

exacerbated costs would not have been suffered but for these Defendants' participation in this conspiracy.

Curtis' injuries flow from the involuntary loss of control (theft) of her share of the Brunsting Trust properties, stolen by her siblings Anita and Amy Brunsting, using illicit instruments knowingly drafted by Candace Kunz-Freed. Curtis' injuries continue to flow as a direct and proximate result of third party interference with her efforts to protect her property interests, which has multiplied the litigation and the costs. Curtis' one-fifth share of both fully funded Brunsting Trusts became due to her upon the death of her mother Nelva Brunsting, on November 11, 2011. Distribution is not dependent upon any probate matter and Curtis' property has been unlawfully retained by Anita and Amy Brunsting, based entirely upon the alleged 8/25/2010 QBD they refuse to produce and qualify as evidence. Curtis has been unable to get a hearing on any substantive issue since her case was improperly remanded to the state probate court.

The record is clear. There is no 8/25/2010 QBD in evidence and these RICO Defendants have exhausted every effort to avoid substantive resolution, because every one of them knows that no fact witness claiming first-hand knowledge can qualify the instrument as evidence without perjury and self-incrimination, and they all know the significance of pleading the *Fifth Amendment* right to remain silent in

a civil action. They also know that without the archetype of the 8/25/2010 QBD, the entire trust busting sting falls apart, exposing these Defendant Appellees to potential criminal prosecution and professional disciplinary actions.

A breach of fiduciary lawsuit does not prevent a fiduciary from performing fiduciary duties; neither Amy nor Anita petitioned for letters of instruction; and the constraints of the injunction cannot possibly be the reason they cannot comply with the affirmative commands in that same preliminary federal injunction. [ROA.237] These Defendants, by their participation, have made themselves joint tort feasers and co-conspirators, and each is equally liable.

Munson and Curtis are financially interdependent and the Munson-Curtis household is and has been financing the defense of Curtis' property interests in Texas Courts for six years, not merely including cash outlay in various forms of expenses, but also in the redirection of labor, intellectual capital and other units of production away from local business profit potential, to the defense of Curtis' existing property interests in Texas.

Munson's RICO injuries do not flow from the underlying trust dispute, but from the racketeering conspiracy and attempt to convert Brunsting Trust Assets into estate assets that wrongfully multiplied Curtis' litigation expenses. These injuries, in the ordinary course, would not have been incurred if not for these Defendant