NO. 2012-14538

CARL HENRY BRUNSTING

IN RE:

) IN THE DISTRICT COURT OF))) HARRIS COUNTY, TEXAS

) 80TH JUDICIAL DISTRICT

ORAL AND VIDEOTAPED DEPOSITION OF CAROLE ANN BRUNSTING JULY 6, 2012 VOLUME 1

ORAL AND VIDEOTAPED DEPOSITION OF CAROLE ANN BRUNSTING, produced as a witness at the instance of CARL HENRY BRUNSTING, and duly sworn, was taken in the above-styled and numbered cause on July 6, 2012, from 9:48 a.m. to 2:27 p.m., before Jeanne C. Pearl, CSR in and for the State of Texas, reported by machine shorthand, at the offices of Merrill Corporation, 315 Capitol, Suite 210, Houston, Texas, pursuant to the Texas Rules of Civil Procedure.

| | | Page 2 | | Page 4 |
|---|---|--------|--|---|
| 1 | A P P E A R A N C E S | - | 1 | THE VIDEOGRAPHER: This is the beginning of |
| 23 | FOR CARL HENRY BRUNSTING: | | 2 | tape number 1 to the deposition of Carole Brunsting. |
| , | Ms. Bobbie G. Bayless | | 3 | The time is 9:48. We're on the record. |
| 1 - | BAYLESS & STOKES | | 4 | CAROLE ANN BRUNSTING, |
| 5 | 2931 Ferndale Houston, Texas 77098 | | 5 | having been first duly sworn, testified as follows: |
| 6 | Phone: 713-522-2224 | | 6 | (The time is 9:48 a.m.) |
| 7 | E-mail: bayless@baylessstokes.com teague@baylessstokes.com | | 7 | EXAMINATION |
| 8 | FOR AMY BRUNSTING AND ANITA BRUNSTING: | | 8 | BY MS. BAYLESS: |
| 9 | Ms. Maureen Kuzik McCutchen MILLS SHIRLEY, LLP | | 9 | Q. Would you state your name, please? |
| 10 | 2228 Mechanic Street, Suite 400 | | 10 | A. Carole Brunsting. |
| 11 | P.O. Box 1943 (77553) Galveston, Texas 77550 | | 11 | Q. Have you ever had your deposition taken before, |
| | Phone: 409-763-2341 | | 12 | Ms. Brunsting? |
| 12 13 | E-mail: mmccutchen@millsshirley.com FOR VACEK & FREED: | | 13 | A. No. |
| 14 | Ms. Zandra E. Foley | | 14 | Q. All right. You understand that this is a |
| 15 | THOMPSON COE COUSINS & IRONS, LLP One Riverway, Suite 1600 | | 15 | deposition that's being taken in an action filed by your |
| | Houston, Texas 77056 | : | 16 | brother Carl to try and investigate what's gone on with |
| 16 | Phone: 713-403-8200 E-mail: zfoley@thompsoncoe.com | | 17 | the family trust. Do you understand that? |
| 17 | E-mail. Zioley@mompsoncoe.com | | 18 | A. Yes. |
| 18 | THE VIDEO TECHNICIAN: | | 19 | Q. The you're not you don't have counsel |
| 10 | Mr. Dennis Beard | | 20 | here representing you, right? |
| 19 20 | | | 21 | A. I didn't wasn't aware I needed one. |
| 20 | | | 22 | Q. Well, I'm not saying you need one. I'm just |
| 22 | | | 23 | trying for the record to make it clear |
| | | | 24 | A No I don't |
| 23 24 | | | | A. No, I don't. |
| 23 | | | 25 | Q you're not represented? |
| 23 24 | | Page 3 | | |
| 23 24 25 | INDEX | Page 3 | | Q you're not represented? |
| 23 24 25 1 2 3 | PAGE Appearance 2 | Page 3 | 25 | Q you're not represented? Page 5 |
| 23 24 25 1 2 | PAGE 2 Index | Page 3 | 25 1 | Q you're not represented? Page 5 A. No. |
| 23 24 25 1 2 3 4 5 | PAGE Appearance 2 | Page 3 | 25 1 2 | Q you're not represented? Page 5 A. No. Q. Okay. We're going to have some issues if we talk at the same time. So, let me give you some kind of ground rules for depositions. The court reporter is |
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| | Page 6 | | Page 8 |
|----------------|---|----------|--|
| 1 | Q. Now, you understand that you're under oath | 1 | A. Yes. |
| 2 | today just as if you were in a courtroom? | 2 | Q. And have you always lived in Houston? |
| | A. Yes, I do. | 3 | A. I was born in Oklahoma. |
| 4 | Q. And, so, the same penalties of perjury apply if | 4 | Q. So, how old were you when you moved to Houston? |
| 5 | you don't tell the truth. You understand that? | 5 | A. 12. |
| 6 | A. Yes, I understand that. | 6 | Q. And since then you've lived here? |
| 7 | Q. Okay. Now, you say you've never had your | 7 | A. Yes. |
| 8 | deposition taken before. Have you ever been involved in | 8 | Q. And do you have any children? |
| 9 | a lawsuit before? | 9 | A. No. |
| 10 | A. Not that I recall. | 10 | Q. Have you ever been married? |
| 11 | Q. Okay. Not a party to a lawsuit? | 11 | A. Yes. |
| 12 | A. Not that I recall, no. | 12 | Q. What's the name of your ex-husband? |
| 13 | Q. Have you ever been a witness in a courtroom as | 13 | A. Jody Larriviere. |
| 14 | opposed to in a deposition setting? | 14 | Q. And, so, when were you divorced? |
| 15 | A. No. | 15 | A. 1985. |
| 16 | Q. What is your educational background? | 16 | Q. You have four siblings, right? |
| 17 | A. I have a Bachelor's degree in accounting. | 17 | |
| 17 | Q. And where did you receive that degree from? | 18 | A. That's correct. |
| 19 | • • | 19 | Q. And of those four siblings your brother Carl is |
| 20 | A. University of Houston. | 20 | the only other one that lives in Houston; is that right? |
| | Q. And when was that? | 1 | A. That's correct. |
| 21 | A. I think I graduated in 1989. | 21 | Q. At some point in time your parents became |
| 22 | Q. And do you have any are you licensed as a | 22 | involved with the law firm for which Al Vacek works. |
| 23 | CPA? | 23 | Are you aware of that? |
| 24 | A. No, not yet. | 24 | A. I'm aware of that. |
| 25 | Q. Is that something you're working toward? | 25 | Q. And he prepared or someone in his firm prepared |
| | Page 7 | | Page 9 |
| 1 | A. Yes, I am. | 1 | what was called a living trust for your parents. Are |
| 2 | Q. Do you anticipate sitting for some type of an | 2 | you aware of that? |
| 3 | exam? | 3 | A. Yeah, I'm aware of that. |
| 4 | A. I already have sat for one part. I have the | 4 | Q. And did you have any communications with your |
| 5 | other three I need to sit for. | 5 | parents about this living trust that was created before |
| 6 | Q. Okay. Do you anticipate doing that do you | 6 | it was actually prepared? |
| 7 | have dates for doing that as we sit here? | 7 | A. No. |
| 8 | A. Within the next year. | 8 | Q. How did you come to learn about it? |
| 9 | Q. Okay. And give us, if you would, just a | 9 | A. I don't know. They just mentioned it at some |
| 10 | thumbnail sketch of your employment background. | 10 | time. |
| 11 | A. I work for Cameron International. | 11 | Q. And did they mention it in a situation in which |
| 12 | Q. And what did you do for them? | 12 | you were the only child, their only child that was there |
| 13 | A. I'm an accountant. | 13 | or was this in a family setting? |
| 14 | Q. You work for them now? | 14 | A. I assume it was a family setting. |
| 15 | A. (Witness nods head.) | 15 | Q. Okay. And what do you recall them saying about |
| 16 | Q. And have you worked for anybody else before | 16 | it when they |
| 17 | Cameron? | 17 | A. You know what, I really don't even remember. |
| 18 | A. Before Cameron I worked for Chase Source. | 18 | It's been so long. All I remember is my dad saying that |
| | Q. And doing accounting work for them, also? | 19 | he went to a seminar or something at church and they |
| 19 | - | 20 | went to this and it was going to protect their assets. |
| 19 20 | A. Yes. | | |
| | A. Yes. Q. Anybody else? | 21 | And at the time it seems like my parents were I don't |
| 20 | | } | •• |
| 20 21 | Q. Anybody else? | 21 | even know. Maybe my dad was still, still working. So, |
| 20 21 22 | Q. Anybody else?A. Before Chase Source I worked for Cardtronics. | 21 22 | •• |

| | Page 10 | | Page 12 |
|---|--|---|---|
| 1 | Q. Okay. | 1 | spent years taking care of my dad and it was Carl's job |
| 2 | A. It was just something my parents went to a | 2 | to take care of my mother. |
| 3 | seminar, hey, this is what we did. | 3 | Q. And it was what? |
| 4 | Q. At some point in time did it take on a | 4 | A. It was Carl's job to take care of my mother. |
| 5 | different importance for you? | 5 | Q. All right. |
| 6 | A. No, it didn't. | 6 | A. And then Carl got ill and then I ended up being |
| 7 | Q. So, when your dad was still alive, do you know | 7 | involved with both of them. |
| 8 | if there were any changes made to the trust? | 8 | Q. Okay. Involved taking care of your mother? |
| 9 | A. I was never, ever involved with anything having | 9 | A. Taking care of my mother became my |
| 10 | to do with this trust ever. | 10 | responsibility. |
| 11 | Q. Okay. | 11 | Q. All right. |
| 12 | A. I wasn't counseled. I wasn't part of it. I | 12 | A. As well as Carl, making sure that I could do |
| 13 | never got involved with it. | 13 | what I could to help him as well. So, the only choice I |
| 14 | Q. And, so, who was involved with it? | 14 | was left with was taking my mother to go have this bank |
| 15 | A. I assume whoever my parents wanted to have | 15 | account set up so that my mother could continue to make |
| 16 | involved with it. I was never a trustee, a co-trustee. | 16 | her she could continue to pay her bills. |
| 17 | My name as far as I know was never on that document. | 17 | Q. Well, why wasn't Anita going to pay her bills |
| 18 | Q. All right. Well, I'm not really talking about | 18 | from the trust? |
| 19 | whether you were a trustee or co-trustee. I'm talking | 19 | A. I don't know. This was a conversation between |
| 20 | right now about what you might have known? | 20 | Candace Freed and my sister Anita Brunsting. |
| 21 | A. I never made it a point to be involved with | 21 | Q. The conversation about this account that was |
| 22 | anything of my parents' finances. | 22 | set up with you on it? |
| 23 | Q. Ever? | 23 | A. Yes. |
| | | 24 | Q. So, you weren't even involved in the |
| 24 | A. Ever. | 24 | Q. 30, you weren't even involved in the |
| 24 25 | A. Ever. Q. All right. So, how is it that you came to have | 24 | conversation? |
| | | | |
| | Q. All right. So, how is it that you came to have Page 11 | | conversation? Page 13 |
| 25 | Q. All right. So, how is it that you came to have | 25 1 | conversation? Page 13 A. No. Except for my objection that I did not |
| 25 1 | Q. All right. So, how is it that you came to have Page 11 a bank account with your mother? A. That was because of Vacek. | 25 | conversation? Page 13 |
| 25 1 2 | Q. All right. So, how is it that you came to have Page 11 a bank account with your mother? | 25 1 2 | conversation? Page 13 A. No. Except for my objection that I did not want to do this. |
| 25 1 2 3 | Q. All right. So, how is it that you came to have Page 11 a bank account with your mother? A. That was because of Vacek. Q. Okay. What do you mean by that? A. When Anita took over as whatever my, | 25 1 2 3 | conversation? Page 13 A. No. Except for my objection that I did not want to do this. Q. So A. This was the decision that Candace Freed and |
| 25 1 2 3 4 | Q. All right. So, how is it that you came to have Page 11 a bank account with your mother? A. That was because of Vacek. Q. Okay. What do you mean by that? | 25 1 2 3 4 | conversation? Page 13 A. No. Except for my objection that I did not want to do this. Q. So |
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| | 5 | | 5 | |
|----------|--|----------------|--|---|
| 1 | and that I didn't need my hands tied with my concern | 1 | anything. | |
| 2 | was was that my mother's how my mother's finances | 2 | Q. And why is that? | |
| ; | were going to be taken care of. And that's I think | 3 | A. Because certain members of this family can just | |
| 4 | maybe that is when she said we're going to make the | 4 | be so petty. | |
| 5 | suggestion that your mother sets up a separate bank | 5 | Q. Okay. So, you were concerned it was going to | |
| 6 | account for the for her household expenses. | 6 | cause some kind of controversy? | |
| 7 | Q. So, that's the first you had heard about this | 7 | A. Uh-huh. | |
| 8 | suggestion? | 8 | Q. And what would cause that controversy, what you | |
| 9 | A. Yes. | 9 | spent the money on or just that you were spending it? I | |
| 10 | Q. And at that time did she say she was going to | 10 | mean, what would be the controversy? | |
| 11 | suggest that you be on the account? | 11 | A. I guess it was just because I had never been | |
| 12 | A. For some reason, yes, they suggested that I be | 12 | involved with any of my parents' finances at all. No. | |
| 13 | on the account. | 13 | It is because it was never my responsibility. My | |
| 14 | Q. And then subsequently did you have a | 14 | responsibility in my family was to take care of my | |
| 15 | conversation with Anita or Amy about this? | 15 | parents' health. And I just felt like this is pushing | |
| 16 | A. I never spoke with Amy about it. | 16 | me into an area that my parents they had it spelled | |
| 17 | Q. Did you have a conversation with Anita about | 17 | out what the roles were and mine was health, period. | ł |
| 18 | it? | 18 | And this was crossing over into financial. | |
| 19 | A. Yes. | 19 | Q. Okay. | |
| 20 | Q. And what was the nature of that conversation? | 20 | A. And, so, I felt like it was pushing somebody | |
| 21 | A. That I objected to, I objected to this because | 21 | else's responsibility on to me. That was not my | |
| 22 | I did not want to be involved with, with this. | 22 | responsibility. | |
| 23 | Q. So, I assume that conversation with Anita | 23 | Q. How did they spell out what the | |
| 24 | happened very shortly after your conversation with | 24 | responsibilities were? | |
| 25 | Candace Freed? | 25 | A. They always made us aware of I assumed Carl was | |
| | Page 15 | | Page 17 | |
| 1 | A. Uh-huh. | 1 | trustee and then apparently the co-trustee changed from | |
| 2 | Q. Did you talk with your mother about it? | 2 | time to time. But my role was to be I was the one that | |
| 3 | A. Yes. | 3 | was in charge of the my parents, any decisions having | |
| 4 | Q. And what was what did you say to your mother | 4 | to do with anything medical with my parents. | |
| 5 | about it? | 5 | Q. And what was the responsibility that Candy had, | - |
| 6 | A. Well, at the time my mother was still paying | 6 | that they gave Candy? | |
| 7 | all of her own bills, so | 7 | A. I don't know. I mean, at times I think she was | |
| 8 | Q. Do you recall when this was? | 8 | co-trustee and then she was, then she wasn't. | |
| 9 | A. It seems to me that this entire conversation | 9 | Q. And when you talk about trustee, is that in | |
| 10 | started back in maybe September of 2010. | 10 | your mind a financial responsibility? | |
| 11 | Q. Okay. And, so, at that point your mother was | 11 | A. Yes. | |
| 12 | handling the trust and paying her own bills? | 12 | Q. Okay. And what about Anita, what was her | |
| 13 | A. Yes. | 13 | responsibility? | |
| 14 | Q. And paying those bills out of the trust, I | 14 | A. See, I really don't know. I just all I ever | |
| 15 | assume? | 15 | knew is my parents said, Carole, you're the one that we | |
| 16 | A. As far as I knew that I mean, that's when I | 16 | really want in charge of our medical decisions all the | |
| 17 | found out that she I believe it was that she had a | 17 | way up until, you know, their death. And, so, as far as | |
| 18 | checking account with the trust. | 18 | I knew I had medical power of attorney and that never | |
| 19 | Q. Okay. And, so, you had this conversation with | 19 | changed. As far as the trust and anything associated | |
| 20 | your mother about this and what, what was her feeling | 20 | with it, if my parents made any kind of a change that | |
| 21 | about this separate account? | 21 | involved me, I assume they would have talked to me about | |
| 22 | A. She didn't object to it. I mean, it was just, | 22 | it. Because I don't think that ever happened, this | |
| °3 | - | | | |
| | it was just another bank account. As far as I know, it | 23 | wasn't a conversation I ever really had with them or | |
| _4 25 | - | 23 24 25 | wasn't a conversation I ever really had with them or ever got involved with. Q. Okay. So, when you said that the | |

| | | | Page 20 |
|--|---|--|--|
| 1 | responsibilities were very clearly outlined, you really | 1 | Q. Did you have anything to do with your parents' |
| 2 | meant your responsibility is | 2 | tax reporting at all? |
| | A. Mine. | 3 | A. No. |
| 4 | Q taking care of health? | 4 | Q. Up to this very day you don't? |
| 5 | A. My responsibility was taking care of my | 5 | A. No. My dad, as far as I know, he did all of |
| 6 | parents' health. | 6 | his own income tax until I think in 2000 when did he |
| 7 | Q. And, so, what exactly did that involve? You've | 7 | get dementia that was really bad. He had someone at |
| 8 | talked about medical power of attorney? | 8 | Chapelwood doing their taxes, but I think this guy was |
| 9 | A. That was doctors' appointments, taking my | 9 | about as old as my dad. And then my cousin Rich Rikkers |
| 10 | parents to the doctors' appointments, helping them make | 10 | took it over from at some point. |
| 11 | any kind of decisions. Just being involved with | 11 | Q. And he lives in Iowa? |
| 12 | anything with medical care. | 12 | A. Uh-huh. |
| 13 | Q. Did you were you also involved in hiring, | 13 | MS. MCCUTCHEON: I'm sorry, could you say |
| 14 | supervising the caretakers? | 14 | his name again? |
| 15 | A. Yes. But they had to meet my mother's approval | 15 | THE WITNESS: Rich Rikkers, Richard |
| 16 | and if my mother didn't like them, they didn't stay. | 16 | Rikkers. |
| 17 | Q. Did you choose your parents' doctors or did | 17 | Q. (BY MS. BAYLESS) Okay. Getting back to this |
| 18 | they choose their doctors? | 18 | bank account again, and I got sidetracked, I apologize, |
| 19 | A. They had their own doctors, but if, if it | 19 | so once it was decided that the bank account would be |
| 20 | became an area of specialty where they didn't have a | 20 | set up, what were the logistics of setting it up? Did |
| 21 | doctor, then that's where I would get their doctor | 21 | you go to the bank with your mother? |
| 22 | involved. And they gave us choices. Then, you know, we | 22 | A. I had to take my mother to the bank to set it |
| 23 | would I did as much research as I possibly could to | 23 | up, that's correct. |
| 24 | try to determine the best doctor for them. | 24 | Q. And how was it funded? |
| 25 | Q. At any point in time did you have to exercise a | 25 | A. It was funded with her Social Security and then |
| | Page 19 | | Page 21 |
| 1 | health care power of attorney for either parent? | 1 | I'm assuming that Anita made transfers from the trust |
| 2 | A. I had to sign some things. | 2 | whenever it was necessary. |
| 3 | Q. Okay. Did you ever have to make life-ending | 3 | Q. So, you didn't have anything to do with |
| 4 | decisions | 4 | requesting transfers? |
| 5 | A. No, I didn't. | 5 | A. No. Anita had access to the account on-line. |
| 0 7 | Q that kind of thing?A. No, I didn't. | 6 7 | Q. So, did you make any kind of reporting to Anita |
| 8 | Q. Now, throughout their lifetimes your parents | 8 | at all? A. No. |
| 9 | made certain payments to their children, right? | 9 | Q. Did you you didn't provide any invoices or |
| 10 | A. Certain payments, what do you mean? | 10 | anything like that? |
| 11 | Q. Well, either gifts or loans? For whatever | 11 | A. Well, we kept if I recall, she, she had some |
| 12 | reason they gave money to their children? | 12 | of my mother's bills transferred so that they could be |
| 13 | A. Uh-huh. | 13 | paid by the trust so that not so many bills had to be |
| 14 | Q. Yourself included? | 14 | paid. But, I mean, we kept records of the caregivers' |
| | | 15 | time and anything that was paid and then that was kept |
| 15 | A. Uh-huh. | 10 | |
| 15 16 | | 16 | in a, in a briefcase in my dad's office. And then when |
| | Q. And it's my understanding that there was some | | in a, in a briefcase in my dad's office. And then when she'd come down, she'd go through the records and take |
| 16 | | 16 | in a, in a briefcase in my dad's office. And then when she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But |
| 16 17 | Q. And it's my understanding that there was some type of documentation that your parents kept about what | 16 17 | she'd come down, she'd go through the records and take |
| 16 17 18 | Q. And it's my understanding that there was some type of documentation that your parents kept about what amounts had been paid to various children. Are you | 16 17 18 | she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But |
| 16 17 18 19 | Q. And it's my understanding that there was some type of documentation that your parents kept about what amounts had been paid to various children. Are you familiar with that? | 16 17 18 19 | she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But we didn't shred anything and we kept copies of |
| 16 17 18 19 20 | Q. And it's my understanding that there was some type of documentation that your parents kept about what amounts had been paid to various children. Are you familiar with that?A. No. | 16 17 18 19 20 | she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But we didn't shred anything and we kept copies of everything. |
| 16 17 18 19 20 21 | Q. And it's my understanding that there was some type of documentation that your parents kept about what amounts had been paid to various children. Are you familiar with that?A. No.Q. So, you never saw any document like that? | 16 17 18 19 20 21 22 23 | she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But we didn't shred anything and we kept copies of everything.Q. Okay. So, you don't have any of those support records today?A. No. Because it was never my understanding that |
| 16 17 18 19 20 21 22 | Q. And it's my understanding that there was some type of documentation that your parents kept about what amounts had been paid to various children. Are you familiar with that? A. No. Q. So, you never saw any document like that? A. No. | 16 17 18 19 20 21 22 | she'd come down, she'd go through the records and take back with her whatever I guess she felt necessary. But we didn't shred anything and we kept copies of everything.Q. Okay. So, you don't have any of those support records today? |

| | | | 5 |
|------------|--|--|--|
| 1 | signing all the checks. And other than maybe going to | 1 | to go with all this stuff. Because nobody was giving me |
| 2 | the I'm just trying to think. It was used to pay the | 2 | a chance. |
| <u>`</u> | caregivers and some of the medical bills and groceries | 3 | Q. Would you like to take a break? |
| 4 | and gas for the car and things like that. I mean, but | 4 | A. No. Everybody treated it like this was some |
| 5 | the caregivers filled out we had them fill out, what | 5 | kind of business deal. I just wanted time to be able to |
| 6 | do you call them, time sheets. So, we had copies of all | 6 | go through things to make sure that nothing got thrown |
| 7 | of that. | 7 | away that I wanted to keep or something that was |
| 8 | Q. So, where do you think those records would be | 8 | important. Because at the time I was really, really |
| 9 | today? | 9 | busy at work because we had some key people leave and it |
| 10 | A. I have no idea. When after my mother died, | 10 | was just a really busy time. That's why I didn't have |
| 11 | within 24 hours I think my sister was most of my | 11 | time to just drop everything I was doing to do everybody |
| 12 | family was there and you had four or five people just | 12 | else's bidding. But I received an e-mail, I think. |
| 13 | going through the house. And at the time it wasn't | 13 | Anita called me up and said you need to have everything |
| 14 | something that I really, you know, gave a lot of thought | 14 | out by I think it was the middle of January. And that |
| 15 | to. So, I mean, I really, I really have no idea. | 15 | was no. If I remember, Amy and Anita were going to |
| 16 | Q. Who were these four or five people going | 16 | come in and help and then they weren't going to come in |
| 17 | through the house? | 17 | and they were coming and then they weren't coming. And |
| 18 | A. Candy, Amy, Anita. Carl and Drina came over. | 18 | I think Amy came in maybe once and did some painting. |
| 19 | For some reason there seemed to be a sense of urgency of | 19 | And then it was like you have to get everything out of |
| 20 | let's clean up the house, let's get rid of everything, I | 20 | the house by whatever date it was. And, so, all I could |
| 21 | don't want to see this anymore, mother is not here, I | 21 22 | do was just at that point because there was so much |
| 22 23 | don't want to see pill bottles, I don't want to see | 23 | left in the house, all the furniture was there. So, I |
| 23 | calendars, I don't want to see this and all of a sudden | 23 | had to rent we rented a we had to rent a moving |
| 24 | stuff just started being thrown in the trash. | 24 | truck because some of it was going to be all of Carl's stuff Drina didn't want it. And, so, we loaded |
| 2.J | Q. So, you don't know in terms of records what was | | Carrs sturi Drina uluri t waiti it. And, so, we loaded |
| | Page 23 | | Page 25 |
| 1 | done to preserve records? | 1 | all the stuff up in the truck and then we went to go and |
| 2 | A. I know that there was a briefcase on a round | 2 | bring it over to my parents volunteered for MAM and |
| 3 | table in my dad's office and that's where we put every | 3 | that's where they wanted the stuff donated. And, so, we |
| 4 | single receipt, every single time sheet. Everything was | 4 | drove over there and they wouldn't take it because they |
| 5 | put in that briefcase. And then, like I said, when | 5 | had all they could take. And then we went over to |
| 6 | Anita would come in to Houston, she'd go through I'm | 6 | Goodwill and they weren't taking anything, either. So, |
| 7 | assuming she'd go through the briefcase. And if | 7 | nobody took anything. So, I had to go over and rent a |
| 8 | anything came in the mail that we thought it was | 8 | storage facility that was big enough to store all this |
| 9 | something that she needed that was trust related, we | 9 | stuff. |
| 10 | always just kept it there. And then she'd pick it up. | 10 | Q. Okay. |
| 11 | Q. How often did she come in to Houston? | 11 | A. And it was about to pour down rain. And, so, |
| 12 | A. I don't know. Maybe once a month, something | 12 | we just got it all in. I mean, we were they were |
| 13 | like that. | 13 | just packing it in there as fast as they could and they |
| 14 | Q. In terms of the personal property that was in | 14 | got everything in there just as it started to rain. And |
| 15 | your parents' house when your mother died she still | 15 | then I mean, this is, this is big stuff that was |
| 16 | lived in the house, right? | 16 | supposed to be donated. It's not like I can just throw |
| 17 | A. Uh-huh. | 17 | it in the back of my car and drive it over there. So, I |
| 18 | Q. What happened to that? | 18 | mean so, it's all still sitting there. So, |
| 19 | A. Everybody pretty much took what they wanted. | 19 | everything, everything, every scrap of paper, everything |
| 20 | And then for some reason there was this real sense of | 20 | that was left in that house Tino came and helped me box |
| 21 | urgency to get the house sold quickly. And, so, the | 21 | it up and we got it all loaded, everything that was left |
| 22 | house went on the market. The house was sold within the | 22 | in the garage. Everything. I had to get everything, |
| °3 | week. And then I was told I had to get everything out | 23 | everything that was left out. Everything that was left |
| - 4 | by I think first it was the end of December. And I told | 24 | in the house I was told to get out and, so, I did. |
| 25 | them, I said, you know, I can't where am I supposed | 25 | Q. And when you were told to do this, had Anita |
| 10,000,000 | สมารณศาสตร์การการการการการการการการการการการการการก | an a | na ann 111 an an a ann ann ann ann ann a |

| and Amy come and already gotten whatever they wanted out of the house? | | Page 28 |
|--|----------|---|
| | 1 | Q. Okay. And what when did you first find out |
| | 2 | that changes had been made? |
| A. Uh-huh. | 3 | A. I knew that there were some changes that were |
| Q. Okay. Tell me what MAM stands for. | 4 | being discussed in August. |
| 5 A. Methodist Area Ministries. | 5 | Q. Of 2010? |
| 6 Q. Okay. And, so, this stuff is still in the | 6 | A. Uh-huh. |
| 7 storage facility you're saying? | 7 | Q. What, what was being discussed? |
| 8 A. Yes. | 8 | A. About making my mother it was my |
| 9 Q. And is that the storage facility that you | 9 | understanding that my mother was going to go and talk |
| 10 provided the receipt for in your documents? | 10 | with Vacek about the fact that my brother was so ill. |
| 11 A. Yes. It's my there's all my parents | 11 | And, and then the next thing I knew everything changed. |
| 12 well, it's not all my parents' furniture because some of | 12 | Q. Now, you took your parents as I understand |
| 13 it they did take. But it's two king-size beds. It's | 13 | it, you took your mother to the doctor? |
| 14 all the bedroom furniture I had. It's two couches. | 14 | A. Yes. |
| 15 It's chairs. It's my grandparents' table and chairs | 15 | Q. You did not take her to Vacek's office? |
| 16 that my sister Amy brought back. It's all of Carl's | 16 | A. (Witness nods head.) |
| 17 stuff. It's all the stuff out of Carl's office for some | 17 | Q. Did you make appointments for her with either |
| 18 reason Drina didn't want. But I have it. I kept it. I | 18 | Vacek or Candace Freed or whoever might have been |
| 19 kept it because it belonged to my brother and that's why | 19 | dealing |
| 20 I kept it, so | 20 | A. My mother did that on her own. |
| 21 Q. And who is paying for the storage? | 21 | Q. Was she driving? |
| 22 A. I am. | 22 | A. Back then, yeah. |
| 23 Q. You're paying the cost of the storage unit? | 23 | Q. So, do you think that she drove herself to the |
| A. (Witness nods head.) | 24 | firm or do you know if anybody went with her? |
| 25 Q. All right. Then your parents' house was sold, | 25 | A. To this day I don't know the answer to that. |
| Page 27 | | Page 29 |
| 1 right? | 1 | All I know is that the day that she went there was the |
| 2 A. Yes. | 2 | day she was supposed to go to M.D. Anderson. And at the |
| 3 Q. And were you involved at all in the sale of the | 3 | last minute that day she cancelled the appointment at |
| 4 house? | 4 | M.D. Anderson. And I told her, I said, if you're going |
| 5 A. No. | 5 | to do this, mother, you're going to do it yourself |
| 6 Q. At some point I know e-mails were sent around | 6 | because I had worked so hard to get her in there. |
| 7 about a car that was your parents' car that your mother | 7 | Q. That was going to be her first appointment at |
| 8 still had when she died. What's the status of that car? | 8 | M.D. Anderson? |
| 9 A. I have it. | 9 | A. That was the most important appointment for |
| Q. Okay. Have you bought it or you just have it? A. I don't know. I was we were going to work | 10 11 | her. |
| 11 A. I don't know. I was we were going to work 12 something out and then just all hell broke loose and I | 12 | Q. And, so, she cancelled that and she told you |
| 1 ± 2 SOMETHING OUT AND THEN TUST AT DET DROKE TOOSE 3ND 1 | 12 | she was cancelling it so that she could go talk |
| 6 5 | 14 | A. She told me that she was cancelling the appointment. She didn't tell me why. |
| 13 have it. | 15 | Q. Did you learn later that that was why? |
| 13 have it.14 Q. So, it's in your possession? | 16 | A. I pieced it together myself. |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. | 17 | Q. And how did you piece it together? |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? | 18 | A. When I saw the date of her signature on the |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. | Ł | - |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. 18 Q. But you have not paid anything for it at this | 1 | Q. Okay. And when did you see the document itself |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. 18 Q. But you have not paid anything for it at this 19 point? | 1 | for the first time? |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. 18 Q. But you have not paid anything for it at this 19 point? 20 A. No. | 21 | |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. 18 Q. But you have not paid anything for it at this 19 point? 20 A. No. 21 Q. Now, in 2010 your mother made some changes to | 21 22 | |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. 18 Q. But you have not paid anything for it at this 19 point? 20 A. No. | 1 | A. I don't even remember. |
| have it. Q. So, it's in your possession? A. Yes. Q. Is it drivable? A. Not right now, no. Q. But you have not paid anything for it at this point? A. No. Q. Now, in 2010 your mother made some changes to the trust. You're aware of that, right? | 22 | |
| 13 have it. 14 Q. So, it's in your possession? 15 A. Yes. 16 Q. Is it drivable? 17 A. Not right now, no. | 19 20 | document. Q. Okay. And when did you see th |

8 (Pages 26 to 29)

| 1 Q. How did you know what changes were made or did 1 A. Anita had 1 think the summer off and, so, she started 2 you know what changes were made? A. Anita had 1 think the summer off and, so, she started 4 proposed changes were, but then - 1 mean, Igues as started hards, be's very deailed and she likes that 5 far as how the trust document worked and all of that, my mother had signed and hank is signed. I wasn't really coused on the trust, the was stolener more - what was really terring me up 9 7 at the time I really wasn't really focused on the trust, the was stolener more - what was really terring me up 9 9 wass the fact that my brother was so ill at the time. I think he was - no. He was out of a comp, but 10 10 D. Okay. 10 wolea mains the trust more really doint in think in a so me he more that the changes? 11 M.D. Anderson. 10 whose mane was on that trust and help my mother 12 A. And the fact that my brother was so ill at the tass int molea more really doint in think in a so more of times. The wasn't really something I thought 13 A. Do, no. 10 A. Acouple of times. 14 woold the was this is anout the changes? 10 A. No, no. 15 she wanted to make were changes that she had in mindo? 10 10 N | | Page 30 | | Page 32 |
|--|----|---|----|--|
| 2you know what changes were made?1belong the with it. And layer to admit that's oneA. Aria told me or Ania told me what the proposed changes were, but then -1 mean I guess as 5 far as how the trust document worked and all of that, my mother had signed and hadn't signet. I wasn't really focused on the trust. What was bodnering me what was really trearing me up was the fact that my mother was so ill at the time. I think he was on. He was out of a come, but think he was on. He was out of a come, but that was time or healty on the was so ill at the time. I think he was on. He was out of a come, but the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the wasn't - this wasn't really something I thought the was still in ICU. So, I wasn't really something I thought the wasn't really something I thought the wasn't really something I thought the wasn't | 1 | | 1 | - |
| A. Anita told me or Anita told me what the area that Anita, she's very detailed and she likes that 4 proposed charges were, but then - I mean, I guess as area that Anita, she's very detailed and she likes that 4 for as how the trust document worked and all of that, my for as how the trust document worked and all of that, my 6 mother had signed and hadrit signed. I wasn't really required and hadrit signed. I wasn't really found on the trust. for and horderson. 9 was the fact that my mother cancelled her appointment at is statted helping my mother with it. And its to good at the with secans's I was really scored and she was really good at the singe score and she was really good at the singe score and she was really good at the singe score and she was really good at the singe score and she was really good at the singe score and she was really good at the singe score and score and the secanse I were score and score and the secanse I was a lot involved with that trust needed to help my mother and laways been the one that took care of that. 10 M.D. And the fact that my brother was so ill at the ind wasn't - this wasn't really something I thought 11 and wasn't - this wasn't really something I thought ind wasn't - this wasn't really something I thought 12 D. Did Anita visit your brother, do you know? ind wasn't - this wasn't really something I thought 13 A. No, no. ind wasn't - this wasn't really something I thought 14 B. W | | | | |
| 4 proposed changes were, but then I mean, I guess as is in a show the trust document worked and all of that, my 5 far as how the trust document worked and all of that, my 7 at the time I really wash' really focused on the trust. 8 What was bodhering me what was really tearing me up 9 was the fact that my mother cancelled her appointment at 10 M.D. Anderson. 11 Q. Okay. 12 A. And the fact that my brother was so ill at the 13 main I wash't this wash't really something I thought 14 he was still in ICU. So, I wash't really builting a lot 15 about this because I went to see my brother every day and I wash't this wash't really something I thought is and I wash't this wash't really something I thought 16 A. And we all assumed it was going to be Carl, bu 17 A. Couple of times. 20 Did Anita visit your brother, do you know?? 21 A. No, no. 22 Q. Was i your impression that the changes? 23 A. No, no. 24 A. No, no. 25 she wanted to make were changes that she had in mind? 26 A. No, no. | | · · · · · · · · · · · · · · · · · · · | | · · |
| 5 far as how the trust document worked and all of that, my is she started helping my mother with it. And I even ask 6 mother had signed and hadrt signed. I wasn't really at the time I really wasn't really sourced on the trust. 8 What was bothering me what was really tearing me up was a bockkeeper and she was really good at th 10 M.D. Anderson. is in the fact that my brother was so ill at the 11 Q. Okay. was a bockkeeper and she was really good at th 12 A. And the fact that my brother was so ill at the is observed body, somebody, som | 4 | | 1 | |
| 6 mother had signed and hadn't signed. I vasn't really - 6 my sister Candy if she could help her with it because 7 at the time I really wasn't really focused on the trust. 6 my sister Candy if she could help her with it because 9 was the fact that my mother cancelled her appointment at 10 8 Mod of stuff but is he didn't have the time, either. But 10 M.D. Anderson. 10 whose name was on that trust needed to help my moth 11 and Jassit - min wasn't - nik wasn't really something a lot 11 and assist my mother with getting everything filed 12 and I wasn't - nik wasn't really something thought 14 had assist my mother with getting everything filed 13 wasn't - nik wasn't really something thought 15 Q. And, so - 14 hawsn't - nik wasn't really something thought 16 A. And we all assumed it was going to be Carl, but 14 hawsn't - nik wasn't really something thought 16 A. And we all assumed it was going to be Carl, but 17 about. Page 20 No, no. 20 20 Did Anita visit your mother went, did 20 No, no. 22 21 A. No, no. No, no. 22 | | | 1 | |
| 7 at the time I really wasn't really focused on the trust. 7 Candy was a bookkeeper and she was really good at the kind of stuff but she dint have the time, either. But sum other cancelled her appointment at have the time, either. But was if do that 10 10 M.D. Anderson. 10 11 Q. Okay. 10 12 A. And the fact that my brother was so ill at the time. I think he was -no. He was out of a coma, but 14 10 13 about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother every day about this because I went to see my brother went, fidd 12 Q. Did Anita visit your brother, do you know? 16 13 A. No, no. 20 No, no. 24 Q. Was it your impression that the changes that far 21 A. No. 25 were they changes that Anita had in mind? 21 A. No. The impression I got was - from talking 3 to my mother was this is what Vacek recommended. As far as sowning that was up to my mother. That was my mother? 24 | | • • | | |
| 8 What was bothering me what was really tearing me up 8 kind of stuff but she didn't have the time, cither. But 9 was the fact that my mother cancelled her appointment at 9 somebody, somebody, somebody that was tid to the lp my moth 11 Q. Okay. 10 somebody, somebody, somebody that was tid to the lp my moth 12 A. And the fact that my brother was so ill at the 11 and assist my mother with some to see my brother every day 16 and I wasn't this wasn't really something I thought 14 he was soli my other every day 17 about. 20 Did Anita visit your brother, do you know? 19 A. A couple of times. 20 A. And we all assumed it was going to be Carl, bu 21 A. No, no. 21 A. No, no. 22 A. No, no. 22 Q. Was it your impression that the changes that 23 A. No, no. 23 A. No, no. 24 24 Wast it your impression 1 got was from talking 3 A. I know he went to meetings. He went to 24 were they changes that Anita had in mind? 24 A. No. The impression 1 got was from talking | -{ | ÷ · · | | • |
| 9 was the fact that my mother cancelled her appointment at 10 9 somebody, somebody, somebody that was tied to that 10 10 M.D. Anderson. 10 whose name was on that trust needed to help my mother 11 12 A. And the fact that my brother was so ill at the 13 ime. I think he was -no. He was out of a coma, but 14 10 15 about this because I vent to see my brother every day 16 and I wasn't - this wasn't really binking a lot 17 and a laway been the one that took care of that. 18 16 Q. Did Ania visit your brother, do you know? 10 A. And the advays been the one that took care of that. 19 Q. And, so - 16 Q. Did Ania visit your brother, do you know? 10 A. And we all assumed it was going to be Carl, bu 17 17 A. Ac ouple of times. 10 Q. So, you don't think that he term or he just wouldn't go over there and help my mother. 17 A. No, ne Q. So, you would be surprised to learn that he did have meetings? 20 24 Q. Was it your impression flat the changes that the changes that Anita had in mind? 21 A. No. 2 A. No. The impression I got was - from taking to my mother was this what Vacek recommendations made by Candace. 21 Mother and just saying, okay, we need to do we neet to make were they changes that Anita had in mind? | | • | | · · · · · · · · · · · · · · · · · · · |
| 10 M.D. Anderson. 10 whose name was on that trust needed to help my moth 11 Q. Okay. and assist my mother with getting everything filed 11 and assist my mother with getting is all taken care of because there 12 assout file because there to seem phy prother every day 13 about. 10 14 he was still in ICU. So, I wasn't really binking a lot 11 16 and I wasn't - this wasn't really something I thought 12 16 and I wasn't - this wasn't really something I thought 16 17 about. 0. And, so - 18 Q. Did Anita visit your brother, do you know? 18 20 Q. Hen your - well, when your mother went, did 18 21 A. A couple of times. 19 22 Q. Was it your impression that the changes? 20 23 A. No, no. 22 24 Q. Was it your impression l got was - front talking 3 3 to my mother was this is what Vacek recommended. As far 3 4 as whe be picked as the successor on the trust, 1m 3 3 as one point my mother. Thatw as my mother? 4 | | - · · · | } | |
| 11 Q. Okay. and assist my mother with getting everything filed 12 A. And the fact that my brother was so ill at the items in think he was – no. He was out of a coma, but 14 he was still in ICU. So, I wasn't really binking a lot and I wasn't – this wasn't really something I thought 15 about. Q. And, so – 16 A. And we all assumed it was going to be Carl, but 17 about. A. Accuple of times. 20 Q. When your – well, when your mother went, did A. Ao. couple of times. 21 A. No, no. Q. So, you don't think that he ver di darything 22 Q. Was it your impression that the changes? Q. So, you would be surprised to learn that he did 23 A. No, no. 22 Q. So, you would be surprised to learn that he did 24 Q. Was it your impression the trust, I'm Sasuming that was up to my mother. That was my mother's To mother was this is done and this is done, no. 25 about the trust and these were treecommendations made A. Tat's correct. A. Mat was muderstanding and what was 4 as wone spint my mother was tis go to go and help her 10 Do had was in a position to really offer her any 15 dorat file usas in a position to really offer her any <td></td> <td></td> <td>3</td> <td></td> | | | 3 | |
| 12A. And the fact that my brother was so ill at the 1312properly and getting it all taken care of because there 1313he was still in ICU. So, I wasn't really thinking a lot tabout.14had always been the one that took care of that.14he was a lot involved with that. And like I said, my dad had always been the one that took care of that.15about this because I went to see my brother every day and I wasn't - this wasn't really something I thought about.1516A. A couple of times.0. Men your - well, when your mother went, did 220. When your - well, when your mother went, did 231820Q. When your - well, when your mother went, did 23240. So, you don't think that he ever did anything wouldn't go over there and help my mother.21she say why she - did she ever tell you why she went to 23240. So, you would be surprised to learn that he did have meetings?24Q. Was it your impression that the changes that 24A. I know he went to meetings.2224Q. Was it your impression 1 got was - from talking a swho she picked as the successor on the trust, I'm a sowne point my mother went to go sec Candace Freed about the trust and these were the recommendations made by Candace.9And lot of that have done on-line and she just trust. I didn't have alo of of patience when it came to that kind of thing, either.15didn't confide in you about financial matters, was there anybody that she confided in?16A. Is my understanding that my parents had here really needed some assistance with it. And I never of freed because I was never - I had never attende | 1 | | ſ | |
| 13 time. I think he was - no. He was out of a coma, but 14 he was still in ICU. So, I wasn't really something I hought 15 about. 17 about. 18 Q. Did Anita visit your brother every day 19 A. A couple of times. 20 Q. When your well, when your mother went, did 21 she say why she did she ever tell you why she went to 23 A. No, no. 24 Q. Was it your impression that the changes? 24 Q. Was it your impression that the changes that 25 she wanted to make were changes that Anita had in mind? 26 A. No. no. 27 A. No. no. 28 Q. Was it your impression that the changes that 29 Varie of times. 20 Were they changes that Anita had in mind? 21 M. No. The impression 1 got was front talking 30 tory mother was this way to der drove to Vace K and 4 as who she picked as the successor on the trust, I' 5 assuming that was up to my mother. That was my mother's 6 decision. But it was my understanding and what was 18 A. That's | 12 | | | · · · |
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| 20 Q. When your well, when your mother went, did 20 with regard to the trust? 21 she say why she did she ever tell you why she went to 20 with regard to the trust? 22 Q. Was it your impression that the changes? 21 A. No. 23 A. No, no. 22 Q. So, you would be surprised to learn that he did 23 A. No, no. 22 Q. So, you would be surprised to learn that he did 24 Q. Was it your impression that the changes that she had in mind? 24 A. I know he went to meetings. He went to 25 she wanted to make were changes that Ahita had in mind? 24 A. I know he went to meetings. He went to 26 A. No. The impression I got was from talking 1 mother and just saying, okay, we need to do we need 2 A. No. The impression I got was from talking 1 Mother and just saying, okay, we need to do we need 3 aswho she picked as the successor on the trust, I'm 3 don, no. 2 3 asistic the was that my mother drove to Vacek and 6 A. Yes, yes, because she was expressing a lot of 4 explained to me was that my mother drove to Vacek and 6 A. Yes, yes, because she wase sexpressing a lot of | 18 | Q. Did Anita visit your brother, do you know? | 18 | wouldn't go over there and help my mother. |
| 21 she say why she did she ever tell you why she went to 22 meet with Vacek's firm about the changes? 23 A. No, no. 24 Q. Was it your impression that the changes that 25 she wanted to make were changes that she had in mind or 26 Q. Was it your impression that the changes that 25 she wanted to make were changes that she had in mind or 26 Q. Was it your impression I got was from talking 3 to my mother was this is what Vacek recommended. As far 4 as who she picked as the successor on the trust, I'm 5 aseling to my mother. That was my mother's 6 decision. But it was my understanding and what was 7 explained to me was that my mother drove to Vacek and 8 at some point my mother went to go see Candace Freed 9 about the trust and these were the recommendations made 10 by Candace. 11 Q. And these were recommendations made 12 Q. And these were recommendations made 13 A. That's correct. 14 Q. Was there anybody that your mother if she 13 alavays handled all the finances. And then when he died, </td <td>19</td> <td>A. A couple of times.</td> <td>19</td> <td>Q. So, you don't think that he ever did anything</td> | 19 | A. A couple of times. | 19 | Q. So, you don't think that he ever did anything |
| 22meet with Vacek's firm about the changes?22Q. So, you would be surprised to learn that he did have meetings?23A. No, no.24A. I know he went to meetings. He went to meetings. But as far as going over and sitting with my24Q. Was it your impression that the changes that she wanted to make were changes that she had in mind or25A. I know he went to meetings. He went to meetings. But as far as going over and sitting with my24A. No. The impression 1 got was from talking to my mother was this is what Vacek recommended. As far a swh she picked as the successor on the trust, I'm 51mother and just saying, okay, we need to do we need to make sure this is done and this is done, no.3as who she picked as the successor on the trust, I'm 53done, no.4as who she picked as the successor on the trust, I'm 54Q. Okay. And you know that because you discust that with your mother?5decision. But it was my understanding and what was 76A. Yes, yes, because she was expressing a lot of frustration. And my mother just didn't have a lot of fustration. And my mother just didn't have a lot of fustration. And my mother just didn't have a lot of frustration. And my mother just didn't have a lot of fread because I was never I had never attended a trust. I didn't have copies of it. And, so, I didn't trust. I didn't have copies of it. And, so, I didn't trust. I didn't have copies of it. And, so, J didn't trust. I didn't have copies of it. And, so, J didn't trust. I didn't have copies of it. And, so, J didn't trust. I didn't have copies of it. And, so, J didn't trust. I didn't have copies of it. And, so, J didn't trust. I aldn't have a | 20 | Q. When your well, when your mother went, did | 20 | with regard to the trust? |
| 23A. No, no.23have meetings?24Q. Was it your impression that the changes that24A. I know he went to meetings.25she wanted to make were changes that she had in mind or25A. I know he went to meetings.Page 31Page212A. No. The impression 1 got was - from talking3to my mother was this is what Vacek recommended. As far3to my mother was this is what Vacek recommended. As far3done, no.4as who she picked as the successor on the trust, I'm4Q. Okay. And you know that because you discuss5decision. But it was my understanding and what was7explained to me was that my mother drove to Vacek and7explained to me was that my mother drove to Vacek and88at some point my mother went to go see Candace Freed99bout the trust and these were the recommendations made1010by Candace.1011Q. And these were recommendations made because of1012Carl's illness?1113A. That's correct.1214Q. Was there anybody that your mother if she1115didn't confide in you about financeial matters, was there1216always handled all the finances. And then when he died,1417A. I tell you when it came to finances, my dad18always assumed that Carl was going to go and help her19I always assumed that Carl was going to do with the trust.24And he was just never there | | she say why she did she ever tell you why she went to | 21 | A. No. |
| 24Q. Was it your impression that the changes that she wanted to make were changes that she had in mind or Page 3124A. I know he went to meetings. He went to meetings. But as far as going over and sitting with my Page1were they changes that Anita had in mind? 2A. No. The impression I got was from talking 3 to my mother was this is what Vacek recommended. As far a sub osh picked as the successor on the trust, I'm 5 assuming that was up to my mother. That was my mother's 6 decision. But it was my understanding and what was rexplained to me was that my mother drove to Vacek and 8 at some point my mother went to go see Candace Freed 9 about the trust and these were the recommendations made 10 by Candace.1Mother and just saying, okay, we need to do we need to make sure this is done and this is done and this is done, no. 4 Q. Okay. And you know that because you discuss that with your mother?2A. I know he went to meetings. He went to meetings. But as far as going over and sitting with my meetings. But as far as going over and sitting with my meetings. But as far as going over and sitting with my mether and just saying, okay, we need to do we need to make sure this is done and this is done and this is done, no.3A. Tory on the was my inderstanding and what was to py candace.14Q. Okay. And you know that because you discuss that with your mother?5A. I they on the case the recommendations made to py candace.10Pale11Q. And these were teoremendations made because of tidn't confide in you about financial matters, was there anybody that she confided in?16Q. Was there anybody that your moth | 1 | meet with Vacek's firm about the changes? | 22 | Q. So, you would be surprised to learn that he did |
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| Page 31Page 31The page 31Page 31The page 31mother and just saying, okay, we need to do we need to may mother was this is what Vacek recommended. As far as who she picked as the successor on the trust, I'm 4 as who she picked as the successor on the trust, I'm 4 as suming that was up to my mother. That was my mother's 6 decision. But it was my understanding and what was 7 explained to me was that my mother drove to Vacek and 8 at some point my mother was to go see Candace Freed 9 about the trust and these were the recommendations made 10 by Candace.A. Yes, yes, because she was expressing a lot of frustration. And my mother just didn't have a lot of frustration. And my mother just didn't have a lot of frustration. And my mother is at lot of it had to be done on-line and she just really needed some assistance with it. And I never 10 offered because I was never I had never attended a 12 Carl's illness?12Mage 31Page 31Page 31The page 31other is the source when it came to finances, my dat 12Carl's illness?14A. Teal's ource when it came to finances, my dat 13 | | | | |

| | rage 54 | | rage 50 |
|--|--|---|---|
| 1 | A. Uh-huh. | 1 | oxygen. |
| 2 | Q. At some point in time did Anita sort of inform | 2 | Q. And the breathing problems and the dependence |
| 1 | you about what had gone on with the changes to the | 3 | on the oxygen, did that sometimes make her less lucid |
| 4 | trust? | 4 | than at other times? |
| 5 | A. She made me aware. | 5 | A. Huh-uh. |
| 6 | Q. And was that because you asked her or did she | 6 | Q. All right. So, you don't think she ever had |
| 7 | volunteer to make you aware? How did that come about? | 7 | any difficulty just with carrying out ordinary |
| 8 | A. I was aware that there was, that there were | 8 | functions? |
| 9 | changes going on with the trust. But as far as the | 9 | A. No. |
| 10 | timeline and when I found out what I found out, I mean, | 10 | Q. At some point in time you became concerned, |
| 11 | like I said, it's all because of the type of illness | 11 | didn't you, that in fact she was being made to sign some |
| 12 | that my mother had and because of the type of illness my | 12 | of these documents at by Candace Freed at times when |
| 13 | brother had and because my role was medical, I was | 13 | she might not have been realizing what she was doing? |
| 14 | really a lot more focused on that. And as far as the | 14 | MS. FOLEY: Object to form, |
| 15 | changes in the trust and things like that, I may have | 15 | A. No. |
| 16 | questioned it and I may not have liked the changes they | 16 | Q. (BY MS. BAYLESS) So, you never had that |
| 17 | made, but there really wasn't anything I could do about | 17 | concern? |
| 18 | it. And at the time it really didn't impact me. Like I | 18 | A. I didn't have any influence over my mother in |
| 19 | said, my only objection was that I felt like I was | 19 | that regards. And I may have questioned it. I |
| 20 | getting pulled into something financial when I was | 20 | |
| 21 | | 21 | really there were some things that I questioned, but once I realized that I did question. I questioned |
| 22 | requested that I set up this bank account for my mother. | 22 | some of the changes. But since I wasn't at the meetings |
| 22 | It just never sat well with me. | 23 | with Candace Freed and |
| 23 | Q. What kind of illness did your mother have? | | |
| 24 | A. She had atypical tuberculosis in her lungs | 24 25 | Q. Why did you question it? |
| 2.5 | which made it difficult for her to breathe and she had a | 23 | MS. FOLEY: Objection, nonresponsive. |
| | Page 35 | | Page 37 |
| 1 | bile duct tumor. | 1 | Q. (BY MS. BAYLESS) Why did you question it? |
| 2 | | 1 | |
| | () All right, And, so, you said that because of | 2 | MS. FOLEY: Objection, form |
| 3 | Q. All right. And, so, you said that because of the nature of her illness you were focused on that | 2 | MS. FOLEY: Objection, form. A. Because I was never involved with any of the |
| 3 4 | the nature of her illness you were focused on that. | 3 | A. Because I was never involved with any of the |
| 4 | the nature of her illness you were focused on that. What did you mean by that? | 3 4 | A. Because I was never involved with any of the meetings prior. And |
| 4 5 | the nature of her illness you were focused on that.What did you mean by that?A. My mother this problem that she had with her | 3 4 5 | A. Because I was never involved with any of the meetings prior. AndQ. (BY MS. BAYLESS) Did you ever have a concern |
| 4 5 6 | the nature of her illness you were focused on that.What did you mean by that?A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago | 3 4 5 6 | A. Because I was never involved with any of the meetings prior. AndQ. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the |
| 4 5 6 7 | the nature of her illness you were focused on that.What did you mean by that?A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago and they had been watching it. And when my parents got | 3 4 5 6 7 | A. Because I was never involved with any of the meetings prior. AndQ. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the documents that she had signed? |
| 4 5 6 7 8 | the nature of her illness you were focused on that.What did you mean by that?A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago and they had been watching it. And when my parents got pneumonia back in 2007, this fungus that she had in her | 3 4 5 6 7 8 | A. Because I was never involved with any of the meetings prior. And Q. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the documents that she had signed? A. No, because it's my understanding that someone |
| 4 5 7 8 9 | the nature of her illness you were focused on that. What did you mean by that? A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago and they had been watching it. And when my parents got pneumonia back in 2007, this fungus that she had in her lung started to grow and there really was no real cure | 3 4 5 6 7 8 9 | A. Because I was never involved with any of the meetings prior. And Q. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the documents that she had signed? A. No, because it's my understanding that someone at Vacek had to sit with my mother to make sure that she |
| 4 5 7 8 9 10 | the nature of her illness you were focused on that. What did you mean by that? A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago and they had been watching it. And when my parents got pneumonia back in 2007, this fungus that she had in her lung started to grow and there really was no real cure for it. But what she needed to do was take these | 3 4 5 6 7 8 9 10 | A. Because I was never involved with any of the meetings prior. And Q. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the documents that she had signed? A. No, because it's my understanding that someone at Vacek had to sit with my mother to make sure that she was understanding what she was signing. |
| 4 5 7 8 9 10 11 | the nature of her illness you were focused on that. What did you mean by that? A. My mother this problem that she had with her lungs had been diagnosed almost probably 12 years ago and they had been watching it. And when my parents got pneumonia back in 2007, this fungus that she had in her lung started to grow and there really was no real cure for it. But what she needed to do was take these antibiotics which she refused to do. And I had been to | 3 4 5 6 7 8 9 10 11 | A. Because I was never involved with any of the meetings prior. And Q. (BY MS. BAYLESS) Did you ever have a concern that your mother did not understand the nature of the documents that she had signed? A. No, because it's my understanding that someone at Vacek had to sit with my mother to make sure that she was understanding what she was signing. Q. How did you how do you have that |
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| | Tage 50 | | raye 40 | |
|------------|---|----------|--|---|
| 1 | Vacek had been going on for, I don't know, since 1995. | 1 | A. No. I did it my mother asked me to drive | |
| 2 | And I guess I realized I was starting to look at | 2 | her. | |
| | everything from a really emotionally charged point of | 3 | Q. Were you present when your mother signed the | |
| 4 | view at the time because of everything that was going | 4 | medical power of attorney to you? | |
| 5 | on. And there were just there was so much emotion | 5 | A. No, I don't think so. | |
| 6 | tied to all of this. It was coming from my sister Candy | 6 | Q. So, you weren't there for the time when that | |
| 7 | who was angry. It was coming from Drina who was livid. | 7 | was signed which was also the same date as this 8-25-10, | |
| 8 | It was coming from Amy. It was coming from Anita. It | 8 | the same date that the big change was made to the trust? | |
| 9 | was coming from everywhere. And I just felt like it was | 9 | A. No, huh-uh. Because that was the day that she | |
| 10 | all coming towards me. And I was trying to take all | 10 | was supposed to be at M.D. Anderson. | |
| 11 | this information, but I was trying to logically sort | 11 | Q. Okay. So, you're saying that you never had any | |
| 12 | through it all to determine also what was my mother | 12 | concerns about Anita making your mother make changes | I |
| 13 | thinking at the time and then I realized I wasn't in | 13 | that she wasn't wanting to make to these documents? | |
| 14 | these meetings with my mother. I wasn't there. And, | 14 | MS. MCCUTCHEN: Objection, form. | |
| 15 | so, I was really trying to get my own feelings and | 15 | A. Yeah, I don't it was my understanding that | |
| 16 | emotions out of it as well as, you know, the anger and | 16 | because that what prompted this was the fact that my | ľ |
| 17 | the hurt feelings by my other siblings. And I was | 17 | brother was so ill. And also my mother had been I | |
| 18 | trying to not take sides. But then at the same time | 18 | think that she had been working with Vacek on, on the | |
| 19 | because I was trying to make sure that everything was | 19 | changes to the trust document as far as how it was | |
| 20 | really fair, I wanted to make sure that I understood if | 20 | impacted once my father died. And, so, from my | ľ |
| 21 | anything had happened that I felt wasn't right, but I | 21 | recollection my mother maybe made a phone call to Vacek | |
| 22 | just never could find anything. I mean, I just | 22 | about the fact that my brother was so ill and talked | |
| 23 | Q. Okay. I don't even remember what I asked you. | 23 | with Candace Freed about that. And I'm just trying to | |
| 24 | A. Well, I mean, but, see, that's the thing is I | 24 | recall from any conversations I had with my mother of | l |
| 25 | was starting to get pulled into an area that I realized | 25 | that this is what Candace Freed recommended in a case | |
| | Page 39 | | Page 41 | |
| 1 | I couldn't fix. I couldn't fix this for everybody. I | 1 | like this with someone that was ill. And there was a | |
| 2 | couldn't fix it for Drina. I couldn't fix it for Candy. | 2 | medical it was a medical trust. And then if my | I |
| 3 | I couldn't fix it for anybody. | 3 | brother recovered, that at any point in time she could | I |
| 4 | Q. Well, you've said earlier that you didn't go | 4 | make changes to put things back. | |
| 5 | with your mother to Vacek's firm and now you said you | 5 | Q. (BY MS. BAYLESS) That's what your mother told | l |
| 6 | went to a meeting with her. What was the meeting that | 6 | you? | ŀ |
| 7 | you went to? | 7 | A. Uh-huh. | ŀ |
| 8 | A. That was when my mother was going to either | 8 | Q. And did she ever show you this medical trust | |
| 9 | I'm trying to remember if that was that they were | 9 | for your brother? | |
| 10 | going to if they were going to talk to some changes, | 10 | A. No. | |
| 11 | talk with Candace about some changes or sign some | 11 | Q. Let's take just a second. I'm going to have | |
| 12 | changes with some documents. | 12 | the court reporter mark some things. | |
| 13 | Q. Who else was in the meeting? | 13 | (Exhibit 1 marked.) | |
| 14 | A. Candace Freed and then there was an older | 14 | Q. (BY MS. BAYLESS) Okay. I'm going to show | |
| 15 | gentleman there and Tino. I think he went with us. And | 15 | you well, first of all, you indicated on the | |
| 16 | I don't know. There might have been one or two other | 16 | document, your response to the document request that it | |
| 17 | people in the room. | 17 | was I believe you said it was burdensome to provide | I |
| 18 | Q. But you don't know what the meeting was about? | 18 | e-mails? | ŀ |
| 19 | A. Well, it was we took my mother to it was | 19 | A. What do you mean by e-mails? Every e-mail I've | |
| 20 | to, I don't know, talk with Candace Freed about signing | 20 | had with my brothers and sisters? I'm not sure. It | |
| 21 | some documents or making a change or something like | 21 | wasn't specific enough of what | |
| 22 | that. | 22 | Q. So, you do have e-mails about the changes in | |
| ר' י3 | Q. And did you do this because your mother asked | 23 | the trust document? | |
| _4 วธ | you to or did you do it because Anita asked you to? Who | 24 25 | A. But you didn't say that. You just said any | |
| 25 | asked you? | 23 | Brunsting family matter. So, is that just for asking, | ļ |
| | | | | |

| Page 42 | | Page 44 |
|---|--|--|
| hi, how are you doing or | 1 | what had happened and a timeline of what happened to |
| Q. Had you did you read the definitions in the | 2 | make these changes. |
| document request? | 3 | Q. Look at the top of page 3. You say the closer |
| A. Yeah. | 4 | Anita comes to taking control the comments to me have |
| Q. Okay. Well, it defined Brunsting matter. | 5 | been, I'm assuming these are comments from Anita; is |
| A. And, so, anything that I could find that said | 6 | that right? |
| anything about the trust, that I did provide. But as | 7 | A. Uh-huh. |
| far as any changes again, no one ever asked me my | 8 | Q. Is that yes? |
| opinion of my mother never said, Carole, what do you | 9 | A. Yes. |
| think I should do. What are your recommendations. | 10 | Q. It is a good thing I am now trustee and not |
| Nobody asked me that. And that's why I'm not sure where | 11 | Carl because you can make more changes to the trust than |
| people think I have any kind of power or say over | | you realize. So, Anita said that to you? |
| | | A. Yes. |
| | | Q. And that she was going to find a way to fold |
| · | | Carl's money back into the trust if Carl died before |
| see if you recall this e-mail exchange? So, do you | | Trina did Drina did. Do you see that? |
| 8 | 17 | A. Uh-huh. |
| | 1 | Q. Did she say that to you? |
| | | A. I don't remember her saying that, but if I |
| · · · · · · · · · · · · · · · · · · · | | typed it, I guess she did. |
| | | Q. Well, you were in a meeting, weren't you, where |
| | | your mother was asked to sign a change that would have |
| | | disinherited Carl's daughter? |
| | | A. Yeah, but my mother would have called in to |
| controlled, right? | 20 | make those changes, though. |
| Page 43 | | Page 45 |
| A. Uh-huh. | 1 | Q. Well, my question is you were in a meeting |
| · · · · | | where your mother was going there and was given a |
| | 3 | document to sign that would have disinherited Carl's |
| | 4 | daughter, right? |
| | | A. It was that in the event that Carl pre-deceased |
| | - | my mother. |
| | | Q. His daughter wouldn't receive anything? |
| · · · | | A. That's correct, everything would go back into |
| | | |
| A. Uh-huh. | 9 | the trust. |
| Q. And you did you believe that occurred? | 10 | Q. And when that was explained to your mother, she |
| Q. And you did you believe that occurred?A. As time went on I didn't have any proof of it. | 10 11 | Q. And when that was explained to your mother, she refused to sign it, didn't she? |
| Q. And you did you believe that occurred?A. As time went on I didn't have any proof of it.I mean, it was just like I said, this was a really | 10 11 12 | Q. And when that was explained to your mother, she refused to sign it, didn't she? MS. MCCUTCHEN: Objection, form. |
| Q. And you did you believe that occurred? A. As time went on I didn't have any proof of it. I mean, it was just like I said, this was a really emotional charged time with everything that was going | 10 11 12 13 | Q. And when that was explained to your mother, she refused to sign it, didn't she?MS. MCCUTCHEN: Objection, form.A. No. |
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| | Q. Had you did you read the definitions in the document request? A. Yeah. Q. Okay. Well, it defined Brunsting matter. A. And, so, anything that I could find that said anything about the trust, that I did provide. But as far as any changes again, no one ever asked me my opinion of my mother never said, Carole, what do you think I should do. What are your recommendations. Nobody asked me that. And that's why I'm not sure where people think I have any kind of power or say over anything that was done with this document. Q. I'm going to show you what the court reporter marked as Exhibit 1. Can you review that document and see if you recall this e-mail exchange? So, do you recognize Exhibit 1? A. Yeah, I wrote this. Q. All right. And, so, if you look at page 2 of that in the e-mail that you sent to your sister on October 26th, 2010, you it's consistent with what you've been testifying today that you thought that what she placed Carl's money in a medical trust that she controlled, right? Page 43 A. Uh-huh. Q. (BY MS. BAYLESS) Now, you also say that you are working on a timeline about how your mother had been pressured to make changes by your sister, sisters Anita and Amy, right? | Q. Had you did you read the definitions in the document request?2A. Yeah.4Q. Okay. Well, it defined Brunsting matter.5A. And, so, anything that I could find that said anything about the trust, that I did provide. But as far as any changes again, no one ever asked me my opinion of my mother never said, Carole, what do you think I should do. What are your recommendations.10Nobody asked me that. And that's why I'm not sure where people think I have any kind of power or say over anything that was done with this document.13Q. I'm going to show you what the court reporter marked as Exhibit 1. Can you review that document and see if you recall this e-mail exchange? So, do you recognize Exhibit 1?17A. Yeah, I wrote this.18Q. All right. And, so, if you look at page 2 of that in the e-mail that you sent to your sister on October 26th, 2010, you it's consistent with what your've been testifying today that you thought that what your mother intended to do was to make a change so that she placed Carl's money in a medical trust that she controlled, right?2Page 4341A. Uh-huh.12Q. (BY MS. BAYLESS) Now, you also say that you are working on a timeline about how your mother had been pressured to make changes by your sister, sisters Anita7 |

| | Page 46 | | Page 48 |
|----------|---|----|--|
| 1 | (Exhibit 10 marked) | 1 | the, to the to Vacek. |
| 2 | MS. FOLEY: By the way, we didn't get | 2 | Q. That she had been asked to sign a document? |
| | copies of all the stuff she produced. So, could you | 3 | A. No, she hadn't been asked. My mother called in |
| 4 | just attach the whole do you have like her whole | 4 | and made these changes to these to the trust. |
| 5 | production because we don't have it? | 5 | Q. Well, how do you know that? |
| 6 | A. No. This is | 6 | A. Because she told me she did. |
| 7 | MS. BAYLESS: Hang on. Hang on. I haven't | 7 | Q. Your mother told you that she made changes to |
| 8 | asked you a question. | 8 | the trust herself and you were going to sign those? |
| 9 | MS. FOLEY: I'm thinking if you brought it | 9 | A. My mother because I'm trying to think why I |
| 10 | all, you could just attach it all to the transcript. | 10 | took my mother and it's because her doctor was in that |
| 11 | MS. BAYLESS: Yeah. Well, I brought my | 11 | very same area and we had an appointment over there |
| 12 | copy that's marked up. I could e-mail it to you. | 12 | anyway. And, so, I went with my mother to go to Vacek |
| 13 | MS. FOLEY: Okay. That will be good. | 13 | because she was going to sign some changes that she made |
| 14 | MS. MCCUTCHEN: Could you Bates stamp it? | 14 | to the trust document. |
| 15 | MS. BAYLESS: You're asking so much. | 15 | Q. All right. And did she tell you what those |
| 16 | MS. MCCUTCHEN: Would you mind if you | 16 | changes were before you went there? |
| 17 | e-mailed it to us and my assistant Bates stamped it? | 17 | A. Yeah, we had discussed it. |
| 18 | MS. BAYLESS: No. We can Bates stamp it. | 18 | Q. What did she tell you those changes were? |
| 19 | That's fine. | 19 | A. Was that the concern at the time was |
| 20 | MS. MCCUTCHEN: She can do a pdf real | 20 | everybody in the family was worried about what was going |
| 21 | easily. | 21 | to happen to my brother. And because my brother had |
| 22 | MS. BAYLESS: Yeah, that's what we do. | 22 | been staying with my mother at the time and just because |
| 23 | That's fine. I just didn't bring an extra I brought | 23 | of everything that my mother was aware of and everything |
| 24 | a few things that are from it, but I didn't bring the | 24 | that she was hearing, she was getting concerned that |
| 25 | whole thing. I didn't realize you didn't have it. | 25 | I guess just given Drina's behavior, that she apparently |
| | Page 47 | | Page 49 |
| 7 | - | 1 | - |
| 1 2 | Q. (BY MS. BAYLESS) Okay. Let me show you what's | 1 | had called and talked with Vacek about making some |
| | been marked as Exhibit 10. You have that in front of | 2 | changes that in the event that Carl pre-deceased her, |
| 3 4 | you? A. Uh-huh. | 3 | that the money would go back into the trust. |
| | | 4 | Q. So, did she say to you that she wanted to be |
| 5 6 | Q. This is an e-mail from you to Drina, right? | 56 | certain that Marta, Carl's daughter, didn't receive |
| 7 | A. This is what Drina wrote to me and I answered | | anything? |
| | her back. | 7 | A. She never specifically said that to me, no. |
| 8 | Q. Okay. But this e-mail is from you to Drina? | 8 | Q. And, in fact, that's not what she was intending |
| 9 | A. Yes. | 9 | with the changes, was it? |
| 10 | Q. And Drina is Carl's husband Carl's wife, | 10 | MS. FOLEY: Objection, form. |
| 11 12 | right? A. That's correct. | 11 | A. I don't know. I mean, I don't know. I don't |
| | | 12 | know. Because the thing that you're leaving out was the |
| 13 | Q. Wait a second. I may have given you the wrong | 13 | fact that the fact the thing that you're leaving |
| 14 | one. | 14 | out in this is Drina's behavior. |
| 15 16 | MS. BAYLESS: I gave you guys the wrong | 15 | Q. (BY MS. BAYLESS) Well, my question to you has |
| 16 | one. You can keep it, but it's not Number 10. This is | 16 | to do with the changes that your mother wanted to make? |
| 17 10 | 10. MCCUTCUEN, Thesh | 17 | A. But as far as the changes that my mother wanted |
| 18 | MS. MCCUTCHEN: Thanks. | 18 | to make and whatever changes she called in to Vacek, |
| 19 | MS. BAYLESS: Did I give you guys two of | 19 | those were here that was her decision, not mine. |
| 20 | that? | 20 | Q. And you and, so, what you know about that |
| 21 | Q. (BY MS. BAYLESS) Let me see that just a | 21 | you know from your conversation with her? |
| 22 | second. Okay. So, in the e-mail to you from Drina she | 22 | A. Yes. |
| 22 ע | asks whether you can give her a copy of the document. | 23 | Q. You weren't involved in the conversation with |
| .4 25 | You had told her about the document, right? | 24 | Vacek, right? |
| 25 | A. Yes. I told her that when I took mother to | 25 | A. Was I involved with the conversation with |

| | Page 50 | | Page 52 |
|--|---|--|---|
| 1 | Vacek, no. | 1 | A. I asked Candace Freed I wasn't getting |
| 2 | Q. Okay. | 2 | anywhere with Summer and, so, that's I think when |
| • | A. No. | 3 | Candace Freed sent the e-mail saying it was to discuss |
| 4 | Q. So | 4 | changes or something like that. |
| 5 | A. I took my mother to an appointment there at | 5 | Q. When you were on the call itself, did you ask |
| 6 | Vacek and then they went over everything with her again | 6 | what the call was about? |
| 7 | and | 7 | A. No. |
| 8 | Q. And that's when she said she didn't want to | 8 | MS. BAYLESS: Okay. Let's mark this. |
| 9 | sign it? | 9 | (Exhibit 11 marked.) |
| 10 | MS. FOLEY: Objection, form. | 10 | MS. BAYLESS: So, this is going to be 11. |
| 11 | A. She said that she wanted to think about it. | 11 | Q. (BY MS. BAYLESS) Okay. You're looking now at |
| 12 | Q. (BY MS. BAYLESS) All right. And, so, she | 12 | what's been marked as Exhibit 11 and that is the a |
| 13 | didn't sign it? | 13 | copy of the e-mails that you produced that you marked |
| 14 | A. She didn't sign it. | 14 | with the 16A down at the bottom that relate to this |
| 15 | Q. And as far as you know, she never signed it, | 15 | conference call. So, you first started hearing about |
| 16 | did she? | 16 | this on October 13th; is that right? |
| 17 | A. Not as far as I'm aware of, no. | 17 | A. Right. |
| 18 | Q. Did you have any conversations with anybody in | 18 | Q. That's the first e-mail about it? |
| 19 | Vacek's office at any time about any of this separately | 19 | A. Uh-huh. |
| 20 | from your mother? | 20 | Q. And did you ever after you learned that this |
| 21 | A. No. | 21 | was being set up, did you ever talk with your mother |
| 22 | Q. Okay. Now, at some point in October of 2010 a | 22 | about whether she was going to be participating? |
| 23 | conference call was arranged by Vacek's office? | 23 | A. I don't remember if I did or not. |
| 24 | A. Uh-huh. | 24 | Q. Or what it was about or anything? |
| 25 | Q. Was that before or after this meeting that you | 25 | A. (Witness nods head.) |
| 1 | Page 51 | | Page 53 |
| 1 | took your mother to? | 1 | Q. Is that a no? |
| 2 | A. It was before. | 2 | A. No. |
| 3 | Q. Okay. And do you did you participate in the | 3 | Q. Now, I notice if you go over to there |
| 4 | conference call once it finally happened? | 4 | were this thing you alluded to before where you were |
| 5 | A. Briefly. | 5 | wanting to know what it was about, if you look on the |
| 6 | Q. Who else participated in the conference call? | 6 | second page of these e-mails, Summer Peoples, I assume |
| 7 | A. Candy, Amy, Anita and myself. | 7 | that's somebody who works for Candace Freed? |
| 8 | Q. So, your mother didn't participate? | 8 | A. Uh-huh. |
| 9 | A. No. | 9 | Q. Said that the meeting is to discuss changes to |
| 10 | Q. Do you know why that is? | 10 | your mother's trust? |
| 11 | A. I have no idea. In fact, that's why I didn't | 11 | A. Uh-huh. |
| 12 | want to participate because I couldn't figure out what | 12 | Q. And that if you don't participate, you won't |
| 13 | the point of the call was. And first my mother was | 13 | have anything to say about the changes that will be |
| 14 | going to be on and then she wasn't going to be on. | 14 | made? |
| 15 | Because it was never made clear what this conversation | 15 | A. Right. |
| 1 | | 1 | |
| 16 | was about. | 16 | Q. And did you ever inquire what impact you could |
| 16 17 | was about. Q. Did you ask what it was about? | 16 17 | have on the changes that were going to be made? |
| 16 17 18 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. | 16 17 18 | have on the changes that were going to be made? A. Yes, I did. I spoke with Candace Freed about |
| 16 17 18 19 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. Q. Okay. And did you at some point talk to your | 16 17 18 19 | have on the changes that were going to be made?A. Yes, I did. I spoke with Candace Freed about it. |
| 16 17 18 19 20 | was about.Q. Did you ask what it was about?A. I did. I think you have it in the e-mail.Q. Okay. And did you at some point talk to your mother about this conference call? | 16 17 18 19 20 | have on the changes that were going to be made?A. Yes, I did. I spoke with Candace Freed about it.Q. On the phone? |
| 16 17 18 19 20 21 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. Q. Okay. And did you at some point talk to your mother about this conference call? A. No, because I asked Vacek what it was about. | 16 17 18 19 20 21 | have on the changes that were going to be made?A. Yes, I did. I spoke with Candace Freed about it.Q. On the phone?A. Yes. |
| 16 17 18 19 20 21 22 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. Q. Okay. And did you at some point talk to your mother about this conference call? A. No, because I asked Vacek what it was about. Q. Was he in the conference call? | 16 17 18 19 20 21 22 | have on the changes that were going to be made?A. Yes, I did. I spoke with Candace Freed about it.Q. On the phone?A. Yes.Q. All right. Before this conference call? So, |
| 16 17 18 19 20 21 22 23 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. Q. Okay. And did you at some point talk to your mother about this conference call? A. No, because I asked Vacek what it was about. Q. Was he in the conference call? A. Or Freed, no, Candace Freed. I always think | 16 17 18 19 20 21 22 23 | have on the changes that were going to be made? A. Yes, I did. I spoke with Candace Freed about it. Q. On the phone? A. Yes. Q. All right. Before this conference call? So, in a separate telephone conference? |
| 16 17 18 19 20 21 22 | was about. Q. Did you ask what it was about? A. I did. I think you have it in the e-mail. Q. Okay. And did you at some point talk to your mother about this conference call? A. No, because I asked Vacek what it was about. Q. Was he in the conference call? | 16 17 18 19 20 21 22 | have on the changes that were going to be made? A. Yes, I did. I spoke with Candace Freed about it. Q. On the phone? A. Yes. Q. All right. Before this conference call? So, |

| | Page 54 | | Page 56 |
|---|---|---|---|
| 1 | what she said to you. | 1 | accounting skills to know exactly what was involved in |
| 2 | A. Well, I really I mean, like I said, at the | 2 | being a trustee. |
| } | time it was just a phone call. So, I'm not really sure | 3 | Q. Neither Anita or Amy? |
| 4 | if I remember everything about it or not. I was just | 4 | A. I didn't understand that combination. |
| 5 | trying to figure out was there any point in me being on | 5 | Q. Okay. Because they didn't have accounting |
| 6 | this call or not. What power did I have and basically | 6 | skills or because |
| 7 | it was just a formality in my in my opinion that's | 7 | A. I just felt that neither one of them had a |
| 8 | what I was left with, it was just a formality. | 8 | business background at all. |
| 9 | Q. Did she say what changes they were talking | 9 | Q. So |
| 10 | about? | 10 | A. That was my personal opinion. My personal |
| 11 | A. It was to transition because my mother | 11 | opinion was I was looking at it from a completely |
| 12 | wanted to resign as trustee. | 12 | selfish point of view of they were going to start making |
| 13 | Q. Had your mother told you that? | 13 | all the decisions going forward. And like I said, I |
| 14 | A. Yeah, she was really sick and tired of being | 14 | didn't necessary have a problem with Anita. I really |
| 15 | badgered by everybody. | 15 | didn't have a problem with Anita. It was the fact that |
| 16 | Q. Who was badgering her? | 16 | my problem was with Amy. |
| 17 | A. Drina, Candy. Just she just felt like | 17 | Q. Did you talk with your mother about that? |
| 18 | she she was just kind of she just didn't want to | 18 | A. Yeah, I did. |
| 19 | have to deal with it anymore. | 19 | Q. And what was her response? |
| 20 | Q. Okay. So, did you talk with Anita about her | 20 | A. She said, well, do you want me to put you on |
| 21 | wanting to resign as trustee? | 21 | there? And I said I just didn't want I didn't know |
| 22 | A. No. | 22 | how this was going to impede my ability to take care of |
| 23 | Q. Did she tell you that she wanted Anita to take | 23 | my mother because I was the one in Houston. And at the |
| 24 | over as trustee? | 24 | time I didn't know what that meant. If my mother is |
| 25 | A. I think my mother was really okay with Anita | 25 | giving over all the financial control, then how are her |
| | Page 55 | | Page 57 |
| 11 | taking over as trustee. She was comfortable. She my | 1 | bills going to be paid, how are things going to be done, |
| 2 | mother held Anita in high regard, in other words. She | 2 | how are decisions going to be made. |
| 3 | always did because Anita did Anita was very close to | 3 | |
| 4 | my parents and they had great, they had great respect | | O BULDV INISTIME VOU AIREADV DAD THE ACCOUNT |
| | | 4 | Q. But by this time you already had the account that you signed on? |
| 5 | | 4 5 | that you signed on? |
| 5 6 | for her. And like I said, she I think that as far as | 5 | that you signed on? A. No, I did not. |
| 6 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the | 5 6 | that you signed on?A. No, I did not.Q. You didn't have it by then? |
| 6 7 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in | 5 6 7 | that you signed on?A. No, I did not.Q. You didn't have it by then?A. No. |
| 6 7 8 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in high regard as far as that went. | 5 6 7 8 | that you signed on?A. No, I did not.Q. You didn't have it by then?A. No.Q. Okay. So, is that part maybe of why that |
| 6 7 8 9 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in high regard as far as that went. Q. Okay. But, so, did your mother tell you | 5 6 7 8 9 | that you signed on? A. No, I did not. Q. You didn't have it by then? A. No. Q. Okay. So, is that part maybe of why that account got set up because of your concerns about that? |
| 6 7 8 9 10 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in high regard as far as that went. Q. Okay. But, so, did your mother tell you that I'm sorry, did you talk with Anita about the | 5 6 7 8 9 10 | that you signed on? A. No, I did not. Q. You didn't have it by then? A. No. Q. Okay. So, is that part maybe of why that account got set up because of your concerns about that? A. Possibly. |
| 6 7 8 9 10 11 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in high regard as far as that went. Q. Okay. But, so, did your mother tell you that I'm sorry, did you talk with Anita about the fact that she was going to be taking over as trustee? | 5 6 7 8 9 10 11 | that you signed on? A. No, I did not. Q. You didn't have it by then? A. No. Q. Okay. So, is that part maybe of why that account got set up because of your concerns about that? A. Possibly. Q. So, this conference call happened in October of |
| 6 7 8 9 10 11 12 | for her. And like I said, she I think that as far as I know, that she was always involved with her on the trust in some way. So, I know that they held her in high regard as far as that went. Q. Okay. But, so, did your mother tell you that I'm sorry, did you talk with Anita about the fact that she was going to be taking over as trustee? A. Yeah, we talked about it. | 5 6 7 8 9 10 11 12 | that you signed on? A. No, I did not. Q. You didn't have it by then? A. No. Q. Okay. So, is that part maybe of why that account got set up because of your concerns about that? A. Possibly. Q. So, this conference call happened in October of 2010 and it was your understanding was it was to be |
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| | Page 58 | <u> </u> | Page 60 |
|----------------------------|---|----------------|--|
| 1 | Q. Did you bring that up in the conference call? | 1 | Q. So, you didn't think his interests were being |
| 2 | A. Yes, I did. | 2 | considered in this conference call. Is that a fair |
| 1 | Q. And what was said? | 3 | statement? |
| 4 | A. That the only thing that I remember was Amy | 4 | A. Yes. |
| 5 | saying that, well, Drina needs to just get a job to help | 5 | Q. And that bothered you? |
| 6 | support Carl. | 6 | A. Yes. |
| 7 | Q. Okay. | 7 | Q. And it didn't seem to bother anyone else on the |
| 8 | A. And, you know, that she needed to consider | 8 | call? |
| 9 | going back to work and that we couldn't expect mother to | 9 | MS. FOLEY: Objection, form. |
| 10 | take care of them, not take care of all of their | 10 | A. I don't know. |
| 11 | financial needs. | 11 | Q. (BY MS. BAYLESS) Did anybody else express |
| 12 | Q. And this was Amy that said this? | 12 | concern about that other than you in the call? |
| 13 | A. Yes. That's the only one I remember was | 13 | A. Candy said she did, but by then I was off the |
| 14 | Q. And as I understand it, no member of Carl's | 14 | call. |
| 15 | family, his immediate family like Drina or his daughter | 15 | Q. She told you later that she did? |
| 16 | was invited to participate in this conference call. Is | 16 | A. Yeah. |
| 17 | that your understanding? | 17 | Q. Now, after that call at some point in time you |
| 18 | A. Yes. | 18 | even thought in terms of hiring an attorney to look into |
| 19 | Q. Do you know why that is? | 19 | the problems, right? |
| 20 | A. No. I asked. I mean, later I that, that | 20 | A. No. I was just Candy and Drina were so |
| 21 | bothered me that I asked about it and what I was told | 21 | upset by the changes made and they wouldn't drop it. |
| 22 | was that because Carl couldn't participate he wasn't | 22 | They just kept on and kept on and kept on and kept on. |
| 23 | invited. But, again, this is this was just something | 23 | And, so, a friend of mine works for a law firm and I |
| 24 | I was invited to be on. So, I didn't have control over | 24 | sent him the documents. He reviewed them and he said |
| 25 | any of this. And this is where I just feel like I | 25 | everything looks fine to me what's been done. He said I |
| | Page 59 | | Page 61 |
| 1 | felt like everybody that was unhappy was trying to push | 1 | don't see that anything I don't see any problems |
| 2 | the control, push everything to me. Carole, fix it, fix | 2 | here. |
| 3 | it, fix it, fix it, fix it, fix it, fix it. And, so, | 3 | Q. Now, at that point in time Candy and Drina |
| 4 | the thing is where I was just begging anybody to come | 4 | didn't even know about all these changes that had been |
| 5 | and please help me, no one would. And but I'm just | 5 | made in August, right? |
| 6 | somebody that tries to fix everything, so | 6 | A. They must have. |
| 7 | Q. Now, why did you think this conference call was | 7 | Q. Why do you say that? |
| 8 | a tool to ask you to fix things? | 8 | A. Because by the time we had this call in August |
| 9 | A. Because originally we thought that maybe this | 9 | or in by the time this call took place |
| 10 | conference call was going to be really the ability to be | 10 | Q. This call took place in October? |
| 11 | able to discuss things but then we realized it was | 11 | A. Uh-huh. |
| 12 | really nothing more than just a formality of Anita is | 12 | Q. And the document that made the changes in the |
| 13 | taking over as trustee and that's what's going to | 13 | way in which the trust was set up was August 25th? |
| 14 15 | happen. Does anybody have any concerns. And, so, that's when I realized this is all this was and it was | 14 | A. Right. |
| 15 | | 15 | Q. So, at the time you had this conference call did you know about all the changes that had been made in |
| 10 17 | really just a complete waste of my time. | 16 17 | did you know about all the changes that had been made in August? |
| т, | Q. And, so, you left the call before it was finished? | 18 | A. I don't remember. |
| 1 8 | | 19 | Q. So, you don't know whether they had |
| 18 19 | Δ I hung up yeah | | |
| 19 | A. I hung up, yeah. And that was because of what you just said you | 20 | A I'm assuming they had beganee dod I and |
| 19 20 | Q. And that was because of what you just said, you | 20 | A. I'm assuming they had because god, Candy went over these documents so many times that you'd think |
| 19 20 21 | Q. And that was because of what you just said, you thought it was a waste of time? | 21 | went over these documents so many times that you'd think |
| 19 20 21 22 | Q. And that was because of what you just said, you thought it was a waste of time?A. No. It was because, because I was the one who | 21 22 | went over these documents so many times that you'd think I'd have it memorized by now. But I don't remember. |
| 19 20 21 22 ~3 | Q. And that was because of what you just said, you thought it was a waste of time?A. No. It was because, because I was the one who was here with my brother and I was the one that saw him | 21 22 23 | went over these documents so many times that you'd think I'd have it memorized by now. But I don't remember. Q. You don't remember when that happened? |
| 19 20 21 22 | Q. And that was because of what you just said, you thought it was a waste of time?A. No. It was because, because I was the one who | 21 22 | went over these documents so many times that you'd think I'd have it memorized by now. But I don't remember. |

| Page 62 | | Page 64 |
|--|----|--|
| document itself, the August document? | 1 | elder's life, so, did you believe that applied to this |
| A. My mother explained that she had spoken with | 2 | situation? |
| Candace Freed and that Candace had recommended that when | 3 | A. After talking with Candy, I started to question |
| somebody is like in Carl's situation, that she | 4 | if maybe I was just being gullible or what because, like |
| recommended this medical trust. And that way he would | 5 | I said, I was trying to look at both sides of |
| always have money to be taken care of for the rest of | 6 | everything. And |
| his life in the event that he didn't fully recover. And | 7 | Q. Okay. And then it goes on to talk about a |
| then as far as Candy, I don't know if she ever really | 8 | family member has suspicion that the elderly person is |
| mentioned that one or not. Most of the concern at the | 9 | being unduly influenced by others and you say |
| time was really my brother. | 10 | specifically that Anita is unduly influencing mother and |
| (Exhibit 2 marked) | 11 | now Amy has piled on. Mother never would have made |
| Q. (BY MS. BAYLESS) Okay. I show you what's been | 12 | these changes on her own. They were this was all |
| marked Exhibit 2. Now, you said you talked to an | 13 | done by the hand of Anita who put herself in charge of |
| attorney and he said everything was fine and you didn't | 14 | everything. So, that was based upon what you had seen? |
| have any real problems with it, right? | 15 | That was your feeling at the time? |
| A. I didn't pay him. He just did this it was a | 16 | A. I mean, yeah, at the time it probably was. |
| cursory check for free. | 17 | Q. Okay. Then if you go to page 3 again, the |
| Q. All right. So, looking at this e-mail, this is | 18 | e-mail above that that is again from you to Candy talks |
| an e-mail that you sent to Candy, your sister, on | 19 | about motives for having a family member declared |
| October 28th, right? | 20 | incompetent. And you say in the last paragraph of that, |
| A. Uh-huh. | 21 | she was temporarily incompetent when she was low on |
| Q. And there are some it's an e-mail string | 22 | oxygen and if they made her walk to Candace's office, I |
| actually, but the last one is October 28th. And you say | 23 | know for a fact her levels were low because Dr. White |
| that this attorney called you | 24 | joked about it. What are you referring to there? |
| A. Oh, wait. This is | 25 | A. I don't even remember this. |
| Page 63 | | Page 65 |
| Q and said Anita had no right to remove Carl | 1 | Q. She did not understand what she was signing |
| as trustee, right? | 2 | because she was too short of breath and I can prove |
| A. I'm trying to think because I went on-line I | 3 | that? |
| went on-line to try and find an attorney and I think | 4 | A. I don't know. Again, this was all just part |
| there was that attorney that I spoke with. But then, | 5 | of this was just me being mad. |
| like I said, then later I went to a friend of mine that | 6 | Q. Well, I understand. I'm just trying to find |
| worked for a law firm that actually did this for a | 7 | out |
| living. | 8 | A. You know, I'm just being mad. This is just a |
| Q. Okay. Well, the point is here you are you | 9 | bunch of family crap going back and forth. So |
| seem to be excited about an attorney having told you | 10 | Q. Well, okay. So, when you said she did not |
| that what Anita had it's based on what Anita had | 11 | understand what she was signing because she was too |
| done, not your mother, but Anita, that it was something | 12 | short of breath and I can prove that, do you have proof |
| that had been done improperly, right? | 13 | of that or not? |
| A. Uh-huh. | 14 | A. No. |
| Q. Now, if you go back to page 3 of the document, | 15 | Q. What do you know what you were thinking at |
| there is another e-mail that you sent well, there are | 16 | the time you wrote it that you had that you can prove |

°3

You see that?

A. Uh-huh.

actually two e-mails, the first one being at the very

or trust in a manner that is significantly different

from all previous wills or trusts which could result in

bottom of page 3 where you talk about situations that

cause you to question the competency of a family member.

Q. When an elderly person suddenly changes a will

it? Did it have something to do with Tino?

A. I don't know. I'm just trying to think back that far. I don't think I wrote this.

Q. Okay. Which one?

- A. This.
- Q. You'll have to tell me what this is.
- A. On page 3 of 4.
- Q. Okay. What part do you think you didn't write?

will litigation if not appropriately handled during the A. This last part.

| | - | | |
|----|--|----|--|
| 1 | Q. Okay. This last you have to define what | 1 | this, but I just don't remember because, like I said, |
| 2 | this last part is. Tell me which e-mail we're talking | 2 | part of this just doesn't appear to be my writing style. |
| • | about and which paragraph. Or are we talking about the | 3 | Q. All right. On the first page where it says, |
| 4 | whole paragraph? | 4 | the last paragraph, look at the last paragraph, so I |
| 5 | A. I mean, I don't know. I'd have to go back and | 5 | think the real issue may be that Anita went about |
| 6 | see if I even still have this or not. | 6 | removing Carl while he was only ill and still alive and |
| 7 | Q. So, is there some procedure that you have where | 7 | she knew that was not necessary but wanted to make the |
| 8 | you can go and find out if this is | 8 | changes while he could do nothing about it? |
| 9 | A. Yeah, because like I said | 9 | A. I don't think that I wrote that. |
| 10 | Q. What makes you think you didn't write it? | 10 | Q. You don't think you wrote that, either? |
| 11 | A. Because I wouldn't have typed that Candace has | 11 | A. No. |
| 12 | to know that she F-asterisk-asterisk-asterisk-E-D up. | 12 | Q. All right. Well, we'll put Exhibit 2 aside and |
| 13 | Q. Okay. You just think that's something you've | 13 | you can research that for us. It's certainly not one |
| 14 | never written? | 14 | that you provided, but then you didn't provide Exhibit |
| 15 | A. Not that I recall. | 15 | 1, either. You haven't provided any of these e-mails, |
| 16 | Q. Well, you know we can get these documents | 16 | but that's because you weren't sure what e-mails I was |
| 17 | directly from the Internet service provider if we need | 17 | asking for? |
| 18 | to to verify this information. What do what would | 18 | A. Right. |
| 19 | you do to verify whether this is actually an e-mail from | 19 | Q. Okay. So, now that you understand that I'm |
| 20 | you? | 20 | asking for any e-mail communications that might have |
| 21 | A. I'd have to see if I still even have this | 21 | related to these changes in the trust, can you go |
| 22 | e-mail. | 22 | back do you have e-mails that you can go back and |
| 23 | Q. Okay. Well, what we'll do is we will leave a | 23 | review and provide? |
| 24 | line in the deposition and when you read it, you can | 24 | A. I can see what I have. I mean, I have I'll |
| 25 | write in whether you verified this e-mail or whether you | 25 | have to see what I still have. |
| • | Page 67 | | Page 69 |
| 1 | couldn't locate this e-mail. Okay? Can we have that | 1 | Q. Okay. Have you had the same e-mail address |
| 2 | agreement? Are you listening to me? | 2 | during this entire time period? |
| 3 | agreement. The year islening to me. | 3 | A. Yes. |
| 4 | A. I am. But I'm just reading this part of this | 4 | Q. Okay. So, this cbrunsting@sbcglobal.net? |
| 5 | doesn't even appear like it's my writing style. So, | 5 | A. Uh-huh. |
| 6 | that's why I'm kind of questioning parts of this | 6 | Q. That's been your e-mail address the whole time? |
| 7 | document. | 7 | A. Uh-huh. Yes. |
| 8 | Q. Okay. Well, we will have the court reporter | 8 | (Exhibit 3 marked) |
| 9 | make a copy of this Exhibit 2 for you when you leave | 9 | Q. (BY MS. BAYLESS) Okay. Let me show you what's |
| 10 | today. | 10 | been marked as Exhibit, Exhibit 3. |
| 11 | A. I tend to not write in bold like that. So, and | 11 | MS. FOLEY: So, where are these other |
| 12 | maybe I just don't remember it. I don't I may not | 12 | documents coming from if they didn't come from her? |
| 13 | remember it. | 13 | MS. BAYLESS: They're coming from me. |
| 14 | Q. Okay. We will have a copy of this made for you | 14 | MS. MCCUTCHEN: What number was this? |
| 15 | and you can take it with you and see if you can verify | 15 | MS. BAYLESS: This is 3. |
| 16 | that. And then when you have the transcript of the | 16 | Q. (BY MS. BAYLESS) Now, at some point in time |
| 17 | deposition, you need to tell us whether this is you | 17 | before we talk about Exhibit 3, at some point in time |
| 18 | have been able to determine that you wrote this e-mail | 18 | you had access to your mother's e-mail account, right? |
| 19 | or whether you couldn't determine that you wrote the | 19 | A. Just briefly. |
| 20 | e-mail. | 20 | Q. Okay. And you copied your mother's e-mail |
| 21 | A. Right. | 21 | account, her sent and her received documents? |
| 22 | Q. Okay? And is there anything else about this | 22 | A. Uh-huh. |
| 23 | document that you don't think you might have written | 23 | Q. And you shared those with Candy, didn't you? |
| 4 | when it's attributed to an e-mail from you? | 24 | A. Candy was the one that told me how to get them. |
| 1 | • | 25 | |
| 25 | A. Like I said, I mean, I just maybe I wrote | 20 | Q. Okay. So, you took whatever steps, you put |

| 1 | them did you put them on a CD or a flash drive? A. No. I just copied the ones that I I was | 1 2 | What things were what was Anita saying that was making you nervous? |
|----------|--|----------------|---|
| . – | just wanting some of my relatives' e-mail addresses. | 3 | A. The things that made me nervous personally were |
| 4 | Q. Okay. Well, so, but you copied e-mails that | 4 | that she was questioning the investments being made by |
| 5 | actually were received by your mother and sent by your | 5 | Edward Jones and that she wasn't really confident with |
| 6 | mother, right? | 6 | what they were doing. And the thing that was making me |
| 7 | A. Well, no, because Candy showed me how to log in | 7 | really nervous as well was that back in 2006 I'm |
| 8 | so that I could copy it all over. But once I got | 8 | sorry, not 2006. I'm sorry. In 2009 after my father |
| 9 | everything I needed, I mean, I didn't keep everything. | 9 | died Carl wanted my mother to sell the farm and |
| 10 | I just got what | 10 | distribute my father's side of the inheritance and |
| | Q. Okay. But you gave it to Candy, right? | 11 | because I knew my brother really needed money. And I |
| 12 | A. Oh, as Candy was walking me through the steps | 12 | felt it was a big mistake to sell the family farm |
| 13 | to do it, I went ahead and gave her all the information | 13 | because it was real estate and it was going to continue |
| 14 | at the same time so that she could go ahead and just | 14 | to go up in value and I knew my mother was making income |
| 15 | that's when she went ahead and copied everything as | 15 | off of it. And, so, my brother was trying to solicit |
| 16 | well. | 16 | help in getting my mother to sell the farm. So, he was |
| 17 | Q. Okay. And how was that done? Was that put on | 17 | really putting a lot of pressure on my mom to sell the |
| 18 | a CD or was that do you remember? | 18 | farm. I mean, really putting a lot of pressure on her. |
| 19 | A. I don't know. I just Candy showed me how to | 19 | And he asked me how I felt about it and I said it was a |
| 20 | do it and all of a sudden everything got copied over. | 20 | big mistake. And we he knew how I felt about that. |
| 21 | But like I said, I didn't I got what I wanted and I | 21 | I didn't want to sell the family farm. And but he |
| 22 | was done. | 22 | talked to Anita about it and Anita agreed with him that |
| 23 | Q. Okay. And these e-mails that we've been | 23 | it was time to sell the farm. And, so, they both tried |
| 24 | reviewing, these Exhibits 1, 2 and there are some others | 24 | to influence my mother to sell that farm. And I knew |
| 25 | here, 3, these are e-mail exchanges that you had with | 25 | that they I felt like they had just about pushed my |
| | Page 71 | | Page 73 |
| 1 | Candy? | 1 | mother to the point of where she was going to agree with |
| 2 | A. What are? | 2 | them to do it. And that was a bit distressing to me |
| 3 | Q. These documents that we've been looking at? | 3 | because that farm had been in the family over a hundred |
| 4 | A. Oh, these, yeah. | 4 | years and I knew how my father felt about it. But it |
| 5 | Q. Okay. And you recall having these e-mails | 5 | also bothered me that my brother was trying to force my |
| 6 | having e-mail exchanges with Candy about these changes | 6 | mother into distributing my dad's side of the |
| 7 | after that conference call, right? | 7 | inheritance and that would mean selling the family farm |
| 8 | A. Yes. | 8 | and distributing it. And, so, I finally I let them |
| 9 | Q. You just don't know for sure if some of this | 9 | both know how I didn't agree with them, but nobody |
| 10 | content you remember? | 10 | really cared how I felt. And, so, they both kind of |
| 11 | A. Right. Some of this content I don't remember. | 11 | just kept trying to get my mother to sell it, sell it, |
| 12 | Q. All right. Look at Exhibit 3. The first | 12 | sell it. And my mother was kind of going down the path. |
| 13 | paragraph, this is an e-mail again from you to Candy and | 13 | And one day I went over there and I asked her, I said, |
| 14 | it says this is about the last sentence of the first | 14 | mother, do you want to sell the farm? And she said, no, |
| 15 | paragraph, says this is about Anita and her sick desire | 15 | I don't. And I said, well, then don't and, so, she |
| 16 | to control all, right? | 16 | didn't. Well, because Anita had been let's sell the |
| 17 | A. Uh-huh. | 17 | farm and because I felt like pretty much the rest of the |
| 18 | Q. And did at that time after that conference | 18 | family, Amy, Anita, Carl and Candy, they were in more of |
| 19 | call did you think that Anita was trying to control the | 19 | a position to where they really needed cash, all of them 1 falt like that was going to gouga it didn't |
| 20 21 | situation? | 20 21 | them, I felt like that was going to cause it didn't |
| 21 | A. Anita was making comments that were making me | 21 | matter who was on the trust. It really didn't matter. And that was the reason I wanted to be on there was |
| | | 66 | And that was the reason I wanted to be on there was |
| ຳລ | nervous. And, again, I'll go back to the fact that this is what I didn't understand. You didn't ask me that | 22 | because I falt like I didn't want neanle on that truct |
| ר י3 | is what I didn't understand. You didn't ask me that | 23 | because I felt like I didn't want people on that trust |
| 25 | | 23 24 25 | because I felt like I didn't want people on that trust that were making decisions because they were trying to get cash in their pocket as quickly as they could. It |

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| 1 | really needed to be somebody that was going to be | 1 | Q. Well, so, you did you overhear a telephone |
| 2 | logical and making the best decisions financially and | 2 | conference that your mother had with Candace Freed? |
| | not based on the fact that you need the money to put | 3 | A. Yeah, I did. And that was the phone call when |
| 4 | your kids through college, remodel your house, give your | 4 | I told Candace that I was on the phone and I remember |
| 5 | daughter money to buy a house or just whatever. So, it | 5 | expressing to her my concern of the changes that were |
| 6 | concerned me that we now had Amy and Anita both on there | 6 | going to be made. And if all the power was taken away |
| 7 | and I felt that they both, too, were in a position where | 7 | from my mother, then how were her bills going to be paid |
| 8 | they're going to have to put their kids through college | 8 | and things like that. |
| 9 | and that they were both going to just say we need to | 9 | Q. Okay. So, in that conversation that you |
| 10 | sell this farm and, once again, I had no say in it. | 10 | where you heard your mother's end of it, she didn't seem |
| 11 | • | 11 | • • |
| 12 | Well, it was my inheritance as well. So, that's that | 12 | to understand that Carl had been removed as trustee? |
| | was my concern. | | MS. FOLEY: Objection. |
| 13 | Q. So, you're saying you wanted to be a trustee? | 13 | A. I don't remember that part. |
| 14 | Is that what you're saying now? | 14 | Q. (BY MS. BAYLESS) All right. Do you have some |
| 15 | A. I felt it would have been wise to put me on | 15 | reason to believe this is not an e-mail from you? |
| 16 | there, yes. | 16 | A. I mean, I may have said this, but this I don't |
| 17 | Q. Okay. So, when you said you didn't want to | 17 | remember. I just don't remember it. |
| 18 | have anything to do with the financial stuff as we as | 18 | Q. As we sit here today? |
| 19 | you said in the rest of this deposition, that's just not | 19 | A. I don't remember this, no. |
| 20 | true? You wanted to be on the trust? | 20 | Q. You say legally I wonder if what Candace did |
| 21 | A. Only if my parents put me on there. | 21 | was right without consulting Carl or his power of |
| 22 | Q. Okay. But, so, you weren't trying to avoid | 22 | attorney since Carl has always been present at all |
| 23 | being involved in the trust; you actually wanted to be | 23 | meetings. Do you remember saying that? |
| 24 | on the trust? | 24 | A. No. Because, again, this no, I don't |
| 25 | A. If my parents if my parents would have put | 25 | remember that, either. |
| | Page 75 | | Page 77 |
| | - | | - |
| 1 | me on there, I would have been involved on the trust, | 1 | Q. Okay. Do you remember ever having any concerns |
| 2 | yes. | 2 | - shout sil this bering been done belowd Coulls beal. |
| 1 | • | | about all this having been done behind Carl's back? |
| 3 | Q. And you thought it would be better to have you | 3 | A. The opinion that I expressed was I was just |
| 3 4 | Q. And you thought it would be better to have you on the trust than Amy and Anita? | 3 4 | A. The opinion that I expressed was I was just questioning why this was but this was just me |
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| | Page 78 | <u> </u> | Page 80 |
|----|--|----------|--|
| 1 | inheritance. And I will keep digging through paperwork | 1 | Luke, that he paid off her home. |
| 2 | this weekend until I find the agreement that spells that | 2 | Q. And that was about a hundred thousand? |
| | out? | 3 | A. Yes. |
| 4 | A. I don't know what that is. | 4 | Q. Do you recall when that was? Your father was |
| 5 | Q. Do you recall | 5 | still alive, obviously? |
| 6 | A. I don't know what hundred thousand this is. | 6 | A. I don't know. I don't remember the year. Luke |
| 7 | Q. Okay. You don't recall a hundred thousand | 7 | was five. |
| 8 | being given to Amy or Anita? | 8 | Q. Okay. So, do you know any reason why Anita |
| 9 | A. Oh, if it's the hundred thousand that daddy | 9 | wouldn't have put that amount on this list as something |
| 10 | gave her for her house. | 10 | that was paid when your mother and father were trustees? |
| 11 | Q. Well, I don't know. Do you recall that? | 11 | A. No. |
| 12 | A. I don't know. I'm just | 12 | Q. You know for sure that was paid, though? |
| 13 | Q. Do you recall somebody being given a hundred | 13 | A. My father told us all that he was going to do |
| 14 | thousand? | 14 | that because he never wanted her to be without a home. |
| 15 | A. Anita was given a hundred thousand dollars when | 15 | Q. So, do you recall having some recollection of |
| 16 | she got divorced. | 16 | that in October of 2010, that that might have been some |
| 17 | MS. BAYLESS: Okay. We need to change the | 17 | motivation for why Anita |
| 18 | tape. | 18 | A. That's why this makes no sense to me because |
| 19 | THE VIDEOGRAPHER: 11:38, we're off the | 19 | that was never considered an inheritance. |
| 20 | record. | 20 | Q. What was it considered? |
| 21 | (Break taken from 11:38 a.m. to 11:51 a.m.) | 21 | A. That my father was making sure that my sister |
| 22 | THE VIDEOGRAPHER: This is the beginning of | 22 | always had a home. |
| 23 | tape number 2 to the deposition of Carole Brunsting. | 23 | Q. So, do you know whether he considered it a gift |
| 24 | The time is 11:51, we're on the record. | 24 | or a loan or what? |
| 25 | (Exhibit 12 marked) | 25 | A. A gift. |
| | Page 79 | | Page 81 |
| 1 | Q. (BY MS. BAYLESS) Okay. You've been handed | 1 | Q. Okay. That's something that your father said |
| 2 | what's been marked Exhibit 12. We were talking right | 2 | to you? |
| 3 | before the break about the second paragraph of Exhibit 4 | 3 | A. Well, he told us all that he was paying off her |
| 4 | which talks about the hundred thousand dollars. The | 4 | home. |
| 5 | comment in the e-mail from you to Candace which says | 5 | Q. So, you just presumed that was as a gift? |
| 6 | I think Anita is trying to cover up the hundred | 6 | A. That's how my father was. He would just do |
| 7 | thousand that the hundred thousand comes out of her | 7 | things spontaneously like that. If somebody but this |
| 8 | inheritance. Okay? So, if you look at Exhibit 12, this | 8 | one he told us about. He let us know, he said this is |

9 is from the accounting that Anita and Amy provided which 9 happening to Anita, I feel very strongly and he wanted 10 10 has -- this is Schedule F from that accounting and it's to make sure that her -- that she and her children 11 supposed to be amounts that were paid to the various 11 always had a home to live in. 12 12 children. Included in that is amounts paid to Anita and Q. Did your father give Anita so much money that 13 I don't see anything in here about -- do you see 13 she wouldn't remember a hundred thousand dollars? 1414 anything in this schedule about a hundred thousand A. I don't know that he gave it to her. I don't 15 dollars being paid to Anita. 15 know how it all -- I don't know how that transaction 16 A. I don't know. I've never seen this schedule. 16 worked. 17 17 Q. You didn't get a copy? Q. Okay. But a hundred thousand dollar payment 18 18 A. I never opened it. from your father would seem significant to me. Do you 19 Q. All right. Well, this is Exhibit F from that 19 know of any reason why Anita wouldn't be remembering 20 accounting that was e-mailed to everyone. So, you 20 that? 21 21 believe that a hundred thousand dollars was paid to A. No. 22 Anita? 22 Q. Okay. If you look at page 2, you have received ۲3 23 A. I know that when my sister Anita got divorced an e-mail from an attorney, I guess, Kevin Prendergast, _ 4 from her husband Vance Riley, my father was so concerned 24 is that an attorney? 25 25 about my sister Anita and her two children, Katie and A. Yeah, this was just somebody I found on-line.

21 (Pages 78 to 81)

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| | Page 82 | | Page 84 |
| 1 | Yeah, because Candy wouldn't drop this. And, so, she | 1 | that anything wrong anything has been legally done |
| 2 | didn't have the money to spend on an attorney, so I went | 2 | wrong here. And at that point I realized that I was |
| | on-line and I found this guy just to see if he could be | 3 | getting swept up in the emotions of Candy and Drina and |
| 4 | of some help. And then later on I realized that this | 4 | Amy and Anita and everybody and I was just getting swept |
| 5 | guy was just somebody that was just wanting to he was | 5 | up and I was getting carried away. And I realized I |
| 6 | just a fly-by-night attorney and I realized that I | 6 | needed to stop and back out because this was not my |
| 7 | couldn't put a grain of salt into anything that this | 7 | fight. |
| 8 | person was telling me. | 8 | Q. Okay. I'm going to ask that the court reporter |
| 9 | Q. And how did you come to realize that? | 9 | leave another blank in the deposition and if you can |
| 10 | A. Because that's when I was talking to a friend | 10 | find the name of the attorney that you consulted, if |
| 11. | of mine and she said, Carole, why don't you just my | 11 | you'd fill that in. |
| 12 | husband works for a law firm, there's somebody in his | 12 | A. Uh-huh. |
| 13 | firm, that is what he does for a living is trusts and | 13 | |
| 14 | estates, go to him, not this guy that you found on-line. | 14 | Q. Okay? Now, at some point in time do you know |
| 15 | Q. So, you didn't find anything in particular | 15 | whether your mother had some competency evaluation? |
| 16 | about this guy different; you just found somebody else | 16 | A. Yes. |
| 17 | you wanted to talk to? | 17 | Q. When was that? |
| 18 | A. Yeah. I mean, I didn't know this guy from | 18 | A. 2011 sometime, maybe between November and the |
| 19 | anybody. He was just somebody on-line. And that's when | 19 | end of the year. |
| 20 | I realized that he was just probably trying to inflame a | 20 | Q. And how did that come about? |
| 21 | situation in hopes that he was going to get some | 21 | A. I heard that it was taking place and I even |
| 22 | business. And that he kind of kept pestering me and I | 22 | discussed it with Drina. I probably have an e-mail |
| 23 | finally told him I don't need your help and then he | 23 | somewhere maybe if I kept it, I don't know, that they |
| 24 | finally went away. But I went and I sent the trust | 24 | were trying to get my mother declared incompetent. And |
| 25 | documents to my friend's attorney. He did it free of | 25 | I knew I talked to my mother about it and she said |
| | | | |
| | Page 83 | | Page 85 |
| 1 | Page 83 charge. | 1 | Page 85 that she felt she was competent, but she felt like she |
| 1 2 | - | 1 2 | - |
| | charge. | | that she felt she was competent, but she felt like she |
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| | | 5 | |
|---|----|--|----|
| | 1 | that they had moved no. It must have been November | 1 |
| | 2 | because I went to go tell her that Carl had gone home or | 2 |
| | | that Carl had been he had moved somewhere. So, I | 3 |
| 1 | 4 | don't know if it was when he got moved out of TIRR or he | 4 |
| | 5 | got moved from the Agility. I don't know. It was he | 5 |
| | 6 | got moved somewhere. So, I went to go tell her you | 6 |
| | 7 | don't have to bother going by there because he's not | 7 |
| | 8 | there anymore. And that's all I was trying to tell her. | 8 |
| | 9 | I wasn't trying to influence her in any way. So, then I | 9 |
| | 10 | just sat in the chair and I waited for my mother to get | 10 |
| | 11 | finished getting ready. I sat in the chair. My mother | 11 |
| | 12 | finished getting ready. She was sitting in her chair | 12 |
| | 13 | putting her shoes on. She asked for her oxygen to be | 13 |
| | 14 | turned on. I got up. I walked across to go turn on the | 14 |
| | 15 | machine. At the same time Amy turned into me and shoved | 15 |
| | 16 | me into the bookcase. And I flipped on the oxygen and | 16 |
| | 17 | Amy told me that I pushed her and that I needed to | 17 |
| | 18 | leave. And I said I'm not leaving. So, she said she | 18 |
| | 19 | was going to call the police. So, I handed her the | 19 |
| | 20 | phone, I said go ahead. She called the police, said the | 20 |
| | 21 | police were coming. And I sat there and she said | 21 |
| | 22 | they're on their way, Carole. And I said, okay, fine. | 22 |
| | 23 | I said I'm not leaving, Amy, I'm not leaving. So, | 23 |
| | 24 | anyway, it was time we finally had to leave for the | 24 |
| | 25 | appointment. So, Amy loaded my mother up, I got in my | 25 |
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Page 87

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|---|-----|--|----|---|
| | 1 | car. I drove over there. We sat there. The whole time | 1 | t |
| | 2 | Amy was calling somebody back and forth and back and | 2 | Æ |
| | 3 | forth and back and forth but I was not leaving. | 3 | s |
| | 4 | Q. Which doctor did you | 4 | I |
| | 5 | A. Dr. White. | 5 | I |
| | 6 | Q. Okay. | 6 | |
| | 7 | A. We went to go see Dr. White. And Amy tried to | 7 | t |
| | 8 | just paint a picture of my mother that I didn't feel was | 8 | |
| | 9 | realistic. But Dr. White had been my mother's doctor | 9 | t |
| | 10 | for since we had moved to Houston. Because I didn't | 10 | а |
| | 11 | want him to be influenced in any way one way or the | 11 | g |
| | 12 | other. He talked to my mother and his words were, he | 12 | t |
| | 13 | said, it just depends. He said for one person that's | 13 | ١ |
| | 14 | never met your mother they may think that she's | 14 | |
| | 15 | incompetent, he said, but I think it just depends on | 15 | t |
| | 16 | what time of the day you might be speaking with her. If | 16 | |
| | 17 | it's early, early in the morning maybe when she just | 17 | S |
| | 18 | wakes up, possibly. But he said that I don't find her | 18 | У |
| | 19 | to be incompetent. | 19 | r |
| | 20 | Q. So, was it your impression that Amy and Anita | 20 | V |
| | 21 | were trying to | 21 | h |
| ĺ | 22 | A. I never I didn't this is, this is why I | 22 | V |
| | 3 י | didn't want the two of them together. | 23 | ť |
| | _4 | Q. Okay. Because? | 24 | h |
| | 25 | A. Because I never knew what influence Amy had. | 25 | С |

That's why I didn't understand how did she get on there. How. I don't understand. Anita, I didn't have a problem with Anita. I never had a problem with Anita. I never understood Amy.

Q. But, so, was it your impression that -- let's leave it at Amy. Was it your impression that Amy wanted the doctor to find your mother incompetent?

A. That's, that's the impression I was left with. And I'm like where are you going with this, where are you going with this because -- and besides that I knew Dr. White wasn't going to declare my mother incompetent because we had discussed this with my father. And he said this is for a court of law to determine. He said I don't get involved with these cases.

Q. Could this have had anything to do with the fact that your mother had inquired about changing the trust back to the way it had been before?

A. If she wanted to do that, I had no idea that she had asked. I had no idea.

Q. So, you don't know --

A. I have no idea.

O. -- where the incompetency was coming from?

A. I had no idea. I just knew that -- I asked my mother, I said how do you feel about this? And she said -- like I said, she said, well, I think I just have

Page 89

to go along with this, Carole, I think I have to go. And, so, I didn't know if somebody -- I didn't know if somebody at Vacek had called my mother. I didn't know. And, so, but I made sure that I was going to be there. It was a doctor's appointment. I was going to be there.

Q. So, do you know whether Anita was involved in this competency evaluation?

A. No, I have no idea. I don't know who booked the appointment. I don't know who scheduled the appointment. All I know is I caught wind that it was going to happen and I called Dr. White's office and they told me when it was going to happen and I made sure I was there.

Q. And was that the only thing that happened in that doctor's appointment?

A. Well, when we left, I talked to Dr. White and I said it's up to you as to what you say, but I said would you please make the recommendation that -- he said -no. What he said I'll tell you a story. He said when -- that his two brothers got in a fight one day and his mother made a change to the will or the trust or whatever that completely cut both brothers out and all the money went to their kids. And he said, so, I know how these things work. And but he said that was completely up to my mother as far as what she wanted to

| 1do. And, so, then we walked out and I told him, I said,1Q. You didn't know about them?2you know, as far as what recommendation you make to1Q. You didn't know about them?4when he said something about sometimes it's just best3Q. And you found about this one because your4when he said something about sometimes it's just best5A. Huh-uh.5for it to go to a neutral third-party. And I said,5A. Huh-uh.6well, if you have that option, could you please make6did tell me about this one, yes.7that recommendation that this just gets turned over to a7Q. Okay.8neutral third-party because this is getting too8A. And that's when I called Dr. White's office to9complicated with my brother who couldn't serve anyway.10Q. Okay. Let me see the exhibits you have in10There no way. To this day he couldn't take over as10Q. Okay. Let me see the exhibits you have in11trustee. So, that's and then, like I said, as far as11font of you, please.13and if she does something wrong, J feel like she will13Q. Okay.14own up to i later and or not later but, I mean, I14MS. BAYLESS: You don't have any marked15feel like she will question enough to question has she15there, right? Let's go off the record for just a16done something wrong. Amy, on the other hand, I don't16second.17necessarily have the best relationship with her and1618 | | Page 90 | Τ | Page 92 |
|---|----|---|----|--|
| 2 you know, as far as what recommendation you make to them, that's completely up to you. But and that's when, head somethings but sometimes it's just best when head something about sometimes it's just best when head something about sometimes it's just best for it to go to a neutral third-party because this is getting too complicated with my brother who couldn't are vary any complicated with my brother who couldn't are vary any to there who couldn't are vary any to the does something synap. Any, on the other hand, id off a doel something wrong. I feel like she will and if she does something wrong. I feel like she will to excessively have the best relationship with ber and there, right? Let ago off the record for just a does something wrong. I feel like she will there, right? Let ago off the record for just a does something wrong. I feel like she will there, right? Let ago off the record for just a does complicated with my brother who couldn't are or not later but, 1 mean, 1 does something wrong. I feel like she will ed does something wrong. I feel like she will again, also, too, 1m not aware of she want' just my mother. She was Amy's mother, Anita's mother, Carl's what went on. And that's when it occurred to me that 1 does something wrong, I feel like she will again, also, too, 1m not aware of she want' just my mother. And that's when it occurred to me that 1 dought, oh, my god, you're right. She's got ashe can have a separate relationship with all of us and we may not laways how can be other's business. So, 1 dought, you know, that makes perfect sense. When he - i thought, you know, that makes perfect sense. When he - i thought, you know, that makes perfect sense. So, 1 dought, you know, that makes perfect sense. When he - i thought, you know, that makes perfect sense. When he - i thought, you know, that have any other conversation? dout was my parent? business, not mine. So, that's when i uses that you know of other that hare? dou what were that end ing | 1 | - | 1 | - |
| i them, that's completely up to you. But and that's when he said something about something it's just best for it to go to a neutral third-party. And I said, the recommendation that this just gets turned over to a neutral third-party because this is getting too 3 Q. And you found about fit's mother told you about fit? 4 when he said something about something setting too the up on way. To fits do you couldn't serve anyway. 3 Q. Okay. 5 A. And that's when I called Dr. White's office to up onplicated with my brother who couldn't serve anyway. Q. Okay. 1 Three no way. To fits do you could the serve anyway. Q. Okay. 1 And's op henoticity the set op too mother toble on way. To fits do henough to question has be fits done something wrong. Any, on the other hand, I doort is she's been somewhat estranged from the family. But then is she's been somewhat estranged from the family. But then is do from that 1 want 1 ways privy to. So, I doort know what went on. And that's when the caregiver one day, he is did. Carole, you need to realize she's not just your mother. And that's when the caregiver one day, he is did. Carole, you need to realize she's not just your mother. And that's when the caregiver one day, he is this sint business, not inne. So, that's when i to currely the sing assochase. So, it if was my parent? business, not inne. So, that's when i fue a the sing ways how exe that's ubscings. So, that's when i fue a the sing ways how the set the subal's been gain. Sory. 1 A. Yeah, this is the one I told you that I wrote to her thought, you know, that makes perfect sense. When he - it was the asapp in the face when T into tol me that. <td></td> <td></td> <td>1</td> <td></td> | | | 1 | |
| 4 when he said something about sometimes it's just best 5 mother toll you about it? mother toll you about it? 5 for it to go to a neutral third-party because this is getting too a. I'm trying to think of how1 think my mother 7 that recommendation that this just gets turned over to a a. I'm trying to think of how1 think my mother 6 did lem about this one, yes. Q. Okay. 10 There no way. To this day he couldn't take over as Q. Okay. 11 trustee. So, that's - and then, like 1 said, as far as Q. Okay. 12 and if she does something wrong. J feel like she will Q. Okay. 13 and if she does something wrong. J feel like she will G. Okay. 14 own up to it later and - or not hater but, I mean, I How on the or hard made ther finally. But her 15 feel like she will question enough to question has she How on the or hard mays mother, Anita's mother, Canty's mother. She had a relationship with all 16 she's be on somewhat estranged from the finally. But her THE VIDEOGRAPHER: 12:12, were on the 17 necessarily have the on a locar relationship with all If the made taken from 12:12 p.m.) 18 second. I'''''''''''''''''''''''''''''''''''' | , | - · · | | |
| 5 for it to go to a neutral third-party. And I said, 5 A. Fm trying to think of how - 1 think my mother 6 well, if you have that option, could you please make 6 6 7 Q. Okay. 7 Q. Okay. 10 There no way. To this day he couldn't take over avary. 10 7 Q. Okay. 11 trustee. So, that's - and then, like I said, as far as 11 11 11 11 11 11 11 11 11 12 A. And that's when I called Dr. White's office to 12 A. And that's capabilities, A. That has a conscience, she does, that is a consciting wrong. Amy, on the other hand, I don't necessarily have the best relationsity with the rand 10 11 1 | 4 | | | • • • |
| 6 well, if you have that option, could you please make 7 that recommendation that this just gets turned over to 8 neutral find-party because this is getting too 9 complicated with my brother who couldn't save over as 11 thrace No way. To this day he couldn't ack over as 12 Anita's capabilities, Anita has a conscience, she does, 13 and if she does something wrong, if ell kes the will 14 own up to it later and - or not taker but, I mean, I 15 feel like she will question enough to question has she 16 does something wrong, if ell kes the will 17 necessarily have the best relationship with her and 18 she's been somewhat estimaged from the family. But the 19 again, also, too, I'm not aware of she wasn't just my 20 mother. She was Amy's mother, Anita's mother, Carr's 21 mother. And that's when it occurred to me that I 22 of them that I wasn't always privy to, So, I don't know 32 what went on. And that's when it occurred to me that I 25 mother. And that's when it occurred to me that I 26 an have a separate relationship with lal of us and we 5 it was like a slap in the face when Tino told me that. 5 A. No. 11 thought, you know, un need to to stop being such a- 5 it was like a slap in the face when Tino told me that. 5 A. No. 12 making. 13 do get my nose out of all this business. And 14 thray you know, wineter business. And 15 a. No. 13 do you know of other than mak? 14 that you know of other than mak? 15 A. No. 16 Q. And diay ouver have any other conversations? 15 A. No. 16 Q. And diay ouver have any other conversations? 16 du to you know of other than that? 17 A. No, herewer did. 18 du you know of other than that? 19 du know for ther that your mother business. And 19 du you know of other than that? 10 A. No, herewer did. 21 du you know of other than that? 22 Q. And diay ouver have any other conversations? 13 about any earlier completney evaluations. 14 that you know of other than that? 15 A. No, 16 Q. B. X. So, you rever had any other conversation? 14 that you know of ot | | | 1 | • |
| 7 that recommendation that this just gets furned over to a 7 Q. Okay. 8 neutral third-party because this is getting too 7 Q. Okay. 10 There no way. To this day he couldn't take over as 10 11 trustee. So, that's - and then, like list als, as far as 11 0. Okay. Let me see the exhibits you have in 12 Anita's capabilities, Anita has a conscience, she does, 11 11 13 and if she does something wrong. J feel like she will 13 0. Okay. Let me see the exhibits you have in 14 mother or to latter sud - or not later but, mean, I 11 11 11 15 feel like she will question nough to question has she 16 16 second. 16 assio, too, I'm not varee of - she warsh' ust my 19 11 11 11 10 oftiem that lwash' mother. Anita's mother, Carl's 10 11 12 11 21 orther, And that's when lic caregiver one day, he 23 12 11 12 11 12 23 mother, And that's when lic caregiver one day, he 23 14 14 14 14 14 14 1 | | | ł | |
| 8 A. And that's when I called Dr. White's office to 9 complicated with my brother who couldn't serve anyway. 10 Q. Okay. Let me see the exhibits you have in 11 trustee. So, that's - and then, like I said, as fir as 12 Anita's capabilities, Anita has a conscience, she does, 14 own up to it later and - or not later but, I mean, I 15 feel like she will question has het 16 done something wrong. Amy, on the other hand, I don't 17 necessarily have the best relationship with het and 18 she's been somewhat estranged from the family. But then 19 again, also, too, Thm not aware of she waart' just my 20 mother. Candy's mother. She had a relationship with all 21 mother. Candy's mother. She had a relationship with all 22 off them that Vasan't always privy to. So, I don't know 23 Q. (BY MS. BAYLESS) Ckay. I show you what's been 24 thought, oh, my god, you're right. She's got ashe 25 mother. And that's when it cocurred to me that. 26 mother, and ha's usen to some being such a 5 it was my parents' business. And 9 thought, ou know of other than that? | | | | |
| 9 complicated with my brother who couldn't serve anyway. 9 verify it. 10 There no way. To this day he couldn't take over as 0. Okay. Let me see the exhibits you have in 11 front of you, please. 11 12 Anita's capabilities, Anita has a conscience, she does, 13 Q. Okay. 13 and if she does something wrong. Anny, on the other hand, I don't necessarily have the best relationship with her and 14 MS. BAYLESS: You don't have any marked 16 done something wrong. Anny, on the other hand, I don't necessarily have the best relationship with her and 17 THE VIDEOGRAPHER: 12:10, wre off the 18 ske's been somewhat estranged from the family. But then 18 record. (Break taken from 12:10 p.m. to 12:12 p.m.) 19 mother. And that's when the caregiver one day, he 22 (Exhibit 5 marked) 21 mother. And that's when it occurred to me that 1 22 (Exhibit 5 marked) 22 what went on. And that's when it doc ure to the that. 23 A. Yeah, this is the one I tod you that 1 wrote 24 said, Carole, you need to realize she's not just your 25 MS. MCCUTCHEN: Can we look at that real 34 thought, you know, thered to pob being such a - 1 MS. MCCUTCHEN: Can we look | 1 | • • | 8 | · · · |
| 10 There no way. To this day he couldn't take over as 10 Q. Okay. Let me see the exhibits you have in 11 trustee. So, that's - and then, like I said, as far as 11 front of you, please. 13 and if she does something wrong. I feel like she will 12 A. (Witness complets.) 14 own up to it later and - or not later but, I mean, I 15 Mis. BAYLESS: You don't have any marked 16 done something wrong. Anny, on the other hand, I don't 16 Mis. BAYLESS: You don't have any marked 17 recessarily have the best relationship with her and 17 THE VIDEOGRAPHER: 12:10, we're off the 19 again, also, too, I'm not aware of - she wasn't just my 10 THE VIDEOGRAPHER: 12:12, we're on the 20 freed taken from 12:10 p.m. to 12:12 p.m.) THE VIDEOGRAPHER: 12:12, we're on the 21 mother. And hat's when it occurred to me that I 20 Cabibit 5 marked) 22 mother. And hat's when it occurred to me that I 20 The vibeoral takes apprint proceed to play take I the synak synak synak we'n to courred to me that I 23 thought, you know, that makes perfect sense. When he - 1 10 11 No. MCUTCHEN: Can we look at thar eal 3 thought, you know, that makes perfect senses. And | 1 | | 9 | verify it. |
| 11 trustee. So, that's - and then, like I said, as far as 11 from of you, please. 12 Anita's capabilities, Anita has a conscience, she does, and if she does something wrong. I feel like she will question enough to question has she 0. Okay. 14 own up to it later and - or not later but, I mean, I 0. Nay. 15 feel like she will question enough to question has she 0. Okay. 16 done something wrong. Amy, on the other hand, I don't in accessarily have the best relationship with her and 13 18 she's been somewhat estranged from the family. But then 14 MS. BAYLESS: You don't have any marked 19 again, also, too, Th not aware of - she wasn't just my 16 17 20 of them that I wasn't always privy to. So, I don't know 18 18 21 of them that I wasn't always privy to. So, I don't know 24 Q. (BY MS. BAYLESS) Okay. I show you what's been 22 mother. And that's when it occurred to me that I 27 MS. MCCUTCHEN: Can we look at that real 23 thought, oh, my god, you're right. She's got a - she 1 A. Yeah, this is the one I told you that I wrote 2 can have a separate relationship with all of us and we 2 MS. MCCUTCHEN: Can we look at that real <td< td=""><td></td><td></td><td>)</td><td>•</td></td<> | | |) | • |
| 12 Anita's capabilities, Anita has a conscience, she does, and if she does something wrong, I feel like she will 12 A. (Witness complies.) 13 and if she does something wrong, I feel like she will 00 No yo. No. 15 feel like she will question enough to question has she 13 Q. Okay. 16 done something wrong, Amy, on the other hand, I don't 15 there, right? Let's go off the record for just a 16 she's bcen somewhat estranged from the family. But then 16 second. 19 again, also, too, I'm not aware of she wasn't just my 16 (Break taken from 12:10 p.m. to 12:12 p.m.) 10 mother, Candy's mother. She had a relationship with all 16 record. 21 mother, Candy's mother. She had a relationship with all 16 record. 22 of them that I wasn't always privy to. So. I don't know had that's when it occurred to me that I 22 25 mother. And that's when it occurred to me that I 25 No. Page 91 1 thought, you know, that makes perfect sense. When he 16 Ns. MAYLESS: Sure. I don't know 4 thought, you know, that makes perfect sense. When he 17 Ms. May Parenats' business. And 11 | 11 | • | 11 | · · · |
| 13 and if she does something wrong, I feel like she will used by and a something wrong. Any, on the other hand, I don't incessarily have the best relationship with her and is she been somewhat estranged from the family. But then again, also, too, I'm not aware of she wasn't just my imother. She was Amy's mother, Anita's mother, Carl's mother. She was Amy's mother, Anita's mother, Carl's mother. She was Amy's mother, Anita's mother, Carl's mother. Candy's mother, She had a relationship with all 22 THE VIDEOGRAPHER: 12:10, we're off the record. 12 of them that I wasn't always privy to. So, I don't know If thought, concy, you need to realize she's not just you If thought, ou, And that's when the caregiver one day, he said, Carole, you need to realize she's not just you If thought, you know, that makes perfect sense. When he | 12 | | 12 | • • |
| 14 own up to it later and or not later but, I mean, I 14 MS. BAYLESS: You don't have any marked 15 feel like she will question enough to question has she 15 there, right? Let's go off the record for just a 16 done something wrong. Arny, on the other hand, I don't 16 second. 17 necessarily have the best relationship with her and 16 second. 18 apain, also, too, I'm not aware of she wasn't just my 17 THE VIDEOGRAPHER: 12:10, we're off the 18 mother. She was Amy's mother, Anita's mother, Carl's 20 Break taken from 12:10 p.m. to 12:12 p.m.) 20 oft hem that 1 wasn't always privy to. So, I don't know 23 Q. (BY MS. BAYLESS) Okay. I show you what's been 21 oft hem that 1 wasn't always privy to So, I don't know 23 Q. (BY MS. BAYLESS) Okay. I show you what's been 23 marked Exhibit 5. Is that an e-mail that you wrote to 27 marked Exhibit 5. Is that an e-mail that you wrote to 24 stassit, you know, I that makes prefet sussiness. So, I A. Yeah, this is the one I told you that I wrote 25 it was like a slap in the face when Tino told me that. A. MS. MCCUTCHEN: Can we look at that real 3 thought, you know, I that makes prefet seusser. When | 13 | • | 13 | |
| 15 feel like she will question enough to question has she 15 there, right? Let's go off the record for just a 16 done something wrong. Amy, on the other hand, I don't 16 17 necessarily have the best relationship with and 17 18 she's been somewhat estranged from the family. But then 18 19 again, also, too, 1'm not aware of she wasn't just my 19 20 THE VIDEOGRAPHER: 12:10, we're off the 21 mother, She was Amy's mother, Anita's mother, Carl's 20 21 mother, Candy's mother, She had a relationship with all 21 22 oft hem that I wasn't always privy to. So, I don't know 22 23 what went on. And that's when the occurred to me that I 23 24 mother, And that's when it occurred to me that I 25 25 mothaws a konew, and ways know, cach diet's business. So, I 4 4 thought, you know, that makes perfect sense. When he- 1 5 it was ike a slap in the face when Tino told me that. 7 6 And I thought, you know, In eed to tos pb eing such a 1 7 I need to get my nose out of all this business because 7 <td< td=""><td>14</td><td></td><td>14</td><td>MS. BAYLESS: You don't have any marked</td></td<> | 14 | | 14 | MS. BAYLESS: You don't have any marked |
| 17 necessarily have the best relationship with her and she's been somewhat estranged from the family. But then gagin, also, too, I'm not aware of she wasn't just my mother. She was Amy's mother, Anita's mother, Carl's mother. Candy's mother, She had a relationship with all 22 of them that I wasn't always privy to. So, I don't know 17 THE VIDEOGRAPHER: 12:10, we're off the record. 23 mother, Candy's mother, She had a relationship with all 22 of them that I wasn't always privy to. So, I don't know 18 record. 24 said, Carole, you need to realize she's not just your 25 0. (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 25 0. (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 26 25 mother. And that's when it occurred to me that I 25 0. (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 26 0. (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 27 26 mak may parker biosiness. So, I 4 14 A. Yeah, this is the one I told you that I wrote 26 20. (BY MS. BAYLESS) Name look at that real 4 3 MACCUTCHEN: Can we look at that real 4 17 11 17 4 thought, you know, In aed to stop being such a- 1 i eas geting drawn into something that wasn't of my own 4 17 11 5 A. No. 12 12 | 15 | feel like she will question enough to question has she | 15 | there, right? Let's go off the record for just a |
| 18 she's been somewhat estranged from the family. But then gagin, also, too, I'm not avare of she wasn't just my composition that is mother, Carl's mother. She was Amy's mother, Anita's mother, Carl's mother, Candy's mother. She had a relationship with all conditioned to realize she's not just your conditioned to realize she's not just you have share realized to her that you know of other than that? 18 record. 10 1 was guiting drawn into something that wasn't of my own making. 12 No. No. <td>16</td> <td>done something wrong. Amy, on the other hand, I don't</td> <td>16</td> <td>second.</td> | 16 | done something wrong. Amy, on the other hand, I don't | 16 | second. |
| 19 again, also, too, I'm not aware of she wasn't just my 19 (Break taken from 12:10 p.m. to 12:12 p.m.) 20 mother, Candy's mother, Anita's mother, Carl's 20 THE VIDEOGRAPHER: 12:12, we're on the 21 mother, Candy's mother, She had a relationship with all 21 record. 23 what went on. And that's when the caregiver one day, he 23 (Exhibit 5 marked) 24 said, Carole, you need to realize she's not just your 24 25 mother. And that's when it occurred to me that I 25 (EXhibit 5 Is that an e-mail that you wrote to 25 mother, And that's when it occurred to me that I 25 Drina? Page 91 Page 91 Page 91 Neage 921 A. Yeah, this is the one I told you that I wrote other anave a separate relationship with all of us and we 3 may not always know each other's business. So, 1 A. Yeah, this is the one I told you that I wrote 4 thought, you know, 1 need to stop being such a MS. BAYLESS: Sure. Sure. I don't know 6 that in my business, it's my mother's business. And Berley us as some more questions? 7 <td< td=""><td>17</td><td></td><td>17</td><td>THE VIDEOGRAPHER: 12:10, we're off the</td></td<> | 17 | | 17 | THE VIDEOGRAPHER: 12:10, we're off the |
| 20 mother. She was Amy's mother, Anita's mother, Carl's 20 THE VIDEOGRAPHER: 12:12, we're on the 21 mother, Cardy's mother. She had a relationship with all 22 (Exhibit 5 marked) 22 of them that I wasn't always privy to. So, I don't know 22 (Exhibit 5 marked) 23 what went on. And that's when it occurred to me that I 22 (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 25 mother. And that's when it occurred to me that I 23 Q. (BY MS. BAYLESS) Okay. I show you what's been marked Exhibit 5. Is that an e-mail that you wrote to 26 marked Exhibit 5. Is that an e-mail that you wrote to 25 27 mother. And that's when it occurred to me that I 25 28 page 91 Page 93 29 MS. MCCUTCHEN: Can we look at that real quick before you ask some more questions? 31 thought, you know, Ineed to stop being such a 1 41 thought, you know, Ineed to stop being such a 1 5 it was my parents' business, not mine. So, that's when 10 I just tried to just step out of this because I realized 10 11 I was getiling drawn into something that wasn't of m yown 2 | 18 | she's been somewhat estranged from the family. But then | 18 | record. |
| 21 mother, Candy's mother. She had a relationship with all 21 record. 22 (Exhibit 5 marked) 22 23 what went on. And that's when the caregiver one day, he 23 Q. (BY MS. BAYLESS) Okay. I show you what's been 24 marked Exhibit 5. Is that an e-mail that you wrote to 25 25 mother. And that's when the caregiver one day, he 24 26 mother. And that's when the caregiver one day, he 24 27 mother. And that's when the caregiver one day, he 24 28 mother. And that's when the caregiver one day, he 24 29 Page 91 Page 93 7 thought, oh, my god, you're right. She's got ashe 3 A. Yeah, this is the one I told you that I wrote 2 can have a separate relationship with all of us and we 3 A. Yeah, this is the one I told you that I wrote 3 may not always know each other's business. So, I 4 4 4 thought, you know, that makes perfect sense. When he 4 5 1 need to get my nose out of all this business because 6 MS. BAYLESS' Sure. Sure. I don't know 8 this isn' my business, not mine. So, that's when <t< td=""><td>19</td><td>again, also, too, I'm not aware of she wasn't just my</td><td>19</td><td>(Break taken from 12:10 p.m. to 12:12 p.m.)</td></t<> | 19 | again, also, too, I'm not aware of she wasn't just my | 19 | (Break taken from 12:10 p.m. to 12:12 p.m.) |
| 22 of them that I wasn't always privy to. So, I don't know 22 (Exhibit 5 marked) 23 what went on. And that's when the caregiver one day, he 23 Q. (BY MS. BAYLESS) Okay. I show you what's been 24 said, Carole, you need to realize she's not just your 24 23 Q. (BY MS. BAYLESS) Okay. I show you what's been 25 mother. And that's when the caregiver one day, he 23 Drina? Page 91 Page 91 Page 91 Page 91 Page 91 Page 92 1 A. Yeah, this is the one I told you that I wrote 2 thought, you know, that makes perfect sense. When he 3 MS. MCCUTCHEN: Can we look at that real quick before you ask some more questions? 5 MS. BAYLESS: Sure. Sure. I don't know 6 why that's the only, it's the only copy I have. I think 1 marked Exhibit 5. 7 it was geting drawn into something that wasn't of my own 1 1 marked Exhibit 5. 8 bernational the sween 1 1 1 1 9 THE VIDEOGRAPHER: 12:13, we're off the | 1 | mother. She was Amy's mother, Anita's mother, Carl's | 20 | THE VIDEOGRAPHER: 12:12, we're on the |
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| 24 said, Carole, you need to realize she's not just your 24 marked Exhibit 5. Is that an e-mail that you wrote to 25 mother. And that's when it occurred to me that I 25 Drina? Page 91 Page 91 Page 93 1 thought, oh, my god, you're right. She's got a she 1 A. Yeah, this is the one I told you that I wrote 2 can have a separate relationship with all of us and we 3 M. Yeah, this is the one I told you that I wrote 3 may not always know each other's business. So, I 4 4. Yeah, this is the one I told you that I wrote 4 thought, you know, that makes perfect sense. When he 5 MS. MCCUTCHEN: Can we look at that real 5 it was like a slap in the face when Tino told me that. - 4 6 yot know, I need to stop being such a 6 MS. BAYLESS: Sure. Sure. I don't know 7 I need to get my nose out of all this business because 8 1 I may have handed you let's go off the record again, 10 I just tried to just step out of this because I realized 10 10 I may have handed you let's go off the record again, 13 Q. So, were there any other competency e | | of them that I wasn't always privy to. So, I don't know | 1 | (Exhibit 5 marked) |
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| | | · · · | | - |
| 25A. Huh-uh.25Q. And what are you referring to when you say | | | | |

| | Page 94 | | Page 96 |
|---------|--|----|--|
| 1 | that? | 1 | to take the list I gave you of all the assets and you |
| 2 | A. The way she treated him when he was so sick. | 2 | need to make sure that everything is there. And I think |
| | Q. Are you saying she treated him well or bad? | 3 | I was sick that week and I was really, really busy at |
| 4 | A. Bad. | 4 | work and I just couldn't, I couldn't do it. I couldn't |
| 5 | Q. And where did you observe this? | 5 | do it. I didn't know what I did with her document. 1 |
| 6 | A. I observed this in conversations that she was | 6 | had all this stuff from mother and daddy's house. I had |
| 7 | having with him when he was at TIRR and conversations | 7 | all this stuff. And Candy was involved and she was |
| 8 | when he was at my mother's house and when I had to go up | 8 | jumping in and I couldn't do it. So, I got an e-mail |
| 9 | to the hospital at St. Luke's. And that's this is | 9 | from Drina saying don't you love your brother or |
| 10 | just this is so complicated because I just felt like | 10 | something like that and if you can't get this done, then |
| 11 | rather than focusing the attention on mother and Carl, | 11 | just stay the hell out of our lives. And, so, I stopped |
| 12 | this kept getting the focus just kept going towards | 12 | contact at that point. But that was typical of her. |
| 13 | the money, the money, the money. And because no one was | 13 | And, so, I just I wanted to try and be as much help |
| 14 | here but me, I saw my mother and I saw Carl. And Candy, | 14 | to them as I possibly could. At the same time this was |
| 15 | Amy and Anita, it was difficult for them to see what I | 15 | really the first insight I had to their marriage. I |
| 16 | was seeing because they weren't there and they wouldn't | 16 | really hadn't been that involved with being around them |
| 17 | come and I couldn't get anybody to come and help. And | 17 | to that extent, not like this. And, so, I was trying |
| 18 | Drina wasn't helping the situation because I felt like | 18 | it was very difficult not to try and judge because I |
| 19 | she was using Carl as a pawn. And, so, I had to be | 19 | didn't know that much about I just felt like I |
| 20 | really careful not to make her mad. I had to be really | 20 | stepped into their lives. |
| 21 | careful not to make her mad because if she got mad, he'd | 21 | Q. Did you at some point tell other members of |
| 22 | be taken away and I wouldn't see him. And I was getting | 22 | your family that Drina was planning to divorce Carl? |
| 23 | really, really worried because in my personal opinion, | 23 | A. Yes. |
| 24 | this is my personal opinion, I'm not a doctor, I | 24 | Q. Why did you do that? |
| 25 | questioned the decisions she was making towards his care | 25 | A. Because she told me that several times. |
| | Page 95 | | Page 97 |
| 1 | from the very beginning. And I don't know if she just | 1 | Q. When did she tell you that? |
| 2 | was I was trying not to judge her, but she was very | 2 | A. Several times. She told me that when I got |
| 3 | difficult to have a conversation with because it would | 3 | a call one night in December and she said that she |
| 4 | just turn into her just shrieking at you for 30 minutes | 4 | couldn't take it anymore. And that Carl had pushed her |
| 5 | and how much she hated this family. She hated this | 5 | or something like that and that she couldn't get up and |
| 6 | family and how we were destroying her life. And I'm | 6 | she had hurt her back. And, so, I drove over there. I |
| 7 | thinking, Drina, this isn't about you, this is about | 7 | had just gone to bed. I got dressed and I drove over |
| 8 | Carl and let's just get him well. | 8 | there. And she was in pain. I think she was laying on |
| 9 | Q. When is the last time you saw Carl? | 9 | the floor or something. Anyway, because I could tell I |
| 10 | A. At my mother's funeral. And then I was | 10 | couldn't handle the situation I called Tino. I knew I |
| 11 | supposed to go over to see them because I wanted to make | 11 | was going to need another person because Carl was |
| 12 | sure Carl got this clock because it was on the list. | 12 | sitting on the floor and he was just sitting there. And |
| 13 | And even though they came to the house and looked at | 13 | I said what happened? And she said I've tried, I've |
| 14 | everything, Drina said that's okay, I don't want it. | 14 | told him to stay in bed, I've told him to stay in bed |
| 15 | And I said, no, if Carl was in his right mind, he would | 15 | and he wants to get up. And what I later found out she |
| 16 | have wanted this clock. And, so, as much as I would | 16 | was on the couch and Carl was trying to come in and |
| 17 | have liked to have had it, I took it over there. And I | 17 | comfort her and she had taken his walker away. And he |
| 18 | said that reindeer that Carl took, I said it actually | 18 | was trying to get out of bed, he was trying to get out |
| 19 | sat on that clock. So, the two go together. And then | 19 | of bed and he couldn't. He was too weak and he fell. I |

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- 19 sat on that clock. So, the two go together. And then 20 Drina wrote to me, she said you can have that clock if
- 21 you want to come over and get it. And I was like okay.
- 22 Well, I was busy. And that's when I got the e-mail from
- ٦3 Drina. That's when apparently this statement was sent .4 out which I never opened. And I got an e-mail from
- 25 Drina saying you need to take that document and you need

25 (Pages 94 to 97)

of bed and he couldn't. He was too weak and he fell. I mean, he just landed on the floor. So, I got Carl sitting on the floor. I got her laying on the floor. I couldn't be in two -- I couldn't leave Carl, but I

needed to take her. She said she needed to go to the

emergency room. And I couldn't, I couldn't leave Carl.

So, I called Tino. He came over. And that's when she

| Page | 100 |
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| | |

| 1 | started saying, she said, Carole, I can't do this | 1 | Q. All right. |
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| 2 | anymore, I can't do this anymore. She said I'm going to | 2 | A. So, then we get Carl. So, then I she wants |
| 1 4 | divorce your brother. I'm probably going to divorce | 3 | to be alone. So, I'm like fine. So, I take Carl who |
| . 4 | your brother. And I said, Drina, I understand. I said | 4 | can't stand at that point. I tried to get him on a |
| | • | 5 | · - |
| 5 | I've researched this and I know the statistics on how | | bathroom scale because I saw more of my brother than I |
| 6 | hard this is on somebody. And I said I'm not judging | 6 | ever intended to. But I saw him without his shirt. He |
| 7 | you. I said this family isn't going to judge you. I | 7 | had nothing on but his underwear because the caregiver |
| 8 | understand if you can't do this. I understand. So, I | 8 | had him in and he was a rack of bones, I mean just a |
| 9 | take Drina to Kelsey-Seybold and I stay there with her | 9 | rack of bones. Hip bones sticking out, just all of his |
| 10 | and she's examined. And then Tino took Carl over to my | 10 | bones. At that point I got him over to Dr. Jane and |
| 11 | mom's house. And I think this was on a Wednesday night. | 11 | they tried to get a weight on him and they couldn't. |
| 12 | And, so, anyway, the next day Drina was supposed to go | 12 | And they were trying to make suggestions of what we |
| 13 | back to the orthopedic doctor. And, so, I took off from | 13 | could feed him and things like that. And everything |
| 14 | work, but I couldn't be off I couldn't I was | 14 | would just if you tried to give him a sandwich, |
| 15 | trying to get Drina to Kelsey-Seybold and I was trying | 15 | anything, it would just come back out, just come back |
| 16 | to get Carl was so weak at that point and he couldn't | 16 | out. So, we that Saturday I Carl was getting so |
| 17 | keep everything he tried to eat it came back out. | 17 | ill that I took him to the emergency room. The |
| 18 | And she said that he was just being belligerent and | 18 | emergency room said he had pneumonia and they checked |
| 19 | that, you know, he just didn't want, he didn't want to | 19 | him in the hospital and that's when we found out that |
| 20 | get better. And you couldn't ask her, you know, well, | 20 | his weight was down to 119 pounds. And that's kind of |
| 21 | are you taking him to a doctor? What is then you | 21 | what started the whole him staying at my mother's. But |
| 22 | would just get this, here it would come, just spewing | 22 | that's what started him staying at my mother's for a |
| 23 | out. And I would stand there and just take it. And in | 23 | period of time. And then but then Drina would get |
| 24 | the meantime I'm watching my brother just deteriorate. | 24 | she'd get angry and then she'd take him back home and we |
| 25 | So, the next morning I went over they sent Drina | 25 | wouldn't see him for awhile. But then she could only |
| | Page 99 | | Page 101 |

1 they sent her home with muscle relaxers, I think. We 1 2 2 went by the pharmacy, went by Walgreen's pharmacy, 3 3 picked all that up. Sent her home. I called Tino and 4 4 he said Carl is fine. They had him in bed. So, then 5 5 the next morning I take Drina to -- I dropped her off at 6 6 Kelsey-Seybold, but I had to get Carl over to Dr. Jane. 7 7 So, I couldn't be in two places at one time. So, I ---8 8 so, Marta came and picked up Drina. And, so -- maybe I 9 9 had to go back to work. I can't remember if I had to 10 10 get back to work. But, anyway, I couldn't pick her up 11 11 for some reason. And, so, Drina called me later that 12 12 day and said that the orthopedic doctor told her that 13 13 she didn't need surgery, she needed a psychiatrist. And 14 14 that Marta picked her up and drove her home. And she 15 15 said -- even Marta said, mother, I'm tired of you being 16 16 a drama queen and I can't take this anymore. And she 17 17 said she got so mad that she just got out of the car and 18 18 walked home. So, Drina wanted to stay in bed and --19 19 Q. Let me -- my question was about why you told 20 20 other family members? 21 21 A. This is -- I'm getting to it. 22 22 Q. Okay. 23 23 A. I'm getting there. 24 4 Q. All right. All right. A. I'm getting there. 25 25

really take care of Carl for just so long because he was a lot of work to take care of because he had so many issues. And, so, I'd get the call to go over there and usually I'd always have Tino with me. But the conversation was more and more towards, Carole, I've gone to an attorney, I've gone to an attorney, I'm divorcing your brother, I'm divorcing your brother. And when Tino called me one day and said that Drina had been over to the house and she walked out with these papers and she goes thanks a lot for signing this, Carl. And she's waving it in the air. And, so, we didn't know if that was divorce papers. We didn't know. But we thought why would she make such a big show out of these papers. And, so, she told us on several occasions that -- I mean, and Tino has heard it that she was divorcing him. She said I just can't take this anymore, I can't take this anymore. So, I went over. I was getting really, really concerned because at one point when I took -- and I know I hop all over the place in my conversations, but you know what, that's just me -- was when I took Drina -- that night I came to pick Drina up, she kept saying I'm just going to kill myself, I'm just going to kill myself. And, so, that concerned me. So, I went over to their daughter's house. And I said, Marta, I said I feel like I'm obligated to tell you that

| 4 5 6 7 8 9 10 11 12 13 | Page 102 your mother said that she feels like she's going to kill herself. So, I really feel like you need to or somebody needs to maybe suggest counseling. And she said, oh, my god, Carole, whatever you do don't ever mention that to her. Don't ever mention that to her. And I said, well, Marta, I said, this isn't really my place to step in. I mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 1 2 3 4 5 6 7 8 9 10 11 | Page 104 A. Yes. Q. And who was that? A. I don't remember the name of the company. Q. But who, who hired them to follow her? A. Well, it was I can't really remember how that all came about. But I think Candy was always where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
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| 4 5 6 7 8 9 10 11 12 13 | herself. So, I really feel like you need to or somebody needs to maybe suggest counseling. And she said, oh, my god, Carole, whatever you do don't ever mention that to her. Don't ever mention that to her. And I said, well, Marta, I said, this isn't really my place to step in. I mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 2 3 4 5 6 7 8 9 10 | Q. And who was that? A. I don't remember the name of the company. Q. But who, who hired them to follow her? A. Well, it was I can't really remember how that all came about. But I think Candy was always where is Carl, where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
| 4 5 7 8 9 10 11 12 13 | needs to maybe suggest counseling. And she said, oh, my god, Carole, whatever you do don't ever mention that to her. Don't ever mention that to her. And I said, well, Marta, I said, this isn't really my place to step in. I mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 3 4 5 6 7 8 9 10 | A. I don't remember the name of the company. Q. But who, who hired them to follow her? A. Well, it was I can't really remember how that all came about. But I think Candy was always where is Carl, where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
| 4 5 7 8 9 10 11 12 13 | god, Carole, whatever you do don't ever mention that to her. Don't ever mention that to her. And I said, well, Marta, I said, this isn't really my place to step in. I mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 4 5 6 7 8 9 10 | Q. But who, who hired them to follow her? A. Well, it was I can't really remember how that all came about. But I think Candy was always where is Carl, where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
| 5 6 7 8 9 10 11 12 13 | her. Don't ever mention that to her. And I said, well, Marta, I said, this isn't really my place to step in. I mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 5 6 7 8 9 10 | A. Well, it was I can't really remember how that all came about. But I think Candy was always where is Carl, where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
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| 7 8 9 10 11 12 13 | mean, this isn't my place. You're her daughter. She said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 7 8 9 10 | is Carl, where is Carl, where is Carl, where is Carl and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
| 8 9 10 11 12 13 | said, Carole, I'm to the point I can't take this anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 9 10 | and because she was always worried about him from afar. And we hadn't heard from them in a while. And my |
| 9 10 11 12 13 | anymore. My mother tries to use me as a sounding board. And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 9 10 | afar. And we hadn't heard from them in a while. And my |
| 10 11 12 13 | And she said I've got a little baby. And she said I've accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 10 | • |
| 11 12 13 | accepted the fact that my father might just die. She said I've accepted that. She said what can I do. She | 11 | mother hadn't heard from him. No one had heard from |
| 12 13 | said I've accepted that. She said what can I do. She | | them. And, so, we were starting to get a bit concerned. |
| 13 | - | 12 | And Candy used to work for a company that did |
| | said I can't take care of him. And she said, she said | 13 | investigations and her husband works for a company, they |
| 1.4 | but I just keep telling my mother make a decision. If | 14 | do insurance investigations and that's when she said you |
| 15 | you want to divorce him, divorce him. If you don't, | 15 | can just call Owen and Owen can recommend someone. And, |
| 16 | don't. But make a decision. Do something but stop all | 16 | so, that was all during the time about the divorce. |
| 3 | this. She said I can't keep being her sounding board. | 17 | And, so, that's when we were just trying to find out was |
| | I can't. So, anyway, so, I assumed that she was | 18 | she making plans to divorce him, was this all just |
| | intending to divorce him since she said several times | 19 | was there anything behind what she was saying, was there |
| | that she had been to an attorney. So, so, that's when | 20 | any truth behind what she was saying or was this or |
| 1 | this all this is when the whole dynamics of all of | 21 | what. So |
| | this started to change because we're thinking she's, | 22 | Q. So, you had someone follow her? |
| | okay, she's going to divorce him, where is he going to | 23 | A. Uh-huh. |
| 1 | go, is he going to live with me, is he going to live at | 24 25 | Q. And who paid for that? |
| 25 | mother's, where is he going to live. Because we're | 20 | A. The trust. |
| | Page 103 | | Page 105 |
| | thinking, okay, she's going to divorce him. And I would | 1 | Q. So, who was involved in the decision to have |
| | try and talk to her about it and she just there was | 2 | her followed? |
| | always just this rage. And, so, I was always trying to | 3 | A. It was a decision that involved primarily I |
| E Contraction of the second se | kind of I could only deal with what she told me and | 4 | think it was just my mother and Anita and I think and |
| 1 | what she told me was she was divorcing him. And, so, we | 5 6 | Candy at the time because, like I said, that's where the |
| | were trying to make plans in that direction. And that's when, like I said, the situation was always so volatile, | 7 | contact came from was through her husband. Q. So, how did you know that it happened? |
| | dynamic in a way that I never knew what I was dealing | 8 | A. Because I was aware of it as well. |
| | with. And but what I wanted to always make sure of was | 9 | Q. I mean, you knew they had made the decision to |
| | that I always knew that Carl was if he needed | 10 | do that? |
| | anything and I tried to make sure that Drina if she | 11 | A. Uh-huh. |
| | needed something, please call me. But I understood. I | 12 | Q. And do you know whether any surveillance |
| | wasn't judging her. That if you can't put up with this, | 13 | devices were placed on either Drina or Carl's vehicles? |
| | his is a lot to put up with. I mean, he was chewing | 14 | A. Yeah, I think he put one on somebody's car. |
| | nis clothes. He was I mean, he the neurologist | 15 | Q. This investigator? |
| 16 t | old us, and she was standing right there, that on a | 16 | A. Uh-huh. |
| | scale of 1 to 10, 10 being the worst, my brother's brain | 17 | Q. Is that part of some report or how do you know |
| | damage was a 7. And, so, this was a lot for someone to | 18 | what he did? |
| | ust feel like you could just personally take this on. | 19 | A. I think he, he followed her or he I guess |
| | And I never understood why she kept pulling him out of | 20 | they had a tracking device or something like that and |
| 1 | facilities because he really needed skilled help. | 21 | then he would just write the addresses down of the areas |
| | And | 22 | where she was or where she took him or whatever. |
| ' ⁻ 3 | Q. Let me ask you this: Do you know whether | 23 | Q. So, did he provide a report of what he did? |
| | anybody ever followed your sister-in-law, had your sister-in-law followed? | 24 25 | A. I'm trying to remember if he if it was a printed report or because all I remember was this any |
| | | ر پ | printed report or because all I remember was this guy |

| 1 seemed to be involved with a lot of other cases at the was - he just said that was the more inexpensive way to was - he just said that was the more inexpensive way to fit was relating in performe was because he was - he just said that was the more inexpensive way to gagestion that this might be the better way if you wanted to just track somebody for maybe about a week or so. 1 A. Because Drint made the decision to shut down 0 A. Magint in the the better way if you wanted to just track somebody for maybe about a week or so. 3 A. Because Drint made the decision to shut down 1 A. Ho said that everything he did was legal. 10 C. And did he tell you whether he thought that was so. 10 Part of its iffice stuff? 1 A. Ho said that everything he did was legal. 11 A. Ho said that everything he did was legal. 11 Part of its iffice stuff? 1 A. Ho said that were may conclusions reached from that surveillance? 11 A. Ho was a way track as a way if was stiffing on was one of the things that Carl shout a stating on was one stift the reindeer was stiffing on was one of the stuffing on where - react focation, in a way track somebody was going to an exact focation, in a way track somebody was going to an exact focation, in a way track sometody was going to an exact focation, in a way track sometody was going to an exact focation, in a way track sometody was going to an exact focation, in a way track sometody was going to an exact focation, in a way track sometody was going to an exact focation, in the say sub to god information was being found out. I | | | | 1090 100 |
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| was - he just said that was the more inexpensive way to go because with you mouther's house? 3 Q. Now, why was that in your mother's house? 4 go because with yeal yeapensive. And, so, it was at his suggestion that this might be the better way if you wanted to just track somebody for maybe about a week. 4 A. He said that everything he did was legal. 5 Q. And did he tell you whether he thought that was so. 9 Q. And did he tell you whether he thought that was so. 9 1 A. He said that everything he did was legal. 10 bring it h - it was all upstairs at my mother's house. 1 A. He said that everything he did was legal. 11 Q. And how long did his go on where - a. 12 1 Q. About a week? 14 There was actually a request made by your mother and sort of a list circulated, right, about what people 1 apparend that, you know - with the type or transding he was doing because it wasn't - you couldn't tell that somebody was going to an excal location, in a way it was just pointes. I knew it was - to have somebody - go therwise, to have somebody. 13 A. Candy was trying to. But, also, too, this is that was just too expensive. 7 Q. And did anyne ever tell Drinn or Carl about for difficult. There was of the some of la any there yea to your's orry and 'y and mend it and fix it and be ind was doing because it wasn't - you couldn't tell anything. 1 </td <td></td> <td></td> <td>1</td> <td>•</td> | | | 1 | • |
| 4 Because brins made the decision to shut down 5 is was really, really expensive. And, so, it was at his 6 suggestion that this might be the better way if you 7 wanted to just track somebody for maybe about a week or so. 9 Q. And did he tell you whether he thought that was 10 legal or not? 11 A. Ite said that everything he did was legal. 12 Q. And how long did this go on where - 13 A. Ithink it was maybe about a week? 14 Q. About a week? 15 A. Ob-huh. 16 Q. And from that were any conclusions reached from 17 that surveillance? 18 A. Based on a cougle of locations it was It 19 appeared that, you know with the type of tracking he 20 otherwise, to have somebody - 17 A. Isawi tho exect location, it was just to 21 speared that, you know - with the type of tracking he 22 otherwise, to have somebody - 23 otherwise, to have somebody - 24 following or tailing them and that was just - I guess 25 | 2 | | | - |
| 5 in was really, really, expensive. And, so, it was this 5 Carl's office in, I don't know, November or December of 6 suggestion that this might be the better way ifyou 6 Iss year or of 2010 and she needed a place to go with 9 so. 9 0. And did he tell you whether he thought that was 6 Iss year or of 2010 and she needed a place to go with 10 legal or not? 1 1 1 1 1 1 11 A. He said that everything he did was legal. 11 1 1 1 1 12 Q. And how long did this go on where - 1 | | • • • • | | |
| 6 suggestion that this might be the better way if you 1 Iast year or of 2010 and she needed a place to go with 7 wanted to just track somebody for maybe about a week of 9 0 And fide tell you whether he thought that was 9 Q. And did he tell you whether he thought that was 10 10 0 11 A. He said that everything he did was legal. 10 Q. Ald right. Looking at the second page of 12 Q. And how long did this go on where - 12 12 12 A. He said that everything he did was legal. 11 Q. Ald right. Looking at the second page of 14 Q. About a week? 14 There was actually a request made by your mother and 15 A. Uh-buh. 15 There was actually a request made by your mother and 16 Q. And from that were any conclusions reached from 16 16 17 A. I have no idea. 17 hat surveillance? 18 18 18 19 appeared that, you know - with the type of tracking he 20 otherwise, to have somebody otherwise, to have somebody 18 10 1. I antime and flat was just - 1 guess 19 appeared that, you know with the type of tracking he 10 < | | • • • • | | |
| 7 wanted to just track somebody for maybe about a week of 8 so. 7 everything. She moved some of her stuff to her garage, 9 9 Q. And did he tell you whether he thought that was 10 legal or not? 10 11 A. He said that everything he did was legal. 11 11 12 Q. And how long did this go on where - 4. 11 11 12 13 A. He said that everything he did was legal. 11 12 Exhibit 6, you say that the clock that the reindeer was sitting on was one of the things that Carl asked for. 14 A. Obout a week? 13 14 There was actually a request made by your mother and sort of a list circulated, right, about what people 16 Q. And from that were any conclusions reached from that surveillance? 18 A. Is awit when everybody was suiting around the sort of a list circulated, right, about what people 18 A. Based on a couple of locations it was it asomebody was going to an exact location, in a way it was just pointes. Iknew it was - to have somebody - 23 17 A. I have no idea. Q. When is the last time you way it? 24 following or tailing them and that was just - I guess 18 Q. Da you know if anyone made any attempt to the surveillance? 18 A. Candy was trying to. But, also, too, this is the only thing that really inticate me a little bit the surveillance? | | • • • | | Carl's office in, I don't know, November or December of |
| 8 So. but she didn't have any place to go with the rest of his 9 Q. And did he tell you whether he thought that was bit she didn't have any place to go with the rest of his 11 A. He said that everything he did was legal. bit she didn't have any place to go with the rest of his 12 Q. And how long did this go on where - Q. All right. Locking at the second page of 13 A. I think it was maybe about a week. Q. All right. Locking at the second page of 14 Q. About a week? There was actually a request made by your mother and 16 Q. And from that were any conclusions reached from That surveilance? 17 that surveilance? It have no idea. 18 A. Based on a couple of locations it was it Q. When is the last time you saw it? 19 appeared that, you know - with the type of tracking he was ding because it was in - to have somebody 20 otherwise, to have somebody , you'd have to have somebody Q. When is the last time you saw it? 2 just pointless. I knew it was - to have somebody Q. Do you know if anyoon emade any attempt to 24 following or tailing them and that was just1 gage 107 A. Candy was trying to. But, also, too, this is | | suggestion that this might be the better way if you | 6 | last year or of 2010 and she needed a place to go with |
| 9 Q. And did he tell you whether he thought that was 9 things out of his office. And, so, she had the guys 10 legal or not? Difficult of his office. And, so, she had the guys 11 Q. And how long did this go on where 12 12 Q. And how long did this go on where 12 13 A. Ithink it was maybe about a week. 13 14 Q. Abut a week? 14 15 A. Uh-huh. 15 16 Q. And from that were any conclusions reached from 16 17 abased on a couple of locations it was it 18 18 A. Based on a couple of locations in a way it was 18 21 somebody was going to an exact location, in a way it was 18 22 there. And it was in a folder and loculd kind of see 10 23 otherwise, to have somebody 20 20 20 20 20 20 20 20 21 24 20 20 20 21 24 20 20 20 24 24 24 25 24 24 24 24 24 24 24 20 | | wanted to just track somebody for maybe about a week or | 7 | everything. She moved some of her stuff to her garage, |
| 10 legal or not? 10 bring it in - it was all upstairs at my mother's house. 11 A. He said that everything he did was legal. 11 2. 11 Q. And how long did this go on where - 12 Exhibit 6, you say that the clock that the reindeer was 13 A. I think it was maybe about a week. 13 11 12 14 Q. And how long did this go on where - 13 14 2. 15 A. Ub-huh. 15 or da list circulated, right, about what people 16 Q. And from that were any conclusions reached from 16 wasted. Where is that list today, do you know? 17 that surveillance? 18 A. Based on a couple of locations it was it 19 appeared that, you know with the type of tracking he 20 Where is the last time you saw it? 21 somebody was going to an exact location, in a way it was 21 Candy was there, Amy, Anita were both there. I was 22 inter. Sing the surveillance? A. I have no idea. 22 23 that was just to expensive. 23 14 A. I have no idea. 24 following or tailing them and that was just - 1 guess 14 A. Candy was there, Am | 8 | \$O. | 8 | but she didn't have any place to go with the rest of his |
| 11 A. He said that everything he did was legal. 11 Q. All right. Looking at the second page of 12 Q. And how long did this go on where 12 Exhibit 6, you say that the elock that the reindeer was 14 Q. About a week? 13 Stifting on was one of the things that Carl asked for. 14 Q. About a week? 14 There was actually a request made by your mother and 15 A. Ushuh. 5 Some to a list circulated, right, about what people 16 Q. And from that were any conclusions reached from 16 Wast sits the last time you saw it? 17 that surveillance? A. I have no idea. N. Have no idea. 18 A. Based on a couple of locations it was - it 18 Q. When is the last time you saw it? 18 somebody was going to an exact location, in a waj it was 11 Q. When is the last time you saw it? 23 otherwise, to have somebody 24 Q. Do you know if anyone made any attempt to 24 following or tailing them and that was just - I guess 24 Q. Do you know if anyone made any attempt to 25 that was just too expensive. Page 107 Page 107 Page 107 1 Q. And were you involved in the | 9 | Q. And did he tell you whether he thought that was | 9 | things out of his office. And, so, she had the guys |
| 12 Q. And how long did this go on where 12 Exhibit 6, you say that the clock that the reindeer was sitting on was one of the things that Carl asked for. 13 A. Uh-huh. 13 Sitting on was one of the things that Carl asked for. 14 Q. About a week? 14 15 A. Uh-huh. 15 16 Q. And from that were any conclusions reached from that was vital 15 17 A. Based on a couple of locations it was it asked for. 16 19 appeared that, you knowwith the type of tracking he was doing because it wasn't - you couldn't tell that somebody ot have somebody | 10 | legal or not? | 10 | bring it in it was all upstairs at my mother's house. |
| 13 A. I think it was maybe about a week. 13 sitting on was one of the things that Carl asked for. 14 Q. About a week? 14 15 A. Uh-huh. 15 16 Q. And from that wee any conclusions reached from 16 17 that surveillance? 17 18 A. Based on a couple of locations it was it 18 19 appeared that, you know with the type of tracking he was doing because it wasm't - you couldn't tell that 20 was doing because it wasm't - you couldn't tell that Q. When is the last time you saw it? 21 following or talling them and that was just I paces 22 22 thetwas just too expensive. 22 10 Q. And were you involved in the decision to stop 24 14 the surveillance? 34. I think at that point I'm just trying to 2 the surveillance? 29 3 A. I think at mappened back then. It seemed like no 5 good information was being found out. It was just too 36 6 difficult. There wasm't - you couldn't tell arything. 7 7 Q. Do you know whether anyone else did? 12 | 11 | A. He said that everything he did was legal. | 11 | Q. All right. Looking at the second page of |
| 14 Q. About a week? 14 There was actually a request made by your mother and sort of a list circulated, right, about what people 15 A. Ond from that were any conclusions reached from ist of a list circulated, right, about what people 17 that surveillance? 18 18 A. Based on a couple of locations it was - it Q. When is the last time you saw it? 19 appaared that, you know - with the type of fracking he V 20 was doing because it wasn't - you couldn't tell that Is aw i when everybody was sitting around the 21 somebody, south swe somebody, out have to have somebody - 22 23 otherwise, to have somebody, you'd have to have somebody - 22 24 following or tailing them and that was just - 1 guess 24 25 that was just too expensive. 25 10 Q. And were you involved in the decision to stop 24 2 following or tailing them and that was just too 13 3 A. I think at that point I'm just trying to 3 4 remember what happened back then. It seemed like no 5 5 goud information was being found out. It was just too 3 6 difficult. There was | 12 | Q. And how long did this go on where | 12 | Exhibit 6, you say that the clock that the reindeer was |
| 15 A. Uh-huh. 15 sort of a list circulated, right, about what people 16 Q. And from that were any conclusions reached from 16 17 Matter structured, right, about what people 18 A. Based on a couple of locations it was it 17 19 appeared that, you know with the type of tracking he Q. When is the last time you saw it? 19 a. I saw it when everybody was sitting around the 21 somebody was going to an exact location, in a way it was 22 22 there, and it was in a folder and I could kind of see 23 otherwise, to have somebody, you'd have to have somebody 24 following or tailing them and that was just I guess 23 25 that was just too expensive. 24 26 page 107 A. Candy was trying to. But, also, too, this is 27 remember what happened back then. It seemed like no 3 28 good information was being found out. It was just too 6 3 difficult. There wasn't you couldn't tell anything. 7 4 Q. Do you know whether anyone exet tell Drina or Carl about 1 10 A. No. 1 11 | 13 | A. I think it was maybe about a week. | 13 | sitting on was one of the things that Carl asked for. |
| 15 A. Uh-luh. 15 sort of a list circulated, right, about what people 16 Q. And from that were any conclusions reached from 16 waretd. Where is that list today, do you know? 18 A. Based on a couple of locations it was - it 16 waretd. Where is that list today, do you know? 19 appeared that, you know - with the type of tracking he 18 Q. When is the last time you saw it? 14 A. I saw it when everybody was sitting around the 28 20 somebody was going to an exact location, in a way it was 21 Candy was there, Amy, Anita were both there. I was 21 somebody, you'n have to have somebody - 24 Candy was there, Amy, Anita were both there. I was 22 there. And it was in a folder and I could kind of see 11 Candy was trying to 23 otherwise, to have somebody, you'd have to have somebody 24 Q. Do you know if anyone made any attempt to 25 that was just too expensive. Page 107 Page 109 1 Q. And were you involved in the decision to stop 1 A. Candy was trying to. But, also, too, this is 3 A. I think at that point I'm just trying to 1 A. Candy was trying to. But, also, too, this is 4 | 14 | Q. About a week? | 14 | |
| 16 Q. And from that were any conclusions reached from 16 wanted. Where is that list today, do you know? 17 that surveillance? 17 A. I have no idea. Q. When is the last time you saw it? 19 appeared that, you know with the type of tracking he Q. When is the last time you saw it? 19 appeared that, you know with the type of tracking he Q. When is the last time you saw it? 11 appeared that, you know with the type of tracking he Q. When is the last time you saw it? 20 somebody was going to an exact location, in a way it was Za 21 somebody, you'd have to have somebody Candy was there, Amy, Anita were both there. I was 24 following or tailing them and that was just I guess Za 25 that was just too expensive. Za 26 Page 107 Page 107 27 Q. And were you involved in the decision to stop 1 3 A. I think at that point I'm just trying to 3 4 reamer happened back then. It seemed like no 5 5 good information was being found out. It was just too 6 6 difficult fore to understand is f you' e meesced up, 7 | 15 | A. Uh-huh. | 15 | · · · |
| 17 that surveillance? 17 A. I have no idea. 18 A. Based on a couple of locations it was – it 18 Q. When is the last time you saw it? 19 appeared that, you know – with the type of tracking he 19 Q. When is the last time you saw it? 11 appeared that, you know – with the type of tracking he 20 Was doing because it wasn't – you couldn't tell that 11 somebody was going to an exact location, in a way it was 21 Candy was there, Amy, Anita were both there. I was 12 otherwise, to have somebody candy was there, Amy, Anita were both there. I was 11 there. And it was in a folder and I could kind of see 12 otherwise, to have somebody candy was there, Amy, Anita were both there. I was 12 12 that was just too expensive. 24 6 follow that list other than yourself? 13 Q. And were you involved in the decision to stop 25 follow that list other than yourself? Page 109 1 A. Thave no idea. 11 A. Candy was strying to. But, also, too, this is 24 1 A. Candy was trying to. But, also, too, this is 24 through me with Candy. And she kind of burned her 1 Q. And did anyone ever te | 16 | Q. And from that were any conclusions reached from | 16 | |
| 19 appeared that, you know with the type of tracking he 19 A. I saw it when everybody was sitting around the 20 was doing because it wasn't - you couldn't tell that 20 kitchen table at my mothe?'s house after she died. 21 somebody was going to an exact location, in a way it was 20 Candy was there, Amy, Anita were both there. I was 22 otherwise, to have somebody, you'd have to have somebody Candy was there, Amy, Anita were both there. I was 23 otherwise, to have somebody, you'd have to have somebody Q. Do you know if anyone made any attempt to 24 following or tailing them and that was just - I guess 25 25 that was just too expensive. Page 107 Page 107 Page 107 Page 109 1 A. Candy was trying to. But, also, too, this is the only thing that really irritates me a little bit 3 A. I think at that point I'm just trying to about Candy. Sandy everything needed to always go 7 Q. And did anyone ever tell Drina or Carl about 4 8 the surveillance? 1 A. Roady messed up, atternather is the thing about my family that's 11 Q. Do you know whether anyone else did? 2 difficult for me to understand is if you've messed up, | 17 | ÷ | 17 | |
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| 21 somebody was going to an exact location, in a way it was 21 Candy was there, Amy, Anita were both there. I was 22 just pointless. I knew it was to have somebody, 21 Candy was there, Amy, Anita were both there. I was 23 otherwise, to have somebody, you'd have to have somebody 22 there. And it was in a folder and I could kind of see 23 totherwise, to have somebody, you'd have to have somebody 22 ti but I couldn't really see it. 24 following or tailing them and that was just I guess 24 Q. Do you know if anyone made any attempt to 25 that was just too expensive. Page 107 Page 109 1 Q. And were you involved in the decision to stop 1 A. Candy was trying to. But, also, too, this is 2 the surveillance? 3 A. I think at that point I'm just trying to 3 3 A. I think at that point I'm you couldn't tell anything. 3 about Candy is Candy - everything needed to always go 1 Q. And did anyone ever tell Drina or Carl about 4 there, I was 3 2 A. No. 10 A. No. 11 pick up the phone and call the person and say 9 3 Q. Did your mother ever tell them?< | 20 | | 1 | |
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| 24following or tailing them and that was just I guess 2524Q. Do you know if anyone made any attempt to 2525that was just too expensive.25follow that list other than yourself?Page 1071Q. And were you involved in the decision to stop 21A. Candy was trying to. But, also, too, this is 224A. Candy was trying to. But, also, too, this is 2243A. I think at that point I'm just trying to 31A. Candy was trying to. But, also, too, this is 44Yeage 1091A. Candy was trying to. But, also, too, this is 45ood information was being found out. It was just too 666difficult. There wasn't you couldn't tell anything. 7Q. And did anyone ever tell Drina or Carl about 87Q. And did anyone ever tell Drina or Carl about 868then pick up the phone and cli the person and say 99you're sorry and try and mend it and fix it and be 910A. No.1011Q. Do you know whether anyone else did? 111112A. No, I don't know.1213Q. BY MS. BAYLESS) I show you Exhibit 6. This 161616Q. (BY MS. BAYLESS) I show you Exhibit 6. This 161617is an e-mail from you to Drina in December, e-mail exchange in December of 2011. And is this the clock that you're talking about?1614A. Yes.2015Q. You said you have a mover going to the house on 1216 <t< td=""><td>23</td><td></td><td>1</td><td></td></t<> | 23 | | 1 | |
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| Q. To get furniture out of the house and I assume 24 she went to the extreme of she just wanted to give Carl | | | | |
| | | - | ; | • |
| 25 mars me furniture you moved to the storage facility? [25 everything in the house. I mean, just here, just take | 1 | - | Į | · · · |
| | 25 | mais the furniture you moved to the storage facility? | [23 | everything in the nouse. I mean, just here, just take |

| 1 | | | [|
|---|----|--|----|
| | 1 | it all. And I was like but, Candy, you can't do that, | 1 |
| | 2 | either. And you got to put some boundaries here of | 2 |
| | ` | you know, at that point she just was like just you see | 3 |
| | 4 | something in this house, just take it, just take | 4 |
| | 5 | everything. And I was just like, well, whatever, if | 5 |
| | 6 | they want to take it. And, so, they but Drina said | 6 |
| | 7 | honestly, she said, Carole, we've got enough stuff. And | 7 |
| | 8 | I said, well, I do know that there were things on the | 8 |
| | 9 | list and one of the things was a bookcase and Drina said | 9 |
| | 10 | honestly, Carole, I just don't need anymore stuff. And | 10 |
| | 11 | I said, well, I want you to know these are the things | 11 |
| | 12 | that Carl said he wanted. And I said, so, so, I will | 12 |
| | 13 | keep any of these things for you if you want. She says, | 13 |
| | 14 | no, don't worry about it. And I said, well, no, I will, | 14 |
| | 15 | I will keep them. I will keep them, you know, because | 15 |
| | 16 | in the event that, you know, he realizes one day that, | 16 |
| | 17 | hey, where is this, where is this, where is this. So, I | 17 |
| | 18 | wasn't there when Carl and Drina because I gave Carl | 18 |
| | 19 | and Drina keys to the house, I said here's your set. | 19 |
| | 20 | And they came over. I don't think anybody I think | 20 |
| | 21 | everybody was gone at that point. And we figured out a | 21 |
| | 22 | way for them to get the bookcase. And, so, they took | 22 |
| | 23 | the bookcase. And they took another glass case. And | 23 |
| | 24 | they came over the next day and they took, I don't know, | 24 |
| | 25 | they took a little table and a chair, I mean not a | 25 |
| | | | |

Page 111

1 chair, a rug and a lamp and Drina told me the things 1 2 2 that they took. And it was just mostly just like 3 furniture and that kind of stuff. But I still knew the 3 4 4 things that Carl would have wanted. Were they things 5 5 that I wanted, yeah, I really wanted them, too, but, you 6 6 know, he had his name beside them. And I was like, you 7 7 know, that's fine. I just -- I really -- they were just 8 8 things. They were just things. And I realized after my 9 9 mom died, I thought, you know, this is just stuff. And, 10 10 so, I told Drina that -- one of the things they took was 11 a little reindeer and that little reindeer always sat on 11 12 12 top of that clock in my grandmother's house. Always. 13 And it always sat there. And I told her, I said, you 13 14 know, she said Carl wants that -- wanted that reindeer. 14 15 15 I said, okay, but this clock always went with it. And, 16 so, I brought the clock over and I said, here, this 16 17 17 clock goes with that reindeer. And she said, well, 18 18 we'll just keep it for you. And I said, no, that's 19 19 fine. I said Carl wanted it. So, I brought it over and 20 20 then I told her the other things, too, that if you ever 21 wanted just to let me know. But she said, no, she said 21 22 we've got enough stuff. So, I just let it go at that. 22 °3 23 Q. There were some bonds that your mother was 24 .4 keeping in the house, weren't there? 25 A. Uh-huh. She would pull bonds out and then 25

that's how she would fund things.

Q. And there were some still there when she died, right?

A. There was -- I came across them, yes.

Q. And where are those bonds?

A. Those are somewhere in an envelope somewhere in a storage, I mean, somewhere -- with all of the -- I put them in an envelope somewhere in the office and with everything that was being gone through and being thrown away, I lost track of them.

Q. Do you know how much there was in bonds?

A. I think we went through it and it was maybe about \$5,000 to the best of what we could figure out. But it was, it was all stuff that was destined for the trash. And that's what was concerning me was that things were getting thrown out of the house too fast and people weren't going through anything to determine what was of value and what was actually junk. And I realized that everybody is having to come in from out of town but my parents lived in this house for 45 years and you couldn't just be going through stuff and just calling everything trash. But also mingled through all of my parents' things -- well, Carl when he was at my mom's, he wrote all the time. And you never knew where he was going to have stuck things. And, so, that's why I just

Page 113

really, really, really wanted to keep those things that he had written on. And, also, too, there was just little notes that your parents write, just little things that -- so, I started -- I was going through the trash and that's when I came across those and then that's when I came across just a lot of other mementos. And, so --

Q. Okay. But the bonds that were worth money, what happened to those?

A. I put those in a packet. There was like an accordion folder and I put them in there. And I put them in the office, but then I'm not really sure what happened to them after that.

Q. So, for all you know they're in the storage facility that you have?

A. I don't know if they're in the storage

facility. I don't know if they've been thrown away. I mean, I don't know.

Q. But you don't have them?

A. Not that I know of, no.

(Exhibit 7 marked)

Q. (BY MS. BAYLESS) I show you Exhibit 7. This is an e-mail from you to Drina and Candy?

A. Uh-huh.

Q. December 18th, 2011, so it says -- in the first paragraph you say something occurred to me this

| 1 2 | Page 114 | | Page 116 |
|---|--|--|---|
| | - | - | |
| | afternoon now that we're looking at the timeline of how | | Q. Okay. And does this e-mail at all help you |
| · 2 | this all happened. What timeline are you talking about? | 2 | remember that you didn't find out about those changes |
| , 1 | A. I was just trying I think it was at that | 3 | until after your mother died? |
| | time that's when I realized that my mother had gone in | 4 | A. What, the changes for |
| 5 | to sign the changes at Vacek on the day that she | 5 | Q. The changes that your mother had made to the |
| 6 | cancelled her appointment with M.D. Anderson. | 6 | trust, did you know the details of that before she died? |
| 7 | Q. But, so, was there a specific timeline or is | 7 | A. I knew that in August she put Carl's money in a |
| 8 9 | this just dates in your head? What timeline are you | 8 | medical trust and that she put Candy's money in a |
| 10 | referring A. It's just dates in my head. | 10 | personal asset trust or whatever it's called. And then in December Anita took over as trustee. That's what I |
| 11 | Q. And then in the second paragraph you say Anita | 11 | know. |
| 12 | is the one that contacted the lawyer originally. Are | 12 | Q. But you knew all of those things when they |
| 13 | you talking about Vacek or Candace Freed? | 13 | happened or you learned about them after the fact? |
| 14 | A. Yeah. | 14 | A. I learned about them after, it would be |
| 15 | Q. And then told mother what to tell the attorney. | 15 | after well, I mean, the conversation with Candace was |
| 16 | I know this because I caught her in so many lies. Who | 16 | to let us know that Anita was taking over as trustee in |
| 17 | did you catch in so many lies? | 17 | December. |
| 18 | A. When I was trying to talk to Anita what | 18 | Q. Conference call? |
| 19 | happened back then was I it was still bothering me | 19 | A. Yes. |
| 20 | that of how Amy got on there as co-trustee. And I | 20 | Q. Okay. So, you knew about that before it |
| 21 | just felt like she wasn't really being honest about it. | 21 | happened? |
| 22 | Q. Okay. But who wasn't being honest about it? | 22 | A. Yes. But the others, no, that would have been |
| 23 | Amy, Anita? | 23 | after the fact. |
| 24 | A. Anita. | 24 | Q. Okay. Okay. The last paragraph in this e-mail |
| 25 | Q. Anita, okay. So, you really didn't I take | 25 | of December 18th you say this was all Anita's doing and |
| A | Page 115 | | Page 117 |
| 1 | it from your testimony you didn't really talk to Amy | 1 | the fact that neither Carl nor Drina were contacted |
| 2 | that much about the trust other than that meeting or | 2 | was contacted to at least make sure mother was correct |
| 3 | that time you encountered her over the competency stuff? | 3 | in her facts about Carl being ill cannot be right? |
| 4 | A. Yeah. No. Amy, any time I encountered Amy she | 4 | A. Well, and that's what, that's what it |
| 5 | was usually threatening in some manner, so | 5 | bothered me that but then I didn't know the law that |
| 6 | Q. Okay. Threatening you personally? | 6 | they weren't contacted. |
| 7 | A. Uh-huh. | 7 | Q. All right. The last sentence in your e-mail |
| 8 | Q. So, to the extent you've had conversations | 8 | says the lawyer was doing everything Anita told her to |
| 1 | about the trust or these changes, you've had them with | 9 | do and was bullying mother in the process. I assume |
| 9 | Anita? | 10 | that's supposed to be bullying. It says bulling. Is |
| 9 10 | | } | |
| 9 10 11 | A. (Witness nods head.) | 11 | that supposed to be bullying? |
| 9 10 11 12 | Q. Yes? | 12 | that supposed to be bullying? A. Uh-huh. |
| 9 10 11 12 13 | Q. Yes? A. Yes. | 12 13 | that supposed to be bullying?A. Uh-huh.Q. And, so, what had been what's the basis for |
| 9 10 11 12 13 14 | Q. Yes?A. Yes.Q. And, so, when you say so, that's how you | 12 13 14 | that supposed to be bullying?A. Uh-huh.Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita |
| 9 10 11 12 13 14 15 | Q. Yes?A. Yes.Q. And, so, when you say so, that's how youknow when you say in this paragraph, I know this because | 12 13 14 15 | that supposed to be bullying?A. Uh-huh.Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? |
| 9 10 11 12 13 14 15 16 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita | 12 13 14 15 16 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they |
| 9 10 11 12 13 14 15 16 17 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? | 12 13 14 15 16 17 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as |
| 9 10 11 12 13 14 15 16 17 18 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. | 12 13 14 15 16 17 18 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started |
| 9 10 11 12 13 14 15 16 17 18 19 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. Q. Yes. And why do give me an example of | 12 13 14 15 16 17 18 19 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started asking my mother for money and they needed some money. |
| 9 10 11 12 13 14 15 16 17 18 19 20 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. Q. Yes. And why do give me an example of Anita's lies. What had she lied to you about? | 12 13 14 15 16 17 18 19 20 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started asking my mother for money and they needed some money. And, so, my mother agreed to give them \$25,000. So, but |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. Q. Yes. And why do give me an example of Anita's lies. What had she lied to you about? A. I felt like she wasn't really being honest with | 12 13 14 15 16 17 18 19 20 21 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started asking my mother for money and they needed some money. And, so, my mother agreed to give them \$25,000. So, but what Amy and Anita wanted was, again, this was their |
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| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. Q. Yes. And why do give me an example of Anita's lies. What had she lied to you about? A. I felt like she wasn't really being honest with me as far as I just felt like I never really got a really good explanation of how I never got a good | 12 13 14 15 16 17 18 19 20 21 22 23 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started asking my mother for money and they needed some money. And, so, my mother agreed to give them \$25,000. So, but what Amy and Anita wanted was, again, this was their personal preference, and they wanted Drina to go to my mother and let my mother pay medical bills directly and |
| 9 10 11 12 13 14 15 16 17 18 19 20 21 22 | Q. Yes? A. Yes. Q. And, so, when you say so, that's how you know when you say in this paragraph, I know this because I caught her in so many lies, you're talking about Anita being the one that had lied? A. Yes. Q. Yes. And why do give me an example of Anita's lies. What had she lied to you about? A. I felt like she wasn't really being honest with me as far as I just felt like I never really got a | 12 13 14 15 16 17 18 19 20 21 22 | that supposed to be bullying? A. Uh-huh. Q. And, so, what had been what's the basis for that sentence that she was taking direction from Anita and bullying your mother? A. The only thing that I can well, but they didn't win this, I did. My mother was willing as soon as Carl could speak he got on the phone and started asking my mother for money and they needed some money. And, so, my mother agreed to give them \$25,000. So, but what Amy and Anita wanted was, again, this was their personal preference, and they wanted Drina to go to my |

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| 1 | may or may not have been the wise thing to do. But my |
|----|--|
| 2 | mother agreed to give Carl and Drina \$25,000. So, this |
| | was during TIRR. Is this TIRR? Yeah, this is TIRR. |
| 4 | Because I was visiting with Carl one day and Drina was |
| 5 | there and I was getting ready to leave and Carl goes, |
| 6 | Carole, don't go, don't go. And I stayed and I said |
| 7 | what's the matter. And he said, Carole, you got to make |
| 8 | sure we get that money. You got to make sure we get |
| 9 | that money. And I said are you talking about the |
| 10 | 25,000? And he said yeah. And I said, well, Carl, |
| 11 | mother is going to give it to you. You can call her and |
| 12 | tell her, I mean, and ask her. And he did. I got |
| 13 | mother on the phone and she's like, well, yeah. And I |
| 14 | said, Carl, would it make you feel better if I went over |
| 15 | and got it. And he said yeah. And I said okay. So, I |
| 16 | drove over and I sat with my mother. And I'm sure that |
| 17 | Drina Tino can tell you about this conversation, but |
| 18 | I told my mother, I said that if this is what you want |
| 19 | to do, then this is, you know, then this is what you |
| 20 | need to do. So, Amy and Anita wanted they wanted my |
| 21 | mother to pay medical bills directly. My mother was |
| 22 | just willing to give them a check for \$25,000. So, I |
| 23 | took the check and I drove it over to Drina that night |
| 24 | and she was very appreciative and I dropped it off. |
| 25 | Well, the next day Drina called and said that my mother |

up to be covered with such a catastrophic event. He just -- he had nothing. I mean, he just -- it didn't seem like there was anything there on a safety net. So, and it was very difficult in dealing with Drina. It was difficult to understand did you want my mother to pay. And she said, well, your mother said that she would, she would, she would I think help with the medical bills or something. But it was hard to know if she was expecting my mother to cover all the bills or pay for everything. I mean, I don't know. But my mother was paying for all the caregivers for my brother and, so, she covered that expense. And then she gave them the check for 25,000. And then beyond that my mother tried to meet with Drina one time to say I'll help you, but why don't you just bring me your medical bills and let me pay those. Well, Drina didn't like that and she got really offended by it. And it kind of upset my mother. Because I remember she called me and she said, well, I thought your mother was going to help with this. And I said, well, she will. And she goes, well, she said she didn't have the money. And I said, well, you got to give her a second to think, I mean, what she's got. I mean, she's got her checking account and then she's got to sell stuff, so you got to give her a second. But you can't just --

with Drina it was just like this is what I want, give it

Page 120

Page 121

Page 119

| | | 1 | |
|-----|--|----|--|
| 1 | had made it for 25, not 25,000. So, she went over and | 1 | to me or I'm just going to blow apart. And, so, that's |
| 2 | collected another check from my mom and deposited it. | 2 | what made it very difficult to deal with her because you |
| 3 | Well, my mother had called Edward Jones and they usually | 3 | wanted to help but it just seemed like if you didn't do |
| 4 | would just sell something and just deposit the money | 4 | it her way, then she was just going to blow up. And |
| 5 | into her account. And but my mother didn't check her | 5 | then I started to realize that's how she controlled my |
| 6 | statement to make sure the money was there and plus my | 6 | brother this entire time is if she didn't get what she |
| 7 | mother usually always had \$25,000 in her account. But, | 7 | wanted, she just would blow up and she'd take something |
| 8 | anyway, so, Drina got the check and she deposited it. | 8 | away from you just like she could take away my brother. |
| 9 | Well, unfortunately the funds hadn't been deposited into | 9 | And, so, I realized that because I knew they needed |
| 10 | my mom's account, so the check bounced. And, so, as | 10 | help, I was going to try and continue to do anything I |
| 11 | soon as I heard that, I made the check good because I | 11 | could but I was limited to a point because there was |
| 12 | was concerned about what bills Carl and Drina might be | 12 | only so much I could do. And, so, I did my best to try |
| 13 | paying. So, I made sure the check was covered. And I | 13 | and stay involved pretty much with everybody's life, but |
| 14 | said, no, Drina, don't worry, I've covered the check. | 14 | after awhile it just |
| 15 | If you if anything bounced, let me know. Well, | 15 | Q. At some point in time did you receive a |
| 16 | nothing bounced, but I did cover the check. And Amy and | 16 | distribution of Exxon stock from your parents' estate? |
| 17 | Anita did get upset about that. | 17 | A. Yes. |
| 18 | Q. That you covered the check? | 18 | Q. When did that happen? |
| 19 | A. Yes. | 19 | A. I think it happened in June. |
| 20 | Q. Were they upset in general about money being | 20 | Q. Of what year? |
| 21 | given to Carl and Drina? | 21 | A. 2011. |
| 22 | A. They were upset about the method in which money | 22 | Q. So, your mother was still alive? |
| 'r3 | was being given to Carl and Drina because it was never | 23 | A. Yes. |
| . 4 | really clear as far as Carl didn't have disability | 24 | Q. And did you ask for this distribution? |
| 25 | insurance, he didn't have any he didn't set himself | 25 | A. No. It was at her suggestion. |

| | Page 122 | | Page 124 |
|--|---|--|--|
| 1 0 At your mothemic even | - | 1 | A. '11. |
| 1Q. At your mother's sugg2A. Yes. | | | |
| Q. Did you talk with you | | | Q. Oh, 2011, okay. So, at that point your mother s no longer the trustee of the trust? |
| 4 it? | * | | A. No. |
| 5 A. Yes. | | | |
| | | | Q. Anita was. And was the stock held by the st, do you know? |
| | Ų į | | A. As far as I know. |
| 0 | | | |
| 8 Q. Who got stock other th 9 A. No. | | | Q. Did your mother or Anita tell you why this tribution was being made? |
| | 1 | | A. Yes, my mother did, yeah. |
| 10 Q. Do you know it anyou 11 stock? | | | Q. What did she say? |
| | 1 | | A. Because she appreciated my help over the years. |
| 12 A. T know Candy got stor 13 did. | | | Q. So, from that |
| | | | |
| | 5 5 | | A. And she said that at the time, too, it was |
| 8 | | | re was a concern about Carl, that if, you know, if |
| 16 A. No, I don't.17 Q. How much did you ge | | | y were getting divorced. And I was just trying to is is my house and, so, it was just sort of a concern |
| | | | - |
| 18 A. I got 1300 shares. 19 Q. Which is what was | | | that. And just the fact that I had helped mother and ldy over the years, then it was just kind of her way |
| | | | saying thank you. |
| | · · · · | | |
| · · · · · · · · · · · · · · · · · · · | | | Q. So, from that you had the impression that you |
| 23 got the same amount? | | | re the only one getting a distribution? |
| 23 got the same amount? 24 A. I have no idea. | 2 | | A. I mean, that I was aware from talking with my |
| | | | ther, but I didn't really get involved with any other |
| 25 Q. You don't even know | now much Candy got? 2 | .5 001 | nversation my mother had. She didn't discuss that |
| | Page 123 | | Page 125 |
| 1 A. No. | | | h me. |
| 2 Q. Do you know that Carl | 0 1 | | Q. So, what would the fact that Carl and Drina |
| 3 A. No. | | - | the getting a divorce have to do with you getting a |
| 4 Q. You don't know that? | 1 | | ribution of Exxon stock? |
| 5 A. No, I didn't know. | | | A. Because at the time my because at the time |
| 6 Q. Did some do you kn | - | | were, we were concerned about if Carl was going to |
| 7 got some? | | | ne live with me because Marta said she couldn't take |
| 8 A. No. | | | e of him. And, so, I was going to just try and |
| 9 Q. And who made the v | 1 | 9 fini | sh my house. But then my mother and I also talked |
| | tion of that Exxon stock? | <u> </u> | • • |
| 10 arrangements for the distribut | 1 | | ut that. Mostly it was just because I had helped |
| 10 arrangements for the distribut11 A. Anita. | 1 | 1 take | out that. Mostly it was just because I had helped e care of my parents for the past two years. |
| arrangements for the distribut A. Anita. Q. And what did she whete whete whete did she whete did she whete did she she she she she she she she she she | hat dealings did you have 1 | .1 take .2 0 | out that. Mostly it was just because I had helped e care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's |
| 10 arrangements for the distribut 11 A. Anita. 12 Q. And what did she while with Anita about it? | hat dealings did you have 1. | .1 take .2 0 .3 pot | out that. Mostly it was just because I had helped e care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's ential divorce figured into it was that Carl might be |
| arrangements for the distribut A. Anita. Q. And what did she wh with Anita about it? A. She just called me and | hat dealings did you have 1 said that mother wanted 1 | .1 take .2 0 .3 pot .4 livi | out that. Mostly it was just because I had helped e care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's ential divorce figured into it was that Carl might be ng with you at some point? |
| arrangements for the distribut A. Anita. Q. And what did she which with Anita about it? A. She just called me and to make a gift to me. My mo | hat dealings did you have 1 said that mother wanted 1 ther had talked to me about 1 | 1 tak 2 0 3 pot 4 livi 5 2 | out that. Mostly it was just because I had helped e care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's ential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. |
| arrangements for the distribut A. Anita. Q. And what did she while with Anita about it? M. She just called me and to make a gift to me. My monologiet. | hat dealings did you have said that mother wanted ther had talked to me about 1 | 1 take 2 0 3 pot 4 livi 5 0 | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's be ential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're |
| arrangements for the distribut A. Anita. Q. And what did she wh with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called | hat dealings did you have said that mother wanted ther had talked to me about you after that? | 1 take 2 0 3 pot 4 livi 5 2 6 0 7 sup | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's be ential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and |
| arrangements for the distribut A. Anita. Q. And what did she while with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was | hat dealings did you have 1 said that mother wanted 1 ther had talked to me about 1 you after that? 1 what she was going to 1 | 1 take 2 0 3 pot 4 livi 5 6 0 .7 sup 8 Car | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's be ential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? |
| arrangements for the distribut A. Anita. Q. And what did she while with Anita about it? with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from | 1 take 2 0 3 pot 4 livi 5 2 6 0 7 sup 8 Car 9 2 | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's be ential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. |
| arrangements for the distribut A. Anita. Q. And what did she wh with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An Exxon, but actually I didn't ev | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from yen open it until almost | 1 take 2 0 3 pot 4 livi 5 2 6 0 7 sup 8 Car 9 2 | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's bential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. Q. Has anything been set up with your trust that |
| arrangements for the distribut A. Anita. Q. And what did she wh with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An Exxon, but actually I didn't ev September. | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from ven open it until almost 2 | 1 taka 2 of 3 pot 4 livi 5 6 of 7 sup 8 Car 9 20 of 21 you | but that. Mostly it was just because I had helped because of my parents for the past two years. Q. But, so, the way in which Carl and Drina's bential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. Q. Has anything been set up with your trust that |
| arrangements for the distribut A. Anita. Q. And what did she while with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An Exxon, but actually I didn't ev September. Q. And have you ever had | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from ven open it until almost 1 a distribution of Chevron 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | 1 take .2 0 .3 pot .4 livi .5 .6 .7 sup .8 Car .9 .6 .1 you .2 .7 | but that. Mostly it was just because I had helped because of my parents for the past two years. Q. But, so, the way in which Carl and Drina's bential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. Q. Has anything been set up with your trust that a know of? A. Not that I know of. |
| arrangements for the distribut A. Anita. Q. And what did she wh with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An Exxon, but actually I didn't ev September. Q. And have you ever had shares? | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from ven open it until almost 1 a distribution of Chevron 2 | .1 take .2 .0 .3 pot .4 livi .5 .0 .6 0 .7 sup .8 Car .9 .0 .1 you .2 .0 .3 0 | but that. Mostly it was just because I had helped becare of my parents for the past two years. Q. But, so, the way in which Carl and Drina's bential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. Q. Has anything been set up with your trust that a know of? A. Not that I know of. Q. Have you met with anybody about setting up your |
| arrangements for the distribut A. Anita. Q. And what did she while with Anita about it? A. She just called me and to make a gift to me. My mo it. Q. And then Anita called A. And said that this was do. And I was like okay. An Exxon, but actually I didn't ev September. Q. And have you ever had | hat dealings did you have said that mother wanted ther had talked to me about you after that? what she was going to d then I got something from ven open it until almost 1 a distribution of Chevron 2 2 | .1 take .2 .0 .3 pot .4 livi .5 .1 .6 .0 .7 sup .8 Car .9 .1 .1 you .2 .1 .3 .0 .4 sep | but that. Mostly it was just because I had helped be care of my parents for the past two years. Q. But, so, the way in which Carl and Drina's bential divorce figured into it was that Carl might be ng with you at some point? A. Possibly. Q. Now, under the provisions of the trust you're posed to become your own trustee unlike Carl and ndy. Have you been given trust assets? A. No. Q. Has anything been set up with your trust that a know of? A. Not that I know of. |

| | Page 126 | | Page 128 |
|----------|--|----------|---|
| 1 | Q. Is that a no? | 1 | Since the house was being sold so quickly, it was the |
| 2 | A. No, I haven't. | 2 | last possession I had that actually I could sit in that |
| | Q. Has anybody tried to meet with you about that, | 3 | kind of smelled like my parents. And that's what I |
| 4 | tried to schedule an appointment about that? | 4 | mean, nobody gave me any time to grieve through any of |
| 5 | A. No. | 5 | this. It was like just do it. And I was like, you |
| 6 | Q. Did you ever have a conversation with anybody | 6 | know, fine. It was just like just rip the bandage off |
| 7 | at Candace Freed's office or Vacek's office about that? | 7 | and just and, so, anyway, I just really wanted to |
| 8 | A. Other than they sent me some documents to fill | 8 | hang on to the car just a little bit longer. But then I |
| 9 | out as far as upon my death or if I became incompetent | 9 | realized I'm not losing that, I'm going to lose this |
| 10 | who manages my I never really understood the document | 10 | fight, too. So, it's like fine, just go ahead and sell |
| 11 | I filled out, but apparently it was something that | 11 | it. So, so they came to pick up the car and I don't |
| 12 | needed to be filled out. | 12 | know why it didn't get picked up. But then something |
| 13 | Q. And this was after your mother died? | 13 | somehow the car ended up over at my house and then the |
| 14 | A. Uh-huh. It was in, it was in because Amy | 14 | car wouldn't start and that's when we realized that the |
| 15 | called me up and said you're holding this up, send in | 15 | car doesn't start anymore. |
| 16 | your documents. And I was like, well, okay. And I | 16 | Q. Okay. But in this e-mail they're talking about |
| 17 | opened it up and it was something about if you become | 17 | selling the car to someone else? |
| 18 | incompetent, list three people. If you die, list three | 18 | A. Yeah. Amy was going to sell it to she had a |
| 19 | people. And I thought, well, this seems kind of odd | 19 | place up in New Braunfels that she was going to sell the |
| 20 | because it seems like this is something that would be | 20 | car. And then that never happened. And then Anita was |
| 21 | covered if I had a will. | 21 | just going to take it over to CarMax and sell it. |
| 22 | Q. And did she say what you were holding up? | 22 | Q. And in the last paragraph you talk about them |
| 23 | A. I assumed it was the trust moving forward. I | 23 | working under a cloak of secrecy. So, that implies to |
| 24 | wasn't really sure. But I just thought, well, I'm | 24 | me that you were trying to get information from them and |
| 25 | sorry, I don't want to hold anything up. So, I went | 25 | they weren't giving you information. Is that a fair |
| | Page 127 | | Page 129 |
| 1 | ahead and stopped and filled it out and sent it in. And | 1 | statement? |
| 2 | to this date nothing has happened. | 2 | MS. MCCUTCHEN: Objection, form. |
| 3 | Q. Do you recall when that was? | 3 | A. I don't know because I'm questioning this |
| 4 | A. Sometime in January. | 4 | paragraph. Maybe my memory is just so bad, but some of |
| 5 6 | Q. January of this year? | 5 6 | this doesn't seem like it's my style of writing. But maybe it is. I don't know. That sounds like, more like |
| 7 | A. Uh-huh. (Exhibit 8 marked) | 7 | my sister Candy. |
| 8 | Q. (BY MS. BAYLESS) 2012. Okay. Look at Exhibit | 8 | Q. (BY MS. BAYLESS) Well, I mean, this is an |
| 9 | 8. This is an e-mail from you to Drina December 28th of | 9 | e-mail. Maybe when you write e-mails to Candy you sound |
| 10 | 2011 where you're questioning Amy and Anita's right to | 10 | like Candy? |
| 11 | sell assets without telling anyone? | 11 | A. No, I don't. |
| 12 | A. Right. | 12 | Q. Okay. Well |
| 13 | Q. And you seem to specifically be referring to | 13 | A. But, I mean, yeah, I know because I wrote to |
| 14 | the car and the house? | 14 | Drina. I was trying to keep, I was trying to keep Carl |
| 15 | A. Right. | 15 | and Drina informed of any changes because I needed them |
| 16 | Q. And, so, at that point I assume you had not | 16 | to know how anything impacted their life. And, so, I |
| 17 | been given any information about assets or their value? | 17 | was really just trying to keep them informed. Like I |
| 18 | A. Right. | 18 | said, I was the one that gave them the keys to the house |
| 19 | Q. They talk about the car will be sold by the end | 19 | and I was the one that told them of the change to the |
| 20 | of the week. Were they planning to sell the car to | 20 | documents. I mean, I was really trying to keep them |
| 21 | somebody other than you? | 21 | informed. |
| 22 | A. Well, they were planning on selling the car | 22 | Q. So, but this last paragraph |
| ່າ3 4 | to I don't know. Amy was going to take it up to New Braunfels and use a guy up there to sell it. I didn't | 23 24 | A. That, I don't I'll have to go back again. I'll check my e-mails because that doesn't sound like |
| _ 4 | example and needs only the there to call if 1 /1/0/T | 14 | TH CHECK INV PARIARIS OPERASE THAT OPERAT SOUND HKE |
| 25 | want it sold because it was really the last possession. | 25 | me. |

| <u>.</u> | | | |
|----------|--|-----|---|
| | Page 130 | | Page 132 |
| 1 | Q. Did you receive a copy of the trust that | 1 | one second. |
| 2 | A. I received about four or five pages. But, see, | 2 | A. I already looked at this one. |
| | I never went through anything, so that's why when it | 3 | THE VIDEOGRAPHER: 1:08, we're off the |
| 4 | says the names are crossed off and the guts of the thing | 4 | record. |
| 5 | is missing, I don't know what the guts is. Where is the | 5 | (Lunch taken from 1:08 p.m. to 1:33 p.m.) |
| 6 | rest of the trust, I wouldn't have cared. So, that's | 6 | THE VIDEOGRAPHER: This is the beginning of |
| 7 | why I'm saying if I wrote this, I don't remember this | 7 | tape number 3 to the deposition of Carole Brunsting. |
| 8 | last paragraph. That I don't remember. But I do | 8 | The time is 1:33, we're on the record. |
| 9 | remember this because I know that I said that they were | 9 | Q. (BY MS. BAYLESS) Did Anita have access to your |
| 10 | sell I was concerned because they were selling | 10 | mother's e-mail account? |
| 11 | everything so quickly and it was freaking me out. | 11 | A. She may have. I don't know. |
| 12 | Q. Okay. Do you believe that what they have done | 12 | Q. How about Amy? |
| 13 | with the trust they have done in secrecy? | 13 | A. I don't know with her, either. Because my |
| 14 | MS. MCCUTCHEN: Objection, form. | 14 | mother would have problems with her account and she'd |
| 15 | A. As far as I know, they were because I've | 15 | ask for help. So, there's always a possibility. |
| 16 | been the only thing, too, is because I have been not | 16 | Q. Look at Exhibit 11 which is in front of you. |
| 17 | heavily influenced. But my sister Candy would call me | 17 | A. That's 9. |
| 18 | daily and read the law to me just ad nauseam for two | 18 | MS. MCCUTCHEN: I thought that was 9. |
| 19 | hours over and over and over and over and over and she | 19 | MS. BAYLESS: Well, I gave both of you 9. |
| 20 | would just send me e-mails. She was inundating me with | 20 | MS. MCCUTCHEN: The responses? |
| 21 | all this stuff. And I thought, wow, I didn't realize | 21 | MS. BAYLESS: Yes. |
| 22 | all this. I just thought they had to divide things five | 22 | MS. MCCUTCHEN: I thought that was 9 |
| 23 | ways and we were done. And, so, then I thought, wow, I | 23 | because I already have an 11. |
| 24 | · · · · · · · · · · · · · · · · · · · | 24 | • |
| 24 | didn't know we were supposed to do all this. So, it was | 24 | MS. BAYLESS: No, that's not 11. MS. MCCUTCHEN: Yes, it is. |
| 2.5 | my understanding. And then I would call Anita and I'd | 2.5 | MIS. MICCOTCHEN. Tes, It is. |
| | Page 131 | | Page 133 |
| 1 | say, well, according to Candy it's supposed to be like | 1 | MS. BAYLESS: Oh, it is 11? Oh, I'm sorry, |
| 2 | this. And but then according to Anita she was doing | 2 | right. 9. |
| 3 | everything that Vacek was telling her she could do. So, | 3 | Q. (BY MS. BAYLESS) Look at Exhibit 9. I'm |
| 4 | I was trying to, I was trying to keep both sides | 4 | sorry. Right. So, this is going to be 9. Now, this is |
| 5 | informed of what the other one was doing. | 5 | the document request response to the document request |
| 6 | Q. (BY MS. BAYLESS) Okay. My question was do you | 6 | that you sent with the documents that you did send. And |
| 7 | believe they've been doing it in secrecy? | 7 | I just want to go through some of these categories and |
| 8 | A. I don't know because nothing has been done. | 8 | make certain that if we have agreements that you're |
| 9 | Q. That you know of? | 9 | going to try to find other documents, we know what they |
| 10 | A. That I know of. | 10 | are. Okay? So, for example, when I said in number 6 |
| 11 | Q. And, so, no distribution that you know of has | 11 | all correspondence or communications including e-mails |
| 12 | been made to an account that's just for your benefit? | 12 | from either Elmer or Nelva to any of the descendants |
| 13 | A. No, I have nothing. | 13 | concerning Brunsting issues, I believe you didn't |
| 14 | Q. And you haven't gone to any financial | 14 | understand that that related to these trust issues? |
| 15 | institution and set up any account? | 15 | A. But as far as me having anything from my |
| 16 | A. (Witness nods head.) | 16 | parents about trust issues, I don't have anything. |
| 17 | Q. And you haven't given permission for any you | 17 | Q. Okay. |
| 18 | have to say no. | 18 | A. They never sent me anything by e-mail or |
| 19 | A. No. | 19 | written or anything having to do with anything trust |
| 20 | Q. And you haven't given permission for anyone to | 20 | related. |
| 21 | do that on your behalf, right? | 21 | Q. All right. And then how about from other |
| 22 | A. No. I don't know why I would. | 22 | third-parties? |
| 122 | (Exhibit 9 marked) | 23 | A. What, as far as like Vacek? |
| - | | | |

Q. (BY MS. BAYLESS) I show you Exhibit 9.

MS. BAYLESS: Let's go off the record for

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25

22 third-parties? 23 A. What, as far as like Vacek? 24 Q. Let's go back to 6. This is to or from Elmer

or Nelva or any of the Brunsting defendants --

| 1 | Page 134 | | Page 136 |
|------------|--|----------|--|
| 1 | | 5 | · · · · · · · · · · · · · · · · · · · |
| 1 | descendants. So, that's any of your siblings. You have | 12 | Q. Do you know whether a looking at number 15, |
| 1 2 | e-mails from your siblings about these things, right? A. Uh-huh. | 3 | do you know whether a written evaluation was done about the capacity issue? |
| . 1 | | 3 4 | 1 - |
| 4 5 | Q. Okay. So, you're going to go back and see what | 5 | A. Not to my knowledge.Q. You've never seen one? |
| | e-mails you have from any of your siblings about these trust issues? | 6 | A. No. |
| 7 | A. About the trust issues being just because | 7 | A. No. Q. In response to number 24 you said overly broad. |
| | the word trust is in there? I mean, that's what I mean, | 8 | Why is 24 overly broad in your mind? |
| | I don't understand. Is it | 9 | A. I guess it's just which issues, just trust |
| 10 | Q. Well, we can limit it to the issues relating to | 10 | related issues or just talking amongst ourselves or |
| | the changes. So, after your father died, any issues | 11 | Q. Well, let's just call it financial |
| | any e-mails after your father died about the trust? | 12 | A. Okay. |
| 13 | A. The only e-mails I would have after my father | 13 | Q issues. And, so, if you have that |
| | died between the time my father died in August of 2010 | 14 | definition of financial issues, are there documents you |
| | would be when Carl and Anita were trying to pressure my | 15 | think you have relating to that in response to 24? |
| | mom into selling the farm. But | 16 | A. I can go back and look, but about the only |
| 17 | Q. Whatever you have | 17 | person that e-mailed me was Candy. And it seems like |
| 18 | A. Okay. | 18 | she's probably already printed off everything she has, |
| 10 19 | Q I'm asking you to find. | 19 | so because otherwise I tended to pick up the phone |
| 20 | A. Okay. And that was I mean, I don't know if | 20 | and just call everybody. I wasn't really big on |
| | you consider that a trust issue or not. But that's up | 21 | e-mailing everybody. |
| | until when, up in August. But | 22 | Q. Why didn't you ever open the accounting that |
| 23 | Q. And then you had e-mails after August relating | 23 | was sent by Bernard Matthews? |
| | to the changes in the trust and that kind of thing, | 24 | A. Because I never wanted to know. I felt like it |
| | right? | 25 | was none of my business what my parents did or didn't |
| | | | |
| | Page 135 | | Page 137 |
| 1 | A. I'd have to go back and see what I might have. | 1 | do. |
| | But | 2 | Q. Well, how are you going to ever know what's in |
| 3 | Q. Okay. So, that's what you're agreeing to do is | 3 | your trust? |
| | go back and see what e-mails you might have among your | 4 | A. I just figured I always saved to make sure I |
| | family members after your father died relating to trust | 5 | always had money to take care of myself. So, I figured |
| | or let's just say financial issues? | 6 | anything I got beyond that I was grateful for. And |
| 7 | A. Right. | 7 | really the only thing I ever cared about was the farm |
| 8 | Q. And to your knowledge were there ever any | 8 | and I hated to see it being treated like it didn't |
| | recordings made of meetings with your parents or your | 9 | matter because I it mattered to me just because of |
| | siblings, any tape recordings or video recordings? | 10 | the history of the farm. I used to spend a lot of time |
| 11 | A. Of no. | 11 | up there. And, so, like I said, when I just never, I |
| 12 | Q. And do you know whether the conference call | 12 | never lived my life counting on getting anything from |
| | that was in October of 2010 was recorded? | 13 | anybody else. I mean, I didn't know what money my |
| 14 | A. I have no idea. | 14 | parents were going to have to use for their care. And |
| 15 | Q. You weren't told that it was? | 15 | the way my mother's doctor was talking there was a |
| 16 | A. Huh-uh. | 16 | possibility she could live another possibly two years |
| 17 | Q. Is that a no? | 17 | depending on the growth of the cancer. So, I figured |
| 18 | A. If I was, I didn't remember. | 18 | that there's a good chance that she could have burned |
| 19 | Q. And looking at number 13, you say none in your | 19 | through at least everything she had on her side. And, |
| | possession. This is the investigation? | 20 | so, that's why when she, you know, she gave me the gift |
| 21 | A. Right. | 21 | of the hundred thousand dollars or for the 1300 shares |
| 1.1.1 | Q. And surveillance logs. Do you know who would | 22 | of stock, I mean, I was grateful for that. But I was |
| 22 | have that? Who would be the person most likely to have | 23 | just I was grateful for whatever I got. And, so |
| <u>י</u> 3 | have that? Who would be the person most likely to have | | |
| י3 | that? A. Maybe Anita. | 24 25 | and, plus, I really didn't want to know. My parents didn't really share that with everybody as far as what |

| Large 175Large 175Large 175Large 175Large 1751they gave or what they didn't give. And J tigst1say I fried to cash my check. There was no money in1ranks, and the in the start is was enough to the fact1thet was no money in4that my mom died. And when she died - 1 had spent a1times I covered it5tot of time with the caregivers and they were gone. And I figured, you know,1when she died - 1 had spent a6brins tilling, net tog the hell out of their lives, my1whatever was in that document 1 just wan't really in a1brins tilling her tog the hell out of their lives, my1whatever was in that document 1 just wan't really in a1frame of mind to really deal with if at the moment.1No. Well, theren, I'm assuming that she was,1frame of mind to really deal with if at the moment.1No. Well, theren, I'm assuming - 11A. Ligat didti want to know because after seeing10. And you don't know how it was determined how1q. Okay.1No. Neel, I'm assuming - 12and the caregivers were taying at my mother's3god, ahe called me up everyday and go on and on and that12found out that Drins had braids of Tm2god, ahe called me up everyday and go on and on and that12found out that Drins had braids of Tm3god, ahe called me up everyday and go on and on and that12found out that Drins had braids of Tm3god, ahe called me up everyday | | Dowo 120 | T | Doct 140 |
|---|-----|--|----|--|
| 2 reily1 didn' wan' - 1 alrcady - 1 had seen so much hateful behavior that it was enough to the find 4 that my nom died. And when she died1 had spert a 5 for of time with the caregivers and they were gone. And 6 then with all be fighting ong back and forth of my 7 siblings, they were gone. And I figured, you know, with 8 Drina tell but of thine tires, my 9 brother was in that document 1 just wasn't really in a 10 balance of the account was? 11 A. How what's in there. 12 frame of mind to really deal with it at the moment. 13 A. I don't know what's in there. 14 Q. Okay. 15 firs. Kie how much do you want to just dump on a person. 16 A. I don't know what's in there. 17 Q. Okay. 18 A. I don't know what's in there. 19 god, the called me up everyday and go on and on and that't 20 case what happened to their kids. And I'm like, oh, my 21 parential, and, so, it's going all through. Chapewood 22 the maise and, so, it's going all through. Chapewood 23 god, the called me up eve | | Page 138 | | Page 140 |
| much hateful behavior that it was enough to the fact this to for time with the caregivers and they were gone. And the with the caregivers and they were gone. And then with all the flighting going back and forth of my sollings, they were gone. And I figured, you know, bot of time with the caregivers and they were gone. And the state of the state | | | } | - · · |
| 4 that my mom diod. And when she died – I had spent a 5 5 lot of time with the caregivers and they were gone. And I figured, you know, with 6 7 siblings, they were gone. And I figured, you know, with 7 9 brother was gone. So - and then the way the house get 6 10 sold so fats. So, anyway, Ijust figured, you know, 9 11 whatever was in that document I just wasn't really in a 14 12 frame of mind to really deal with it at the moment. 12 13 It's like how much do you want to just domp on a person. 12 14 Q. Vou know there's information in there about the 13 reasen to. 14 Q. Vou know there's information in there about the 14 0. And you dom't know how it was determined how 17 Q. Okay. 14 0. And you dom't know how it was determined how 17 Q. Okay. 16 0. And you dom't know how it was determined how 17 Q. Okay. 16 0. And you dom't know how it was determined how 17 Q. Okay. 16 0. And you dom't know how it was determined how 17 Q. Okay. 16 0. And you dom't know how it was determined h | 2 | • | 2 | there. And, so, sometimes I there were a couple of |
| 5 lot of Lime with the caregivers and they were gone. And 6 then with all the fighting going back and forth of my 7 shiftings, they were gone. And I figured, you know, 8 Drins telling me to get the hell out of their lives, my 9 bottor was gone. So- and them the way the house got 11 whatever was in that document I just wart really in a 12 frame of mind to really deal with it at the moment. 13 If Si like how much do you want to just dump on a person. 14 Q. You know there's information in three. 15 farm, right? 16 A. I don't know what's in there. 17 Q. Okay. 18 A. I don't know what's in there. 19 alt che emils especially from my siter Candy. I mean, 11 mach would be put in? 12 she dift reare if my siters went to prince Candy. I mean, 12 she dift reare if my siters went op rince fands of mady 13 find to cally. I mean, she didn't 14 Q. You know there's index of the socuth. For 15 farm. right? 16 A. I was just there anally seperiting. 17 god, alse called there wa | | 9 | 3 | times I covered it. |
| 6 then with all the fighting going back and forth of my 6 A. Well, they kind of knew to where they would 7 siblings, they were gone. And I figured, you know, with 6 Just send her a text on they'd term the ware they would 9 brother was gone. So - and then the way the house got 1 9 9 brother was gone. So - and then the way the house got 0 So, nobody was really keeping up with what the 11 whatever was in that document 1 just wam't really in a 1 1 A. No. Well, I mean, I'm assuming that she was, 12 frame of mind to really deal with it at the moment. 1 1 1 1 14 Q. You know what's in there. 1 0 A. I don't know what's in there. 1 17 A. I just didn't want to know because after seeing 1 A. Ho would be put in? 1 18 A. I don't know what's in there. 10 1 1 1 1 the sealed mean prisens went to prison, she didn't 12 see analt happened to their kicks. And 1'm like, oh, my 3 3 1 1 1 the use adont see seques all the medical 1 1 2 god, hee alled mea up everyday and go on and | 4 | that my mom died. And when she died I had spent a | 4 | Q. So, if a caregiver went to the bank and said |
| 7 siblings, they were gone. And figured, you know, with 7 just send her a text or they/d ten know and ld send 8 Drina telling me to get the hell out of their lives, my 7 just send her a text and shed go in and fund the account. 9 brother was jont. So. anyway, J just figured, you know, 7 A. No. Well, Iman, Pin assuming just she was, 11 ther a text and shed go in and fund the account. 9 O, so, nobody was really keeping up with what the 12 frame of mind to really deal with it at the moment. 13 14 O, You know there's information in there about the 13 frame, right? 14 O, You know there's information in there about the 14 O, And wo is she? I'm assuming 14 O, You know there's information in there about the 16 A. Anita. 16 O, And wo is she? I'm assuming any mother's 16 A. I don't know what's in there. 17 M. How how wit's us determined how 17 17 see and a care what happened to their kids. And I 18 No and wo is she? I'm assuming and the medical bills was been paid and 18 the mails especially from my sister Candy, I mean, 16 No as one time decida list was been paid and 19 the seed and i'm like on, my | 5 | lot of time with the caregivers and they were gone. And | 5 | there was no money in there, did you contact Anita? |
| 8 Drins felling me to get the hell out of their lives, my 9 brother was gone. So and then the way the house got 9 brother was gone. So and then the way the house got 0. So, nobody was really keeping up with what the 11 whatever was in that document 1 just wasn't really in a finance of the account was? 0. No. Well, I mean, I'm assuming that she was, 12 built wasn't. I mean, I'm assuming that she was, 11 13 first fick how much do you want to just dump on a person. 13 14 Q. Yoak now there's information in there about the farm, right? A. Anita. 15 A. I just didn't want to know because after seeing all the e-mails especially from my sister Candy. I mean, go adde and would the put in? 12 19 all the e-maile sepscinally from my sister Candy. I mean, go adde and sub as a dw. And then for while some of the account. For awhile the Blue Bonnet bill might have been paid and the e-maile sequest the really. I's come to this. And I 21 care what happened to their kids. And I'm like, oh, my 23 god, I was just like really. I's come to this. And I 22 care what happened to their kids. And I'm like, oh, my 24 found out than Yoak. And everybday in this family seemed for the wasn't nying to take sides. 24 24 found out thany on and everybay in this family severe side adon just sit there and pay everything. | 6 | then with all the fighting going back and forth of my | 6 | A. Well, they kind of knew to where they would |
| 9 Devolver was gone. So and then the way the house got soids of sats. So, anyway, I just figured, you know, whatever was in that document I just wash treally in a 12 frame of mind to really deal with it at the moment. 9 Q. So, nobody was really keeping up with what the balance of the account was? 11 A. No. Well, I mean, I maisuming that she was, 12 but I wash't. I mean, I didn't, I didn't have any 13 frame, right? 11 12 fram, right? 12 13 A. I don't know what's in there. 14 Q. And who is she? I'm assuming 15 14 Q. O kay. 16 A. I just didn't want to know because after seeing 17 16 A. I just didn't want to know because after seeing 18 16 17 Methodist. And I'm tike, ohny 25 16 18 A. I just didn't wast to prison, she didn't 26 27 27 found out that Drin had been taking thring to take seeing 29 17 28 house hold bills were paid out tha Weth ab been taking thring to take seeing 29 18 29 parents and, so, it's going all through Chapelwood 24 29 parents and, so, it's going all through Chapelwood 25 20 No. No. 21 found out that Drin had been taking thring the see secause all the medical 20 27 | 7 | siblings, they were gone. And I figured, you know, with | 7 | just send her a text or they'd let me know and I'd send |
| 10 sold so fast. So, anyway, I just figured, you know, 11 whatever was in that document I just wasn't really in a farme of mind to really deal with it at the moment. 12 10 balance of the account was? 11 A. No. Well, I mean, The assuming that she was, 12 11 A. No. Well, I mean, The assuming that she was, 12 12 bulk wasn't really in a reason to. 10 No. Well, I mean, The assuming that she was, 12 14 Q. You know there's information in there about the farm, right? A. A inia. 16 A. I don't know what's in there. 17 Q. Okay. 19 all the o-mails especially from my sister Candy, I mean, 20 A. Ania. 21 buse called me up everyday and go on and on and the 22 A. Ania. 23 god, I way isut like really, it's come to this. And 1 10 24 found out that Drina had been talking to friends of my 23 24 25 parents and, so, it's going all through Chapelwood 25 26 wasn't trying to take sides. 11 3 to hate each other. So, I was just really trying - 1 14 4 wasn't trying to take sides. 14 6 Q. So, you don't really know whether there - you dort have an opinion whether the information in there asked to give A unia any informat | 8 | Drina telling me to get the hell out of their lives, my | 8 | her a text and she'd go in and fund the account. |
| 11 Mattever was in that document [just wasn't really in a 12 frame of mind to really deal with it at the moment. 13 It's like how much do you want 6 just dump on a person. 14 Q. You know there's information in there about the 15 farm, right? 16 A. I don't know what's in there. 17 Q. Okay. 18 A. I don't know what's in there. 19 all the e-mails especially from my sister Candy, I mean, 20 god, she called me up everyday and go on and on and that 21 she didin't care if my sisters went to prison, she didn't 22 care what happened to their kids. And I'm like, ch, my 23 god, I was just like really? I's come to this. And I 24 found out that Drin had been taking to friends of my 25 parents and, so, it's going all through Chapelwood 26 a. And I'm like really? So, at the print 1 10 Methodist. And I'm like really trying - 1 wasn't trying to take sides. 1 6 Q. So, you don't really know whether there - you 7 don'th ary way. And everybody in this family seems 10 hateacounting? And you'ty neverent asked to provide any <td>9</td> <td>brother was gone. So and then the way the house got</td> <th>9</th> <td>Q. So, nobody was really keeping up with what the</td> | 9 | brother was gone. So and then the way the house got | 9 | Q. So, nobody was really keeping up with what the |
| 12 frame of mind to really deal with it at the moment. 13 If sinke how much do you want to just dump on a person. 14 Q. You know there's information in there about the 15 fram, right? 16 A. I don't know what's in there. 17 Q. Okay. 18 A. I just didn't want to know because after seeing 19 all the e-mails especially from my sister Candy, I mean, 19 all the e-mails especially from my sister Candy, I mean, 20 she didn't care if my sisters went to prison, she didn't 21 she didn't care if my sisters went to prison, she didn't 22 care what happened to their kids. And I'm like, oh, my 21 she didn't care if my sisters went to prison, she didn't 22 care what happened to their kids. And I'm like, oh, my 23 god, I was just like really, if's come to this. And I 24 found out that Drina had been talking to friends of my 25 series and, so, if's going all through Chapelwood 26 oa you didn't you went't skeet and my more still coming to mother's house. And, so, they'd pay some bills. And like the Wilchester 16 do about it anyway. And everybody in this family seem 17 Me | 10 | sold so fast. So, anyway, I just figured, you know, | 10 | balance of the account was? |
| 13 It's like how much do you want to just dump on a person. 13 reason to. 14 Q. You know there's information in there about the farming in the emails expense in the emails expense after seeing all the e-mails especially from my sister Candy, I mean, 20 god, she called me up everyday and go on and on and that 22 care what happened to their kids. And I'm like, oh, my 23 god, I was just like really, it's come to this. And I 22 care what happened to their kids. And I'm like, oh, my 23 god, I was just like really, it's come to this. And I 22 thours a day. And then for awhile some of the medical expenses - all the medical bills were stal out of the account. For awhile the Blue Boante bill might have been paid and then some of the medical expenses - all the medical bills were stal to be paid. And, 20 mother's house. And, so, those had to be paid. And, 20 mother's house. And, so, these had to be paid. And, 20 mother's have an opinion whether there meant any information for it? 1 Methodist. And I'm like really? So, at that point I 2 page 123 Page 123 Page 124 1 they'd go ahead and just sit there and pay everything. 2 And, so, they'd pay some bills. And like the Wilchester function in there is accurate or supported or anything? 4 A. No. 7 A. No. 14 asked to give Anit any information for it? 15 A. No. 16 A. So asked me if I had the bank statements. I told 20 worknow whethereself. 17 <td></td> <td>whatever was in that document I just wasn't really in a</td> <th>11</th> <td>A. No. Well, I mean, I'm assuming that she was,</td> | | whatever was in that document I just wasn't really in a | 11 | A. No. Well, I mean, I'm assuming that she was, |
| 14 Q. You know there's information in there about the 15 farm, right? 14 Q. And who is she? I'm assuming 15 15 A. I just didn't want to know because after seeing all themails especially from my sister Candy, I mean, 20 god, she called me up everyday and go on and on and that 21 she didn't care if my sisters went to prison, she didn't 22 care what happened to their kids. And I'm like, oh, my 23 god, I was just like really, it's come to this. And I 24 found out that Drina had been talking to friends of my 25 parents and, so, it's going all through Chapelwood 25 so - and sometimes Tino would sit down with my mom and 26 do about it anyway. And everybody in this family seems 34 to hate each other. So, I was just really trying - I 35 wasn't trying to take sides. 36 Q. So, you don't really know whether there - you 37 don't have an opinion whether the information in there 38 accurate or supported or anything? 40 A. No. 41 any information for it? 41 A. No. 41 any information for it? 41 A. No. 41 asked to give Anita any information about that account? 41 the bank statements wunt to my mother? 41 the bank statements wunt to my mother? 41 the backs tatements wunt to my mother? 41 the backs tatements. I told 42 her to get them herself. 42 Q. Okay us we on with thereself. 43 And wunt as determined when money would be put in the 44 account? 41 there she'd make deposite very now and then 42 there. And then she'd make deposite very now and then 42 there is ade did and 42 thereself. 43 And so adu we adebit card? | 12 | frame of mind to really deal with it at the moment. | 12 | but I wasn't. I mean, I didn't, I didn't have any |
| 15 farm, right? 15 Å. Anita. 16 A. I don't know what's in there. 16 Q. And you don't know how it was determined how 17 Q. Okay. C. And you don't know how it was determined how 18 A. I just didn't want to know because after seeing and that 19 all the e-mails especially from my sister Candy, I mean, nuch would be put in? 20 god, she called me up everyday and go on and on and that house bold bils were paid out of the account. For 21 she didn't care if my sisters went to prison, she didn't care what happened to their kids. And Thi like, oh, my 23 god, hwa just like really, it's come to this. And I awais tereally, it's come to this. And I 24 found out that Drina had been talking to friends of my 24 25 parents and, so, it's going all through Chapelwood 24 26 mother's house. And, so, those had to be paid. And, 25 3 do about it anyway. And everybody in this family seems 1 4 to hate each other. So, I was just really trying1 swasht the rew ere still bills coming to the house. And 4 o. So, you don't really know whether thereyou 6 6 Q. So, you don't really know ho | 13 | It's like how much do you want to just dump on a person. | 13 | reason to. |
| 16 A. I don't know what's in there. 16 Q. And you don't know how it was determined how 17 Q. Okay. M. I just didn't want to know because after seeing M. The caregivers were staying at my mother's 18 A. I just didn't want to know because after seeing M. The caregivers were staying at my mother's 20 god, she called me up everyday and go on and on and that A. The caregivers were staying at my mother's 21 she didn't care if my sisters went to prison, she didn't A. The caregivers were staying at my mother's 22 god, I was just like really, it's come to this. And I mother's house. And, so, those had to be paid. And, 23 god, it's going all through Chapelwood 24 24 found out that Drina had been talking to friends of my 25 25 Page 139 Page 141 26 wasn't trying to take sides. 1 3 to hate each other. So, I was just really trying1 swasn't trying to take sides. 1 6 Q. So, you don't really know whether there you 1 funct thing. I think that was 750 buck. And, so, 1 7 A. I have no joinco whether whe information in there is accurate or supported or anything? 3 7 A. No. 1 <td>14</td> <td>Q. You know there's information in there about the</td> <th>14</th> <td>Q. And who is she? I'm assuming</td> | 14 | Q. You know there's information in there about the | 14 | Q. And who is she? I'm assuming |
| 17 Q. Okay. 17 much would be put in? 18 A. I just didn't want to know because after seeing. 18 A. The caregivers were staying at my mother's 19 all the e-mails especially from my sister Candy, I mean, 10 A. The caregivers were staying at my mother's 19 all the e-mails especially from my sister Candy, I mean, 10 10 A. The caregivers were staying at my mother's 12 she didn't care if my sisters went to prison, she didn't 22 awhile the Blue Bonnes toll might have been paid and 22 care what happened to their kids. And I'm like, oh, my 23 awhile the Blue Bonnes Tino would sit down with my mom and 23 god, I was just like really, it's come to this. And I'm like really? So, at that point I 24 moder's house. And, so, those had to be paid. And, 24 parents and, so, it's going all through Chapelwood 25 so - and sometimes Tino would sit down with my mom and 25 parents and, so, it's going all through Chapelwood 24 mother's house. And, so, those had to be paid. And, 3 do about it anyway. And everybody in this family seems 4 and, so, they'd pay some bills. And like the Wilchester 4 to hate each other. So, I was just really trying1 washit trying to take sides. m | 15 | farm, right? | 15 | A. Anita. |
| 18 A. Tjust didn't want to know because after seeing 18 A. The caregivers were staying at my mother's 19 all the e-mails especially from my sister Candy, I mean, 19 house 24 hours a day. And then for awhile some of the 20 god, she called me up everyday and go on and on and that 10 house 24 hours a day. And then for awhile some of the 21 awhile the Blue Bonnet bill might have been paid and then some of the medical expense because all the medical 22 care what happened to their kids. And I'm like, oh, my 23 expenses all the medical expense because all the medical 23 god, it as just like really, it's come to this. And I 24 found ut that Drina had been talking to friends of my 25 parents and, so, it's going all through Chapelwood 25 so - and sometimes Tino would sit down with my mom and 24 found but it anyway. And everybody in this family seems 4 they'd go ahead and just sit there and pay everything. 2 A. Thave an opinion whether the information in there is accurate or supported or anything? 1 3 A. I have no idea. 9 so, mother would go through the mail. and, then they are opinion whether the information in there 19 A. No. 1 like 1 said, then usually about once a week or somethin | 16 | A. I don't know what's in there. | 16 | Q. And you don't know how it was determined how |
| 19 all the e-mails especially from my sister Candy, I mean, 19 household bills were paid out of the account. For 20 god, she called me up everyday and go on and on and that 10 household bills were paid out of the account. For 21 she didn't care if my sisters went to prison, she didn't awhile the Blue Bonnet bill might have been paid and 22 care what happened to their kids. And I'm like, oh, my awhile the Blue Bonnet bill might have been paid and 23 god, I was just like really, it's come to this. And I mother's house. And, so, those had to be paid. And, 24 found out that Drina had been talking to friends of my page 139 Page 139 Page 141 1 they'd go ahead and just sit there and pay everything. 2 and, so, they'd pay some bills. And like the Wilchester 3 do about it anyway. And everybody in this family seems 4 to hate each other. So, I was just really trying1 5 weant trying to take sides. 6 O. So, you don't really know whether thereyou 7 don't have an opinion whether the information in there 8 is accurate or supported or anything? 9 A. I have no idea. 10 Q. And you didn't yo | 17 | Q. Okay. | 1 | much would be put in? |
| 20 god, she called me up everyday and go on and on and that 20 household bills were paid out of the account. For 21 she didn't care if my sisters went to prison, she didn't 20 awhile the Blue Bonnet bill might have been paid and 22 care what happened to their kids. And I'm like, oh, my 21 awhile the Blue Bonnet bill might have been paid and 23 god, I was just like really, fis come to this. And I 22 then some of the medical bills were paid out of the account. For 24 found out that Drina had been talking to friends of my 23 expenses - all the medical bills were still coming to 25 mother's house. And, so, those had to be paid. And, so a on thing y one bills. And I'm like really? So, at that point I 1 they'd go ahead and just sit there and pay everything. 2 And, so, they'd pay some bills. And ike the Wilchester fund thing, I think that was 750 bucks. And, so, 1 3 wasn't trying to take sides. mean, there were still bills coming to the house. And 4 mean, there were still bills coming to the wilchester fund thing, I think that was 750 bucks. And, so, 1 5 wasn't trying to take sides. my mother never got out of being involved with her 6 Q. So, you don't really know whether there -you fund thing, I think tat was 750 bucks. And | 18 | A. I just didn't want to know because after seeing | 18 | A. The caregivers were staying at my mother's |
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| 17the bank statements went to my mother.17and he ate a lot more than my mom. Plus, then Tino18Q. Okay. But you weren't asked to provide any18started to have to go he was having to go out a lot19other backup for that account?19and pick up food. And, so, I mean, it did go up a bit20A. No. She said to get the statements. I told20then. But, otherwise I mean, I think the Social21her to get them herself.21like I said, the Social Security check was deposited22Q. And do you know whether well, do you know22there, but then she'd make deposits every now and then3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | | | | |
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| 19other backup for that account?19and pick up food. And, so, I mean, it did go up a bit20A. No. She said to get the statements. I told20then. But, otherwise I mean, I think the Social21her to get them herself.21like I said, the Social Security check was deposited22Q. And do you know whether well, do you know22there, but then she'd make deposits every now and then3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | | | | • |
| 20A. No. She said to get the statements. I told20then. But, otherwise I mean, I think the Social21her to get them herself.21like I said, the Social Security check was deposited22Q. And do you know whether well, do you know22there, but then she'd make deposits every now and then3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | 1 | | | |
| 21her to get them herself.21like I said, the Social Security check was deposited22Q. And do you know whether well, do you know22there, but then she'd make deposits every now and then3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | | - | 1 | |
| 22Q. And do you know whether well, do you know22there, but then she'd make deposits every now and then3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | | - | | |
| 3how it was determined when money would be put in the23in that account4account?24Q. Did you have a debit card? | | | ŧ | · · · |
| _4 account? 24 Q. Did you have a debit card? | 1 | | ł | • • |
| | | | 1 | |
| | 25 | A. Usually the caregivers would go to the bank and | 25 | |
| 36 (Pages 138 to 141) | L | | | · · |

36 (Pages 138 to 141)

| 1 2 | Q. For that account?A. Uh-huh. | 1 2 | Candy wanted it, so I boxed it all up. And I haven't sent it to her yet. But all that genealogy stuff was |
|----------|---|----------|---|
| 12 | Q. And did you use that debit card? | 3 | all in there. So, I took it all out of there because we |
| | A. Yes. | 4 | were going to donate the desk. And, so, I took |
| 4 5 | Q. What kinds of things did you use that debit | 5 | everything out of there. And all the genealogy stuff |
| | · • • | 6 | |
| 6 | card for? | 7 | was still there. But, I mean, I don't recall coming |
| 7 | A. Gas and groceries. | | across anything that was at that point everybody |
| 8 | Q. And did you have a charge card of your mother's | 8 | could have cared less if I donated everything or threw |
| 9 | that you had access to? | 9 | it away. |
| 10 | A. No. | 10 | Q. Okay. But if you kept something if you took |
| 11 | Q. Did you ever have you ever had any | 11 | something, you still have it in storage or wherever? |
| 12 | conversations with Anita about the trustees' fees that | 12 | You haven't thrown the stuff away that you removed? |
| 13 | she charged? | 13 | A. No. Everything is packed in there so tightly |
| 14 | A. No. | 14 | that and, plus, I tried to go through everything in |
| 15 | Q. Do you know what they are? | 15 | there. But I'm pulling things out, but I got to put it |
| 16 | A. No. | 16 | all back. And all I'm finding is like books and |
| 17 | Q. Did you ever have a conversation with your | 17 | encyclopedias. I kept, I kept their encyclopedias. I |
| 18 | mother about the fact that Anita would be charging | 18 | kept all my mother's old books. I kept some magazines |
| 19 | trustees' fees? | 19 | and things like that. But, I mean, I haven't come |
| 20 | A. No. | 20 | across anything that I would call a financial document |
| 21 | Q. I assume the same is true with Amy, you don't | 21 | that I can think of. |
| 22 | know anything about trustees' fees? | 22 | Q. All right. Did you remove anything from your |
| 23 | A. No. | 23 | parents' safe deposit box? |
| 24 | Q. If you have any records or anything that you | 24 | A. No, no. I took a video of what was in there, |
| 25 | removed from your parents' house, I'm assuming you kept | 25 | but |
| , | Page 143 | | Page 145 |
| 1 | everything that you removed? | 1 | Q. When did you take this video? |
| 2 | A. Yeah, if it came down to because pretty much | 2 | A. I don't even remember when I did that. |
| 3 | when Amy and Anita came, I assume that they removed what | 3 | Q. Was your mother still alive? |
| 4 | wanted to remove and anything that was left, if we felt | 4 | A. I think she was. |
| 5 | it was my parents pretty much shredded everything. | 5 | Q. So, where is this video? |
| 6 | They shredded documents that had their name on it. So, | 6 | A. I think I took it on maybe a phone or two |
| 7 | anything that they left behind I'm just trying to | 7 | prior. But it was there were some coins in there and |
| 8 | think. There really wasn't anything left behind unless | 8 | there was coins and then some wedding rings and then a |
| 9 | it was in my dad's office. They just didn't like their | 9 | couple of watches. |
| 10 | names to be in the trash. So, we made sure like any | 10 | Q. There weren't any shares certificates, stock |
| 11 | publications, anything like that was removed and we | 11 | certificates? |
| 12 | threw the magazines and all that kind of stuff away. | 12 | A. Oh, I mean, I was just it was just that |
| 13 | But, I mean, all the family portraits, all the family | 13 | was the only stuff because I hadn't seen my grand- |
| 14 | pictures, those are all gone. And pretty much anything, | 14 | father's watch and my great-grandfather's watch. And, |
| 15 | any financial document that was of any value was gone. | 15 | so, it was just his watches and then all those coins. |
| 16 | Q. And by gone you mean | 16 | Q. And do you know where those items are that were |
| 17 | A. I mean when I packed up the house, there was | 17 | in the safe deposit box? |
| 18 | I'm trying to think if there was anything left. Because | 18 | A. It's my understanding that they're in another |
| 19 | anything financial was pretty much in my dad's office | 19 | safety deposit box either in Victoria or New Braunfels. |
| 20 | and I can't think of anything other than he also kept | 20 | Q. In Victoria what? |
| 21 | the that's what it was, it was the I'm trying to | 21 | A. Or New Braunfels. |
| 22 | · · · · | | |
| | think what we packed up in there. It was so much. And | 22 | Q. So, as far as you know everything was removed |
| <u>з</u> | · · · | 22 23 | Q. So, as far as you know everything was removed and taken to another bank? |
| ^3 4 | think what we packed up in there. It was so much. And | | |

| | rage 140 | | |
|---------|--|-------------------------|--------------------------------------|
| 1 | A. I'm not sure which one. I kind of lost track | 1 | concern about my brother and h |
| 2 | after awhile of who was doing what. | 2 | that. And perhaps maybe my me |
| ` | Q. Do you know when they did that? | 3 | didn't, she didn't explain what sh |
| 4 | A. Because they said I could have the safety | 4 | know. But when I saw the time |
| 5 | deposit box because they had paid for it another year. | 5 | the time with my mother, that's |
| 6 | But then they took everything out. But then I've never | 6 | don't just walk in there and just |
| 7 | used it. So, I'm thinking maybe, I don't know, January | 7 | wanted, okay, fine, thanks. And |
| 8 | or February. | 8 | things I don't agree with what V |
| 9 | Q. So, the box is in your name now? | 9 | I saw the time that they spent wi |
| 10 | A. No. It's in my it's got to still be in the | 10 | off and think about this and all c |
| 11 | name of the trust, but I never had anything to put in | 11 | tried to accept it that this is just |
| 12 | there. | 12 | mother wanted. But like I said, |
| 13 | Q. But you're a signatory on it? | 13 | meetings and Candace Freed wa |
| 1.4 | A. I don't know. I don't know if I am or not. I | 14 | she's the one that has the answer |
| 15 | don't know. | 15 | because I wasn't there. I wasn't |
| 16 | Q. You haven't tried to access it? | 16 | Q. And, well, the meeting th |
| 17 | A. Huh-uh. | 17 | about where you were there, this |
| 18 | Q. And you didn't go to the bank and sign | 18 | didn't sign the documents, she w |
| 19 | something that would allow you to access it? | 19 | A. Right. But then, too, I do |
| 20 | A. Not that I can remember, no. | 20 | like I said, when they went over |
| 21 | Q. Who do you know who used to have access to | 21 | the point of confusion was I don |
| 22 | it when your mother was alive? | 22 | may have necessarily I think v |
| 23 | A. My parents had access to it. | 23 | do was make sure that my broth |
| 24 | Q. Okay. Anybody else? | 24 | of. Because I remember when V |
| 25 | A. I'm assuming at some point Carl must have, but | 25 | that he was explaining what the |
| • | Page 147 | | |
| 1 | I don't know. | 1 | how that's set aside so there wou |
| 2 | Q. Do you know whether Anita had access to it? | 2 | there to take care of my brother. |
| 3 | A. I'm assuming that maybe my mother put her on | 3 | don't like I said, I really don't |
| 4 | there, but that's an assumption. | 4 | mother's intentions were. But sh |
| 5 | Q. Do you know whether your mother ever tried to | 5 | document. She didn't. So, and t |
| 6 | reverse the changes that she had made to the trust? | 6 | that as thoroughly as Candace Fi |
| 7 | A. Not to my knowledge. But my mother, the more | 7 | the document with her, it wasn't, |
| 8 | time I spent with her. And this was the case of my | 8 | And that's why I tried to tell my |
| 9 | father as well, the more I spent time with my parents I | 9 | that, Candy, I don't believe that |
| 10 | got to know them a little bit better. And my mother | 10 | just have to believe at this point |
| 11 | tried to make everybody happy and it was sometimes | 11 | wasn't careless and she was the o |
| 12 | difficult for her to actually do what she wanted to do. | 12 | with my mom. I think she was t |
| 13 | And, so, it was kind of hard to know sometimes what she | 13 | one. And I just feel like she had |
| 14 | really what her intentions were. And that's why I | 14 | my mother. I don't know. I don |
| 15 | really feel like the only person, the only person, and | 15 | Q. Okay. My question was - |
| 16 | this is where I pin my hopes, is the only person I think | 16 | A. Sorry. |
| 17 | really knows what my mom wanted is Candace Freed. And I | 17 | Q when had your mother |
| 18 | honestly believe that because I have to, I have to in my | 18 | the changes that she made? |
| 19 | heart believe that Candace knew my mom well enough to | 19 | A. Was I aware of that? |
| 20 | know. Because after I went with my mom and I saw her | 20 | Q. Yeah, that you know of? |
| 21 | with my mother and she was so painstaking in the way | 21 | A. No. I know that Carl and |
| 22 | that she said I need to make sure you have thought | 22 | mother saying that they wanted t |
| °3 | through every- thing, everything. And my mom had some | 23 | up and take her to the lawyer's o |
| . 4 | questions and that's when, I can't think of that man, I | 24 | change it. And that was a consta |
| 25 | guess that's Vacek, came in the room because there was | 25 | mother had a recorder on her ph |
| 3.62.52 | | a la page a caractera a | |

his care and things like nother called in, she she wanted. I don't e that they took to spend when I realized you say is this what you d I -- there's some Vacek did, but then when with her and let her go of that, I finally just -- this was what my , since I wasn't in the as, I have to think that ers to all of this there.

that you're talking is is the one where she wanted to think about it?

lon't think that --r what was there, I think on't know that my mother what she was trying to her was really taken care Vacek came in, he said the medical trust was and

Page 149

ould always be money r. I mean, I don't, I know what my she didn't sign the that's when I realized Freed was going through t, it wasn't executed. y sister Candy, too, Candace Freed was -- I t that Candace Freed only one that was there the only one, the only d to have a reading of n't know.

r ever tried to reverse

d Drina kept calling my to come by and pick her office and get her to tant. And because my hone and I listened to

| | Page 150 | | Page 152 |
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| 1 | some of the voicemails. And they were calling on a | 1 | He let me know that he had been depositioned, but he's |
| 2 | regular basis saying we're going to come over and get | 2 | working full-time for another gentleman now. So, he's |
| } | you today, we're going to come over and get you today | 3 | pretty busy with that. |
| 4 | and take you to and, so, my mother may have said | 4 | Q. When is the last time you talked to Anita? |
| 5 | she was really bad at saying it was very hard for her | 5 | A. Anita, maybe what's today, Friday? Maybe |
| 6 | with Carl and Drina to make them understand that the | 6 | Monday or Sunday. |
| 7 | impression I was left with was that see, this is just | 7 | Q. July 2nd? |
| 8 | so complicated because the other part, too, was in front | 8 | A. Yeah. |
| 9 | of my mother Carl would be talking to his wife looking | 9 | Q. And what were you talking with her about? |
| 10 | at my mother going, yeah, she doesn't look very good, | 10 | A. She had gotten something and she was asking me |
| 11 | she's only got about three months to live. And all this | 11 | if I had got a copy of something. |
| 12 | was going on in front of my mother. So, this was she | 12 | Q. Did you talk about this deposition with her? |
| 13 | was having to she was struggling with all of that and | 13 | A. Well, she knew I had to come here on the 6th, |
| 14 | she was just struggling with so much. And, so | 14 | but I think it was oh, I know. I had called her |
| 15 | Q. Where is this recording of the voicemails? | 15 | because all I had was a P.O. box for sending the |
| 16 | A. That's I mean, that was just what was on the | 16 | documents to her attorney and I was wanting a street |
| 17 | phone. But the phone, I don't even know if that's | 17 | address. But I already sent them. I already went to |
| 18 | around anymore. | 18 | the post office and sent them to the P.O. box. I just |
| 19 | Q. Okay. So, you don't know that that exists | 19 | sent it priority mail. Because when I sent, when I sent |
| 20 | anymore? | 20 | the stuff overnight to you, I was going to send them |
| 21 | A. No. | 21 | overnight to you but all I had was a P.O. box. So, I |
| 22 | Q. So, you don't know whether she actually made an | 22 | couldn't. So, I was trying to get everything sent to |
| 23 | attempt to reverse any of those changes? | 23 | you and but all I had was a P.O. box. And so, anyway, |
| 24 25 | A. Not that I'm aware of because I know that Tino | 24 25 | but she gave me the street address, but I had already |
| 2 J | did call me one time and said that Carl and Drina are on | 25 | sent it priority mail to the P.O. box. |
| | Page 151 | | Page 153 |
| | their way over to take my mother to the lawyer's office. | 1 | Q. So, did you and Anita discuss any of the areas |
| 2 | So, I assumed that maybe they were planning on taking my | 2 | that you might be testifying about in your deposition? |
| 3 | mother at that point. But that was there was no planned appointment. There was no planned anything. | 3 | A. No. |
| 4 5 | They just thought they could come pick up my mother and | 4 5 | Q. When is the last time you talked to Amy?A. I haven't talked to Amy since the funeral. |
| 6 | drive her over there and that wasn't the case. I mean, | 6 | Q. And when is the last time you talked to Drina? |
| 7 | that just wasn't the case. | 7 | A. The last time I spoke with her was the last |
| 8 | Q. Did you have well, if Tino and Robert, is | 8 | the last communication I had with Drina was when she |
| 9 | that the other caregiver? | 9 | told me to stay the hell out of their lives. That was |
| 10 | A. Uh-huh. There's Katrina and Michael, too. And | 10 | in January. |
| 11 | Shameka. | 11 | Q. And when is the last time you spoke with Marta? |
| 12 | Q. So, they were there 24 hours a day? | 12 | A. Funeral. Well, no, wait. Yeah, Drina, that |
| 13 | A. Yes. | 13 | would have been right because that would have been |
| 14 | Q. Somebody, one of them or two of them? | 14 | that was January. That was January, uh-huh. |
| 15 | A. One. | 15 | Q. When is the last time you spoke with Candy? |
| 16 | Q. So, they would have knowledge about what was | 16 | A. January. That was when she sent all those |
| 17 | going on when you weren't there? | 17 | e-mails to me and I was trying to figure out why she was |
| 18 | A. Uh-huh. | 18 | being so hateful and ugly and sending all this hate mail |
| 19 | Q. Have you talked with them recently about this? | 19 | to me. And that's when I told her please call me, stop |
| 20 | A. No, not recently. | 20 | sending all these e-mails and if you have something to |
| 21 | Q. Do you still have communications with them? | 21 | say to me, say it to my face and not through e-mail. I |
| 22 | A. Somewhat Tino, but not Katrina or Shameka or | 22 | finally called her and I said what do you what is |
| | Michael or Robert, really. | 23 | this. And that's when she accused me of having this |
| .4 25 | Q. When is the last time you talked to Tino? | 24 25 | secret bank account with mother that money was being |
| 23 | A. It's probably been at least maybe a month ago. | 25 | funneled into that I was getting. And but, like I said, |

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| | rage 154 | | Page 150 |
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| 1 | I never opened the documents, so I didn't know what she | 1 | A. In my head. |
| 2 | was talking about. She said you didn't look at the | 2 | Q. Now, we've talked about the August, 2010 change |
| | document? And I said I've never opened it, Candy. And | 3 | where the structure of the trust was changed. There was |
| 4 | she said why not? And I said because I don't want to | 4 | also a change in June of 2010, an amendment that related |
| 5 | know. I just | 5 | to advances. Are you familiar with that? |
| 6 | Q. So, then that conversation must have been in | 6 | A. No. |
| 7 | April, not January? | 7 | Q. Did your mother ever talk with you about |
| 8 | A. Was it? Was it April? I don't remember when | 8 | whether payments that had been made to her children were |
| 9 | she sent this out. | 9 | going to be treated as loans or gifts or advances |
| 10 | Q. It's whenever the accounting | 10 | against their inheritance? |
| 11 | A. Oh, it's whenever that went out. Okay. That's | 11 | A. No. |
| 12 | when it went out. Because, like I said, the | 12 | Q. Did she ever tell you that she had made an |
| 13 | conversations with Candy were always about sexual things | 13 | amendment so that advances could be documented? |
| 14 | that were going to happen to people and people being | 14 | A. I know that she talked about Candy was |
| 15 | thrown in jail and not caring about what happened to Ann | 15 | always coming to her for money. And it was she was |
| 16 | and Jack and she really didn't care. And all the wind- | 16 | kind of getting tired of it. And, so, I think that's |
| 17 | fall that everybody was going to get and all of that. | 17 | when she called Candace Freed and she suggested that it |
| 18 | And I just you know, and I told her I said right or | 18 | would be going against her inheritance. Because I |
| 19 | wrong, Candy, we're still siblings and, you know, if | 19 | remember I talked with Carl about that as well when I |
| 20 | something has been done wrong, we can make it right. | 20 | found that out because he really needed money. He |
| 21 | But, anyway, she just was taking this to such an extreme | 21 | really did. And he was really, really wanting to get |
| 22 | that that's when I realized that it just seemed like | 22 | some money from my mother. And I just told him, I said, |
| 23 | this whole thing was getting out of hand. And, no, I | 23 | Carl, go talk to her, just go talk to her and he |
| 24 | didn't know everything. Maybe I didn't know everything | 24 | wouldn't. And I told him, I said, well, because mother |
| 25 | that was going on, so | 25 | had said that she I think she had gotten some money |
| | that was going on, so | ~~~ | had said that she I think she had gotten some money |
| | Page 155 | | Page 157 |
| 1 | Q. Do you maintain a calendar of any type? | 1 | for Candy but it was going against her inheritance |
| 2 | A. Me? | 2 | because Candy always seemed to be getting into some kind |
| 3 | Q. Yes. | 3 | of financial difficulty and she was always going to my |
| 4 | A. No. | 4 | mother for money. And then I told Carl, I said, well, |
| 5 | Q. Well, how would you keep up with when you were | 5 | Carl, why don't you just do what Candy did. I mean, |
| 6 | going to take you mother to a doctor's appointment? | 6 | just do that, just talk to mother about that. And he |
| 7 | A. Oh, for my mother? Oh, I thought you meant me | 7 | just he wouldn't. He or not that I he may |
| 8 | personally. | 8 | have, but not to my knowledge that he did because I |
| 9 | Q. Of any kind? | 9 | guess that's when no, because then he got sick July |
| 10 | A. Oh, no, we had a calendar of my mother, for my | 10 | 2nd of 2010. And, so, he never had the opportunity. |
| 11 | mother, yes. We had one at the house. | 11 | Q. So, you think that |
| 12 | Q. That you didn't take with you? | 12 | MS. MCCUTCHEN: I'm sorry, I didn't hear |
| 13 | A. Oh, no. That got thrown in the trash the day | 13 | the date. |
| 14 | she died. | 14 | THE WITNESS: July 2nd, 2010. |
| 15 | Q. No. I mean, how would you keep up with it when | 15 | Q. (BY MS. BAYLESS) So, the you think that the |
| 16 | you were having to make it? | 16 | amendment concerning advances was because of Candy's |
| 17 | A. Oh, because I was over there all the time. | 17 | request for money? |
| 18 | Q. Okay. | 18 | A. Yes. |
| 19 | A. And I made the appointments and, so, I carried | 19 | Q. Which had been, already been going on? |
| 20 | the little cards around with me with the appointment | 20 | A. Well, because she seemed to always be coming |
| 21 | times. | 21 | my mother was just my mother was getting my mother |
| 22 | Q. So, you don't maintain a calendar of your own | 22 | didn't understand Candy's lifestyle anymore because her |
| ני' | appointments anywhere? | 23 | two grown sons were still living at the condo basically |
| . 4 | A. No. | 24 | and Candy and Owen were supposed to be getting divorced. |
| 25 | Q. How do you keep up with it? | 25 | But then she didn't. And then she would she met this |
| I | | | |

| 13for. And I'm like no. And, you know, and then Candy13like this change that she made to the trust that allowed14my mother gave, I think my mother gave Candy money to14her to document advances? Did you ever see any notes15get divorced but instead next thing we know she's taking15around the house about Candy's request for money after16off for Europe. And, so, my mother was like I said,16that being advances or anything like that?17my mother you really just had to spend time with her17A. No. I remember my mother talked to me about18to realize my mother knew a lot more that was going on18it, that that's what they did. She when something19than she would ever let on. Even people at the church19was really bothering my mother, then she talked to me20when I was talking about it, they said your mother never20about it and then I knew that it was really bothering21said an unkind word about anybody. And that's just kind21her. If she brought it up and talked to me about it, it | | | | |
|--|-----------|--|----|--|
| money anymore. And she would say those things to her 3 said, she talked about it. But as far as if she did it 4 because Candy would repeat it back to me. And my mother a ard ich to it, no, I don't know. 6 Candy's mother-in-law and they talked about it. And, as on, mother, she didn't bane Candy but my mother file 7 O. Okay. Look at this Exhibit 12. And, again, this is the schedule that came with the accounting that 9 a barden and a hardship. And, so, she was reluctant to 0 O. If you turn to page 2 backing up for one 11 just keep giving Candy money. But Candy's option of 11 as accord before I ask you this question, did you ever see 12 of nor. And I'm like no. And, you know, and ther candy 11 A. Right. 13 for Europe. And, so, my mother waslike I asid, 17 A. No. I remember my mother talked to me about 14 to realize my mother knew a lot more that was going on 16 of nor who was. But in the end, like I asid, 15 get divored but istead in ext thing we know she's taking 17 A. No. I remember my mother talked to me about 16 of for Europe. And, so, my mother twaslike I asid, 17 A. No. 11 | | guy on Craig's List and then they took off for Europe. | | that? |
| 4 because Candy would repeat itsakt to me. And my mother 5 or didn't do it, no, I don't know. 5 was really getting fustrated. My mother over called 6 6 Candy's motherIs-law and they talked about it. And, 9 7 so, my mother, she didn't blame Candy but my mother fett 7 8 that Own probably left because of the fact that her 9 9 and radiation at your mother she canse of the fact that her 9 10 just keep giving Candy money. But Candy's optinion of 10 Q. If you turn to page 2 - backing up for one 12 this is done, done, my mother was any document, right? 9 14 my mother gave, law, you how, any then canse 10 Q. If you turn to page 2 - backing up for one 15 get divorced but histead maxt hing we know she's taking 10 10 10 15 get divorced but instead maxt hing we know she's taking 10 10 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 11 | 2 | | 1 | |
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| 1her we all might not like what happened, but I don't1So, she did speak with me quite in fact, she spoke1know. I wish I could be of more help and I'm trying,23but there's just there's so many facets to what34happened here. And, anyway, I probably didn't even45answer your question again.57Anita filed some kind of complaint about against Amy68Q. Are you familiar with the situation in which67Anita filed some kind of complaint about against Amy88with Child Protective Services?89A. I remember she talked about it, yes.910Q. Okay. What happened there?1011A. Amy, Amy was getting divorced from Wayne and it1112was- it seemed like it was kind of a I really1213wasn't involved with it because I just hadn't really1314spoken to Amy in years. But from what I could hear1415from what I could understand was there had been a lot1516going on in Amy's marriage and, you know, my mother was17just extremely worried about her. Extremely. I mean,18she was she went to Dr. White to talk about Amy she19was that concerned about her. And Amy just kind of shut20coll Adult Protective Services, yust to make sure21to call Adult Protective Services, uot Adult Protective22services, Child Protective Services, yust to make sure24to call Adult | - | Page 159 | | Pare 161 |
| 2know. I wish I could be of more help and I'm trying,2quite a bit about that on a regular basis. That3but there's just there's so many facets to what3bothered her that they were getting divorced.4happened here. And, anyway, I probably didn't even3bothered her that they were getting divorced.5answer your question again.6Q. Are you familiar with the situation in which67Anita filed some kind of complaint about against Amy7A. No.8with Child Protective Services?8Q. No? Okay. Looking at Exhibit 12 on page 2,9A. I remember she talked about it, yes.910Q. Okay. What happened there?1011A. Amy, Amy was getting divorced from Wayne and it1112wasn't involved with it because I just hadn't really1313wasn't involved with it because I just hadn't really1314spoken to Amy in years. But from what I could hear1415from what I could understand was there had been a lot1516going on in Amy's marriage and, you know, my mother was1617just extremely worried about her. Extremely. I mean,1718she was she went to Dr. White to talk about Amy she1819A. And my father fell and broke both of his wrists20coall Adult Protective Services, just to make sure2021to call Adult Protective Services, int Adult Protective2122services, Child Protective Services just to make sure22 <t< th=""><th></th><th>-</th><th>-</th><th>······································</th></t<> | | - | - | ······································ |
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| | | | ł | |
| 25 Q. So, you don't know of any controversy over 25 parents. And I told my mother the only way I could do | 1 | | | |
| | 25 | Q. So, you don't know of any controversy over | 25 | parents. And I told my mother the only way I could do |

Page 164

| 1 | it was if they wanted to pay me as a caregiver because | 1 | A |
|----|--|----|-------|
| 2 | my mother, I had tried to convince her to just to please | 2 | worl |
| ١ | hire somebody to help you take care of daddy so that you | 3 | time |
| 4 | can go and do other things. Because she used to be so | 4 | Ç |
| 5 | involved with MAM and the church and all these other | 5 | anyv |
| 6 | things and she was just becoming so homebound that it | 6 | A |
| 7 | was really starting to have an effect on her. So, I | 7 | for, |
| 8 | told her that if you won't, if you won't hire somebody | 8 | Ç |
| 9 | else, then would you be comfortable if I came in and I | 9 | paid |
| 10 | stayed with daddy so that you could go off and volunteer | 10 | A |
| 11 | at MAM and you could go to church and you could do your | 11 | 2500 |
| 12 | activities. And, so, she agreed to that. And, so, but | 12 | Ç |
| 13 | over a period of I started working for them in | 13 | A |
| 14 | October of 2005 and I would go over there maybe 20 to | 14 | her c |
| 15 | 30 hours a week. And I would stay with my dad and then | 15 | Q |
| 16 | I helped him with all the doctors' appointments. And | 16 | knov |
| 17 | we'd go out to eat and things such as that. And my | 17 | A |
| 18 | mother went back to MAM and she took a Latin class at | 18 | off f |
| 19 | church. And she played some golf, just things, just | 19 | want |
| 20 | things like that. But then over time I noticed that my | 20 | just |
| 21 | mother my dad wasn't a burden to my mother. My | 21 | want |
| 22 | mother was so devoted to my father and that's where she | 22 | chec |
| 23 | wanted to be. So, in 2006, in February, 2006 or March, | 23 | be al |
| 24 | 2006 I realized that my mother wanted to be with my | 24 | did. |
| 25 | father and my father was not a burden to my mother. My | 25 | the t |
| | Page 163 | | |

Page 163

| | 1490 100 | | |
|----------|---|----|--------------------------------------|
| 11 | mother was devoted to my father. And because Carl used | 1 | that's for. I'd have to see the note |
| 2 | to say that mother will finally have a life when daddy | 2 | Q. All right. And then I see of |
| 3 | is dead and I told him I said daddy is mother's life. | 3 | there's \$20,000 and there's a note |
| 4 | And that's I don't think he could ever understand | 4 | says original intent to take agains |
| 5 | that. So, anyway so, in March, 2006 I started | 5 | letter documentation found to da |
| 6 | looking for another job. And I just thought it was | 6 | a gift. Do you know what that's a |
| 7 | going to take me months and months and months and as it | 7 | A. That's when I was trying to |
| 8 | turns out it only took me I got the job offer in May, | 8 | finished on my house. And, so, r |
| 9 | I think. So, I went back to work because I just felt | 9 | for 20,000. And that was suppos |
| 10 | like there was no point in my mother paying me for by | 10 | the inheritance, I don't know. |
| 11 | then my father was a lot more mobile and he was able to | 11 | Q. Did you even know that the |
| 12 | get himself up and he was able to do more and I thought | 12 | A. No. |
| 13 | there's no point in me helping you anymore. I was also | 13 | Q. So, do you know have a |
| 14 | selling eBay at the time so I could supplement my own | 14 | else would have thought that was |
| 15 | income. And I enjoyed the time I spent with my dad. | 15 | A. Well, Candy said it's becau |
| 16 | That's when I finally I got to really know my father | 16 | amendment that was made and n |
| 17 | so much better there and my mother. And I can tell you | 17 | that. |
| 18 | more about what made them happy and they talked about | 18 | Q. Candy, your sister? |
| 19 | all their children. And I learned so much about my | 19 | A. Yes. |
| 20 | parents. So, anyway, I went back to work. That's when | 20 | Q. But, so, your mother never |
| 21 | , , | 21 | that it was going against your inh |
| 22 | | 22 | A. No. |
| ' | parents. | 23 | Q. And you never signed any |
| .4 | Q. So, you're saying that the payments from 2010 | 24 | A. No. |
| 25 | and 2005 through | 25 | Q. Okay. On the third page o |
| | n nya ana manana ina kanana da kana ana ana ana ana ana ana ana ana a | | |

A. 2005, yeah, everything from 2005, 2006 I was king for my parents. And then there was also one e when they gave me a loan, but I paid that back.

Q. Okay. So, do you see that amount on here where?

A. See, without knowing what these checks were it's hard for me to know.

Q. Do you remember how much the loan was that you d back?

A. I want to say it was for maybe about 2,000 or 0.

Q. Okay.

A. But like I said, my mother usually put notes on checks.

Q. There -- these payments here in 2010, do you w what those were for? One is for 7,000?

A. Yeah, that's when -- because I had been laid from my job at Chase Source and my mother said I nt to help you. And, so, she wrote me a -- she said I gave the same to your sister Candy and she said I nt to do the same for you. And, so, she gave me a ck for \$7,000 because I didn't think I was going to ble to find a job right away but as it turns out, I And, so, that was -- she gave me that. And then thousand was -- what was that. I don't know what

Page 165

tes.

on October, 2010 te out to the right that ist inheritance but no ate. Will be treated as about?

to get some work my mother got me a check sed to be going against

hat was the case?

any idea why anybody as the case?

ause there was an now everything goes against

er said that to you,

heritance?

ything that said it was?

of Exhibit 12 there on

| 1 | The second secon | 1 | former de 66 au dationer Elles die 6 Die 6 is instrument |
|------------|--|-----|---|
| 1 2 | June 15th, 2011 there's the Exxon shares that we talked | 12 | farm stuff and things like that. But it just seemed |
| 6 | about that were distributed to you? | 3 | like that's those are the two people she talked to. |
| 4 | A. Uh-huh. | 1 | Q. Okay. And in terms of the farm, do you know |
| 4 5 | Q. And that says to pay off or fix house. So, | 45 | the status of the farm? A. All I know with the farm is it's been |
| | that's something different from this 20,000? | 6 | |
| 6 7 | A. Right. | | appraised. And I keep hearing that because of a change |
| | Q. And you don't have any knowledge that that was | 8 | that was made that my father should well, that |
| 8 9 | supposed to go against your inheritance or anything? | 9 | something about how the trust is all set up now, that |
| 10 | A. Oh, no, huh-uh. | 10 | makes it harder to parcel it or something like that. |
| 11 | Q. In fact, you think it wasn't? | 11 | And because there just seems to be so much fighting back |
| 12 | A. No, it wasn't. I know it wasn't. I know it | 12 | and forth, that this person doesn't want to stay |
| 13 | wasn't. Because my mother and I had been talking and she just she felt that because I had stayed in | 13 | involved because of that person. And I just keep trying to make them all understand that it's real estate. This |
| 14^{13} | Houston and stayed devoted to my parents when she knew | 14 | |
| $14 \\ 15$ | | 15 | is probably the best investment you're going to have. |
| $10 \\ 16$ | that I loved spending time with my horses and things | 16 | And I hate to see that. And I said before you decide to |
| $10 \\ 17$ | like that, that because I had put all that off, she | 17 | sell your farm land, please put some research into can |
| 18 | wanted to make it possible for me to either in the event that Carl ever needed a place to live, and I'm not | 18 | you take this money and let it grow at the rate that the |
| 19 | saying that he was or wasn't, but at the time of the | 19 | farm land is growing because my brother was pushing my mother to sell it for \$6,000 and right now that land is |
| 20 | conversations I was having with my mother because my | 20 | probably worth \$15,000 an acre. So, I can't sway |
| 21 | mother was hearing these conversations between Carl and | 21 | anybody one way or the other, but I'm just my from |
| 22 | Drina on a daily basis as well as me. But in the event, | 22 | my concern my concern is that the one thing I wanted |
| 23 | even so, she appreciated my help and my time and wanted | 23 | to hang on to the most which was farm land, it's going |
| 24 | to make it possible for me to, you know, have a nice | 24 | to be forced to be sold which is a huge, huge mistake |
| 25 | house or put money towards a house or just whatever. | 25 | just because everybody is so busy fighting back and |
| | یست این داند. است است این | 2.5 | Just because everybody is so busy righting back and |
| | Page 167 | | Page 169 |
| 1 | Q. I noticed that other people who got shares of | 1 | forth and they won't talk to each other. They won't |
| 2 | stock at that same, in that same time period got much | 2 | they will not talk to each other. And that's what I |
| 3 | less. Like you got 1325 shares, other people got 135 | 3 | don't understand is we all grew up in the same house, |
| 4 | shares. Did she talk with you about what amount she was | 4 | why we can't just all sit in a room and put all this |
| 5 | going to give to | 5 | garbage to the side. And I was like, Anita, if you did |
| 6 | A. She asked me just to come up with a list of | 6 | something you were sorry for, put it on the table. Amy, |
| 7 | what I thought, of what I thought it might take and, so, | 7 | just put all this baggage aside and just sit here. But |
| 8 | I did. And she said, well, that's what daddy gave to | 8 | instead it's just all this snarking back and forth, back |
| 9 | Anita. So, I mean, that's but I left that up to | 9 | and forth, back and forth. And I realized I got |
| 10 | them. But Anita called me and said that mother had | 10 | sucked I get sucked into it. But and it's hard |
| 11 | talked to her about it. I said, look, Anita, I don't | 11 | for me to not go, oh, I'm so, sorry, oh, I'm so sorry, |
| 12 | want there ever to be anything that's going to come back | 12 | oh, I'm so sorry, I'm sorry, I'm sorry until the point |
| 13 | to say that there was any funny business or anything | 13 | of where now everybody hates me. So, I don't know what |
| 14 | like that. So, are you sure that I mean, I don't | 14 | to do. |
| 15 | want this to ever come back as a problem. And, so, I | 15 | Q. But okay. I think my question was about the |
| 16 | asked her, I said are you sure that there's any | 16 | farm. So, is it on the market? |
| 17 | documentation, I mean, that everything is fine with | 17 | A. No. It better not be. |
| 18 | this. And she said she had talked with Vacek and she | 18 | Q. And is it leased? |
| 19 | had talked with Rich Rikkers and everything. So | 19 | A. Yes, it is. |
| 20 | because I didn't want there ever to be an issue that | 20 | Q. And do you know what the income is? |
| 21 | this was going to be a problem. | 21 | A. As far as I know, it is it just went up |
| 22 | Q. And why would she talk to Rich Rikkers about | 22 | recently. Memory, it went from oh, wait, it's |
| <u>3</u> | it? | 23 | changed because my mother used to have it rented at 225 |
| 4 | A. I don't know. As far as I don't know. She | 24 | an acre, I think, but then there was a bonus paid at the |
| 25 | mentioned his name. Maybe she was talking to him about | 25 | end. Where now it's a flat rate of 300, 350 a month or |
| 200200000 | | | |

| | Page 170 | | Page 172 |
|--|--|--|--|
| 1 | an acre. So, I think the income per year ends up being | 1 | Q. What were the two personal charges? |
| 2 | about \$55,000. | 2 | A. They were I think they're both to a vet |
| ` | Q. And do you know when that's paid and to whom | 3 | clinic. |
| 4 | it's paid? | 4 | Q. I'm sorry? |
| 5 | A. Well, in the past half was paid in March | 5 | A. A vet clinic, a veterinarian clinic. |
| 6 | because my mother would get a check in March and then | 6 | Q. And why were they in there? |
| 7 | she'd usually get one in September and October. And | 7 | A. Because I wanted to be paid back for what I had |
| 8 | because my father had it sharecropped, but I my | 8 | paid because I had to pay Tino and Robert one day |
| 9 | mother changed it to just a flat lease. And, so, she'd | 9 | because there was no money in the account. |
| 10 | get a check in March and then when they'd bring the | 10 | Q. So, you made you charged those things to |
| 11 | crops in September, Octoberish, then we'd get the other | 11 | offset |
| 12 | half. | 12 | A. Yes, yes, but I let her know I was doing that |
| 13 | Q. And, so, as far as you know, that's still being | 13 | because I had paid them I think it was almost like |
| 14 | paid now? | 14 | \$1300. And I had paid I had purchased 300, \$350 |
| 15 | A. Yeah. And then I mean, even the bonus check | 15 | worth of Depends and other medical things for my brother |
| 16 | for 2011 should be floating around somewhere. | 16 | and my mother. And that was my out-of-pocket. |
| 17 | Q. And have you received any portion of that? | 17 | Q. All right. Well, when you have the bank |
| 18 | A. No. And I've asked about it, but | 18 | records, please let us know so we can deal with those. |
| 19 | Q. What have you been told? | 19 | And, also, if you find these additional e-mails. |
| 20 | A. That nothing has been distributed. | 20 | A. I'll look. And then I'm going to verify some |
| 21 | Q. Nothing has been that something has been | 21 | of these other things on here because, like I said, I |
| 22 | received, but nothing has been distributed? | 22 | just |
| 23 | A. Right. And that's just like with the income | 23 | Q. That's fine. |
| 24 | for the house, is it earning interest, is it that's | 24 | A. I don't remember writing that, but I'm not |
| 25 | what I don't understand. There was this big push to got | 25 | saying I did or didn't. But I just don't remember some |
| | Page 171 | | Page 173 |
| . 1 | - | - | - |
| 1 | to sell the house, okay, well, great, now where is the | | of this being on there. |
| 2 3 | money? Is it getting interest, is it where is it? I don't know. | 2 | Q. Okay. I would appreciate it if you would |
| 5 4 | | 3 | verify. Okay. |
| 5 | Q. Okay. Well, once you have the bank records, if | 4 5 | MS. BAYLESS: So, for now until we have the |
| | you would let me know that. And it may not be necessary | | bank records, that's pass the witness. |
| 6 7 | to get back it depends on what's in the bank records. | 6 7 | MS. FOLEY: No questions. |
| | But once you have the bank records, if you would get those to us and then we can determine whether we need to | | MS. MCCUTCHEN: No questions. |
| 8 | come back for another session to talk about the bank | 8 9 | THE VIDEOGRAPHER: 2:27, we're off the |
| 9 | COME Back for another session to talk about the bank | 9 | racord |
| | | | record. |
| 10 | records at least as far as I'm concerned. These people | 10 | |
| 11 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. | 10 11 | |
| 11 12 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. A. I can tell you what's in there. It's paying | 10 11 12 | |
| 11 12 13 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. A. I can tell you what's in there. It's paying the caregivers, it's paying medical bills, it's I | 10 11 12 13 | |
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| 11 12 13 14 15 16 17 18 19 20 21 22 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. A. I can tell you what's in there. It's paying the caregivers, it's paying medical bills, it's I bought some clothes for my mom when she got bigger. And there's Lands End, there's J.P J.C. Penney's. And then there's two charges in there where I bought \$300 worth of Depends for Carl and my mother. And then I had to pay the caregivers I think it was 12 or \$1300 because there was no money in the account or something. But I paid that back. And there's two charges in there of mine that are personal, but it equals exactly what I paid. So, there's the only two personal charges in | 10 11 12 13 14 15 16 17 18 19 20 21 22 | |
| 11 12 13 14 15 16 17 18 19 20 21 22 23 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. A. I can tell you what's in there. It's paying the caregivers, it's paying medical bills, it's I bought some clothes for my mom when she got bigger. And there's Lands End, there's J.P J.C. Penney's. And then there's two charges in there where I bought \$300 worth of Depends for Carl and my mother. And then I had to pay the caregivers I think it was 12 or \$1300 because there was no money in the account or something. But I paid that back. And there's two charges in there of mine that are personal, but it equals exactly what I paid. So, there's the only two personal charges in there. Otherwise, everything else is food, caregivers, | 10 11 12 13 14 15 16 17 18 19 20 21 22 23 | |
| 11 12 13 14 15 16 17 18 19 20 21 22 | records at least as far as I'm concerned. These people may have some questions. But that's all I have. A. I can tell you what's in there. It's paying the caregivers, it's paying medical bills, it's I bought some clothes for my mom when she got bigger. And there's Lands End, there's J.P J.C. Penney's. And then there's two charges in there where I bought \$300 worth of Depends for Carl and my mother. And then I had to pay the caregivers I think it was 12 or \$1300 because there was no money in the account or something. But I paid that back. And there's two charges in there of mine that are personal, but it equals exactly what I paid. So, there's the only two personal charges in | 10 11 12 13 14 15 16 17 18 19 20 21 22 | |

| | Page 174 | | Page 176 |
|--|---|--|--|
| 1 | CHANGES AND SIGNATURE | 1 | NO. 2012-14538 |
| 2 | WITNESS NAME: CAROLE ANN BRUNSTING DATE: JULY 6, 2012 | 2 | IN RE:) IN THE DISTRICT COURT OF |
| | PAGE LINE CHANGE REASON | ~ |) |
| 4 | | 3 | CARL HENRY BRUNSTING)) HARRIS COUNTY, TEXAS |
| 5 | | 4 |) HARRIS COUNT 1, TEAAS |
| 6 | | - |) |
| 7 | | 5 |) 80TH JUDICIAL DISTRICT |
| 8 | | 6 | |
| 9 | | 7 | REPORTER'S CERTIFICATION DEPOSITION OF CAROLE ANN BRUNSTING |
| 10 | · · · · · · · · · · · · · · · · · · · | 8 | JULY 6, 2012 |
| 11 | | 9 | , |
| 12 | ······································ | 10 | I, Jeanne C. Pearl, Certified Shorthand Reporter in |
| 13 | | 11 | and for the State of Texas, hereby certify to the |
| 14 | | 12 13 | following: That the witness, CAROLE ANN BRUNSTING, was duly |
| 15 16 | | 14 | sworn by the officer and that the transcript of the oral |
| 10 | | 15 | deposition is a true record of the testimony given by |
| 18 | | 16 | the witness; |
| 19 | | 17 18 | That the deposition transcript was submitted on |
| 20 | | $10 \\ 19$ | to the witness or to the attorney for the witness for examination, signature and return to |
| 21 | | 20 | me by; |
| 22 | | 21 | That the amount of time used by each party at the |
| 23 | | 22 | deposition is as follows: |
| 24 | | 23 24 | Ms. Bobbie G. Bayless - 3 HOURS:59 MINUTE(S) That pursuant to information given to the |
| 25 | | 25 | Deposition officer at the time said testimony was taken, |
| | | | |
| | Page 175 | | Page 177 |
| 7 | Page 175 | 1 | Page 177 |
| 1 | I, CAROLE ANN BRUNSTING, have read the | 1 2 | Page 177 the following includes counsel for all parties of record: |
| 1 2 | 2 | | the following includes counsel for all parties of |
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| | Page 178 | |
| 1 | FURTHER CERTIFICATION UNDER RULE 203 TRCP | |
| 2 | | |
| • • | The original deposition was/was not returned to the | |
| 4 | deposition officer on; | |
| 5 | If returned, the attached Changes and Signature | |
| 6 | page contains any changes and the reasons therefor; | |
| 7 | If returned, the original deposition was delivered | |
| 8 | to, Custodial Attorney; | |
| 9 10 | That \$ is the deposition officer's | |
| 11 | charges to CARL HENRY BRUNSTING for preparing the original deposition transcript and any copies of | |
| 12 | exhibits; | |
| 13 | That the deposition was delivered in accordance | |
| 14 | with Rule 203.3, and that a copy of this certificate was | |
| 15 | served on all parties shown herein on and filed with the | |
| 16 | Clerk. | |
| 17 | Certified to by me this day of, 2012. | |
| 18 | , 2012. | |
| 19 | | |
| 20 21 | | |
| 21 | Jeanne C. Pearl, Texas CSR 456 | |
| 22 | Expiration Date: 12/31/12 | |
| 1 f | Firm Registration No. 210 | |
| 23 | MERRILL LEGAL SOLUTIONS | |
| | 315 Capitol Street, Suite 210 | |
| 24 | Houston, Texas 77002 | |
| | Phone: 713-426-0400 | |
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