

## Hal's Position Regarding the Current Trustees of the Anne R. Wolfe Trust

This is a summary of my feelings regarding the conduct of the current two Trustees who have managed Anne's Trust for the past 5 years – Christopher Wolfe and his wife Cynthia Wolfe:

- 1) Family history:** I feel that the conditions that they gained the current Trustee arrangement were dishonorable at best, and in my opinion were dastardly. (Lies about me and actions which occurred after altering our Lake Charlevoix properties property lines were at the crux of it.) In my opinion this is still very germane to this situation.
- 2) Conduct towards Ellen Wolfe prior to her death (and after):** both Chris and Cynthia behaved aggressively towards Ellen Wolfe. This was manifested in a number of ways:
  - 1)** A new filing system that was implemented in haste for her, with little to no input from her.
  - 2)** She was eventually coerced into giving up her checkbook, which offended and bothered her greatly until the day she died.
  - 3)** She was threatened by Chris after she agreed to make a Trust alteration that would have allowed me to regain control over the Charlevoix portion of our parent's estate. (Or ~1/6 of the entire estate.) She backed out of that due to the threat.
  - 4)** Chris and Joe Weiler worked hard to eliminate an agreement my mother provided for me to "gift me" the value of the Charlevoix property's summerhouse structure. (Chris eventually seemed to find an unscrupulous means to undermine that gift agreement by gaining an abnormal alteration to a property value estimate that he procured such that it did NOT delineate the value of that improvement.)
- 3) Conduct as a Trustee for the Richard and Ellen Wolfe Trust:**
  - 1)** Chris withheld information regarding a potentially damaging condition in their Condo – that being the possible presence of carpenter ants. (Chris specifically told Anne not to mention this possibility to families that she assisted in showing the property prior to her refusal to continue to support that effort.)
  - 2)** Chris attempted to give away valuable family antiques directly after Ellen died – specifically a family heirloom rocking chair. (The intended recipient of that "gift" did not accept it as initially offered.)
  - 3)** They gave Ellen's car to their daughter and son-in-law, instead of selling it. It did not have a substantial value (\$2000), but this was done after Chris aggressively told me that "*Mom's car will be sold and the money will be split up appropriately.*" (This was likely a reference to the fact that his mother had given me both of her husband's vehicles, which I repaired and sold. Chris apparently felt that her actions were an affront to him and the family.)
- 4) Inappropriate behavior as Trustees of Anne's Trust:**
  - 1)** Lack of financial records for 5 years, including two failed efforts to produce appropriate records when pressed for them by me. (One involving 1099 forms, one involving hand written records from Cynthia.)
  - 2)** The means by which new flooring was procured for Anne – the type of flooring was dictated to her, as was the means of its payment – that being to force Anne to deplete a retirement IRA account she had from her employer.
  - 3)** The purchase of her Ford Edge: they tried to dictate the make of car she got – they favored Subaru. They also would not allow me to provide a new Ford A Plan EcoSport, and when I again tried to buy a used vehicle, it was not allowed as Cynthia didn't like / trust the salesman from the dealership in Ypsilanti that was selling the vehicle that I found. A vehicle was found with a dealer Cynthia favored (in Midland) but they purchased a vehicle from South

Dakota, flew a driver out there to get it, and paid thousands of dollars more than the effectively identical vehicle that was not found to be acceptable in Ypsilanti.

- 5) **Cynthia's temper:** Cynthia's unpredictable temperamental behavior is well known to everyone in the family. When she is in a good mood, she can be very pleasant and a pleasure to deal with. But when she isn't, she can become furious and unpredictable. Which version of Cynthia that Anne can expect to deal with is never entirely certain, and forces Anne to walk on eggshells on every encounter with her. This is not appropriate for anyone in a Trustee / Beneficiary relationship, but even less appropriate for someone like Anne who suffers from a mental health disability. It's a bad match for Anne.
- 6) **Lack of financial support for Anne:** Anne is not someone that can manage her money overly well. She enjoys buying things. She used to be able to rely on support from her parents who lived next door to provide her with occasional funds to tide her over or help her purchase something she wanted. She no longer has that support, and the Trustees seem to be determined to teach Anne to live within her means in a manner that is not appropriate for Anne nor is it necessary given the financial resources that her Trust encompasses. To date, Trust spending has averaged 1.3% of assets / year. This is an extremely conservative spending rate, especially given that Anne has a disability and has Medicaid as an irrevocable fallback means of support. More support could be provided to Anne with no risk of the Trust being significantly depleted, yet the Trustees refuse to provide Anne with a budget that would allow her to gain additional stable support. They expect her to make individual requests for every item that she might like / need. This effectively stifles Anne from getting any such support, and also creates what seems clearly to be a highly unprofessional and substantially demeaning situation for Anne to have to endure, one which effectively forces her to have to beg for handouts from her Trust with no confidence that she will be provided with any assistance. Her parents were her parents and their money was their own, and they did their best, but the Trust is different – it established a pot of money that is committed exclusively to Anne, and Trustees made a fiduciary commitment they are obligated to uphold, both for *current quality of life* and end of life medical support – the former which they are currently failing.
- 7) **No means for Anne to take control of any portion of her own Trust for legally appropriate types of support:** a means for Anne to support herself with a limited amount of Trust money has been denied. Professional Trust management companies generally provide their fiduciary beneficiaries with a debit card that is managed on a monthly budgeted basis. The Trustees have no intention of allowing Anne the opportunity to engage in anything like that. (I requested this years ago.)
- 8) **Lack of support for Anne to travel in a means that she was encouraged by her parents.** (She made 5 international trips in the decade prior to the passing of her father. On at least 3 of them she travelled alone (that is my parents didn't go) with a group from Delta College.) A proposal for a travel budget has been roundly rejected as the Trustees favor a "case by case" basis for approval of any funding for such trips. Again, this forces Anne to have to deal with people that she has had difficulties with, and makes her extremely reticent to make any such requests, which is also an outcome that decreases the workload of the Trustees, which appears to be an outcome they tend to favor.

- 9) The staunch desire of the Trustees to be in charge and protect what they seem to feel is their turf:** Anne and her Trust seem to fall into the realm of what Chris and Cynthia both feel to be their legitimate domain, and they are not willing to consider any agreement that will diminish their degree of control, which is now complete and total control of every penny of Trust money. Obviously, Trust Law largely supports that construct, but most professional Trust managers work out an agreement that allows the beneficiary some degree of control over day-to-day purchase decisions, and the ability to plan for their own enjoyment, such as trips if they are able to do so.

Why the current Trustees so staunchly defend their perceived right to behave this way is not entirely clear, but it seems to have to do with their collective demeanors and desire to be in control, plus Chris's sense of "royal-esk" entitlement / responsibility - that is to say, he appears to feel that as the firstborn offspring he has the unassailable right to retain total control of the entirety of his parent's estate. Chris displayed that behavior even when his mother was still alive, and his feelings along those lines have likely been accentuated due to the troubled family history in which I challenged him regarding his total control of all aspects of the Wolfe family estate including the Charlevoix property.

- 10) Trustee Criteria, Tradition & Common Sense:** I crafted a list of 12 criteria that I find to be important for a suitable Trustee. There are a number of these criteria that the current Trustees don't fit well. The great distance that they live from Anne is a huge one. I honestly feel they should not have been considered for their role for that reason alone - the separation makes things difficult for Anne and for the Trustees. (Phone calls are a poor substitute for direct personal contact. That was true for Ellen and is also for Anne.)

Further, I find the presence of Cynthia as a Trustee for a family that she was not born into to be inappropriate, and the clause allowing her to remain as Trustee if Chris dies, I find utterly offensive. When my father told me that they made a request to him for her inclusion as a co-Trustee, I objected based on this exact ground. That request was subsequently implemented (with the support of Joe Weiler) but not until ~ 2 years after Richard Wolfe died. The fact that Cynthia can be difficult for anyone to deal with, but for Anne in particular, greatly complicates things for Anne. I can't emphasize that point enough. Cynthia is not a good fit for this role based on her temperament, the distance she and Chris live from Anne, and the lack of priority that both she and Chris have obviously placed to adhere to the basic constructs of professional Trust management.

I also know that my father would not feel bound by a selection that was made at a time when there was no viable history of Trustee performance. He would view performance as being far more important to the continuation of anyone in such a role than because they were scribed on a document prior to his death, or the death of his wife. If a chosen Trustee was not performing and did not have the priority in their life to perform appropriately, he would expect them to stand-down or be removed. Such is the functional priority of a disciplined engineer – which he was, and which is a profession (and mindset) that I share with my father as a fellow lifelong engineer. *(I swear by all of this commentary and will gladly testify to this under oath with threat of perjury.)*