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IN THE CIRCUIT COURT IN AND FOR SARASOTA COUNTY, STATE OF FLORIDA

IN RE: THE ESTATE OF:)

MURRAY B. COHEN,)

Deceased.)

CASE NO. 2003-CP-1071-NC

MOTION FOR ADJUDICATION OF CONTEMPT
AND FOR SANCTIONS

STEVEN ESDALE and RYAN ESDALE, through counsel, and pursuant to applicable rules and case law, move for an adjudication of contempt and for sanctions against the Personal Representative, MARIA A. COHEN. In support hereof, movants say that:

1.) When the Personal Representative submitted her final accounting, she represented, under oath, that same was accurate and correct.

2.) In pleadings filed thereafter, including her several discharge petitions, the Personal Representative, through counsel, has repeatedly indicated that the only remaining asset of the estate to be distributed is the judgment for attorney fees against Steven Esdale.

3.) Contrary to her sworn final accounting, testimony before the Court at hearings, and her various pleadings, the Personal Representative has fraudulently and deliberately failed to disclose a tax lien certificate owned by the Decedent on realty at 1218 Brookshear Drive, Union, New Jersey, with a value of \$32,301.52.

4.) The referenced asset has been concealed from the Court and movants, both in the Personal Representative's final accounting and in her several pleadings stating that estate assets had been depleted, except for the judgments for attorney fees against Steven Esdale.

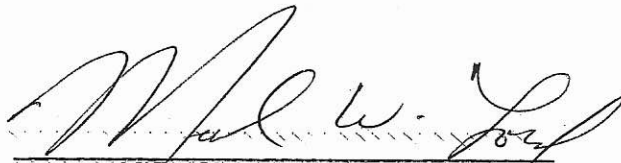
5.) The Personal Representative's fraudulent nondisclosure and concealment of the aforementioned asset is willful and contemptuous.

6.) Movants have incurred legal expense to initiate this contempt action.

WHEREFORE, movants request this Honorable Court enter its order:

- A.) Adjudicating MARIA A. COHEN in willful contempt for the deliberate and fraudulent nondisclosure of estate asset(s) and for filing false pleadings;
- B.) Incarcerating the Personal Representative in the County jail for a prescribed time period;
- C.) Award movants reasonable attorney fees;
- C.) Referring the matter to the State Attorney's office for prosecution for perjury;
- D.) Requiring the Personal Representative to distribute the referenced sum to RYAN ESDALE; and,
- E.) Granting other relief deemed appropriate.

I HEREBY CERTIFY that a true copy hereof has been furnished by U.S. Mail to JOHN J. WASKOM, ESQUIRE, 2033 Main Street, Suite 600, Sarasota, Florida 34237, this 22nd of June, 2012.



MARK W. LORD
Attorney for Esdales
P.O. Box 1643
Sarasota, Florida 34230-1643
(941)-365-4995 Bar No. 297526

IN THE CIRCUIT COURT IN AND FOR SARASOTA COUNTY, STATE OF FLORIDA

IN RE: THE ESTATE OF:)
MURRAY B. COHEN,)
Deceased.)

CASE NO. 2003-CP-1071-NC

THIRD MOTION TO VACATE ORDER APPROVING FINAL ACCOUNTING

STEVEN ESDALE and RYAN ESDALE, through counsel, and pursuant to Florida Rule of Civil Procedure 1.540, move to vacate the Court's order of 10/6/09. In support hereof, movants say that:

- 1.) On or around 5/31/12, Steven Esdale learned that the Personal Representative, MARIA A. COHEN, received the sum of \$32,301.52, on behalf of the estate, sometime between 5/1/12; and 5/8/12, from Union County, New Jersey for the redemption of a tax lien certificate owned by the Decedent on realty at 1218 Brookshear Avenue, Union, New Jersey. His affidavit is attached hereto and incorporated by reference herein.
- 2.) The Personal Representative has repeatedly and falsely represented in her several discharge petitions that the "judgment" for attorney fees against Mr. Esdale is the sole remaining asset of the estate.
- 3.) The aforementioned newly discovered evidence indicates that MARIA A. COHEN submitted a false and fraudulent final accounting and perjurious pleadings by the deliberate nondisclosure and concealment of the referenced tax lien certificate.
- 4.) The existence and the amount of a tax lien certificate is not available to the public until redemption.
- 5.) Given this newly discovered evidence, it is no longer equitable that the order approving the final accounting continue to have any application.

MARK W. LORD
Attorney at Law

P.O. Box 1643, 34230
46 N. Washington Blvd., Suite 16
Sarasota, FL 34236
941-365-4995

July 5th, 2012

Honorable Lee E. Haworth
2002 Ringling Boulevard
Sarasota, Florida 34237

RE: ESTATE OF COHEN

Dear Judge Haworth:

On 6/29/12, I learned that the Court had discharged the Personal Representative on 6/26/12. A copy of the discharge order was not provided to me.

The following matters were pending before the Court's discharge of the Personal Representative:

- 1.) Answer and affirmative defenses to the second amended petition for discharge;
- 2.) Objections To Discharge
- 3.) Third Motion To Vacate Order Approving Final Accounting
- 4.) Motion For An Adjudication of Contempt

Also pending was a document request with an initial response deadline of July 5th, 2012. On 6/22/12, and again on 6/26/12, I had communicated with Mr. Waskom's office about scheduling the Personal Representative's deposition in connection with the several pending matters. On 6/27/12, a hearing was scheduled on three (3) of the above matters for 9/10/12, at 2:00 P.M., in accordance with the applicable rule of Probate and Guardianship procedure.

Enclosed is an order vacating the discharge order to allow full disposition of all matters that were pending before the discharge.

Thanks for the Court's consideration of same.

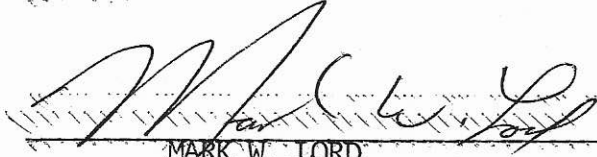
Respectfully,


Mark W. Lord

cc: John J. Waskom, Esquire
enc.: (5)

WHEREFORE, movants request this Honorable Court: A.) Deny the Personal Representative's most recent amended petition for discharge; B.) Vacate its order of 10/6/09, approving the final accounting; C.) appoint a special, independent auditor or accountant to fully review and revisit all estate financial matters arising after Decedent's death; D.) Direct the preparation and filing of an amended final accounting by said independent auditor or accountant; and, E.) grant any other relief deemed appropriate.

I HEREBY CERTIFY that a true copy hereof has been furnished by ESSAY,
to JOHN J. WASKOM, ESQUIRE, this 22nd of June, 2012.



MARK W. LORD
Attorney for Esdales
P.O. Box 1643
Sarasota, Florida 34230-1643
(941)-365-4995 Bar No. 297526

IN THE COUNTY/CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA COUNTY, FLORIDA

CASE NO.: 2003 CP 1071 NC

ESTATE OF
MURRAY B. COHEN

ORDER

THIS CAUSE having come to be heard on JULY 31, 2012

THE ~~MOTION~~ TO VACATE ORDER OF DISCHARGE
REQUEST

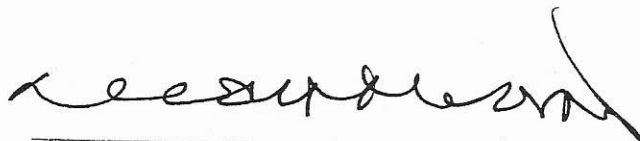
and the court having heard argument of counsel and/or the parties and being otherwise advised in
the premises, it is hereupon FINDS THE ESTATE HAS BEEN FULLY ADMINISTERED
AND DISTRIBUTED

ORDERED AND ADJUDGED that said Motion be and the same is hereby DENIED.

THE ESTATE IS ADMINISTRATIVELY CLOSED. THE
HEARINGS SET FOR SEPT 10 2012 IS CANCELED
AND THE THIRD MOTION TO VACATE ORDER
APPROVING FINAL ACCOUNTING IS DENIED.

DONE AND ORDERED in Sarasota, Sarasota County, Florida on this _____ day of

7-31, 2012



COUNTY/CIRCUIT JUDGE

Copies To:

- Plaintiff JOHN WASKOM, ESQ
- Defendant - MARK LORD, ESQ
- Other: _____