

FILED IN DISTRICT COURT  
McCain County, Oklahoma

FEB 09 2024

by Kristel Gray, Court Clerk  
AF, Deputy

IN THE DISTRICT COURT OF McCLAIN COUNTY  
STATE OF OKLAHOMA

In the Matter of the Estate of **KANELLOS  
D. CHARALAMPOUS**, deceased.

Case No. PB-2024- 19

**PETITION FOR ADMISSION OF WILL TO PROBATE; FOR  
APPOINTMENT OF A PERSONAL REPRESENTATIVE; FOR  
ISSUANCE OF LETTERS TESTAMENTARY; AND FOR A JUDICIAL  
DETERMINATION OF THE DEATH AND HEIRS, LEGATEES AND  
DEWISEES OF KANELLOS D. CHARALAMPOUS**

Petitioner Constantine Charalampous, by and through counsel, Greg Dixon, respectfully presents his *Petition for Admission of Will to Probate; For Appointment of a Personal Representative; For Issuance of Letters Testamentary; and For a Judicial Determination of the Death and Heirs, Legatees and Devisees of Kanellos D. Charalampous* and respectfully shows the Court as follows:

1. KANELLOS D. CHARALAMPOUS, Decedent, died testate on January 15, 2024.
2. Decedent was a single man and resident of McClain County, Oklahoma but died in a care facility in Cleveland County, Oklahoma.
3. Decedent left an estate consisting of personal property, to wit:
  - Kanellos D. Charalampous Guardianship bank account with an approximate value of less than \$1,000.00.
4. Decedent left a Last Will and Testament dated March 25<sup>th</sup>, 2016, with one Codicil, dated 28<sup>th</sup> April, 2018 and Petitioner presents the same for probate.
5. Constantine Charalampous, Petitioner herein, is son of Decedent and is named Co-Personal Representative in said Last Will and Testament and requests that he be appointed Co-Personal Representative with Phillip D. Charalampous, and that they be appointed without bond.

6. The names and addresses of the heirs at law are as follows:

<u>NAME/ADDRESS</u>	<u>RELATION/AGE</u>
Constantine Charalampous 3095 Eagles Nest Purcell, OK 73080	Son/Majority
Phillip D. Charalampous 36819 Highway 7 Davis, OK 73030	Son/Majority

7. The Decedent's Will designates as sole Legatee and Devisee the following trust:

<u>NAME/ADDRESS</u>	<u>RELATION/AGE</u>
The Kanellos D. Charalampous Revocable Trust, dated March 25, 2016 Co-Trustee Constantine Charalampous Co-Trustee Phillip D. Charalampous	Legatee/Devisee

8. Out of an abundance of caution, transparency, and respect to this Honorable Court, Petitioner provides notice to Texas attorney Stephen Mendel (Mendel):

<u>NAME/ADDRESS</u>	<u>RELATION/AGE</u>
Stephen Mendel Attorney at Law The Mendel Law Firm, L.P. 1155 Dairy Ashford, Suite 104 Houston, TX 77079	Courtesy Notice

9. Mendel has alleged that he drafted a new estate plan, including a new will and trust(s) on behalf of Dr. Charalampous, a year after Dr. Charalampous was diagnosed as being in the middle stages of Alzheimer's disease and declared as incompetent. Petitioner has made repeated requests for this purported will and other estate documents. Mendel refuses to produce any such document(s). At this time, Petitioner has no statutory obligation to give notice to Mendel. However, Petitioner desires swift judicial resolution should Mendel produce a second will. Petitioner is confident that the evidence surrounding this controversy will substantiate the validity of the attached Last Will and Testament and Codicil of Dr. Charalampous. By Mendel's own admissions, his alteration of the Decedent's estate plan includes:

- Removing Decedent's sons as successor trustees and co-personal representatives of his estate, and nominating himself in their place as the sole PR, which under Texas law could qualify Mendel to take a SIX FIGURE Personal Representative fee due to the size of the estate;
- Removing Decedent's sons as primary beneficiaries of the estate; and,
- Redirecting 2/3rds of the Decedent's entire estate to entities controlled by Mendel personally. Thus, leaving Mendel in virtual control of a trust estate valued in excess of Fifteen Million Dollars (\$15,000,000.00) and the probate estate.

10. Petitioner offers Exhibit A as an aid to the court to assist in understanding the events surrounding Mendel's scheme to defraud an incompetent man of passing the Decedent's lifelong legacy to his sons.

THEREFORE, Petitioner prays that a day be fixed for hearing this Petition and notice thereof be given as required by law; that at said hearing, said Will be admitted to probate, that Petitioner and Phillip D. Charalampous be appointed Co-Personal Representatives to serve without bond, that Letters Testamentary issue to Petitioner and Phillip D. Charalampous as Co-Personal Representatives and the Kanellos D. Charalampous Revocable Trust, dated March 25, 2016, be found to be the sole legatee and devisee; and for such other and further relief as this Court deems just and equitable.

Dated this 9th day of February, 2024.



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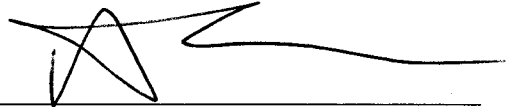
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Purcell, OK 73080  
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[greg@nicholsdixon.com](mailto:greg@nicholsdixon.com)  
ATTORNEY FOR PETITIONER

STATE OF OKLAHOMA )  
 )  
COUNTY OF MCCLAIN )

SS.

VERIFICATION

Constantine Charalampous, of lawful age, being first duly sworn on oath states that he is the Petitioner above named; that he has read the foregoing Petition, is familiar with the contents thereof, and that the same is true and correct to the best of his knowledge and belief.



Constantine Charalampous

Subscribed and sworn to before me this 9<sup>th</sup> day of February 2024.

Commission No.

My commission expires:

Megan Jones  
Notary Public



## EXHIBIT "A"

**NOTE:** The undersigned has prepared and is providing an Aid to the Court that provides details and exhibits in support of the undisputed facts:

1. Dr. Charalampous, the Decedent, had two children, sons, Constantine Charalampous (Conrad) and Phillip D. Charalampous (Phil).
2. Dr. Charalampous created Dexion Foundation, a Texas charitable 501(c)(3) foundation in 1965.
3. **July 13, 1998:** Dr. Charalampous executed a Last Will and Testament, Medical Power of Attorney and Durable Power of Attorney.
  - a. Dr. Charalampous named his sons, Conrad and Phillip, as Personal Representatives;
  - b. Conrad and Phillip are the only "individuals" named as heirs;
  - c. Dexion Foundation is only other named devisee for a very limited portion of the estate (Note that the sons have been directors of Dexion for decades now).
4. **May 2005:** Dr. Charalampous met with the Greek Consulate and arranged for both of his sons to be granted Greek Citizenship for the express purpose that they could inherit his Greek assets, including his real property located in Greece. Both sons were granted their respective passport and are now have dual citizenship status.
5. **November 2015:** Dr. Charalampous, asked his sons to forward the contact information of their mother's estate attorney, Steven Cole (Cole) with the Oklahoma City Law Firm of McAfee & Taft (McAfee). Dr. Charalampous told his sons that he wanted his estate plan to be congruent with what their mother was doing regarding their separate gifts to the couple's two children and wanted to engage the same attorney as their mother so that there would be harmony in the parent's wealth transfer to their children. Conrad and Phil were also the beneficiaries of their mother's estate, through her estate plan, also drafted by Cole.
6. **March 2016:** Dr. Charalampous initiated and completed a comprehensive estate plan at McAfee & Taft. He made several trips from Houston to meet with Steve Cole, and some meetings were private and some were attended by his sons at his request. The estate plan included, but was not limited to, a Last Will and Testament, revocable trust, durable powers of attorney, medical powers of attorney, and an assignment of all his assets to his trust. Again, only his sons and existing entities were named as beneficiaries under his estate. Also, both sons were designated as attorneys in fact under the powers of attorney, as well as personal representatives and successor trustees in the respective estate documents.
7. **June 2016:** Dr. Charalampous, under his own accord, completed neurological testing at Houston Neuropsychology Associates, PLLC. Dr. Charalampous was referred by Reed

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