



**From:** Sent: To:

Cc:

**Subject:**

Ted Bernstein [tbernstein@lifeinsuranceconcepts.com]

Tuesday, January 22, 2013 1:34 PM

Robert Spallina; Lisa Friedstein; Pam Simon; Jill lantoni; Christine Yates

Kimberly Moran RE: Heritage Policy

Robert,

we are in the midst of arranging a phone call between myself, Pam, Eliot, Christine Yates, HI! and Lisa. We were hoping to have that call today but Christine cannot make it until Thursday. !think it is imperative f or this call to occur prlor to anything else being done, including your call with their legal department. This way, we *can* establish whether there is going to be an agreement among the S of us, or not.

Icom pletely agree with your assessment below of the options available here.

Pl ease feel free to ca il me to discuss.

Ted

**From:** Robert Spallina [mailto:rspallina@tescherspallina. com]

**Sent:** Tuesday, January 2:l, 2013 12:16 PM

**To:** Ted Bernstein; Lisa Fliedstein; Pam Simon; Jill antoni; Christine Yates

**C<::** Kimberly Moran

**Subject::** Heritage Policy

I received a letter from the company requesting a court order to make the distribution of the proceeds consistent

with what we discussed. I have traded calls with their legal department to seeifl can convince them otherwise.

Iam not optimistic given how long it has taken them to make a decision. Either way I would like to have a fifteen minute call to discuss this with all of you this week. There are really only two options: spend the money on getting a court order to have the proceeds distributed among the five of you (not guaranteed but most likely probable), or have the proceeds distributed to the estate and have the money added to the grandchildren's

shares. As none ofus can be sure exactly what the 1995 trust said (although an educated guess would point to children in light of the document prepared by Al Gartz in 2000), I think it is important that we discuss further prior to spending more money to pursue this option. Hopefully I will have spoken with their legal department by Thursday. I would propose a 10:30 call on Thursday EST. Please advise if this works for all of you.

Robert L. Spallina, Esq. TESCHER & SPALLINA, P.A.

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