



Daniel [REDACTED]

Meeting Minutes with Attorney Shapiro on May 6th

9 messages

Daniel [REDACTED] Mon, May 9, 2016 at 1:49 PM
 To: Maureen [REDACTED], Dennis [REDACTED], Karen [REDACTED],
 Karen.Haughney@gmail.net, Daniel [REDACTED], Ed [REDACTED], Peggy [REDACTED]
 Peggy.chare@outlook.com

There was a meeting on May 6th with Mom's attorney. The purpose or goal to obtain an understanding and clarification of the documents Mom put in place 20 years ago. You have to hand it to Mom; she had the forethought to do this. I have said to her even Prince was not as smart as you.

The Attorney Simcha Shapiro, very nice person, has 47 years of experience practicing law and a big Detroit Tiger fan. Mom could not have picked a better person; he truly is looking out for the best interest of Mom.

Who called the meeting I do not know. In attendance:

Myself, solely in support of Mom, I wanted to make sure Mom got a chance to say her peace and to take her home if not well enough. I joked with Mom about my presence. I said, "I am Switzerland"

Maureen and Ed; Mom set them up as her proxy twenty years ago.

Jeff [REDACTED] to support Maureen; as Jeff put it, Ed can be a little intimidating at times.

The attorney's basic message was; you have to get a long and communicate. The documentation is essentially set up that way. He was clear to say, he is not psychologist, or a family counselor. He was there for Mom. He still remembers Mom as the nicest receptionist ever.

There is a Trust document, a Power of Attorney Document (POA), a Healthcare Power of Attorney (HOA) document. The attorney does not know what is in the trust. A will was not discussed or mentioned.

The Trust Document:

This has the House and some funds, Maureen and Ed are the Trustees. I understand the attorney to say that nothing in that Trust can be touched without the approval of Maureen and Ed. Which means the house cannot be sold without Maureen's AND Ed's approval. This is NOT an OR option. The same goes for any money in the Trust.

The Power of Attorney Document (POA):

Maureen and Ed are both Moms' Power of Attorney's. I understand the attorney to say that anything outside the Trust Maureen and Ed can act independently on. This is the "and /or" option. Which means anything in Mom's Checking and Saving accounts, Maureen and Ed can access without the others consent. The attorney urged communications.

Healthcare Power of Attorney (HOA):

Maureen is the Healthcare Power of Attorney, Peggy is the back up or second. I understand the attorney to say that Maureen can make the decision of what doctors, medical treatment, what medication is appropriate. Maureen needs no one's approval. Again the attorney urged communications. If Maureen is unable or unwilling to do this Peggy steps up. This is a huge responsibility, money can be recover Mom cannot.

The attorney pointed out that Maureen or Ed could challenge these documents in court. Maureen, Ed and Mom would all

need their own attorneys and there would be attorney ad litem appointed. Attorneys are expensive.

The Attorney pointed out on several occasions that we obviously love our Mother and we all need to communicate. Mom sat there very quietly for the most part. I interjected mid-way through asked Maureen, Jeff and Ed to leave the room so Mom could speak freely without tension or hurting her little baby's feelings. We all know Mom will say 'ok' if you keep asking the same question, that's Mom's make up not her sickness.

After Maureen, Jeff and Ed left, I asked Mom if she wanted me to leave.

The attorney was very cordial to Mom. The attorney asked about her living conditions, food, cleanliness, her ability to do things around the house, over all treatment. Mom was relaxed in responding, she did tense up again when Maureen, Jeff and Ed came back in.

Mom told the Attorney:

- I want to stay in the house
- I am in fear sometimes
- The food is good some of the time (Mom is not a fan of the ' Meals on Wheels' food)
- The house is clean.
- I want not to be catered to so much, I want to do things around my own house more.
- I enjoy going over to my other sons house.
- I rely on my faith a lot
- I do not want strangers in my house helping me
- This one is sad; Mom said she wished the good Lord would take her so she would not go through this tension/ fighting. (the attorney said, well you're not a ghost you're here and you have a say so)

Maureen, Jeff and Ed came back in, the attorney re-iterated 'get along and communicate'. Advised Mom to speak up, voice her opinion and for us need to listen.

Ed did have a list of questions he gave the attorney. I did not see the list of questions, the attorney said they were good questions, well thought out and recommended he give Maureen a copy. I do not know if Maureen got a copy.

Ed asked if he could recuse himself, and recommend I step in to take his place. I advised. I would need to understand more of what is involved (the attorney gave me his business card). Maureen did not say no to it, but did re-iterate I am out of town. The attorney did state that Maureen and Mom have to approve Ed's replacement and recommend the 7 be in agreement. Whoever Ed's replacement is he will need to train.

Ed did ask, not in the presence of Maureen, if he could turn it all over to Maureen. The attorney said that is ill advised.

The conference room was to warm and stuffy, Mom did great, She was glad to get out of the building. Mom knew what went on; she even gave me directions home. Mom was very happy she was able to speak with the attorney.

The above is all me, it was not reviewed by Ed, MaryBeth or Peggy my usual editors. I wanted to be as unbiased as possible. I hope I succeeded. I will call Eileen today and re-state all of this.

A thank you letter to this attorney is in order; he could have very easily charged \$1,000.00 to \$ 1,500.00

MS word said this was rated at a 5.8 grade reading level; I lost my touch (use to be 13 and 14)

Ed [REDACTED] Wed, May 11, 2016 at 5:48 PM
To: Daniel [REDACTED], Maureen [REDACTED], Dennis [REDACTED], Karen [REDACTED], Peggy [REDACTED], Eileen [REDACTED]

A few additions and corrections:

A trustee's responsibility is to watch out for mother's best interest.

The Citizen account is also a trust account both the savings and checking.

The transfer of a Trustee requires Mother's, Maureen's and my approval.

In the lawyer's office, I suggested Daniel to replace myself. Mother was fine with it. Danny was respectful.

The training as a Trustee is negligible. Just manage the cash much like a checking account and prepare an annual statement. To reiterate: the Trustee represents mother's best interest.

I will not provide Maureen with a copy of the questions I prepared for the lawyer.

Everyone should be well aware I discussed everything with Mother years ago and approved all this paper work when mom was of sound mind. Unfortunately, I didn't portend irrational behavior. In addition, mother has always had faith in me to watch out for her best interest. I have managed her monies for well over 20 years.

The fact that any of this has become necessary is incomprehensible. And nothing has been resolved. Maureen has refused to communicate for over three months now because she states: "I was chopped up."

A few other facts not stated:

Maureen in her attempt to exercise her power as Trustee put her name on several accounts which are now restricted. Now an agreement will be required to touch any of these funds. My name was never put on these funds because it was not necessary. Maureen's actions have put my name on these accounts as well.

Maureen also took offense to my 4/1/16 email (on which all of you were copied) in which I asked questions in response to an email she sent on 3/31/16, titled RE: regarding mom. With no discussion Maureen wants carte blanche control. The weeks prior to this event it was important to use only licensed facilities. I consider this inconsistent. This coupled with a complete misinterpretation of prior emails related to the email listed.

I have never done anything to withhold funds and have only watched out for mother's best interest. Nor have I withheld information. Maureen's action is not becoming of a Trustee.

In my opinion:

Mom can't afford home care as a long-term solution unless she has a total commitment from the whole family. Yet, mother's biggest fear is Maureen will leave. Mother has a real and justifiable fear.

Maureen has completely cut out her support network and now plans to spend mother's money. However, Maureen has made statements to mom and others that she will use her own money after mother's is spent. Either way I am not willing to continue on this route. Nor am I willing to see mother in a Medicaid facility because of frivolous spending. How outrageous.

Next steps:

Because Maureen refuses to communicate or cooperate with me to coordinate Mother's care, the only course of action I can see as a solution for Mother's best interest is to completely recuse myself as Mother's trustee. My recommendation for Daniel to step in still stands. Maureen expressed objection to this suggestion in the lawyer's office. Perhaps her mind has changed over the course of the past week.

If Daniel is not able or willing to say yes, my second choice is Dennis. Dennis has been an ace in every category and takes care of Mother better than anyone. Dennis is also local which was Maureen's first objection to Daniel.

Peggy would be my third choice, if necessary. Either way I want this resolved before the end of the month. Life is too short to deal with this constant egregious behavior.

Ed

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Daniel [REDACTED] <djhare@[REDACTED].com>

Wed, May 18, 2016 at 5:32 PM

To: Ed [REDACTED] <edogohare@[REDACTED].com>

Cc: Maureen [REDACTED] <maureenohare@[REDACTED].mail.com>, Dennis [REDACTED] <[REDACTED]@[REDACTED].mail.com>, Karen [REDACTED] <[REDACTED]@[REDACTED].mail.com>, Karen Haughney [REDACTED] <[REDACTED]@[REDACTED].mail.com>, Peggy [REDACTED] <[REDACTED]@[REDACTED].mail.com>, Eileen [REDACTED] <[REDACTED]@[REDACTED].mail.com>

It has been 2 weeks since the meeting with Mom's attorney Mr. Shapiro.

During that meeting Mr. Shapiro must have said a dozen times, you guys need to get along and talk to each other.

I was hoping to hear some input about this email, I sent out 10 days ago. I was really hoping there would be dialog back and forth, possibly even a democratic process to Ed's successor.

All is quiet, it seems any interaction there was has met with an irreparable demise. In the engineering world we call that FUBAR.

Ed has offer up a solution, maybe not the best solution, there should have been a yea or neh from all 7. Since there has been no response, me stepping in for Ed, is nothing more than kicking the can down the road. I will not accept being a trustee. I may re-consider if there was communication. I think Dennis is your next best option.

The attorney did say it is not a good Idea to have one person in control of everything. Make sense to me, checks and balances.

I think everyone is crazy for allowing Ed to consider removing himself from handling Mom's Trust and other finances. I bet that over the years Ed has made Mom \$30k -\$40K. I am sure Ed never allowed Mom to pay a service charge, banking fees or maintenance fees.

If you consider going to court, think of my custody case, where the welfare of another human being was in question. I spent 6 years going back and forth to court. I went thru \$50k, one year alone \$16k to the attorney. Vacations? Forget about them, all your vacation time goes to time with the mediator, psychologist, and the court appointments.

Don't forget all this time Mom has to be cared for.

I am hoping for the best.

At least Mom got to say her peace, and have her voice heard.

[Quoted text hidden]

[redacted] <[redacted]@outlook.com> [redacted] <[redacted]@outlook.com>
To: [redacted] <[redacted]@outlook.com>
Cc: [redacted] <[redacted]@outlook.com>, [redacted] <[redacted]@outlook.com>, [redacted] <[redacted]@outlook.com>, [redacted] <[redacted]@outlook.com>

Thu, May 19, 2016 at 7:27 AM

There is no doubt that we all hope for the best for Mom. Mom's dementia has effected her world dramatically. I am glad Mom voiced her wishes again because she has said for many years that her home is where she wanted to live and to die. It's a challenge to honor that on many fronts.
The court system is not a consideration. Although there may still be a misunderstanding of the respective responsibilities as Mom assigned them.
I am fine with being a Trustee but I am not committed to the idea that it needs to change.
Peggy

[Quoted text hidden]

[Quoted text hidden]

From: Daniel [redacted] <[redacted]@outlook.com>

[Quoted text hidden]

[Quoted text hidden]

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Dennis [redacted] <[redacted]@outlook.com>
To: Peggy [redacted] <[redacted]@outlook.com>
Cc: Dan [redacted] <[redacted]@outlook.com>, Edward [redacted] <[redacted]@outlook.com>, Maureen [redacted] <[redacted]@outlook.com>, Karen [redacted] <[redacted]@outlook.com>

Fri, May 20, 2016 at 6:05 AM

Hello Everyone

After reviewing everything I would like to put forth the following.

I am willing step up and take Ed's position as Mom's trustee. Moving forward I believe it would be in the best interest of everyone, especially Mom, for Peggy to step into the role that Maureen currently occupies. Peggy and I do not always agree, but I think we are able to work thru disagreements without too much difficulty. We do not have much of a history together on dealings with mom, and the baggage that comes with it. We also will not allow outside influences get in the way of making the best decisions pertaining to mom.

I believe that before any of the current issues can be addressed, we need to solve the leadership problems. The current situation cannot continue. It is not good for Mom, and she has to be everyone's first concern.

I would propose that Peggy and I set up a time to meet, alone, to discuss the current issues and come together on a game plan for Mom's care. Caring for aging parents is an incredibly difficult task. There is no question that watching her decline and determining the best step for her care is gut wrenching. I think that Peggy and I, together, can make a good team it supporting mom and helping her through the issues that she's experiencing.

Please let me know

Dennis [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Quoted text hidden]

Daniel [REDACTED]

Fri, May 20, 2016 at 6:02 PM

To: Dennis [REDACTED]

Cc: Peggy [REDACTED], Edward [REDACTED], Maureen [REDACTED], Karen [REDACTED], Eileen [REDACTED]

Now, there is a solution I can get behind

Two people who have not stopped talking since high school, and are required to negotiate and seek out creative solutions for families in their professional lives.

Peggy loves the state of chaos. Dennis has personal experience with the recent passing of his mother-in-law.

It has to be better than the current situation.

It was nice (way back when) getting those periodic updates about Mom. Although not required, it was always nice to know Mom's condition and knowing everyone was working together to give Mom the best care possible

[Quoted text hidden]

Ed [REDACTED]

Tue, May 24, 2016 at 9:35 AM

To: Daniel [REDACTED], Dennis [REDACTED]

Cc: Peggy [REDACTED], Maureen [REDACTED], Karen [REDACTED], Eileen [REDACTED]

Response and action required:

Make no mistake there will be a change of Trustee. My second choice as stated previously is Dennis. Dennis is actually the better choice and he will actively pursue a resolution to this resolve as already indicated with his acceptance.

Amazingly the conversation in the lawyers' office accomplished nothing.

My leadership is clearly a failure. Poor mother dealing with very real and innate fears gets no respect.

Peggy has the luxury of responding at her leisure and Maureen doesn't respond at all. Nobody is thinking of mother's needs first. There is an ongoing destruction of mother's health, lack of proper support and care. Her complete alienation because why? —it's about Maureen's need for vengeance...and that is terribly, terribly sad.

As co-trustee and stated previously, Maureen's behavior is very un-becoming of a trustee. A complete lack of communication skills coupled with a long list of inappropriate actions.

A response from anyone in the family about:

1. Who is caring for your Mother during the hours/days that Maureen isn't there? Does anyone know?
2. Has anyone seen any bills/receipts for the \$850 cash that was withdrawn from your Mother's account last week? \$1250 unaccounted for cash.
3. Does anyone know the last time your Mother had a home-cooked meal? Gone for a walk outside? Slept without worry or fret?
4. Has anyone gotten an update about Mother's overall health lately? When was the last time she was at the Dr? Has her medication changed?

Just wondering because the person who your Mother entrusted for her care has not communicated with the current co-trustee — Clearly and sadly, a change in leadership needs to occur as Dennis points out because this situation is no longer about mother's ongoing care.

So, if anyone can provide an update, it would be appreciated.

Thank you Dennis for your willingness to step-up and accept responsibility.

I do expect a response and further action as mother does deserve better. I will not accept the liability of Maureen's ongoing actions.

Sincerely,

[Quoted text hidden]



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Ed <egohare@gmail.com>

Tue, May 24, 2016 at 5:29 PM

To: Ed <egohare@gmail.com>, Daniel O'Hare <dohare@gmail.com>, Dennis O'Hare <dohare66@gmail.com>

Cc: Peggy O'Hare Vance <peggy.ohare@outlook.com>, Maureen O'Hare <maureenohare5@gmail.com>, Karen Haughney <karen.haughney@att.net>, Eileen Maskell <eileen7mm@gmail.com>

Ok sorry for all the commotion. I'll contact the lawyer and we can start changing the paper work.

Maureen and Dennis I'll call you to coordinate.

Ed

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[Quoted text hidden]



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peggy.ohare@outlook.com <peggy.ohare@outlook.com>

Sat, May 28, 2016 at 8:40 AM

To: egohare@gmail.com, dohare@gmail.com, ohare66@gmail.com

Cc: maureenohare5@gmail.com, karen.haughney@att.net, eileen7mm@gmail.com

Obviously, you've indicated a couple of times now that you want to be done with the Trust by the end of the month. Just to be clear on what you mean, are you saying you're resigning as a Trustee of Mom's Trust (The Maureen K. O'Hare Revokable Trust) as of the end of this month?

Peggy

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