, drawn-out fight ensued. Where Mr. Cox concludes that it was a simple 1-day hearing is beyond my comprehension. A contested fight involving as many witnesses and issues as this one did could never have been concluded in 1 day.

What Mr. Cox may have meant was that had the matter gone unopposed, as it would have if the wife of Mr. Segundo had not appeared in the action, the matter could have been handled by an ex parte order, which could have taken just about 5 minutes. The fact that it extended over the period of time that it did cannot be laid at the feet of any individual or institution.

The estate of Mr. Segundo was not charged with the \$4,000 fee of his wife's attorney. This claim was not only objected to by the Department, but it was objected to by Mr. Segundo through his own attorney.

The fees requested by me at the conclusion of my tenure as conservator covered not only the services rendered as conservator, but did cover the time spent in court. I appeared in court in connection with the change of conservators on numerous occasions, having been subpoenaed by the wife's attorney. Mr. Cox concludes the paragraph concerning this estate by a very misstatement of California law to the effect that it is not permissible for a conservator to charge fees for legal work. This is not the law.

My next exhibit is C and it contains my legal points involved in