

Summary of Comments Made at 1-25-2022 Wolfe/Wolff Family Meeting

Attendees: Alan Wolfe, Anne Wolfe, Chris Wolfe, Cynthia Wolfe, Joel Wolfe, Hal Wolff, Geoff Malicoat (attorney for Hal) and Joe Weiler (mtg host & attorney for Chris and Cynthia)

Joe Weiler:

- 1) What Anne wants is the most important issue at hand.
- 2) Anne's needs should be met.
- 3) What Anne wants is also of concern. (A response to Hal's statement that "wants" be considered.)
- 4) Stated that Anne should not be put in a situation in which she is uncomfortable making requests to the Trustees.
- 5) Indicated that communication was important. Suggested considering changes to improve the current process in this regard.
- 6) Joe – predicted numerous delays, and finally a 4-day trial.
- 7) He also seemed to indicate that the Judge would not be receptive to this case, and would request the family make amends via arbitration.
- 8) Joe felt that a trial would most likely cost in the range of \$50 – 75 grand for his support.

Anne:

- 1) Indicated that at times she finds Cynthia difficult to deal with.
- 2) Finds the process to be complicated as it requires Trustee support for every single purchase.
- 3) Anne suggested a more simplified process might help.
- 4) Indicated that at some point in the past when dealing with the Trustees, she felt her needs in the form of requests were a burden to them, so she stopped making them.
- 5) She felt that she had a good relationship with Hal, Alan, and Chris ("when he calls every couple of weeks"), and with Cynthia much of the time, and also with Joel.

Chris:

- 1) Had concerns over Hal's mental health and provided extended commentary over his concern.
- 2) Asked the question - where has the old Hal gone?
- 3) Asked for an estimate of how much a trial would cost.

Cynthia:

- 1) She is a doctor and understands end-of-life issues, and that is her primary concern for Anne.
- 2) Made statement about what Medicaid would and would not cover.
- 3) Made a statement about the poor quality of Medicaid housing in Midland area and in general.
- 4) Felt that a trial was poor use of Trust money, and that a trial would cost up to \$200K.

Hal:

- 1) Things Anne wants should also be considered. (Joe agreed.)
- 2) Concerns over Hal's mental Health (genuine or not) are not germane to the issue at hand.
- 3) Responded to Chris indicating that Hal Wolff is right here, and he's not interested in being referred to as "Chris's little brother".
 - 4a) Hal stated that Cynthia's contentions about what Medicaid will not cover was not accurate.
 - 4b) Per Julie Haskins, who is from Midland and is a very experienced Eldercare Health Professional, Medicaid will cover up to 15 hours per week of "quality in-home health care".
 - 4c) Medicaid can provide Anne significant support if it is ever required. *(Which is a positive condition, since that potential support eliminates all risk of a catastrophic lapse of health care support for Anne later in her life. *** See more detailed clarification of this point below.)*
- 5) Stated that he would consider a proposal for arbitration prior to going to a court trial.

Joel:

- 1) Feels Hal wants to use Anne's Trust for his own personal financial gain.
- 2) Feels that Hal having a normal familial relationship with his sister is somehow objectionable.
- 3) Felt that Hal had inordinate sway over Anne's choices. (To this **Anne immediately replied** "I can think for myself".) (*Anne's reply to this comment was left here for proper context.*)
- 4) Indicated that he felt older people tended to use more conservative investment selections.
- 5) Made critical comments regarding Geoff's comment about the size of Anne's Trust.
- 6) Suggested the use of binding arbitration.

Geoff:

- 1) He felt that Anne had a lot of money, and that Medicaid concerns were not overly likely.
- 2) He clarified that neither he nor Hal were making any assertions that Medicaid was being proposed as a primary option for Anne's health care.
- 3) He felt Cynthia was in error regarding her assertion regarding the quality of Midland area Medicaid supported long-term health care facilities. (Apparently there are 3 in the area.)
- 4) He clarified to Joel that Hal is paying for his own legal fees and not burdening the Trust.

*** **Clarification:** the comment from Hal regarding Medicaid was meant to provide accuracy for what he felt was a false claim from Cynthia, and also to provide unbiased support Hal's of previously stated comments in writing to the Trustees that he feels strongly that spending more Trust money NOW is in order - NOT that Medicaid should be used vs Trust money for end-of-life care needs so long as Trust money is available to provide a more suitable, higher quality alternative.

The primary point is that an appropriate risk assessment indicates that whatever miniscule increased risk of exhausting the Trust funds might arise from a modest discretionary spending allowance provided for Anne NOW is largely (if not completely) abated by the availability of Medicaid support for Anne, which DOES provide coverage for some amount of quality in-home care and also for double-room nursing home support for people with Special Needs like Anne, which removes all risk of her going homeless if her Trust should ever run out of money. (*And if none of her brothers are willing to put her up or take her in.*)

Comments regarding Medicaid support were **NOT** meant to indicate that Medicaid support would ever need to be considered for anything other than a means of last resort, but that the Trust money should not be "sat on" and that more of it should be used NOW to enhance Anne's life while she is still healthy enough to travel (with a companion for support) and generally enjoy herself. This distinction is important as Joe Weiler (initially at least) appeared to misinterpret Hal's remarks and insinuated that he might be angling for using Medicaid rather than Trust money as a primary means of health care support for Anne so there would be more of it would be left for family members to inherit after Anne's death. That is the farthest thing from Hal's intention. **Hal's desire for Anne's Trust funds to be invested more strategically so there can be more of it for Anne to fall back on, and also to allow Anne to benefit from spending more of it now is well documented, and let it be further documented right now.**

Compiled by Hal Wolff
Updated on 1-26-2022