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WASHINGTON STATE COURT OF APPEALS
DIVISION III

In the Matter of the Guardianship of ANNA MAY BLACK,
LORI SORENSEN, Guardian of the Person,

Appellant,

vs.

JAMES P. SPURGETIS, Trustee of the Second Amended and
Restated Living Trust of Jack P. Black and Anna May Black;
RICHARD W. PEREDNIA, Guardian ad Litem for Anna May Black;
DEBORAH A. BLACK, Daughter of Anna May Black; and
JOHN BLACK, Son of Anna May Black,

Respondents.

BRIEF OF RESPONDENT, JAMES P. SPURGETIS,
TRUSTEE OF THE SECOND AMENDED AND RESTATED
LIVING TRUST OF JACK P. BLACK AND ANNA MAY BLACK

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TABLE OF CONTENTS

	<u>PAGE</u>
I. INTRODUCTION	1
II. RESTATEMENT OF THE ISSUES	2
III. SUMMARY OF THE CASE	2
IV. STANDARD OF REVIEW	5
V. STATEMENT OF THE CASE	6
A. The trial court granted the Guardian of Person limited authority relating to the person of Anna May Black only and imposed none of the obligations of a guardian of estate	6
B. The Guardian of Person incurred attorney’s fees and costs during the first year of her guardianship as a result of her decision to exceed the scope of her authority	8
1. The Guardian of Person engaged counsel and incurred attorney’s fees when she involved herself in litigation	9
2. The Guardian of Person sought to have herself appointed guardian of estate without allowing Anna May Black the procedural protections designed to ensure Anna May Black received due process	10
3. The Guardian of Person attended mediation as an observer only; yet appeared represented by Randall Danskin and attempted to pass this cost on to Anna May Black or the Trust	12
C. The Guardian of Person requested an order requiring the Trust to pay \$33,377.78 in attorney’s fees and costs to Randall Danskin for services provided October 2015 to May 22, 2016 ..	14

1. The Guardian of Person attempted to prevent the Trustee and other parties from reviewing her fee invoice by filing it under seal.....	14
2. The Guardian of Person sought removal of Mr. Nordstrom in order to present her fee invoice to a successor trustee for payment without review by the court.....	15
3. The commissioner found that the Guardian of Person was acting outside her scope and had no authority to incur \$33,377.78 in attorney’s fees	17
4. The trial court denied the Guardian of Person’s motion to revise the Commissioner’s ruling and affirmed his findings..	19
D. The Guardian of Person requested approval of \$50,924.96 in attorney’s fees and costs for the second year of the guardianship of person for fees primarily incurred attempting to recover fees incurred in the first year of the guardianship.....	20
VI. ARGUMENT.....	22
A. The scope of the Guardian of Person’s authority did not include authority to engage counsel to represent the interests of Anna May Black.....	23
B. RCW 11.88.045 and the Standards of Practice required the Guardian of Person to obtain court authorization before hiring Randall Danskin and engaging in matters reserved for a GAL or guardian of estate.....	26
C. The trial court did not abuse its discretion when it did not revise the commissioner’s order denying the Guardian of Person’s request for \$33,377.78 in attorney’s fees and costs and or when it denied the Guardian of Person’s request for \$50,924.96 in attorney’s fees and costs.....	28
D. The Guardian of Person’s ultra vires actions violate due process because they restricted the liberty and autonomy of Anna May Black without following the statutory procedures designed to protect those interests.....	31

E. The Trust is entitled to an award of attorney’s fees and costs under RCW 11.96A.150 and RAP 18.1, but the Guardian of Person’s request should be denied..... 33

VII. CONCLUSION..... 35

APPENDIX

TABLE OF AUTHORITIES

Cases	Page
<u>Disque v. McCann</u> , 58 Wn.2d 65, 360 P.2d 583 (1961).....	23
<u>Francis v. Washington State Dept. of Corrections</u> , 178 Wn. App. 42, 313 P.3d 457 (2013).....	5-6
<u>Fred Hutchison Cancer Research Ctr. v. Holman</u> , 107 Wn.2d 693, 732 P.2d 974 (1987).....	33-34
<u>In re Guardianship of Cornelius</u> , 181 Wn. App. 513, 326 P.3d 718 (2014).....	22, 29
<u>In re Guardianship of Decker</u> , 188 Wn. App. 429, 353 P.3d 669 (2015).....	5
<u>In re Guardianship of Johnson</u> , 112 Wn. App. 384, 48 P.3d 1029 (2002).....	5
<u>In Guardianship of Knutson</u> , 160 Wn. App. 854, 250 P.3d 1072 (2011).....	24
<u>In re Guardianship of Lamb</u> , 173 Wn.2d 173, 265 P.3d 876 (2011).....	22, 23, 28, 29
<u>In re Guardianship of McKean</u> , 136 Wn. App. 906, 151 P.3d 223 (2007).....	28
<u>Schofield v. Spokane County</u> , 96 Wn. App. 581, 980 P.2d 277 (1999).....	6
<u>Tapper v. Emp't Sec. Dep't</u> , 122 Wn.2d 397, 858 P.2d 494 (1993).....	6

Statutes and Rules

Certified Professional Guardian Standards of Practice 401.2..... 24, 27
Certified Professional Guardian Standards of Practice 406.1..... 29
Certified Professional Guardian Standards of Practice 410..... 29
Certified Professional Guardian Standards of Practice 410.2..... 29
Certified Professional Guardian Standards of Practice 411.1..... 27
Certified Professional Guardian Standards of Practice 411.4..... 11, 31
General Rules 22(b)(8)..... 14
General Rules 22(g)(4)..... 15
General Rules 22(h)..... 14
Rules of Appellate Procedure 18.1..... 1, 33
RCW 4.08.060..... 27, 32
RCW 11.88.005..... 22
RCW 11.88.010..... 22
RCW 11.88.010(2)..... 22
RCW 11.88.030..... 11, 31
RCW 11.88.040..... 11, 31
RCW 11.88.030 -.045..... 22, 35
RCW 11.88.045..... 19, 26-28, 32, 33
RCW 11.88.045(1)(a)..... 11, 26, 27, 31
RCW 11.88.045(2)..... 4, 22, 23, 26-28
RCW 11.88.050..... 31
RCW 11.88.125..... 27
RCW 11.92.035..... 24
RCW 11.92.040..... 24-25
RCW 11.92.043..... 17, 18, 24, 26
RCW 11.92.045..... 26

RCW 11.92.045(2)	26
RCW 11.92.056	25
RCW 11.92.060	24, 32
RCW 11.92.060(1)	25, 26
RCW 11.92.060(4)	25
RCW 11.92.060(5)	25
RCW 11.92.180	1, 5, 19, 28, 29, 33
RCW 11.96A.150	1, 2, 33
RCW 11.96A.150(1)	33

I. INTRODUCTION

Lori Sorenson (“Guardian of Person”) would have this Court believe that this case is about the right of guardians to be compensated for the normal administrative costs of a guardianship. It is not.

This matter involves the Guardian of Person’s unilateral decision to incur almost \$85,000.00 in attorney’s fees and costs between October 2015 and March 2017, as a result of her efforts to involve herself in the estate of the incapacitated person. The Guardian of Person does not challenge factual findings by the trial court that the Guardian of Person hired the law firm of Randall Danskin, P.S. (“Randall Danskin”) for the purpose of representing Anna May Black in litigation, that the Guardian of Person did so without court authorization, and that the Guardian of Person exceeded her scope of authority. Based on these findings and the record, the trial court denied the Guardian of Person’s requests for attorney’s fees three times. These rulings were consistent with governing law and well within the trial court’s discretion under RCW 11.92.180.

The Trustee of the Second Amended and Restated Living Trust of Jack P. Black & Anna May Black (“Trust”) asks this Court to affirm the rulings of the trial court and award the Trust its attorney’s fees on appeal under RAP 18.1 and RCW 11.96A.150.

II. RESTATEMENT OF THE ISSUES

(1) Whether the scope of authority for a guardian of person includes authority to engage counsel for the purpose of representing the incapacitated person's interests in litigation and in addressing matters involving the incapacitated person's estate without first obtaining court approval.

(2) Whether the trial court abused its discretion when it denied the Guardian of Person's motion to revise the ruling of the commissioner denying her request for \$33,377.78 in attorney's fees and costs for legal services provided October 2015 to May 2016.

(3) Whether the trial court abused its discretion when it denied the Guardian of Person's request for \$50,924.96 in attorney's fees and costs for legal services provided from May 2016 through March 2017.

(4) Whether the Guardian of Person failed to comply with procedural requirements designed to protect the liberty and property interests of Anna May Black.

(5) Whether the Trust—and not the Guardian of Person—is entitled to an award of attorney's fees and costs under RCW 11.96A.150.

III. SUMMARY OF THE CASE

On May 22, 2015, the Grant County Superior Court appointed Lori Sorenson as the guardian of person of Anna May Black. App. A. The trial

court specifically declined to appoint the Guardian of Person as the guardian of estate, because Anna May Black and her deceased husband had placed virtually all of their assets in the Second Amended and Restated Living Trust of Jack P. Black and Anna May Black (“Trust”), and had given the trustees broad discretion to manage those assets. CP 585-603.

Despite this directive, the Guardian of Person soon attempted to interject herself into matters concerning Anna May Black’s estate. The trial court thrice found that the Guardian of Person exceeded the scope of her authority and denied the Guardian of Person’s motion to be appointed guardian of estate. App. B-D. These findings and the ruling of the trial court are unchallenged on appeal. App’t’s Br. at 1.

As part of the expansion of her scope, the Guardian of Person first engaged Anna May Black’s son John Black’s attorney, Patrick Acres, and then engaged the former counsel of Anna May Black, Randall Danskin, P.S. (“Randall Danskin”). According to the unchallenged findings of fact by the trial court and declarations filed by the Guardian of Person, the purpose of the engagement was to represent Anna May Black’s interests in the various pieces of litigation between John Black on the one hand and the Estate of Jack P. Black (“Estate”) and the Trust on the other. App. B-D.

The Guardian of Person sought recovery of \$33,377.78 in attorney's fees and costs after the first year of the guardianship. App. E. Those fees were incurred primarily as a result of the Guardian of Person's attempt to involve herself in the management of the Trust and the pending litigation. App. F. Her request was denied by Commissioner Harry Ries, and his decision was affirmed by Judge John Knodell. App. B, C.

After the second year of the guardianship, the Guardian of Person's request for \$50,924.96 was denied by Judge Knodell. App. G; App. D. Those fees were incurred primarily through the Guardian of Person's efforts to obtain compensation for her attorney's fees and costs during the previous year. Id.

In all three rulings, the trial court denied the fees because the Guardian of Person had exceeded her scope and had failed to have Randall Danskin appointed under RCW 11.88.045(2). App. B-D. Although the Guardian of Person had previously sought to be appointed guardian of estate so that she could represent Anna May Black in litigation, the trial court denied this request and instead appointed a guardian ad litem to represent Anna May Black in litigation. CP 717-19. The Guardian of Person appeals from the trial court's orders denying her fees, but does not assign error to the factual findings of the trial court.

IV. STANDARD OF REVIEW

The legal basis for awarding or denying attorney's fees is reviewed de novo. In re Guardianship of Decker, 188 Wn. App. 429, 439, 353 P.3d 669, 673 (2015). Issues of statutory interpretation, such as the guardian of person's authority to incur attorney's fees, are also reviewed de novo. Id.

The Guardian of Person sought an award of fees under RCW 11.92.180. That statute provides that the guardian's own compensation shall be allowed "as the court shall deem just and reasonable" and that "[a]dditional compensation *may* be allowed for other administrative costs, including services of an attorney." RCW 11.92.180 (emphasis added). Because the statute provides that the court "may" allow compensation for attorney's fees, the trial court's order is reviewed for abuse of discretion. In re Guardianship of Johnson, 112 Wn. App. 384, 387, 48 P.3d 1029, 1031 (2002); Decker, 188 Wn. App. at 439, 673.

"An abuse of discretion occurs only when no reasonable person would take the view adopted by the trial court. Discretion is abused if it is based on untenable grounds or for untenable reasons." Id. Here, the factual grounds for the view adopted by the court are unchallenged.

All unchallenged findings of fact are verities on appeal. Francis v. Washington State Dept. of Corrections, 178 Wn. App. 42, 52, 313 P.3d 457, 462 (2013). When findings of fact are not clearly distinguished from

conclusions of law, the appellate court exercises discretion in determining what facts the trial court actually found. Id. (citing Tapper v. Emp't Sec. Dep't, 122 Wn.2d 397, 406, 858 P.2d 496, 500 (1993)). Any inferences are viewed in the light most favorable to the party that prevailed in the highest forum exercising fact-finding authority. Schofield v. Spokane County, 96 Wn. App. 581, 588, 980 P.2d 277, 281 (1999).

V. STATEMENT OF THE CASE

In this case, the scope of the Guardian of Person's authority and the actions of the Guardian of Person and her counsel are material to a determination of whether the trial court abused its discretion when it thrice denied the Guardian of Person's requests for attorney's fees and costs.

A. The trial court granted the Guardian of Person limited authority relating to the person of Anna May Black only and imposed none of the obligations of a guardian of estate.

The trial court entered an order appointing the Guardian of Person as guardian of the person only of Anna May Black on May 22, 2015 ("Order"). CP 626-36. In appointing a non-family member as guardian of person, the court explained that it desired to reduce conflict between the Anna May Black's children, Deborah Black and John Black. CP 629. The court also ruled that no guardian of estate would be appointed because Anna May Black had already determined that the trustees of the Trust

would manage her financial affairs. CP 628.

Anna May Black and her husband Jack P. Black had executed the Trust instrument on May 23, 2013. CP 97-115. Anna May Black has vascular dementia. CP 232. Prior to his death, while he was still trustee, Jack P. Black directed the Blacks' daughter Deborah Black to place Anna May Black in Summer Wood Alzheimer's Care Center. CP 360.

The Trust directs that in the event one of the Blacks became incapacitated, the Trustee would have discretion to distribute so much of the income or principal "as the Trustee deems best for the health and support in reasonable comfort of the survivor." See CP 105; see also CP 112. The Blacks placed nearly all of their assets into the Trust, including their residence ("Linden House"). See CP 97, Art. I, 114-15; see also CP 399-427. The Trust provided that "the Trustee in the Trustee's absolute discretion may sell the property, replace it or rent or lease another residence suitable for the surviving grantor as the Trustee deems appropriate." CP 107.

Because the Blacks had already made arrangements for the management of their assets and financial affairs by, the trial court ordered that the Trust would remain unaffected by the creation of the guardianship of person. CP 628.

No guardian of the estate of the IP shall be appointed due to the existence of a Living Trust that adequately manages the IP's financial affairs. The co-trustees of the trust are currently Deborah Black and Lee Nordstrom.¹ The trust shall not be affected by this Guardianship.

Id.

Because the Guardian of Person did not have the powers or obligations of a guardian of estate, she was not required to post a bond, file financial reports, inventory Anna May Black's assets, or make disbursements. CP 632.

B. The Guardian of Person incurred attorney's fees and costs during the first year of her guardianship as a result of her decision to exceed the scope of her authority.

Although the court had determined no guardian of estate was necessary, the Guardian of Person communicated heavily with John Black regarding trust issues, met with attorneys to review trust documents on July 27, 2015, assessed Linden House for remodeling on July 30, 2015 (even though the Blacks had directed that Linden House would be managed by the trustees), met with contractors to plan remodeling of Linden House on December 4, 2015, engaged in multiple communications

¹Anna May Black was declared incompetent to manage the Trust by her physician in December 2013, leaving her children Deborah Black and John Black as co-trustees. CP 97, 933. Due to his status as a convicted felon, John Black was disqualified from serving in a fiduciary capacity. CP 628.

with John Black and attorneys regarding trust and estate issues, demanded an accounting from the trustees on December 2, 2015, and attempted to participate in litigation. CP 21-34, 74.

1. The Guardian of Person engaged counsel and incurred attorney's fees when she involved herself in litigation.

An unchallenged finding on appeal is that the Guardian of Person engaged counsel for the purpose of representing Anna May Black in litigation. App. B, C. John Black had filed or participated in a number of actions designed to prevent the funding of a \$250,000.00 bequest from Jack P. Black to Deborah Black, to block or alter the specific gift to Deborah Black under the Trust, and to remove Deborah Black from the position of Trustee. See Grant County Case Nos. 14-4-00142-5, 14-4-00050-6, 15-4-00128-4, and 15-4-00169-1. The Guardian of Person directly participated or attempted to participate in the following matters:

- (1) Petition Directing Will To Be Funded (Case No. 15-4-00128-4, "**Bequest Action**"), filed September 11, 2015, by Deborah Black as the Personal Representative of the Estate of Jack P. Black, seeking an order directing the Trust to fund a bequest by Jack P. Black to Deborah Black.

- (2) Petition for Removal of Co-Trustee Deborah Ann Black (Case No. 15-4-00169-1, "**Trustee Removal II**"), filed by Patrick Acres on behalf of John Black, on December 9, 2015. CP 960-63. In this matter,

John Black again sought removal of Deborah Black as trustee and also sought an order ejecting Deborah Black from Linden House. The Guardian of Person filed a declaration in support of John Black's motion to eject Deborah Black from Trust property. Case No. 15-4-00169-1, Dkt. No. 9; CP 752.

Both of these matters were ordered into mediation. On January 19, 2016, Randall Danskin filed notices of appearance on behalf of the Guardian of Person and sought to have the Guardian of Person substituted for Anna May Black as a person at interest in both matters. CP 877, 946, 948. The Trustee filed a petition for appointment of a guardian ad litem which the Guardian of Person opposed. CP 150, 214-15, 952, 961, 1093. The Guardian of Person instead sought to have herself appointed guardian of estate. CP 156, 164-65, 191-92, 575, 643-50.

2. The Guardian of Person sought to have herself appointed guardian of estate without allowing Anna May Black the procedural protections designed to ensure Anna May Black received due process.

The Trust attorneys twice notified Randall Danskin that the Guardian of Person was acting outside the scope of her authority. CP 75-77, 116, 1093. In response, Randall Danskin proposed that the Trust stipulate to the creation of a guardianship of estate with the Guardian of Person acting as guardian of estate as well. CP 172. After the Trust

responded that appointment of a GAL was the appropriate solution, the Guardian of Person filed a motion to modify the guardianship, arguing that the Guardian of Person should be able to represent Anna May Black in litigation. CP 176, 643-50.

The motion to modify the guardianship was filed without the procedural safeguards required for the establishment of a separate guardianship of estate. See CP 643-50; RCW 11.88.030, .040, .045(1)(a); Certified Professional Guardian Standards of Practice (“SOP”) 411.4. Instead of seeking the appointment of independent counsel for Anna May Black, the Guardian of Person personally served her own motion to have herself appointed guardian of estate of Anna May Black and attempted to explain the motion to her. CP 698-99.

Attorney fee invoices from Randall Danskin indicate that the Guardian of Person initially intended to file a petition for a guardianship, but after reviewing the procedural requirements opted to style the petition as a motion to modify without altering the requested relief. CP 948-49 (entries for February 23-26, 2016). The procedural shortcut appears to have been motivated in part by the Guardian of Person’s desire to be appointed guardian of estate in time to represent Anna May Black’s interests in the mediation between John Black and the Estate and Trust. CP 692. The court entered an order denying the Guardian of Person’s

motion and appointed Richard Perednia as GAL for Anna May Black on April 21, 2016. CP 717-20.

The Guardian of Person included in her request for attorney's fees all fees incurred in her attempts to involve herself in the management of the trust, appear in litigation on behalf of Anna May Black, oppose appointment of a GAL, and have herself appointed guardian of estate. App. F.

3. The Guardian of Person attended mediation as an observer only; yet appeared represented by Randall Danskin and attempted to pass this cost on to Anna May Black or the Trust.

Mediation between John Black and the Estate and Trust occurred on April 22, 2016. CP 82. Mr. Perednia invited the Guardian of Person to attend the mediation of the Bequest Action and Trustee Removal II actions, as an observer and to provide Mr. Perednia with insight into Anna May Black's concerns. CP 1031. As GAL, only Mr. Perednia had authority to represent Anna May Black's interests at mediation. CP 82, ¶3-4.

Despite the Guardian of Person's status as an observer only, Randall Danskin met with counsel for John Black and the mediator on the day before mediation, drafted a mediation letter, and appeared with the Guardian of Person at mediation. CP 952.

At mediation, the Guardian of Person advocated to be appointed as representative payee for Anna May Black and to obtain a monthly advance on her fees from the Trust. CP 956-58. Although the Guardian of Person was a signator to the CR 2A Agreement, she was not a party; only the GAL represented the interests of Anna May Black. CP 954-55, 959.

The Trust had advised Randall Danskin that it should look to the Guardian of Person to pay its fees for attending mediation. CP 119-20. In order to avoid the cost of litigating that issue, the Trust agreed that Randall Danskin could submit its request for those fees to the successor trustee identified in the CR 2A agreement, James P. Spurgetis. CP 958. On June 10, 2016, Randall Danskin forwarded its fee invoice for all of its attorney's fees and costs, in the amount of \$33,377.78, to the Trustee and GAL, but redacted all descriptions of the work performed. CP 798-807. When the Trustee did not remit payment, the Guardian of Person submitted her request to the trial court under seal. CP 991.

C. The Guardian of Person requested an order requiring the Trust to pay \$33,377.78 in attorney's fees and costs to Randall Danskin for services provided October 2015 to May 22, 2016.

On August 23, 2016, the Guardian of Person filed a Notice of Motion to Approve (1) Guardian's Report, Accounting, Proposed Budget² and (2) Periodic Personal Care Plan ("First Annual Report"). CP 725. The First Annual Report sought payment of \$33,377.78 in attorney's fees and costs. CP 92. No service was made on the GAL. CP 821. The Guardian of Person set the hearing on her First Annual Report for September 22, 2016. CP 808.

1. The Guardian of Person attempted to prevent the Trustee and other parties from reviewing her fee invoice by filing it under seal.

In filing her First Annual Report, the Guardian of Person filed Randall Danskin's attorney fee invoice under seal, citing GR 22(b)(8). CP 794-795. When the Trustee attempted to obtain copies in order to respond to the Guardian of Person's request, the Guardian of Person directed that the fee invoices should not be released to the Trustee or any party, in violation of GR 22(h). CP 795. When the Trustee objected, the

²Note, the Guardian of Person did not complete those forms designated for guardians of estate. CP 725-39.

Guardian of Person sought to have the fee invoices removed from the court file, but did not withdraw her request for payment. CP 843-57.

The court heard argument on the Guardian of Person's Motion to Seal and the Trustee's Motion to Unseal and/or Disclose Court Records and for Sanctions under GR 22(g)(4) on September 22, 2016. CP 808, 811. Commissioner Harry Ries ruled that filing under seal was inappropriate and imposed sanctions of \$500.00 against the Guardian of Person and Randall Danskin. CP 990-96. The court ordered disclosure of the fee invoice and directed that a hearing on the First Annual Report would be heard after the parties had an opportunity to review and respond. CP 994-95. A provisional order extending the guardianship for an additional year was entered pending court approval of the First Annual Report. CP 1003.

Commissioner Ries advised that when the parties returned to address whether the fees should be paid by the Trust: "Obviously once we get into this fee issue one of the things I'm going to want to know [is] what is Ms. Sorenson's authority to incur \$34,000 in attorney's fees as a guardian of the person?" See CP 882; see also CP 889.

2. The Guardian of Person sought removal of Mr. Nordstrom in order to present her fee invoice to a successor trustee for payment without review by the court.

The Guardian of Person determined that she would not reset the hearing on her First Annual Report. CP 1008. Instead, after performing

legal research into “issues with guardian authority” and strategizing on the recovery of fees, the Guardian of Person filed her Motion to Enforce CR 2A Agreement, which sought the immediate removal of Lee Nordstrom as trustee.³ CP 548 (10/3-4/2016, 10/22/2016 entries), 862-64.

On November 18, 2016, the Trustee obtained an Order to Show Cause requiring the Guardian of Person to appear and explain why the court should not review her First Annual Report. CP 1009-10. The Guardian of Person objected, arguing that the First Annual Report should not be reviewed by the court until after the court ruled on her motion to remove Mr. Nordstrom as trustee. CP 1012. The Guardian of Person now argued that the successor trustee—and not the court—had authority to determine her entitlement to compensation for attorney’s fees. CP 1012.

On December 2, 2016, the court heard argument on the order for show cause and then on the Guardian of Person’s request for \$33,777.78 in attorney’s fees and costs. CP 1064 1.24–1065 1.1. As the court succinctly put it, “The question is what [does] guardian of the person mean?” CP 1054, ll. 10-11. “I want to know what authority a guardian of

³ Deborah Black resigned from her position as co-trustee on May 16, 2016, leaving Lee Nordstrom as the sole trustee until such time as the successor trustee, James P. Spurgetis, agreed to replace him. CP 330. Mr. Spurgetis was awaiting the completion of the pending lawsuits filed by John Black. Id.; CP 984-85.

the person has to incur those fees whatever they are.” CP 1060 I. 24-1061

I. 1.

The Trust argued that the Guardian of Person’s authority was limited by RCW 11.92.043, that Randall Danskin (according to their fee invoice) actually represented Anna May Black, and that if the Guardian of Person was the client, Randall Danskin had a conflict of interest because of its prior representation of Anna May Black in a related matter.⁴

CP 1068-70.

3. The commissioner found that the Guardian of Person was acting outside her scope and had no authority to incur \$33,377.78 in attorney’s fees.

On February 10, 2017, the court entered its Order Granting in Part and Denying in Part Motion to Approve (1) Guardian’s Report, Accounting, Proposed Budget, and (2) Periodic Personal Care Plan, which denied the Guardian of Person’s request for attorney’s fees and costs. CP 478-80. The Guardian of Person has not assigned error to the findings

⁴ Randall Danskin filed a Petition for Order of Removal of Co-Trustee and Attorney-in-Fact on April 8, 2014 on behalf of Anna May Black (Case No. 14-4-00050-6). Invoices show that Randall Danskin was working primarily at the direction of John Black to remove Deborah Black as trustee, review Jack P. Black’s will, and work with Anna May Black’s attorney in the guardianship proceeding. CP 455-49. Anna May Black had already been declared incompetent by her physician. CP 97. The client name and number on the invoice for this matter are the same as that on the invoice submitted to the trial court in support of the Guardian of Person’s first request for an order requiring Anna May Black or the Trust to pay \$33,377.78 in attorney’s fees and costs. CP 455, 945.

of fact entered by Commissioner Ries. App't's Br. at 1. Those findings are:

1. The role of the Guardian of Person and her duties in that capacity are defined in RCW 11.92.043.
2. The Guardian of Person engaged the law firm of Randall Danskin, P.S. for the purpose of representing her ward in litigation.
3. Neither the Guardian of Person nor Randall Danskin sought an order authorizing the representation or appointing Randall Danskin as attorney for the ward.
4. The Guardian of Person sought to have herself substituted as a party in litigation in which the ward was a named or interested party.
5. The Guardian of Person has no authority to represent the ward in legal proceedings.
6. Only a guardian of estate or guardian ad litem may represent an incapacitated person in litigation.
7. The Guardian of Person filed a motion seeking to be appointed guardian of estate, but this Court ruled it was not appropriate to expand her role.
8. The Guardian of Person engaged in activities outside the scope of her authority, as defined by statute and this Court's Order, when she engaged Randall Danskin and attempted to represent her ward in litigation.
9. The Guardian had no authority to incur \$33,377.78 in attorney's fees and costs and then expect those fees to be paid by the trust established for the care and maintenance of the ward.

CP 479-480.

Although counsel for the Guardian of Person avowed that she had learned her lesson and would seek court approval in the future, she did not do so. CP 1081, ll. 6-21.

4. The trial court denied the Guardian of Person's motion to revise the Commissioner's ruling and affirmed his findings.

On February 21, 2017, the Guardian of Person filed a motion to revise the commissioner's ruling. CP 481-82. On September 22, 2017, the court affirmed the commissioner's ruling and the findings of the Commissioner "in its entirety" and entered additional findings and conclusions:

4. There is no meaningful distinction between fees incurred for the Guardian of Person and fees incurred for Anna May Black, the incapacitated person whom the Guardian of Person serves. The purpose of the guardianship is to provide for Anna May Black's health and safety.
5. The language of RCW 11.88.045 is clear. By its terms it is not limited to attorney's fees incurred through actual litigation.
6. Together RCW 11.88.045 and 11.92.180 authorized the Guardian of Person to hire Randall Danskin only after securing court approval.
7. Such a reading of the statutes gives effect to both statutes and is necessary for RCW 11.88.045 and 11.92.180 to satisfy the procedural requirements of due process.
8. The only source of payment for Randall Danskin's fees is the assets of the Second Amended and Restated Revocable Living Trust of Jack P. Black and Anna May Black ("Trust").

9. Because the Guardian of Person did not seek court approval before engaging counsel, the beneficiaries of the Trust, including Anna May Black, and the Trustee were denied any opportunity to contest the need for Randall Danskin's services.
10. It would violate the due process rights of the beneficiaries to require Randall Danskin's payment out of fund in which the beneficiaries had a beneficial interest without providing the Trustee and the beneficiaries an opportunity to be heard.
11. The Guardian of Person argues in the alternative that she is entitled to compensation under equitable principles because Anna May Black benefited from the services of Randall Danskin.
12. Equitable relief cannot be granted in contravention to statutory requirements.

CP 610-13.

The Guardian of Person does not challenge the court's findings on appeal, or the findings of the commissioner which were affirmed by the court. App't's Br. at 1.

D. The Guardian of Person requested approval of \$50,924.96 in attorney's fees and costs for the second year of the guardianship of person for fees primarily incurred attempting to recover fees incurred in the first year of the guardianship.

On August 21, 2017, the Guardian of Person submitted the Guardian's Report, Accounting, Proposed Budget for the period May 23, 2016 through May 22, 2017 ("Second Annual Report"). CP 516. The

Guardian of Person sought approval of \$50,924.96 in attorney's fees. CP 517, 519, 520.

During the second year of the guardianship, the Guardian of Person incurred attorney's fees almost exclusively in her efforts to obtain a court order requiring the Trust to pay for services performed during the first year of the guardianship. CP 544-53; see events described in §2 supra. This time the invoice identified the client as the Guardian of Person and included a new client number. CP 544. The Guardian of Person's attempts to recover her attorney's fees from Anna May Black or her Trust were adverse to Anna May Black; yet the Guardian of Person was represented by Anna May Black's former counsel, Randall Danskin. See CP 455, 544.

At the hearing to review the Second Annual Report, the Guardian of Person conceded that her attorney's fees would not be approved and provided the court with an order denying them. RP 87:8-18. She also conceded that she knew she was running a risk that the court would not order the Trust to pay her attorney's fees. RP 100:15-2, 103:23-104:2. The court again denied the Guardian of Person's request for attorney's fees, incorporating the court's previous rulings in its order. CP 608. The court's factual findings are not challenged on appeal. App't's Br. at 1.

VI. ARGUMENT

Guardianships are created by the courts for the protection of incapacitated persons, with the express goal that the scope of the guardianship should extend only so far as is necessary to protect the incapacitated persons, so as to not unduly interfere with that person's liberty and autonomy. RCW 11.88.005, .010(2). Once appointed, a guardian is at all times under the general direction and control of the court. In re Guardianship of Cornelius, 181 Wn. App. 513, 523, 326 P.3d 718, 723 (2014). The court retains ultimate responsibility for protecting the ward's person and estate. In re Guardianship of Lamb, 173 Wn.2d 173, 184, 265 P.3d 876, 883 (2011).

The scope of a guardianship of person is defined by the court and by law. RCW 11.88.010. Consistent with the court's control as the master guardian, attorneys who purport to represent the interests of an incapacitated person must be appointed by the court. RCW 11.88.045(2).

The facts of this case, including the unchallenged findings of fact, show that the fees submitted for payment by Anna May Black or the Trust were incurred as a result of the Guardian of Person taking on the authority of a guardian of estate in violation of the trial court's orders and governing law. The Guardian of Person violated the due process rights of Anna May Black by exceeding her scope of authority without first affording Anna

May Black the due process protections she is entitled to under RCW 11.88.030-.045, including the opportunity to have independent counsel of her choosing.

Based upon the unchallenged factual findings, the record before the trial court, and governing law, this Court should hold that the trial court did not abuse its discretion and should hold that RCW 11.88.045(2) applies to require all attorneys purporting to represent the interests of incapacitated persons to be appointed by the court, regardless of whether they identify the incapacitated person or the guardian of the incapacitated person as their clients.

A. The scope of the Guardian of Person’s authority did not include authority to engage counsel to represent the interests of Anna May Black.

Whether the Guardian of Person may be compensated for the substantial attorney’s fees she has incurred turns upon whether the Guardian of Person was acting within her limited scope when the fees were incurred. Lamb at 191-92, 886-87. “This court has noted that ‘concerning the responsibilities of a guardian, the courts require more jealous guarding of the interests of such helpless persons than those of other beneficiaries of trusts.’” Id. (quoting Disque v. McCann, 58 Wn.2d 65, 67, 360 P.2d 583 (1961)). The court remains the “superior guardian of the ward”; while the guardian serves as the agent of the guardianship

court. In Guardianship of Knutson, 160 Wn. App. 854, 864, 250 P.3d 1072, 1078 (2011).

The Order and RCW 11.92.043 (incorporated therein) identify the Guardian of Person's duties as care of the person of Anna May Black only and reporting of the same. RCW 11.92.043; CP 631-33. The plain language of RCW 11.92.043 does not allow for guardians of persons to engage counsel for the purpose of representing their wards in litigation or for assisting guardians of persons in responsibilities reserved for guardians of estate. The duties of guardians of person relate solely to the health and safety of the person of the ward, and require additional court authorization for procedures that would further limit the freedom of the incapacitated person. RCW 11.92.043. The Certified Professional Guardian Standards of Practice ("SOPs") further mandate that the "guardian shall not act outside of the authority granted by the court and shall seek direction of the court as necessary." SOP 401.2.

The statutory scheme further emphasizes the limited scope of a guardian of person by reserving certain duties and rights to guardians of estate, including accounting for the incapacitated person's estate, and contracting or participating in litigation on behalf of the incapacitated person. See RCW 11.92.035, .040, .060. "*When there is a guardian of estate*, all actions between the incapacitated person or the guardian and

third persons in which it is sought to charge or benefit the estate of the incapacitated person shall be prosecuted by the *guardian of estate* as such.” RCW 11.92.060(1) (emphasis added). Guardians of estate—and not guardians of persons—may enter settlement agreements on behalf of incapacitated persons, subject to court approval. RCW 11.92.060(4). “Limited guardians may serve and be served with process or actions on behalf of the incapacitated person, but only to the extent provided for in the court order appointing a limited guardian.” RCW 11.92.060(5). Here, the Guardian of Person was authorized to serve and be served with filings concerning the guardianship only. CP 633.

The unchallenged findings of the trial court are that the Guardian of Person instead unilaterally engaged Randall Danskin for the purpose of representing Anna May Black in litigation and acted outside her scope of authority when she did so. CP 479-80. By doing so, the Guardian of Person sought to take upon herself the authority of a guardian of estate without also being subject to those statutory requirements designed to safeguard the incapacitated person’s estate. See RCW 11.92.040, .056.

B. RCW 11.88.045 and the Standards of Practice required the Guardian of Person to obtain court authorization before hiring Randall Danskin and engaging in matters reserved for a GAL or guardian of estate.

Washington's guardianship statutes guarantee counsel for persons who are already subject to a guardianship in order to comply with the requirements of due process. RCW 11.88.045(1)(a). "During the pendency of any guardianship, any attorney purporting to represent a person alleged or adjudicated to be incapacitated shall petition to be appointed to represent the alleged or incapacitated person." See RCW 11.88.045(2); see also, RCW 11.92.060(1).

The Guardian of Person argues that RCW 11.92.045(2) does not apply to her engagement of Randall Danskin because she is the Guardian of Person and not the incapacitated person. App't's Br. at 9. As the trial court found, however, this is a distinction without a difference. CP 611. The duties of the guardian of person are geared only toward the care of the incapacitated person's *person*. RCW 11.92.043. Thus, in any legal representation that extends beyond purely administrative concerns to advocacy for the incapacitated person, RCW 11.92.045 applies. The guardian has no standing to raise those issues or participate in litigation but for her relationship to the incapacitated person.

The Guardian of Person's interpretation of RCW 11.88.045(2) would allow guardians to circumvent the court's authority over the appointment of counsel by simply engaging counsel in their own name instead of that of the incapacitated person. This directly conflicts with the incapacitated person's right to be represented by legal counsel of their own choosing at any point in the proceeding. RCW 11.88.045(1)(a), (2). It also conflicts with the Standards of Practice's requirement that guardians bring any concerns to the court *before* exceeding their authority and incurring substantial legal expenses. See SOP 401.2, 411.1; see also, RCW 4.08.060, 11.88.045, 11.88.125.

Again, the unchallenged findings of the trial court are that the Guardian of Person engaged Randall Danskin for the purpose of representing Anna May Black in litigation. CP 479. The fee invoices submitted to the court and the filings of the Guardian of Person in the various matters involving the Estate and the Trust establish that, at the outset of the engagement, its purpose was to stand in Anna May Black's shoes in litigation and vis-à-vis the Trust and Estate. Randall Danskin's invoices for the second guardianship year show that the representation's purpose became obtaining payment from Anna May Black or her Trust for services provided the prior year. Neither purpose brings the representation outside the requirements of RCW 11.88.045.

Because the Guardian of Person engaged Randall Danskin for the purpose of representing Anna May Black's interests, Anna May Black was entitled to the procedural safeguards afforded under RCW 11.88.045. The Guardian of Person may not circumvent those protections by characterizing the representation as purely administrative or as representing only the Guardian of Person. The trial court therefore did not err in determining that the Guardian of Person was required to obtain court authorization under RCW 11.88.045(2) before engaging Randall Danskin.

C. The trial court did not abuse its discretion when it did not revise the commissioner's order denying the Guardian of Person's request for \$33,377.78 in attorney's fees and costs and or when it denied the Guardian of Person's request for \$50,924.96 in attorney's fees and costs.

Because the Guardian of Person sought to have her attorney's fees paid from the assets of Anna May Black or her estate, they are subject to the trial court's discretionary review under RCW 11.92.180. A court may not award fees based solely on work performed, but must determine the need for the work done and whether it benefited the guardianship of person. In re Guardianship of McKean, 136 Wn. App. 906, 918, 151 P.3d 223, 229 (2007). Guardians are not entitled to be compensated for expenses that do not serve the ward's best interest and are not necessary to perform their guardianship duties. Lamb, 173 Wn.2d at 198. If the Court

finds the guardian has failed to discharge her duties in any respect, it may deny or reduce the requested compensation. RCW 11.92.180. The court may award fees only where there is evidence in the record to justify an award from the ward's estate. Lamb, at 191.

The trial court is in a better position to review the facts in a guardianship case, and the appellate court therefore relies heavily on the trial court's determinations of what is in the best interests of the incapacitated person. In re Guardianship of Cornelius, 181 Wn. App. 513, 528, 326 P.3d 718, 725 (2014).

The Standards of Practice emphasize that the guardian has "a duty to conserve the estate of the incapacitated person." SOP 410. The guardian must document all services and expenses, ensure they are reasonable in amount, and incurred for the incapacitated person's welfare. SOP 410.2. "[T]he guardian shall exercise caution to avoid even the appearance of self-interest or conflict of interest. An appearance of conflict of interest is a situation that a reasonable person might perceive as self-serving or adverse to the interest of the incapacitated person." SOP 406.1.

The evidence before the trial court showed that the Guardian of Person acted contrary to the trial court's Order by injecting herself into a dispute between Anna May Black's son John Black and the Estate and Trust. See CP 628. The Guardian of Person first engaged the services of

Patrick Acres, who had a conflict of interest because of his representation of John Black. CP 244, 245, 624-25, 639. The Guardian of Person then engaged the former counsel of Anna May Black, who necessarily became adverse to Anna May Black as soon as the Guardian of Person sought compensation for her own and Randall Danskin's fees from the assets of Anna May Black and the Trust. CP 455, 945.

Before the court was also evidence that the Guardian of Person had expended attorney's fees opposing the appointment of a GAL for her ward in order to have herself appointed guardian of estate (CP 948-50); that she had attempted to prevent the Trustee and other parties from reviewing the invoices showing what services had been provided by Randall Danskin (CP 944-46); that she incurred attorney's fees attempting to force the immediate replacement of one trustee for another after the Trustee objected to her attorney's fees (CP 949-49); that she incurred attorney's fees resisting a show cause order requiring her to have her First Annual Report reviewed by the trial court (CP 950); and that she incurred attorney's fees seeking revision of Commissioner Ries' denial of her attorney's fees. CP 951-52.

Under such facts, it cannot be said that the trial court abused its discretion when it affirmed the commissioner's denial of the Guardian of Person's request for \$33,377.78 in fees and costs or when it entered an

order denying the Guardian of Person's request for \$50,924.96 in attorney's fees and costs incurred in her attempt to recover the \$33,377.78.

D. The Guardian of Person's ultra vires actions violate due process because they restricted the liberty and autonomy of Anna May Black without following the statutory procedures designed to protect those interests.

An incapacitated person's "liberty and autonomy should be restricted through the guardianship process only to the minimum extent necessary to adequately provide for their own health or safety, or to adequately manage their financial affairs." RCW 11.88.050. A person seeking the appointment of a guardian of estate must meet the procedural requirements set forth in RCW 11.88.030 and .040, including service on incapacitated person and her GAL. Counsel is to be appointed for the incapacitated person "as soon as possible after a petition is filed and long enough before any final hearing to allow adequate time for consultation and preparation." RCW 11.88.045(1)(a).

The incapacitated person has a right to the attorney of her own choosing during the pendency of a guardianship. RCW 11.88.045(1)(a). A guardian is required to arrange for *independent* counsel for the incapacitated person when necessary. SOP 411.4 (emphasis added). An incapacitated person who is a party to an action in superior court must

appear by guardian of estate or by guardian ad litem. RCW 4.08.060, 11.92.060.

The Guardian of Person repeatedly acted to deny Anna May Black's right to independent counsel of her own choosing during the pendency of the guardianship and circumvented procedural safeguards designed to protect Anna May Black's liberty and autonomy. Although the trial court ruled that the Trust would continue to manage Anna May Black's assets and financial affairs in accordance with Anna May Black and Jack P. Black's direction, the Guardian of Person acted to disregard that directive.

The Guardian of Person engaged the attorney of the Guardian of Person's own choosing to represent Anna May Black's interests and the Guardian of Person's interest in getting paid by Anna May Black, despite the apparent conflict of interest. She did not seek court authorization even after the court ruled that she was required to do so.

The Guardian of Person sought to be appointed as guardian of estate without affording Anna May Black the procedural protections she was entitled to before the creation of a second guardianship, including Anna May Black's right to be represented by counsel. RCW 11.88.045. When the Guardian of Person submitted her First Annual Report, she sought to deny the GAL, the Trust and other interested parties any

meaningful opportunity to object to her attorney's fees by filing them under seal and directing that they should not be released to any party to the guardianship.

Based upon these facts, the trial court did not err in ruling that the Guardian of Person's failure to follow the procedural requirements of RCW 11.88.045 violated the procedural due process rights of Anna May Black and the other parties to the guardianship, and that therefore she was not entitled to recover her attorney's fees and costs under RCW 11.92.180.

E. The Trust is entitled to an award of attorney's fees and costs under RCW 11.96A.150 and RAP 18.1, but the Guardian of Person's request should be denied.

RAP 18.1 allows appellate courts to award reasonable attorney's fees on appeal if applicable law grants the party the right to recover attorney's fees. RCW 11.96A.150 allows appellate courts in guardianship matter to award attorney's fees from any party to any party "in such amounts and in such manner as the court determines to be equitable." The court may consider any relevant factor, including whether the litigation or participation of the Guardian of Person in litigation benefited the Trust. RCW 11.96A.150(1). Fees are also appropriate where a party's position appears frivolous or lacking any legitimate purpose. Fred Hutchison Cancer Research Ctr. v. Holman, 107 Wn.2d 693, 717, 732 P.2d 974, 987

(1987) (awarding bank its fees where the inclusion of a party appears frivolous).

Here, the Guardian of Person's request for fees should be denied and the Trustee's request granted. The Guardian of Person has caused the Trust to incur attorney's fees as a result of her failure to comply with two court orders directing that she is not a guardian of estate, three court orders finding that she was required to obtain court approval before engaging counsel to represent the interests of Anna May Black, and an order appointing Richard Perednia—and not the Guardian of Person—to represent the interests of Anna May Black. The Guardian of Person's actions were contrary to the interests of Anna May Black, increasing costs to the Trust and necessarily decreasing the funds available for the support and maintenance of Anna May Black.

The Guardian of Person's position on appeal that she has authority to run up substantial attorney's fees without supervision and then look to the Trust to pay those fees is contrary to law and the orders of the trial court in this matter. This Court should therefore award the Trust its reasonable attorney's fees and costs in amounts to be determined following the submission of the Trust's declaration of fees and costs.

VII. CONCLUSION

The Guardian of Person was appointed to be the guardian of the person of Anna May Black only. The trial court specifically identified its goal of reducing conflict between Anna May Black's children because of the conflict's effect on Anna May Black and stated that no guardian of estate would be appointed. Nevertheless, the Guardian of Person, determined to inject herself into a conflict between John Black and the Estate and Trust, and in the process incurred \$84,302.74 in attorney's fees and costs which were never authorized by the court.

In doing so, she violated the court's order and denied Anna May Black the procedural protections provided by RCW 11.88.030-.45. The Guardian of Person's position that this conduct is permissible and compensable because she has identified herself as Randall Danskin's client should be soundly rejected. The Trustee respectfully asks this Court to deny the Guardian of Person's appeal and award the Trustee all reasonable attorney's fees and costs incurred on appeal.

DATED this 6th day of June, 2018.


COLLETTE C. LELAND, WSBA #40686
WINSTON & CASHATT, LAWYERS
Attorneys for Respondent,
James P. Spurgetis, Trustee

DECLARATION OF SERVICE

The undersigned hereby declares under penalty of perjury under the laws of the State of Washington that on June 6, 2018, I caused a true and correct copy of the foregoing document to be served on the following parties in the manners indicated:

William A. Buckholdt, III	VIA REGULAR MAIL	<input type="checkbox"/>
Troy Y. Nelson	VIA EMAIL (with consent)	<input type="checkbox"/>
Randall Danskin, P.S.	HAND DELIVERED	<input checked="" type="checkbox"/>
601 W. Riverside Ave., Suite 1500	BY FACSIMILE	<input type="checkbox"/>
Spokane, WA 99201	VIA FEDERAL EXPRESS	<input type="checkbox"/>
Michael L. Olver	VIA REGULAR MAIL	<input type="checkbox"/>
Helsell Fetterman LLP	VIA EMAIL (with consent)	<input checked="" type="checkbox"/>
1001 Fourth Avenue, Suite 4200	HAND DELIVERED	<input type="checkbox"/>
Seattle, WA 98154	BY FACSIMILE	<input type="checkbox"/>
	VIA FEDERAL EXPRESS	<input type="checkbox"/>
Ryan M. Best	VIA REGULAR MAIL	<input type="checkbox"/>
Best Law, PLLC	VIA EMAIL (with consent)	<input type="checkbox"/>
905 W. Riverside Ave., Suite 409	HAND DELIVERED	<input checked="" type="checkbox"/>
Spokane, WA 99201	BY FACSIMILE	<input type="checkbox"/>
	VIA FEDERAL EXPRESS	<input type="checkbox"/>
Richard W. Perednia	VIA REGULAR MAIL	<input type="checkbox"/>
Law Office of Richard W. Perednia,	VIA EMAIL (with consent)	<input type="checkbox"/>
PS, Inc.	HAND DELIVERED	<input checked="" type="checkbox"/>
28 W. Indiana Ave., Suite E	BY FACSIMILE	<input type="checkbox"/>
Spokane, WA 99205	VIA FEDERAL EXPRESS	<input type="checkbox"/>
James Brandon Nelson	VIA REGULAR MAIL	<input checked="" type="checkbox"/>
3850 Sumantra Cliff	VIA EMAIL (with consent)	<input type="checkbox"/>
San Antonio, TX 78261	HAND DELIVERED	<input type="checkbox"/>
	BY FACSIMILE	<input type="checkbox"/>
	VIA FEDERAL EXPRESS	<input type="checkbox"/>

Augustus Nelson
301 Sugar Pine Dr
Bremerton, WA 98310

VIA REGULAR MAIL
VIA EMAIL (with consent)
HAND DELIVERED
BY FACSIMILE
VIA FEDERAL EXPRESS

DATED on June 6, 2018, at Spokane, Washington.

Cheryl Hansen

APPENDIX

- A** CP 626-36 Order Appointing Full Guardian of Person
- B** CP 478-80 Order Granting In Part and Denying In Part Motion to Approve (1) Guardian's Report, Accounting, Proposed Budget, and (2) Periodic Personal Care Plan
- C** CP 610-23 Order Affirming Commissioner's Rulings
- D** CP 606-09 Order Approving in Part and Denying in Part Guardian's Report, Accounting, and Budget
- E** CP 725-772 Guardian's Report, Accounting, Proposed Budget, Periodic Personal Care Plan, Declaration of Guardian Fees and Costs, Declaration of William Buckholdt Re: Attorney Fees
- F** CP 945-53 Randall Danskin first year fee invoice
- G** CP 516-553 Guardian's [second] Report, Accounting, Proposed Budget, Declaration of Guardian Fees and Costs, Declaration of William A. Buckholdt Re: Attorney Fees

Appendix A



07-870264

FILED

MAY 22 2015

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

SHEA LARKIN

Superior Court of Washington County of Grant

In the Guardianship of:

No. 14-4-00036-1

ANNA MAY BLACK,
Incapacitated Person

Order Appointing Full Guardian of
Person (ORAPGD)
Guardianship Summary (GDSM)
Clerk's Action Required, Para 3.3

Guardianship Summary

Date guardian appointed:

5/22/2015

Due date for inventory (no later than 3 months from appointment):

N/A

Due date for care plan (no later than 3 months from appointment):

August 22, 2016

The clerk shall notify the auditor of loss of voting rights:

x Yes No

Due date for report and accounting:

August 22, 2016

Date of next review:

N/A

Letters expire on:

August 22, 2016

Bond amount:

\$0.00

Restricted account agreements required:

yes x No

Due date for receipt(s) of funds in blocked account(s):

N/A

X Certified professional guardian (CPG) Public professional guardian (PUG)

Lay (family) guardian (LGD) Training completed Training required

	<u>Incapacitated Person (IP)</u>	Guardian of: <input type="checkbox"/> Estate x <input checked="" type="checkbox"/> Person
Name	Anna May Black	Lori Sorensen
Address	Summerwood Care Facility 830 NW Sunburst Court Moses Lake, WA 98837	2415 Entiat Way P.O. Box 535 Entiat, WA 98822
Phone*	509-707-8034	509-679-4915
Facsimile		
	<u>Guardian of:</u> <input type="checkbox"/> Estate <input type="checkbox"/> Person	Standby Guardian
Name	<i>Intentionally Left Blank</i>	To Be Named
Address	<i>Intentionally Left Blank</i>	<i>Intentionally Left Blank</i>
Phone*	<i>Intentionally Left Blank</i>	<i>Intentionally Left Blank</i>
Facsimile		

Or Appoint Gdn of Person/Estate (ORAPLGP,
ORAPGDP, ORAPLGE, ORAPGDE, ORAPGD) - Page 1 of 11
WPF GDN 04.0100 (07/2013) RCW 11.88.020, 11.88.095

	Standby Guardian	Interested Parties
Name	<i>Intentionally Left Blank</i>	John Black
Address	<i>Intentionally Left Blank</i>	3590 Rd F NE Moses Lake, WA 98837
Phone*	<i>Intentionally Left Blank</i>	
Relation to IP		Son
	Interested Parties	Interested Parties
Name	Lee Nordstrom	Deborah Black
Address	c/o David Webster Lukins & Annis, P.S. 717 W. Sprague Ave, Ste. 1600 Spokane, WA 99201	210 W. Linden Avenue Moses Lake, WA 98837
Phone*		<i>Intentionally Left Blank</i>
Relation to IP	Long time financial advisor/Co-Trustee of Trust for benefit of AIP	Daughter

This matter came on regularly for hearing on a petition for appointment of guardian or limited guardian of ANNA MAY BLACK, the alleged incapacitated person.

- X The alleged incapacitated person was present in court;
 The hearing was conducted outside of the courtroom at the location of the alleged incapacitated person;
 The alleged incapacitated person's presence was waived for good cause shown other than mere inconvenience, as set forth in the file and reports in this matter;

The guardian ad litem was present. The following other persons were also present at the hearing:

Michael M. Wyman, Attorney for AIP, Earl W. Murdock, Attorney for Deborah Black, Patrick R. Acres, Attorney for John Black, Lee Nordstrom, Deborah Black, John Black, and Lori Sorenson.

The court considered the written report of the guardian ad litem and the medical/psychological/ARNP report, the testimony of witnesses, remarks of counsel, and the documents filed herein. Based on the above, the court makes the following:

I. Findings of Fact

1.1 Notices

All notices required by law have been given and proof of service as required by statute is on file. Notice, if required, was provided to the Regional Administrator of DSHS pursuant to RCW 11.92.150, but DSHS neither appeared at this hearing nor responded to the petition.

Or Appoint Gdn of Person/Estate (ORAPLGP, ORAPGDP, ORAPLGE, ORAPGDE, ORAPGD) - Page 2 of 11
 WPF GDN 04.0100 (07/2013) RCW 11.88.020, 11.88.095

1.2 Jurisdiction

The jurisdictional facts set forth in the petition are true and correct, and the court has jurisdiction over the person and/or estate of the alleged incapacitated person.

1.3 Guardian ad Litem

The guardian ad litem appointed by the court has filed a report with the court. The report is complete and complies with all requirements of RCW 11.88.090.

1.4 Alternative arrangements made by the alleged incapacitated person

X The alleged incapacitated person made alternative arrangements for assistance, but such arrangements are inadequate in the following respects:

The IP has named her children, Deborah Black and John Black, to be her co-attorneys-in-fact under a Durable Power of Attorney related to health care decisions to be made on behalf of the IP. Jack Black is now deceased. John Black, a convicted felon, is disqualified from acting as a fiduciary for the IP. There is a significant level of conflict between the IP's adult children, which conflict would affect the IP negatively. The significant conflict between John Black and Deborah Black has escalated since the death of Jack Black. The existing Durable Power of Attorney for health care decisions whereby the IP has designated both of her children as her alternative co-attorneys-in-fact should be cancelled and revoked in its entirety.

No guardian of the estate of the IP shall be appointed due to the existence of a Living Trust that adequately manages the IP's financial affairs. The co-trustees of the trust are currently Deborah Black and Lee Nordstrom. The trust shall not be affected by this Guardianship.

1.5 Capacity

The alleged incapacitated person, ANNA MAY BLACK, is:

- x incapable of managing his or her personal affairs.
- x incapable of managing his or her financial affairs.
- x The alleged incapacitated person is in need of a full guardianship over the x person

1.6 Guardian

1.6(a) The Guardian proposed by the Petitioner is the daughter of the IP, Deborah Black. Deborah Black was named in the most recent Durable Power of Attorney of Anna May Black, executed on May 23, 2013. In that Power of Attorney, Deborah Black was to act as Co-Guardian with her brother, John Black in the event that there were guardianship proceedings brought for the AIP's person or estate. In the event that Deborah Black or John Black were unable or unwilling to serve as Co-Guardians, then Anna May Black in her most recent Durable Power of Attorney named the remaining Co-Guardian to act as

her sole Guardian. John Black is a convicted felon and is disqualified from acting as a guardian.

The animosity between the siblings, Deborah Black and John Black, has increased since the execution of the Financial Power of Attorney on May 23, 2013, especially since Anna May Black's husband Jack Black passed on December 12, 2013.

Anna May Black has expressed on numerous occasions to her attorney and Guardian ad Litem, after preparation of the Financial Power of Attorney that she would like someone other than her children to make decisions about her and she wants her children to get along.

Appointing Deborah Black as Guardian of the Person of Anna May Black may create a power or control struggle between her and her brother and increase conflict between them regarding decisions and there would be less conflict between the children if someone else made decisions regarding the care of their mother. Despite Anna May Black's memory problems and period of brief lucidity, she would recognize and be aware of the conflict existing between her two children. The conflict between her two children has impacted Anna May Black negatively and in the future would impact her more negatively than having a non-family member as Guardian of the Person.

Appointing a family member as the proposed Guardian such as Deborah Black as Guardian of the Person would be a magnet for conflict.

When Anna May Black prepared the Financial Durable Power of Attorney she was not aware of how conflict could or would arise having a child serve as Guardian because of the many legal issues and conflicts that arose after the Power of Attorney was executed.

The fact that Deborah Black is making decisions as Co-Trustee of a Trust that contains virtually all of the assets of Anna May Black does not lead the credence to the argument that there would be no conflict if she was appointed Guardian of the Person to make decisions for her mother.

The fact that there is a Co-Trustee who acts as a go between between the two children regarding finances, tempers or cools down conflict between the children.

Allowing a professional Guardian to be the Guardian of the Person of Anna May Black is one last flash point or point of possible contention. It does not guarantee that there won't be contention but it would just be one less point of possible contention.

This is an extreme case as far as conflict between siblings.

The Guardian proposed by the Petitioner, Deborah Black should not be appointed Guardian of the Person for Anna May Black because there is good cause not to appoint her.

- 1.6(b)** The guardian proposed by the Guardian ad Litem and the attorney of the AIP, LORI SORENSEN is qualified to act as guardian of the person and/or estate of the incapacitated person. Proposed guardian's address, phone numbers and email address are as follows:

Address: 2415 Entiat Way, PO Box 535, Entiat, WA 98822

Phone No: 509-679-4015

Email: sorensenlori@hotmail.com

1.7 Guardian ad litem fees and costs

x The guardian ad litem was appointed at county expense x estate expense and shall submit a motion for payment of fees and costs pursuant to the local rules.

x The guardian ad litem has requested a final fee of \$1,106.25 for services rendered. Fees in the amount of \$1,106.25 are reasonable and should be paid as follows:

with an from assets from the trust estate to wit: the estate of the living trust of Jack P. Black and Anna May Black (hereinafter "Trust Estate")

1.8 Bond

The assets of the alleged incapacitated person:

- are unknown, and Bond shall be reviewed at review of inventory.
x total less than three thousand dollars (\$3,000) and no bond is required.
 exceed three thousand dollars (\$3,000), and a bond is required.
 exceed three thousand dollars (\$3,000) and should be placed in a blocked account with an insured financial institution or bonded, unless the guardian is a bank or trust company.
 are to be held by a nonprofit corporation authorized to act as Guardian, and the Court waives any bond requirement.

1.9 Right to Vote

The alleged incapacitated person is x is not capable of exercising the right to vote.

II. Conclusions of Law

Based upon the above findings and fact, the court makes the following conclusions of law:

2.1. Incapacitated Person

ANNA MAY BLACK is an incapacitated person within the meaning of RCW Chapter 11.88, and a:

***Or Appoint Gdn of Person/Estate (ORAPLGP, ORAPGDP, ORAPLGE, ORAPGDE, ORAPGD) - Page 5 of 11
WPF GDN 04.0100 (07/2013) RCW 11.88.020, 11.88.095***

x Full Limited guardian of the person should be appointed.

2.2 Guardian

2.2(a) This court is required to make its appointment of guardian according to Anna May Black's most recent nomination in her Power of Attorney except for good cause. There is good cause to not appoint Deborah Black as Guardian of the Person. John Black, the other alternate individual to act as Guardian of the Person for Anna May Black is disqualified as a convicted felon.

2.2(b) LORI SORENSEN is a fit and proper person as required by RCW 11.88.020 to be appointed as a guardian.

2.3 Powers and limitations of the guardian

The powers and limitations of the guardian should be as follows:

- x All of the powers of a guardian pursuant to the provisions of RCW 11.88 et. seq. and RCW 11.92 et seq. that are not expressly limited.
- X OTHER: Decide where the IP shall reside, the conditions upon which the IP shall have contact with interested persons, and who shall provide care and assistance for the IP.

The guardian does not have power to consent to sterilization on behalf of the incapacitated person.

2.4 Limitations and restrictions placed on the incapacitated person

The limitations and restrictions placed on the incapacitated person are as follows:

- x The following rights are revoked:
 - x To vote or hold an elected office.
 - x To marry, divorce, or enter into or end a state registered domestic partnership.
 - x To make or revoke a will.
 - x To enter into a contract.
 - x To appoint someone to act on his or her behalf.
 - x To sue and be sued other than through a guardian.
 - x To possess a license to drive.
 - x To buy, sell, own, mortgage, or lease property.
 - x To consent to or refuse medical treatment.
 - x To decide who shall provide care and assistance.
 - x To make decisions regarding social aspects of his or her life.

III. Order

The court orders:

3.1 Prior Power of Attorney

The ^{all} ~~health care~~ ^s power of attorney of any kind previously executed by the incapacitated person:
X ^{are} ~~is~~ canceled and revoked in its entirety.

*Emm
mmw*

OK

The financial durable power of attorney previously executed by the IP shall remain in effect. The Co-Trustees of the Living Trust shall have full authority over the financial affairs of the IP.

3.2 Appointment of guardian

LORI SORENSEN is appointed as:

x Full Guardian of the Person

and the powers and limitations of the Guardian and the limitation and restrictions placed on the Incapacitated Person shall be as set forth in paragraphs 2.3 and 2.4 of the Conclusions of Law.

3.3 Letters of guardianship

The clerk of the court shall issue letters of guardianship valid until August 22, 2016 to LORI SORENSEN upon the filing of an oath, any bond required in paragraph 3.4, and form GDN 04.0300, Designation of and Consent by In-State (Resident) Agent, if the guardian or limited guardian resides outside the state.

3.4 Lay guardian training

X Does not apply. The guardian is a certified professional guardian or financial institution.

3.5 Guardianship bond and security

Bond is waived.

3.6 Report of substantial change in income or assets

Not applicable, there is no Guardianship of the Estate.

3.7 Inventory

Not applicable, there is no Guardianship of the Estate.

3.8 Disbursements

Not applicable, there is no Guardianship of the Estate.

3.9 Personal care plan

Within three (3) months after appointment, the guardian of the person shall complete and file a personal care plan that shall comply with the requirements of RCW 11.92.043(1). A review hearing upon filing of the personal care plan is required is not required.

3.10 Status of incapacitated person

Unless otherwise ordered, the guardian of the person shall file an annual report on the status of the incapacitated person that shall comply with the requirements of RCW 11.92.043(2).

3.11 Substantial change in condition or residence

The guardian of the person shall report to the court within thirty (30) days any substantial change in the incapacitated person's condition, or any change in residence of the incapacitated person.

3.12 Designation of standby guardian

Within 90 days from the date of appointment, the guardian shall file a written notice designating a standby guardian or standby limited guardian. The notice shall comply with the requirements of RCW 11.88.125.

3.13 Authority for investment and expenditure

Not applicable, there is no Guardianship of the Estate.

3.14 Duration of guardianship

This guardianship shall continue in effect:

- Until it is terminated pursuant to RCW 11.88.140;
- Until further order of the court. The necessity for the guardianship to continue shall be periodically reviewed;
- Until the incapacitated person, who is a minor, turns 18 years old; **or**
- Other: _____

3.15 Discharge/retention of guardian ad litem

- The guardian ad litem is discharged; **or**
- The guardian ad litem shall continue performing further duties or obligations as follows:

3.16 Notice of right to receive pleadings

The following persons are in the categories of persons described in RCW 11.88.090(5)(d). Within 90 days from the date of appointment, the guardian shall, in writing, notify them of their right to file with the court and serve upon the guardian, or the guardian's attorney, a request to receive copies of pleadings filed by the guardian with respect to the guardianship:

Name: Deborah Black
210 Linden Avenue, Moses Lake, WA 98837

Name: John Black
Address: 3590 F NE, Moses Lake, WA 98837

Name: Lee Nordstrom
Address: c/o David Webster, Lukins & Annis, P.S. 717 W. Sprague Ave, Ste. 1600,
Spokane, WA 99201

3.17 Guardian Fees

- DSHS cases: The guardian is allowed such fees and costs as permitted by the Washington Administrative Code in the amount of \$175.00 per month as a deduction from the incapacitated person's participation in the DSHS cost of care. Such fees are subject to court review and approval. This deduction is approved for the initial 12 month reporting period and 90 days thereafter, from the date of this order to _____
The guardian may petition for fees in excess of the above amount only on notice to the appropriate DSHS Regional Administrator per WAC 388.79; or
- x Non-DSHS cases: The guardian shall petition the court for approval of fees. ~~The guardian may advance himself/herself \$ _____ per month, subject to court review and approval.~~ *mmw*

3.18 Guardian ad litem fee

- Fees and costs are approved as reasonable; or
- x The guardian ad litem fees and costs are approved as reasonable in the total amount of \$1,106.25. They shall be paid from x the guardianship estate assets, the county, other source(s) as follows: **Or Trust Assets. In addition, \$1,500.00 of the Guardian Ad Litem fees have been paid in advance by Deborah Black and Deborah Black shall be reimbursed the funds that she personally paid from the Guardianship Assets or Trust Assets.**

3.19 Legal Fees

The final legal fees and costs from the attorney for the AIP's attorney, Michael M. Wyman in the amount of \$4945.00 are approved as reasonable and shall be paid to Michael M. Wyman from and with Guardianship/Trust assets. ~~In addition, Mr. Wyman has been paid additional attorney fees of \$ _____ from the Trust prior to final hearing.~~ *mmw*

Legal fees and costs incurred by the Petitioner, Deborah Black, with the Larson Fowles, PLLC. of \$4006.25 and costs of \$273.15 are approved as reasonable in the amount of \$4,279.40 and shall be reimbursed to Deborah Black and shall be paid from the Guardianship/Trust assets.

Legal fees and costs incurred by the Petitioner, Deborah Black, with Carl Warring of \$4194.46 are approved as reasonable. \$1,217.49 shall be paid to Warring Law Firm from Guardianship/Trust assets. \$2,976.97 shall be paid to Deborah Black from Trust assets as reimbursement of fees Deborah Black personally paid.

8679²⁵

Legal fees and costs incurred by the Petitioner, Deborah Black, with Earl W. Murdock in the amount of \$ 9604.75 are approved as reasonable and shall *mmw* be paid from Guardianship/Trust assets.

Legal fees and costs of Carl Warring/Warring Law Firm in the total sum of \$1,217.49 incurred and unpaid by Deborah Black in connection with this guardianship are hereby approved as reasonable and shall be paid directly to Warring Law Firm with and from assets of the Trust Estate.

3.20 Guardian's account or report

The guardian's account or report shall cover the:

x 12 (twelve)-month 24 (twenty-four)-month 36 (thirty-six)-month

period following the appointment. The guardian must file his or her account or report by August 22, 2016 (date, which is within 90 days of the end of the reporting period) and shall comply with the requirements of RCW 11.92.040(2) and RCW 11.92.043(2).

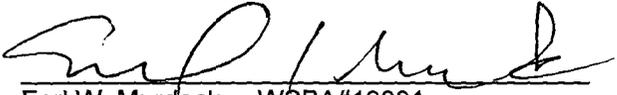
~~The court must review the account or report within 120 days of the end of the reporting period. *mmw*~~
 A review hearing is set for (date) _____
 The guardian must set a review hearing date on or before (date) _____ [within 120 days of the end of the reporting period.]
 The court will review the account or report on or before (date) _____ [within 120 days of the end of the reporting period.], without a hearing. The court may set a review hearing at a later date.

3.21 * Other *

Dated 5-22-15

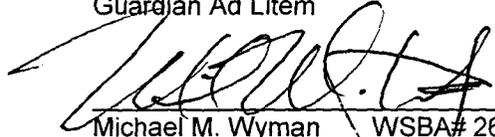

John M. Anosz
Judge, Grant County Superior Court

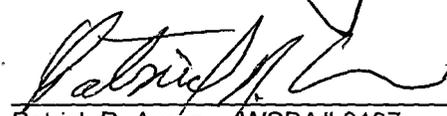
Presented by:


Earl W. Murdock WSBA#19001
Attorney for Petitioner

Approved for Entry by:

Noni K. McNinch
Guardian Ad Litem

 5/22/15
Michael M. Wyman WSBA# 26335
Attorney for Alleged Incapacitated Person


Patrick R. Acjes WSBA# 3197
Attorney for John/Black

* Michael M. Wyman of Wyman Law is released and shall not be obligated to perform additional legal services as the attorney for the incapacitated person, ANNA MARY BLACK, after any motion for reconsideration is disposed of by the court

mmw

***If you do not want your personal phone number on this public form, you may list your telephone number on a separate form which may be available to parties and the court, as well as its staff and volunteers, but will not be made available to the public. Use Form WPF GDN 03.0100, guardianship confidential information form (telephone numbers), for this purpose. GR 22(b)(6).**

Copy received and approved by:



Lori Sorensen
P.O. Box 535
Entiat, WA 98822
509-679-4015
sorensenlori@hotmail.com

Appendix B

FILED

SHEA LARKIN

FEB 10 2017

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

SUPERIOR COURT, THE STATE OF WASHINGTON, COUNTY OF GRANT

In re the Guardianship of :

No. 14-4-00036-1

ANNA MAY BLACK,

ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
APPROVE (1) GUARDIAN'S REPORT,
ACCOUNTING, PROPOSED BUDGET,
AND (2) PERIODIC PERSONAL CARE
PLAN (DKT. NO. 161)

An Incapacitated Person.

THIS MATTER came before the Court on December 2, 2016, on the Guardian of Person's Motion to Approve (1) Guardian's Report, Accounting, Proposed Budget, and (2) Periodic Personal Care Plan. (Dkt. No. 161)

Trustee Lee Nordstrom appeared by and through the Trust's attorneys of record, Winston & Cashatt, Lawyers, by Collette C. Leland. Guardian of Person Lori Sorensen appeared through her attorneys of record, Troy Nelson and William Buckholdt, III. Deborah Black was represented by and through her attorney of record Larson Fowles, by Mitchell Heaps.

1 The Court, having reviewed the records and files herein, heard oral argument at the
2 hearing on December 2, 2016 from Attorney Collette Leland, Attorney Troy Nelson, and
3 Attorney Ryan Best, makes the following findings:

- 4 1. The role of the Guardian of Person and her duties in that capacity are defined in
5 RCW 11.92.043.
- 6 2. The Guardian of Person engaged the law firm of Randall Danskin, P.S. for the
7 purpose of representing her ward in litigation.
- 8 3. Neither the Guardian of Person nor Randall Danskin sought an order authorizing the
9 representation or appointing Randall Danskin as attorney for the ward.
- 10 4. The Guardian of Person sought to have herself substituted as a party in litigation in
11 which the ward was a named or interested party.
- 12 5. The Guardian of Person has no authority to represent the ward in legal proceedings.
- 13 6. Only a guardian of estate or guardian ad litem may represent an incapacitated
14 person in litigation.
- 15 7. The Guardian of Person filed a motion seeking to be appointed guardian of estate,
16 but this Court ruled it was not appropriate to expand her role.
- 17 8. The Guardian of Person engaged in activities outside the scope of her authority, as
18 defined by statute and this Court's Order, when she engaged Randall Danskin and
19 attempted to represent her ward in litigation.
- 20
- 21
- 22
- 23
- 24

1 9. The Guardian had no authority to incur \$33,377.78 in attorney fees and costs and
2 then expect those fees to be paid by the trust established for the care and
3 maintenance of the ward.
4

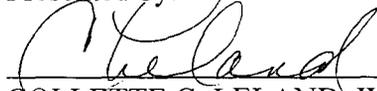
5 Based upon the foregoing findings, IT IS HEREBY ORDERED that:

- 6 1. The Guardian's Report, Accounting and Proposed Budget is approved with the
7 exception of the Guardian of Person's request for attorney fees.
8 2. The Guardian of Person's request for her fees is GRANTED. The Guardian of
9 Person's fees for the period May 22, 2015 to May 22, 2016, are approved in the
10 amount of \$16,724.80.
11 3. The Guardian of Person's request for a monthly advance on the Guardian of
12 Person's fees in the amount of \$950.00 per month is GRANTED.
13 4. The Guardian of Person's request for attorney fees is DENIED.
14 5. ~~Appointment of counsel for Anna May Black in all future matters or proceedings~~
15 ~~must be made by the Court before attorney fees or costs are incurred in said~~
16 ~~representation.~~
17

18 DONE IN OPEN COURT this 10th day of February, 2017.

19
20
21 ~~JUDGE/COURT COMMISSIONER~~

22 Presented by:

23 

24 COLLETTE C. LELAND, WSBA No. 40686
WINSTON & CASHATT, LAWYERS
Attorneys for Trustee Lee V. Nordstrom

ORDER GRANTING IN PART AND DENYING
IN PART MOTION TO APPROVE (1) GUARDIAN'S
REPORT, ACCOUNTING, PROPOSED BUDGET,
AND (2) PERIODIC PERSONAL CARE PLAN - Page 3

Appendix C

RANDI HERRIN

FILED

SEP 22 2017

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

SUPERIOR COURT, THE STATE OF WASHINGTON, COUNTY OF GRANT

In re the Guardianship of :

No. 14-4-00036-1

ANNA MAY BLACK,

ORDER AFFIRMING COMMISSIONER'S
RULINGS

An Incapacitated Person.

THIS MATTER came before the Court on March 24, 2017, on the Guardian of Person's Motion to Revise Commissioner's Ruling.

On February 10, 2017, findings were made and rulings on those findings were entered by Commissioner's Order in this matter (Dkt. No. 286) regarding the Guardian of Person's Report, Accounting and Proposed Budget, her fees, monthly advance, and attorney fees. The Guardian of Person sought an order revising the portion of the Commissioner's ruling denying her request for attorney's fees. *The Court issued 2 letter rulings on June 21, 2017 and August 25, 2017. These letter rulings are incorporated*

The Guardian of Person appeared by and through the Guardian of Person's attorneys of record, Troy Nelson and William Buckholdt III, of Randall Danskin. Deborah Black was represented by her then-attorney of record Mitchell Heaps of Larson Fowles. John Black was

herein and are attached as Exhibits 1 and 2, respectively.

1 represented by his attorney of record Ryan Best. Trustee James Spurgetis was represented by
2 the Trust's attorneys of record, Winston & Cashatt, Lawyers, by Collette Leland.

3 The Court, having reviewed the records and files herein, heard oral argument at the
4 March 24, 2017 hearing, and being fully informed affirms the findings of the Commissioner in
5 the entirety and enters the following findings and conclusions:
6

7 1. The Guardian of Person hired Randall Danskin without obtaining authorization
8 from the Court and filed a motion seeking an order requiring the Trust to compensate her for
9 \$33,377.78 in attorney's fees and costs.

10 2. The Commissioner denied the Guardian of Person's motion on February 10,
11 2017, finding the Guardian of Person hired Randall Danskin for the purpose of representing her
12 ward in litigation and that she had no authority to do so. (Dkt. No. 286)

13 3. The Guardian of Person argues to this Court that she hired the law firm of
14 Randall Danskin to represent her in her capacity as guardian of person, and that therefore RCW
15 11.88.045 does not require her to obtain court approval prior to hiring Randall Danskin.
16

17 4. There is no meaningful distinction between fees incurred for the Guardian of
18 Person and fees incurred for Anna May Black, the incapacitated person whom the Guardian of
19 Person serves. The purpose of the guardianship is to provide for Anna May Black's health and
20 safety.
21

22 5. The language of RCW 11.88.045 is clear. By its terms it is not limited to
23 attorney fees incurred through actual litigation.
24

1 6. Together RCW 11.88.045 and 11.92.180 authorized the Guardian of Person to
2 hire Randall Danskin only after securing court approval.

3 7. Such a reading of the statutes gives effect to both statutes and is necessary for
4 RCW 11.88.045 and 11.92.180 to satisfy the procedural requirements of due process.

5 8. The only source of payment for Randall Danskin's fees is the assets of the
6 Second Amended and Restated Revocable Living Trust of Jack P. Black and Anna May Black
7 ("Trust").

8 9. Because the Guardian of Person did not seek court approval before engaging
9 counsel, the beneficiaries of the Trust, including Anna May Black, and the Trustee were denied
10 any opportunity to contest the need for Randall Danskin's services.

11 10. It would violate the due process rights of the beneficiaries to require Randall
12 Danskin's payment out of fund in which the beneficiaries had a beneficial interest without
13 providing the Trustee and the beneficiaries an opportunity to be heard.

14 11. The Guardian of Person argues in the alternative that she is entitled to
15 compensation under equitable principles because Anna May Black benefited from the services
16 of Randall Danskin.

17 12. Equitable relief cannot be granted in contravention to statutory requirements.

18 13. The Trustee argued to the Court that the Guardian of Person's motion to revise a
19 portion of the Commissioner's Order placed all of the Commissioner's findings and
20 conclusions of law before the Court, such that this Court should review and revise the
21
22
23
24

1 Commissioner's approval of the Guardian of Person's fees that were incurred outside the scope
2 of the Guardianship.

3 14. RCW 2.24.050 authorizes this Court to revise only those issues raised in a
4 motion to revise. The Court therefore has not reviewed those findings and rulings that were not
5 included in the Guardian of Person's Motion to Revise Commissioner's Ruling.
6

7 Based upon the foregoing findings, IT IS HEREBY ORDERED that:

- 8 1. The Guardian of Person's motion to revise is DENIED.
9 2. The Commissioner's Order (Dkt. No. 286), including all findings of fact and
10 conclusions of law, is affirmed in its entirety.

11 SO ORDERED this 21st day of September, 2017.

12
13 
14 JUDGE

15 Presented by:

16 
17 COLLETTE C. LELAND, WSBA No. 40686
18 WINSTON & CASHATT, LAWYERS
19 Attorneys for Trustee James P. Spurgetis

20 Copy received; approved as to form;
21 notice of presentment waived:

22 
23 WILLIAM A. BUCKHOLDT, WSBA No. 29833
24 RANDALL DANSKIN
Attorneys for Guardian of Person

1
2 

3 RYAN M. BEST, WSBA No. 33672
4 LAW OFFICE OF RYAN BEST
5 Attorney for John Black

*except for except to be
to 11.12*

6
7 RICHARD W. PEREDNIA, WSBA No. 5773
8 Guardian ad Litem for Anna May Black

9 Electronically approved on 9/21/2017
10 MICHAEL L. OLVER, WSBA No. 7031
11 HELSELL FETTERMAN LLP
12 Attorneys for Deborah Black

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EXHIBIT 1

Letter Ruling dated June 21, 2017

RANDALL | DANSKIN
A Professional Service Corporation
1500 BANK OF AMERICA FINANCIAL CENTER
601 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0653
(509) 747-2052

**The Superior Court of Washington
In and for Grant County**

DAVID G. ESTUDILLO, Judge, Dept. 1
JOHN D. KNOPELL, Judge, Dept. 2
JOHN M. ANTOSZ, Judge, Dept. 3
HARRY E. RIES, Court Commissioner

35 C Street NW
P.O. Box 37
Ephrata, WA 98823
(509) 754-2011

MINDI FINKE, Court Administrator
CRYSTAL BURNS, Deputy Court Administrator
LYNETTE HENSON, Jury Administrator
TOM BARTUNEK, Official Reporter

June 21, 2017

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Mitchell Heaps
Attorneys at Law
821 E Broadway Ave, Ste. 8
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905 W Riverside Ave, Ste. 409
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Michael Wyman
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Jeffrey Ropp
Lisa Malpass
Collette Leland
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Spokane, WA 99201

William Buchholdt III
Attorney at Law
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Spokane, WA 99201

David Kulisch
Attorney at Law
601 W Riverside Ave
Spokane, WA 99201

RE: Black Estates

Grant County Cause Nos.: 14-4-00036-1 / 14-4-00042-5 / 15-4-00128-4

FILED

JUN 21 2017

**KIMBERLY A. ALLEN
GRANT COUNTY CLERK**

Dear Counsel:

Before the Court are three motions for revision. All three motions involve in some way a living trust created by Mr. Jack P. Black and his wife, Mrs. Anna May Black. Mr. and Mrs. Black transferred virtually all the property they owned into trust for the benefit of themselves and their two children, Ms. Deborah Ann Black and Mr. John P. Black on February 3, 1992. Those assets are referred to in the above cause numbers as the estate of the living trust of Jack P. Black and Anna May Black. This court will refer to them simply as the "Trust Estate."

Mr. Jack Black died after the trust was created and his wife has now been adjudged to be incapacitated. This Court has previously appointed Ms. Lori Sorenson as the guardian of Mrs. Anna May Black's person but has declined to appoint her the guardian of Mrs. Black's estate because Mrs. Black does not hold legal title to any significant property. She only shares beneficial title of the Trust Estate with her two children. This arrangement has given rise to substantial conflict between the beneficiaries.

The first motion to revise the Court will address is that brought by Ms. Sorenson in cause # 14-4-00036-1. In that cause, Commissioner Ries denied the motion of Lori Sorenson, the Guardian of Mrs. Black's person, for payment of attorney fees from the Trust Estate.

Randall/Danskin, a Spokane law firm, (hereinafter R/D) incurred those fees at Ms. Sorenson's request. Ms. Sorenson hired R/D in her capacity as the Guardian of Mrs. Black's person, but neither Ms. Sorenson nor R/D sought or received appointment from the court overseeing Mrs. Black's guardianship. The Trust Estate opposed payment of those fees primarily because R/D had not been appointed by the court pursuant to RCW 11.88.045(2). That statute provides as follows:

During the pendency of any guardianship, any attorney purporting to represent a person alleged or adjudicated to be incapacitated shall petition to be appointed to represent the incapacitated or alleged incapacitated person. Fees for representation described in the section shall be subject to approval by the court pursuant to the provisions of RCW 11.92.180 (emphasis added).

The phrase "during the pendency" refers by its terms not only to the period leading up to the appointment of a guardian, that is the period in which one is "alleged to be incapacitated," but also the period following, when one has been determined to be incapacitated. Pendency of an action is generally understood as the state of being undecided. This is the period between the beginning of an action and its final determination. Black's Law Dictionary, 1290 (1968).

The appointment of a guardian on grounds of incapacity is not a final determination of the incapacitated person's rights or status. Mrs. Black's guardianship will be maintained so long as she remains incapacitated. RCW 11.88.140. This matter is pending during this entire period. This construction is also consistent with the meaning Washington courts have assigned to pendency in other contexts. A maintenance action, for example, is pending until the court makes a final determination of the action. State v. Stibbs, 38 Wash. 2d 565, 231 P.2d 310 (1951).

Ms. Sorenson claims, however, that RCW 11.88.045 does not apply because R/D represented her in her capacity as Mrs. Black's guardian and not Mrs. Black herself. She argues that her motion for attorney fees is governed by RCW 11.92.180 which allows her as guardian to hire an attorney and, unlike RCW 11.88.045, does not specifically require prior court approval. Her position finds some support in the captions of the two statutes. The heading of RCW 11.92 reads "Guardianship—Powers and Duties of Guardian or Limited Guardian." The heading of RCW 11.88.045 reads in part "Legal counsel and jury trial." While the scope and intent of these statutes is not controlled by these headings, City of Spokane v. State, 198 Wash. 682, 89 P.2d 826 (1939), they may be resorted to as a means of ascertaining legislative intent. In re Kurtzman's Estate, 65 Wash. 2d 260, 396 P.2d 786 (1964). These headings suggest that court prior approval is required under RCW 11.88.095 only if the attorney fees are to be incurred in actual litigation.

But the language of RCW 11.88.045 is clear and needs no extrinsic construction. It, by its terms, is not limited to attorney fees incurred through actual litigation and such a construction is inconsistent with the purposes of the statute and in this case inconsistent with fundamental due process. The distinction Ms. Sorenson urges upon the court between fees incurred for her as guardian as opposed to fees incurred for Mrs. Black as the incapacitated person whom she serves is not well-taken. Ms. Sorenson in her capacity as guardian of Mrs. Black's person was empowered to hire an attorney only to accomplish the legitimate purpose of the guardianship of Mrs. Black's person and not of Mrs. Black's estate. That purpose was and is to provide for Mrs. Black's health and safety. There is no meaningful distinction between representation of Mrs. Sorenson as the guardian of Mrs. Black's person and the representation of Mrs. Black herself. The two statutes are consistent with each other if read together to provide that Ms. Sorenson was authorized to hire R/D but only after securing court approval. Because such a reading gives effect to both statutes, the court must adopt it. In re Estate of Black, 153 Wash. 2d 152, 102 P.3d 796 (2004).

Most importantly, such a reading in this particular case is necessary for the statutes to satisfy the constitutional requirement of procedural due process. The only source of payment of R/D's attorney fees is the pool of money which forms the Trust Estate. Currently legal title to those assets is held by the trustee, Mr. James Spurgetis. He holds those assets for the benefit of a woman who is incapable of managing her own affairs *and* her two children who are to say the least hostile to each other and apparently incapable of reaching accord on seemingly any matter of mutual interest. It is Mr. Spurgetis' daunting charge to balance the interests of these three parties in the administration and allocation of the trust assets.

The court appointed Ms. Sorenson at estate expense and required her to submit motions for payment of fees and costs. Neither the trust nor the other beneficiaries were given any opportunity to contest the need for R/D's services. Indeed, the trustee had made it apparent to Ms. Sorenson that she was exceeding her authority as Mrs. Black's guardian and resisted her attempts to be appointed guardian of Mrs. Black's estate.

Under these circumstances, it would violate the due process rights of the other beneficiaries to require payment of R/D's fees out of a fund in which they have a beneficial interest without a chance for Mr. Spurgetis and them to be heard. Had the Trust Estate been

given the opportunity to do so before R/D was hired, it would have undoubtedly made the same arguments it made before this court when the motion for revision was heard. Additionally it may have argued that because Mrs. Black does not hold legal title to any of the trust assets, those assets are not an appropriate source of payment of R/D's fees.

Ms. Sorenson argues alternatively that under equitable principles R/D should be compensated for their services because Mrs. Black benefitted from them under circumstances in which it would be unfair not to compensate them. But equity follows the law. Equitable relief cannot be granted in contravention of statutory requirements. Longview Fibre Co. v. Cowlitz County, 114 Wash. 2d 691, 699, 790 P.2d 149 (1990). Equity does not prefer forgiveness to permission. Ms. Sorenson's motion to revise is denied.

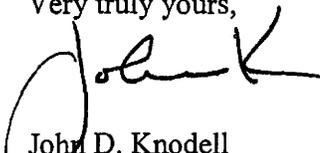
Mr. John Black makes a second motion for revision in case # 15-4-00128-4. In that cause, he asks this court to vacate the award of attorney's fees against him arising from his attempted contest of his father's will. He does not contest the reasonableness of the fees, but believes they should have been assessed against the Trust Estate. The Commissioner assessed the fees pursuant to RCW 11.96A.150. That statute allows the court in a TEDRA action to award reasonable attorneys' fees from any party to the proceedings or any estate or trust involved in the proceeding in a manner the court determines to equitable. RCW 11.96A.150.

Because of the unique circumstances of this case, no one can be said to have benefitted from Mr. Black's contest of his father's will. But, Mr. Black can in no way be said to have prevailed. The Estate, however, was penalized by having to respond to Mr. Black's petition. This court finds under the circumstances of the present case, the attorneys' fees Mr. Heaps seeks are reasonable and Mr. Black should pay them. Mr. Black's motion to revise is denied.

Third and finally, in case # 14-00042-5, Mr. Black contests the reasonableness of Mr. Heaps' fees. The court has reviewed the billings and will reduce those fees by \$3,000.00.

The motions to revise are denied except for the revision of Mr. Heaps' fees as indicated above. Essentially, this court finds itself in agreement with the conclusions made by the Commissioner. Counsel should circulate and present appropriate orders.

Very truly yours,



John D. Knodell
Judge

JDK:cmb

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EXHIBIT 2

Supplemental Letter Ruling, dated August 25, 2017

RANDALL | DANSKIN
A Professional Service Corporation
1500 BANK OF AMERICA FINANCIAL CENTER
601 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0653
(509) 747-2052

**The Superior Court of Washington
In and for Grant County**

DAVID G. ESTUDILLO, Judge, Dept. 1
JOHN D. KNODELL, Judge, Dept. 2
JOHN M. ANTOSZ, Judge, Dept. 3
HARRY E. RIES, Court Commissioner

35 C Street NW
P.O. Box 37
Ephrata, WA 98823
(509) 754-2011

MINDI FINKE, Court Administrator
CRYSTAL BURNS, Deputy Court Administrator
LYNETTE HENSON, Jury Administrator
TOM BARTUNEK, Official Reporter

August 25, 2017

Dwayne Fowles
Mitchell Heaps
Attorneys at Law
821 E Broadway Ave, Ste. 8
Moses Lake, WA 98837

Ryan Best
Attorney at Law
905 W Riverside Ave, Ste. 409
Spokane, WA 99201

Michael Wyman
Attorney at Law
2219 W Broadway Ave, Ste. A
Moses-Lake, WA 98837

Jeffrey Ropp
Lisa Malpass
Collette Leland
Attorneys at Law
601 W Riverside Ave, Ste. 1900
Spokane, WA 99201

William Buchholdt III
Attorney at Law
601 W Riverside Ave, Ste. 1500
Spokane, WA 99201

David Kulisch
Attorney at Law
601 W Riverside Ave
Spokane, WA 99201

RE: Black Estates
Grant County Cause Nos.: 14-4-00036-1 / 14-4-00042-5 / 15-4-00128-4

Dear Counsel:

FILED

AUG 25 2017

**KIMBERLY A. ALLEN
GRANT COUNTY CLERK**

In her letter to the court of July 13, 2017, Ms. Leland correctly points out that the court did not address many of the issues she raised both in her responsive pleadings and in her argument to the court. She asks this court to supplement its letter ruling to address those issues. The court will do so now.

The parties presented Commissioner Ries with a series of issues and sought several forms of relief. The issues for which the relief was sought, the parties, and, for that matter, the relief Commissioner Ries granted were to varying degrees related but they were distinct. The motions which were before *this* Court identified the specific grants of relief that the moving party wanted this court to revise.

Ms. Leland, citing Marriage of Moody, 137 Wash. 2d 979, 992-3, 976 P.2d 1240 (1999), argues that the motions to revise put before this court not only the issues arising from the grant of relief specified in those motions, but also all the issues and grants of relief which were before the Commissioner. Mr. Buckholdt argues to the contrary that this court needn't entertain arguments for the revision of grants or denials of relief which were not specified in the motions for revision.

Unfortunately, Moody is not directly on point and the court must rely on the language of RCW 2.24.050 to settle this question. The statute granting this court the power to revise the Commissioner's rulings provides in relevant part as follows:

All of the acts and proceedings of court commissioners hereunder shall be subject to revision by the superior court. Any party in interest may have such revision upon demand made by written motion, filed with the clerk of the superior court, within ten days after the entry of any order or judgment of the court commissioner. RCW 2.24.050.

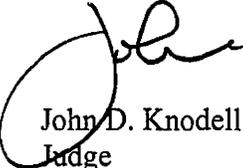
While all the Commissioner's "acts and proceedings" are subject to revision, this court has the power to revise only if an aggrieved party files a motion to do so.

The parties seeking revision filed motions to do so which specifically enumerated the relief sought. The revision Ms. Leland seeks has nothing in common with those motions other than a cause number. Where, as here, a commissioner has passed on a wide range of requests for relief involving different parties and under different cause numbers, and particularly where a motion specifies one or more discrete acts for which revision is sought, it is incumbent upon a party seeking further revision to notify both the court and other parties, within ten days of the ruling, in accordance with the above-cited statute. Such a requirement best furthers the efficient judicial resolution of private disputes. CR 1.

In the instant case, the parties have a broad range of disputes which raise in turn a broad range of both factual and legal issues. But while the parties moving for revision specified the grants of relief they wanted this court to revise, Ms. Leland did not file a motion to revise. The Commissioner approved the Guardian's report, fees and monthly advance. No motion has been made to revise those actions.

For this reason, the court did not pass on the arguments Ms. Leland made which were unrelated to the motions to revise and does not intend to do so. If an order to that effect is desired by any party, counsel for that party should present it.

Very truly yours,



John D. Knodell
Judge

JDK:cmb

Appendix D

RANDI HERRIN

FILED

SEP 22 2017

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

**Superior Court of Washington
County of**

In the Guardianship of:

No. 14-4-00036-1

ANNA MAY BLACK
Incapacitated Person

**Order Approving in Part and
Denying in Part Guardian's
Report, Accounting, and
Budget
(ORAPRT)**

**[X] Clerk's Action Required,
Para. 2.6**

Guardianship Summary

Date Guardian Appointed:	<u>May 22, 2015</u>
Due Date for Report and Accounting (See paragraph 2):	<u>August 22, 2018</u>
Date of Next Review (no later than anniversary date + 4 mo):	<u>September 21, 2018</u>
Letters Expire On:	<u>September 21, 2018</u>
Bond Amount:	\$ <u>N/A</u>
Restricted Account Agreements Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Due Date for Receipt(s) of Funds in Blocked Account(s):	<u>N/A</u>

Certified Professional Guardian (CPG) Public Professional Guardian (PUG)
 Lay (Family) Guardian (LGD) Training Completed Training Required

	<u>Incapacitated Person (IP)</u>	<u>Guardian of: <input type="checkbox"/> Estate <input checked="" type="checkbox"/> Person</u>
Name	ANNA MAY BLACK	LORI K. SORENSEN
Address	830 Sunburst Court Moses Lake, WA 98837	PO Box 535 Entiat, WA 98822
Phone*	(509) 707-8034	(509) 679-4915
Facsimile		

**Or Appr Gdn's Rpt/Accounting/Budget
(ORAPRT) - Page 1 of 4**

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601 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0653
(509) 747-2052

	<u>Standby Guardian</u>	<u>Interested party</u>
Name	ROBERT RUSSELL	JAMES SPURGETIS, Trustee
Address	PO Box 352 Wenatchee, WA 98807	c/o Ms. Collette Leland Winston & Cahsatt, P.S. 601 W. Riverside Ave., #1900 Spokane, WA 99201
Phone*	(509) 881-7911	(509) 838-6131
Relation to IP	None	Trustee of Trust for IP's benefit
	<u>Interested party</u>	<u>Interested party</u>
Name	DEBORAH A. BLACK	JOHN BLACK
Address	c/o Mr. Michael Olver Helsell Fetterman, LLP 1001 Fourth Ave., Suite 4200 Seattle, WA 98154	c/o Mr. Ryan Best Best Law, PLLC 905 W. Riverside Ave., #409 Spokane, WA 99201
Phone*	(206) 292-1144	(509) 624-4422
Relation to IP	Daughter	Son

This Matter came on regularly for hearing on a petition to approve the Guardian's annual/biennial/triennial report, accounting, and budget. The Court, having reviewed the Guardian's Report, Accounting and Budget, and the records on file in this case, makes the following:

I. Findings of Fact

1.1 Acts of Guardian

All acts required of the Guardian to date have been performed.

1.2 Notice

Notice has been properly provided to persons entitled to notice.

1.3 Care Plan

The Guardian's proposed Care Plan is reasonable and appropriate to the Incapacitated Person's needs and should be approved.

Based on the above, the Court makes the following:

II. Orders

2.1 Approval of Guardian's Report and Accounting

The Guardian's report and accounting is approved.

*Or Appr Gdn's Rpt/Accounting/Budget
(ORAPRT) - Page 2 of 4*

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(509) 747-2052

2.2 Medical and Dental Expenses

The Guardian is authorized to incur and pay reasonable and necessary medical and dental expenses that the Guardian determines to be in the best interest of the Incapacitated Person.

2.3 Guardian's Next Report and Accounting

The Guardian shall provide the next Report and Accounting for the 12, 24, or 36 month period from May 22, 2017 through May 22, 2018; and the Report, Accounting, and Proposed Budget shall be filed with the Court **within** 90 days following the conclusion of that reporting period.

The court must review the account or report within 120 days of the end of the reporting period.

- A review hearing is set for (date) _____.
- The guardian must set a review hearing date on or before (date) September 21, 2018 [within 120 days of the end of the reporting period.]
- The court will review the account or report on or before (date) _____ [within 120 days of the end of the reporting period], without a hearing. The court may set a review hearing at a later date.

2.4 Fees

The Guardian's fees of \$ 21,068.57 and attorney fees of \$ 0 payable during the period covered in this report are hereby approved. The advance of Guardian's fees for the upcoming reporting period, in the amount of \$ 950.00 per month, appear to be reasonable and necessary but are subject to court approval at the next hearing. Above fees are approved for payment from the Trust for the benefit of Anna May Black.

2.5 Bond

Bond remains the same OR is changed to \$ _____.

2.6 Letters of Guardianship

The Clerk of Court is directed to issue new Letters of Guardianship with an expiration date of September 21, 2018 (one-hundred twenty days from the end of the reporting period).

2.7 Other

The Court denies all attorney fees for the reasons stated in the Court's previous letter rulings.

Dated 9/28/17

[Signature]
Judge/Court Commissioner

Presented by:

[Signature]

Troy Y. Nelson, WSBA #27274
William A. Buckholdt, WSBA #29833
RANDALL | DANSKIN, P.S.
Attorneys Guardian Lori K. Sorensen

Or Appr Gdn's Rpt/Accounting/Budget (ORAPRT) - Page 3 of 4

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SPOKANE, WASHINGTON 99201-0653
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Approved as to Form and Content, Notice of Presentment Waived:



Collette Leland, WSBA #40686
WINSTON & CASHATT, P.S.
Attorneys for Trustee



Ryan M. Best, WSBA #33672
BEST LAW, PLLC
Attorneys for John Black

Approved as to form only



Michael Olver, WSBA #7031
HELSELL FETTERMAN
Attorneys for Deborah Black

**Or Appr Gdn's Rpt/Accounting/Budget
(ORAPRT) - Page 4 of 4**

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Appendix E

FILED
2016 AUG 23 PM 2:09
KIMBERLY A. ALLEN
GRANT COUNTY CLERK

BROOKE DECUBBER

**Superior Court of Washington
County of Grant**

In the Guardianship of:

ANNA MAY BLACK,

Incapacitated Person

No. 14-4-00036-1

**Guardian's Report, Accounting,
Proposed Budget**

- 12-Month Report (ANR12)**
- 24-Month Report (ANR24)**
- 36-Month Report (ANR36)**

Instructions:

This report has 4 sections.

All Guardians must complete sections A and D.

If you are a Guardian of the Person, you must also complete section B.

If you are a Guardian of the Estate, you must also complete section C.

(Some courts may allow you to submit a copy of the Social Security representative payee form instead of completing section C, IF the incapacitated person's estate is no more than \$2000 and the only source of income is SSI, SSA [Social Security Retirement], and/or SSD [Social Security Disability].)

If you are both a Guardian of the Person and a Guardian of the Estate, you must complete sections A, B, C & D of this document.

If you need more room to complete any section, attach additional pages.

Scope of Guardianship

- Full OR Limited – Guardianship of the Person
- Full OR Limited – Guardianship of the Estate

General Information

Section A – Completed by all Guardians

1. Identity of Guardian, Incapacitated Person, and Standby Guardian

	Incapacitated Person	Guardian	Standby Guardian
Full Name	ANNA MAY BLACK	LORI SORENSEN	ROBERT RUSSELL
Mailing Address	830 Sunburst Court	PO Box 535	PO Box 352
City & State	Moses Lake, WA	Entiat, WA	Wenatchee, WA
Zip Code	98837	98822	98807
*Telephone	(509) 707-8034	(509) 679-4915	(509) 881-7911
*Fax Number			
Date of Birth	June 6, 1929		

2. Date of Appointment and Reporting Period

The Guardian was appointed on (date) May 22, 2015. This is first annual report of the guardian. The Initial Personal Care Plan was filed with the Court on August 21, 2015 and was approved on by the Court on September 18, 2015. This report covers the period from May 22, 2015 through May 22, 2016. The closing date for all reports is May 22, 2016, and the Guardian is required to file reports within 90 days of that date. The Guardian is to file a report every **12 months**.

3. Interested Parties

(List each person who has filed a Request for Special Notice of Proceedings and those whom the Court has designated to receive copies of reports.)

Name	Mailing Address	Relationship to Incapacitated Person
Deborah A. Black	210 Linden Ave. Moses Lake, WA 98837	Daughter
John Black	3590 Rd F NE Moses Lake, WA 98837	Son
Lee Nordstrom, Trustee	c/o Winston & Cashatt Attn: Mr. Jeffery Ropp & Ms. Lisa Malpass 601 W. Riverside Ave., #1900 Spokane, WA 99201	Trustee of Trust

4. Interested Governmental Agencies (Check each box that is applicable.)

- The incapacitated person is a veteran of the United States Military who is receiving or has received veteran's benefits and the guardian of the estate manages those veteran's benefits. Notice must be provided at least 15 days before the hearing to: The Department of Veteran's Affairs: WAREA Fiduciary Hub, Department of Veteran Affairs, 550 Foothill Drive, P.O. Box 58086, Salt Lake City, UT 84158. (Check www.va.gov to verify the address is current.) (RCW 73.36.020).

The incapacitated person is a Medicaid client of the Department of Social and Health Services (DSHS) who (1) pays guardian's fees; and (2) is required to contribute to the cost of his or her care in a nursing home or other similar facility. Notice must be provided at least 10 days before the hearing to DSHS. (WAC 388-79-050).

Other:

5. Benefits Received

The Guardian receives the following monthly benefits on behalf of the Incapacitated Person, in the following amounts:

<input type="checkbox"/> SSDI/SSA: \$ _____;	<input type="checkbox"/> Medicaid;
<input type="checkbox"/> SSI: \$ _____;	<input type="checkbox"/> Medicare;
<input type="checkbox"/> GAU: \$ _____;	<input type="checkbox"/> COPES;
<input type="checkbox"/> VA Pension: \$ _____;	<input type="checkbox"/> TANF;
<input type="checkbox"/> L&I Benefits: \$ _____;	<input type="checkbox"/> HUD;
<input type="checkbox"/> Other - Specify: _____;	<input type="checkbox"/> Food Stamps \$ _____;

Trust (reporting) the Trustee's name, address, and court case number are:

Trust (non-reporting) the Trustee's name, address:

Lee Nordstrom, Trustee of the Jack and Anna May Black Trust, c/o Winston Cashatt, 601 W. Riverside Ave. #1900, Spokane, WA 99201

Beginning in July 2016, the Guardian was appointed as the Representative Payee of the Incapacitated Person's SSA payments. As a result, the Guardian has been receiving these funds beginning in July 2016.

6. Inventory

An inventory of all property of the Incapacitated Person's estate at the commencement of the Guardianship is or is not on file herein.

7. Bond and Blocked Accounts

There is or is not currently a bond in place in the amount of \$ _____ (Bond No.: _____).

The total balance of assets in blocked accounts is \$ _____.

The total balance of assets in unblocked accounts is \$ _____.

The bond should remain or should be changed to \$ _____.

Assets in excess of the bond amount should be restricted (i.e. blocked) and should be subject to a Receipt of Funds into Blocked Financial Account, form WPF GDN 04.0600, on file with the court.

8. Guardian Fees

The Guardian is requesting fees and costs in the amount of \$ 16,724.80 for the period of May 22, 2015 through May 22, 2016. The Guardian has received payments in the amount of \$ 4,908.61 during this accounting period for their services. A payment of \$9,538.23 was made on July 8, 2016 for services carried out during this accounting period, leaving a balance of \$2,277.94. The Guardian has attached to this report (or has filed with this report) a separate itemized fee declaration that describes in detail: the services rendered, the time period that services were provided, the time required to provide the services, the requested rate of compensation, and the out of pocket costs incurred. The Guardian is requesting that the total amount of \$ 16,724.80 be disbursed from the guardianship assets.

During this accounting period the Guardian has performed the following duties:

The Guardian has visited Anna May regularly and has remained updated on her status by maintaining communication with Summerwood and all other professionals involved in Ms. Black's care. The Guardian gathered information and reviewed documented history in order to prepare the 90-day report and attend the required hearing. Frequent trips to Moses Lake have been made for care plan meetings at Summerwood, to accompany Anna May to various medical appointments (dentist, primary care physician), and for regular visits with Anna May. The Guardian has also visited Moses Lake in attempts to gain access to the Linden home in order to assess the viability of Anna May's wish to move home. This involved communications with numerous contractors and coordinating their participation in the assessment. The Guardian has communicated extensively, in person and via e-mail and telephone conference, with Deborah and John Black, Summerwood and several Attorneys. Mediation was held during this reporting period which required preparation and attendance by the Guardian. The Guardian has maintained organized files and up to date records regarding Anna May.

9. Attorney Fees

The Guardian has retained the services of the Law Offices of Randall | Danskin, P.S., and is requesting that fees and costs in the amount of \$33,377.78 for the time period of May 22, 2015 through May 31, 2016 be paid from guardianship or Trust assets. Attached in this report (or filed herewith) is a separate itemized fee declaration that describes the legal services provided.

10. Court Approval

The guardian petitions the Court for approval of this report.

11. Guardian's Monthly Allowance

Pursuant to RCW 11.92.180, the guardian is requesting a monthly allowance for ongoing:

- (a) guardian fees and costs and (b) attorney fees and costs for services already performed. The amount of guardian fees and costs and attorney fees and costs for services performed for the previous accounting period totaled \$ 16,724.80. This is a monthly average of \$ 1,393.73. The actual monthly allowance that the Guardian received during the previous accounting period was \$750.00. The Guardian now requests a monthly allowance of \$950.00. This allowance (paid monthly) would be considered an "advance" on the fees and costs billed by the Guardian, or its

attorney, for services already performed. However, the total fees and costs billed (notwithstanding the allowance payments) should: (a) ultimately be subject to the review and approval of the court and (b) create no presumptions by the court or the Guardian regarding the reasonableness, or necessity, of those fees and costs. *Said monthly allowance should be made effective as of (date) June 1, 2016.*

12. Lay Guardian Training

- Does not apply. The Guardian is a certified professional guardian or financial institution.
- (Name of guardian) _____ successfully completed the required lay guardian training. The certificate of completion is is not on file with the court or attached.
- The court waived (name of guardian) _____'s requirement to complete lay guardian training.
- The guardian or limited guardian was required to complete additional or updated training. (Name of guardian) _____ successfully completed this additional or updated training. The certificate of completion is is not on file with the court or attached.

Guardian of the Person

Section B – to be completed by the Guardian of the Person.

13. Status Report

a. Status

Anna May Black is now 87 years of age.

The Guardian believes that Ms. Black is receiving satisfactory care. However, Anna May continues to request to move home.

b. Change in Residence

The following changes in residence of Ms. Black occurred during the reporting period: None. The Guardian believes that Anna May should continue to reside in Summerwood until she is able to return to her home with 24/7 care.

c. Medical Condition

The medical condition of Anna May Black is *(list all disabilities and changes that occurred during the report period)*:

On April 17, 2016 Anna May was found by Summerwood staff sitting on her bathroom floor. Anna May was sent to the emergency room to make certain that she had not been injured. No significant injuries were noted but upon returning from the emergency room she complained of generalized pain. Anna May also began coughing and showed signs of congestion. For 10 days, Tramadol was given for pain relief and an expectorant for coughing and congestion. On May 25, 2016, Gabapentin replaced Tramadol for leg pain and to increase probability of Ms. Black's compliance in physical therapy.

Anna May's last check up with her primary care physician revealed that her weight has not changed and her health appears stable. Ms. Black is becoming more compliant with regular dental cleanings.

d. Mental Condition

The mental condition of Anna May Black *(list diagnosis, if any, and changes that occurred during the report period)*:

Ms. Black is diagnosed as having vascular dementia, high cholesterol, hypothyroid, mitral valve disorders, anxiety, dysthymic disorder, mild tremor (hands), arthritis (thumbs). Anna May has a history of chest pain, cramps in her legs and feet, and has had rheumatic fever twice.

Anna May continues to show signs of cognitive decline as evidenced by repeated questions and deficit in short term memory, leaving conversations fragmented and scattered. Despite her challenges, Ms. Black seems to enjoy socializing one on one. More recently, Anna May has

appeared more content yet continues to demonstrate signs of discomfort as well with persistent questioning regarding her home and family, wincing, resisting care, and tightly closed eyes.

e. Changes in Functional Ability

A description of changes, if any, in the functional abilities of Anna May Black:

Ms. Black had a fall which resulted in generalized pain. This was complicated with a cough and congestion, requiring Anna May to rest and delay the start of physical therapy; evaluation was requested on May 25, 2016 but denied for fear of lack of compliance due to pain issues. Anna May has been receiving physical therapy since June 21, 2016. The goals of current physical therapy include safe transfers and eventually ambulation with aid. Future physical therapy will be encouraged, with the goal of independent ambulation.

Anna May is able to feed herself but needs reminders to drink adequate fluids throughout the day. Ms. Black continues to require limited to full assistance with all other Activities of Daily Living, including, but not limited to, personal hygiene (brushing teeth, washing face/hands, etc) dressing, transferring/mobility, ambulating, toileting, and bathing.

f. Activities of the Guardian Taken on Behalf of Anna May Black

The following is a description of the activities in which the Guardian has engaged for the benefit of Anna May Black:

- ❖ Visited Anna May at least once per month
- ❖ Remained updated on Ms. Black's status by communicating with Summerwood staff and health care professionals
- ❖ Prepared necessary Court Reports and prepared for and attended associated hearings
- ❖ Attended Care Plan meetings at Summerwood
- ❖ Accompanied Anna May to dental and medical appointments
- ❖ Advocated for Ms. Black in regards to her desires to move home; communicated and coordinated with contractors in the assessment of her Linden home and attempted to communicate and make arrangements with Deborah Black
- ❖ Numerous correspondences with Deborah Black, John Black, Summerwood staff and administrators, and Attorneys
- ❖ Prepared for and attended Mediation
- ❖ Maintained files and up to date records

g. Description of Recommended Changes in Scope of Authority of Guardian

The scope of authority of the Guardian [X] should remain the same, or [] should be changed as follows:

h. Names of Professionals Who Have Aided the Incapacitated Person

The following professionals have assisted Anna May Black during the period covered by this report:

<u>Name</u>	<u>Service Provided</u>
Dr. Graham	Primary Care Physician
Lakeside Dental	Dental
Dr. David Greeley	Neurologist

i. Guardian's Plan for Future Care

The Guardian's care plan remains the same. As Anna May remains adamant that she return home, the Guardian will continue to advocate for Ms. Black in order to uphold this goal.

Guardian of the Estate

Section C – to be completed by the Guardian of the Estate.

14. Proposed Budget

The Guardian of the Estate seeks authority to make expenditures for the Incapacitated Person according to the following proposed budget:

a. Monthly Expenditures for the Incapacitated Person

	Current	Proposed	Comments
Room and Board – up to	\$	\$	
Personal and Incidental Allowance Up to	\$	\$	
Medical/Dental Insurance	\$	\$	
Other: _____	\$	\$	
Other: _____	\$	\$	
Other: _____	\$	\$	
Guardian’s Allowance	\$	\$	
Total Proposed Monthly Expenditures	\$	\$	X 12 = \$ _____ per year

b. Medical and Dental Expenses

The Guardian should be permitted to incur and pay reasonable and necessary medical and dental expenses that the Guardian determines to be in the best interest of the Incapacitated Person.

c. Income Tax Payments

The Guardian may be required to file federal income tax returns and pay income tax due on Guardianship income and should be permitted to pay any tax owed and fees incurred for accounting services required in connection with the preparation of income tax returns.

d. Supplemental Annual Allowance

The Guardian should be permitted to provide a supplemental allowance one time per calendar year of up to \$ _____, to the Incapacitated Person (e.g. at holiday time) provided adequate funds are available.

e. Clothing Allowance

The Guardian should be permitted to provide a clothing allowance of up to \$ _____ per calendar year (\$500.00 per year if not filled in), provided adequate funds are available;

f. Miscellaneous Expenses

The Guardian should be permitted to make disbursements in an amount not to exceed \$ _____ (\$500.00 if not filled in) on any one expenditure, from guardianship assets for miscellaneous and necessary items that appear to be reasonable and in the best interest of the Incapacitated Person, without prior approval, to a maximum of \$ _____ (\$1,500.00 if not filled in) per year without further order of the Court;

g. Other

The Guardian should be permitted to disburse \$ _____ for _____

15. Balance Sheet

(This section can be an attachment if more convenient. The purpose of this section is to provide a listing of the assets and liabilities at the start and the end of the accounting period.)

**Market Value at
Start of Accounting**

**Market Value at End of
Accounting**

Date: _____

Date: _____

Assets

a. Real Property

1. _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____
3. _____	\$ _____	\$ _____

b. Receivables (Mortgages, Liens, Notes payable to the Incapacitated Person, the Estate, or Trust.)

1. _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____

3. _____ \$ _____ \$ _____

c. Unblocked Liquid Assets (*Investment Accounts, Stocks, Bonds, Securities, IRA, Cash.*)

1. Financial Institution

Address

Address

City, WA Zip

a. Interest Checking Account

Account No.: last 4 digits _____ \$ _____ \$ _____

(Balance as of _____)

b. Savings Account

Account No.: last 4 digits _____ \$ _____ \$ _____

(Balance as of _____)

2. Financial Institution

Address

Address

City, WA Zip

a. Certificate of Deposit

Account No.: last 4 digits _____

Interest Rate: _____%

Maturity Date: _____ \$ _____ \$ _____

(Balance as of _____)

Total Unblocked \$ _____ \$ _____

d. Blocked Liquid Assets (*Investment Accounts, Stocks, Bonds, Securities, IRA, Cash in accounts where access to that account is already restricted by a restrictive agreement on file with the Court, and access to that account requires receipt by the institution of a court order authorizing access.*)

1. Financial Institution

Address

Address

City, WA Zip

a. Certificate of Deposit

Account No.: last 4 digits _____

Interest Rate: _____%

Maturity Date: _____ \$ _____ \$ _____
 (Balance as of _____)

b. Certificate of Deposit

Account No.: last 4 digits _____
 Interest Rate: _____ %
 Maturity Date: _____ \$ _____ \$ _____
 (Balance as of _____)

2. Financial Institution

Address

Address

City, WA Zip

a. Certificate of Deposit

Account No.: last 4 digits _____
 Interest Rate: _____ %
 Maturity Date: _____ \$ _____ \$ _____
 (Balance as of _____)

Total Blocked \$ _____ \$ _____

e. Personal and Other Property (*Household Goods, Vehicles, Burial Plots, Funeral Plans, Life Insurance.*)

1. _____	\$ _____	\$ _____
2. _____	\$ _____	\$ _____

Total Assets \$ _____ \$ _____

Liabilities

Mortgages and Liens

_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
Loan # _____	\$ _____	\$ _____
Total Liabilities	\$ _____	\$ _____

Total Estate \$ _____ \$ _____

Market Value at Market Value at

Start of Accounting End of Accounting
(See 15. above) (See 15. above)

Note: You should file with this report (using the *Sealed Confidential Guardianship Document Cover Sheet, WPF GDN 03.0200*) the statements (such as monthly financial institution statements) that verify the balance of the accounts that are listed above. For the assets that are listed above as "blocked liquid assets" you should include copies of the blocking agreement, restrictive agreement or receipts that you received from the institutions holding those assets, which establish that your access to them is restricted.

16. Estate Information

For Accounting Period Starting (date) _____ and ending (date) _____.

(The purpose of this section is to compare the value of the estate at the beginning of the accounting period with the receipts, disbursements and adjustments (if any) made during the accounting period.) The ending value of the estate should equal:

- a. the Total Market Value of the estate at the beginning of the account period, (plus)
- b. the Total Receipts during the accounting period, (minus)
- c. the Total Disbursement during the accounting period, (plus or minus),
- d. any Adjustments to the Market Value of the Estate.
(a. +b. -c. +/- d. = e.)

a. Total Assets at Market Value as of the beginning of review period \$ _____

b. Total Receipts \$ _____

Write total amount for entire accounting period. Do not use monthly amount.

Income:	
Social Security (SSA)	\$
SSI	\$
VA/Railroad/CSA Pension	\$
Retirement Pension	\$
Wages	\$
Interest and Dividends	\$
Other	\$

c. Total Disbursements (Payments) \$ _____

Disbursements:	
Room and Board (Rent, Nursing Home, Family Home)	\$ _____
Personal Funds	\$ _____
Entertainment & Travel	\$ _____
Transportation (mileage, bus pass, taxi scrip, etc.)	\$ _____
Medical and Dental	\$ _____
Guardian Fees (if allowed)	\$ _____
Attorney Fees	\$ _____
Other:	\$ _____

d. Adjustments +/- \$ _____

(Net gain/loss in value of assets over accounting period.)

e. Ending Market Value as of closing date of accounting period \$ _____

(Amount in line 16a.	\$ _____	
plus amount in line 16b.	+\$ _____	
	Equals	\$ _____
minus amount in line 16c.	-\$ _____	
	Equals	\$ _____
plus or minus amount in line 16d. +/- \$		_____
	Equals = \$ _____	Should equal 16e.

If the last line does not equal line 16e., your account does not balance. The account must balance to be approved by the court.)

17. Explanations

Explain any large or unusual expenditures, adjustments, or purchases:

Verification

Section D – (to be completed by All Guardians.)

Dated: 8.8.16

I certify (or declare) under penalty of perjury under the laws of the state of Washington that to the statements in this report are true and correct, that I (we) hereby petition the court for approval of same, and request that the court direct the clerk of the court to reissue letters of guardianship consistent with the designation made herein.

Signed at (city) Entiat, (state) WA, on (date) 8.8.16.

Lori Sorensen
Signature of Guardian

LORI SORENSEN, CPG#11669
Print Name of Guardian

FILED

2016 AUG 23 PM 2: 10

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF GRANT**

In the Guardianship of:

No. 14-4-00036-1

ANNA MAY BLACK,
Incapacitated Person

**Periodic Personal Care Plan
(PCP)**

The Guardian of the Person, respectfully submits the following Personal Care Plan:

1. Custody and Residence

Anna May Black is now 87 years of age. She presently resides at Summerwood Senior Care Facility at 830 Sunset Court, Moses Lake, WA 98837. The Guardian believes that she is receiving satisfactory care, and should continue to reside there until she is able to return to her home with 24/7 care.

2. Description of Services or Programs

Anna May continues to receive full time nursing care at Summerwood. Although she is still often found in her room sleeping, Anna May has recently become more easily encouraged to participate in programs and activities in the common areas of Summerwood. The Guardian has also begun the process of hiring a private companion for eight (8) hours each day. One on one interaction seems to have an extremely positive effect on Anna May. The Guardian has witnessed, and staff has reported, that companion presence has positively influenced her ability/desire to engage in group functions and activities, as well as her overall demeanor.

3. Physical and Medical Status and Need

Anna May has been independent in much of her mobility, including transfers and bed mobility, but has become quite fond of her wheelchair after a fall she experienced on April 17, 2016. Anna May is receiving physical therapy with the goal of increasing her strength so that the wheelchair can be replaced with her walker and continued ambulation encouraged. At times Anna May can become dizzy or feel weak causing her to be unsteady and at risk for a fall. This can be managed through encouraging Anna May to stay hydrated, and to use her wheelchair as needed.

Regular medications are administered, monitored, and adjusted appropriately by nursing staff at Summerwood. Anna May also receives PRN medications to alleviate temporary pain or discomfort, and for anxiety (when other interventions are unsuccessful).

4. Mental and Emotional Status

Anna May is somewhat able to compensate for her memory loss and cognitive decline. At times, she can be successful in following a short train of thought through conversation; however, she will repeat questions and revisit subjects multiple times. Although she is not as prone to tears as she once was, Anna May continues to periodically demonstrate signs of anxiety, including persistent questioning about her family and living situation, and general discomfort as evidenced by wincing, body shudders, and closing her eyes. The Guardian has observed Anna May in the presence of, and after spending time with, a companion and has noticed a decrease in these behaviors/symptoms.

5. Description of Functional Abilities

Simple personal hygiene (brushing teeth, washing face/hands, etc) and dressing are done with assistance and cueing, while toileting requires full support to ensure cleanliness and follow through. Bathing is done with supervision and assistance and staff is working to make Anna May more comfortable during this process. Anna May is able to feed herself but needs reminders to drink adequate fluids throughout the day.

6. Guardian’s Specific Plan for Meeting the Identified and Emerging Personal Care Needs

Although the initial goal was to move Anna May to her private home in Moses Lake, the Guardian recognizes that, due to ongoing legal and Trust issues, this cannot be done in a timely manner. The Guardian has made the decision to make every attempt to enhance Anna May's quality of life to its highest potential within the current parameters. Anna May has moved into a new room at Summerwood which will give her more space and privacy. The Guardian will modify the current furnishings to increase comfort and, with the continued addition of personal items and family photos, attempt to give Anna May a stronger sense of place. Having her own space will allow Anna May the comfort and freedom of having friends and family over to visit, which has the potential to improve her quality of life, as well. Anna May's wish is to reside at her home and the Guardian hopes to revisit this option as other issues are put to rest.

7. Contact Information for Facility or Home, Guardian and Standby Guardian

	Facility/Home Contact	Guardian	Standby Guardian
Full Name	Summerwood	Lori Sorensen	Robert Russell
Mailing Address	830 Sunburst Court	PO Box 535	PO Box 352
City, State, Zip	Moses Lake, WA 98837	Entiat, WA 98822	Wenatchee, WA 98807
*Telephone Number	(509) 707-8034	(509) 679-4915	(509) 881-7911

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed in Entiat, WA on (date) 8-8-16.

Lori Sorensen
Lori K. Sorensen CPG #11669
P.O. Box 535
Entiat, WA, 98822

FILED

2016 AUG 23 PM 2: 10

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF GRANT

In the Guardianship of:)	No.: 14-4-00036-1
ANNA MAY BLACK,)	
An Alleged Incapacitated Person)	DECLARATION OF GUARDIAN
)	FEES AND COSTS
)	

Pursuant to RCW 9A.72.085, I, LORI K. SORENSEN, state and declare;

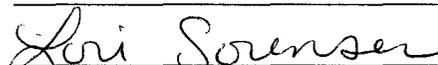
That I am over the age of 18 years and make this Declaration based on my own personal knowledge.

That I have performed professional services as Guardian on behalf of Ms. Black from May 22, 2015 through May 22, 2016. The total sum of fees is \$16,724.80. \$4,908.61 has been paid from the Trust during this reporting period. The Guardian received \$9,538.23 on July 8, 2016 for services provided during this reporting period; the balance owed is \$2,277.94.

Attached hereto is a billing statement through May 22, 2016. I have reviewed said account for presentation and declare that the charges are accurately and completely stated and are reasonable. The services rendered and the costs advanced are as represented, were necessary to the proper administration of this matter and are reasonable.

I hereby declare under penalty of perjury, pursuant to laws of the State of Washington, that the foregoing Declaration is true and accurate in all respects.

Signed this 8 day of August, in Grant County, State of Washington.



 LORI K. SORENSEN CPG#11669
 Guardian for Anna May Black
 P.O. Box 535
 Entiat, WA 98822
 (509) 679-4915 sorensenlori@hotmail.com

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 P.O. Box 535 Entiat, WA 98822

Statement

Date
 5/22/2016

To:
 Anna May Black
 No. 14-4-00036-1

Amount Due
 \$11,816.19

Date	Transaction	Amount	Balance
05/21/2015	Balance forward		0.00
06/01/2015	INV #260.	966.67	966.67
07/01/2015	INV #261.	620.00	1,586.67
08/01/2015	INV #477.	1,858.74	3,445.41
08/20/2015	INV #504.	1,463.20	4,908.61
09/01/2015	INV #511.	269.16	5,177.77
10/01/2015	INV #531.	978.58	6,156.35
10/01/2015	PMT	-4,908.61	1,247.74
11/01/2015	INV #565.	1,213.50	2,461.24
12/01/2015	INV #594.	469.15	2,930.39
01/01/2016	INV #623.	1,738.91	4,669.30
02/01/2016	INV #650.	974.59	5,643.89
03/01/2016	INV #680.	269.57	5,913.46
04/05/2016	INV #711.	870.91	6,784.37
05/03/2016	INV #741.	4,067.25	10,851.62
05/22/2016	INV #770.	964.57	11,816.19

\$9,538.25 received 7/8/16
Balance owed: \$2,277.94

CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
964.57	4,067.25	870.91	269.57	5,643.89	\$11,816.19

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
6/1/2015	260



Bill To:

Anna May Black
No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
5/22/2015	Travel	Travel to: Ephrata; Summerwood, Moses Lake	4	75.00	300.00
5/22/2015	Guardianship Duties	Court hearing; Visit to Summerwood to pick up medical records; Updates from staff	4	95.00	380.00
5/28/2015	Travel	Split travel	1.5	75.00	112.50
5/28/2015	Guardianship Duties	Introduced myself to Anna May; Updates from staff; Discussion with staff in regards to Anna May's daughter	0.83333	95.00	79.17
5/31/2015	Guardianship Duties	Letters and Request for Notice	1	95.00	95.00

Total

\$966.67

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
7/1/2015	261

PAID

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
6/1/2015	Travel	Drive to attorney's office	0.25	75.00	18.75
6/1/2015	Guardianship Duties	Phone conference with attorney, Mr. Murdock; Phone conference with Summerwood and Deborah; Reviewed court documents	0.58333	95.00	55.42
6/2/2015	Guardianship Duties	Telephone conferences: Deb Black regarding hearing, appointment for Anna May and dental appointment needed; Summerwood; Emails from Deb confirming information from audiology appointment	0.75	95.00	71.25
6/5/2015	Guardianship Duties	Phone conference with Summerwood for updates and concerns about birthday	0.16667	95.00	15.83
6/12/2015	Travel	Split	1	75.00	75.00
6/12/2015	Guardianship Duties	Visit; Updates from staff; Visit with administrator regarding family issue	0.83333	95.00	79.17
6/23/2015	Guardianship Duties	Telephone Conference: Summerwood - updates; John Black regarding issues with visits, Trust, and treatment of mom	0.91667	95.00	87.08
6/25/2015	Travel	Split	1	75.00	75.00
6/25/2015	Guardianship Duties	Introduced Standby Guardian; Visit with Anna May; Updates from staff	1.25	95.00	118.75
6/30/2015	Guardianship Duties	Telephone conference to Summerwood for updates; Set up Care Plan	0.25	95.00	23.75

Total

\$620.00

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Date	Invoice #
8/1/2015	477

PAID

Bill To:

Anna May Black
No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
7/1/2015	Accounting/Admini...	New client paperwork; Accounting, bill pay, filing, record keeping, mail, administrative;	2	55.00	110.00
7/9/2015	Guardianship Duties	Met with administrator to discuss care plan and challenges; Drove by Anna May's home	0.83333	95.00	79.17
7/9/2015	Travel	Travel to Summerwood	3	75.00	225.00
7/13/2015	Guardianship Duties	Initial Care Plan	0.5	95.00	47.50
7/21/2015	Guardianship Duties	Worked on 90 Day reporting	0.5	95.00	47.50
7/23/2015	Guardianship Duties	Telephone Conferences: John Black regarding issues with phone calls to his mom and other concerns; Lee (attorney) regarding inventory at family home; Summerwood to discuss issues with phone calls to Anna May	1.41667	95.00	134.58
7/24/2015	Guardianship Duties	Telephone conference with son, John	0.66667	95.00	63.33
7/26/2015	Guardianship Duties	Telephone conference with son, John	0.41667	95.00	39.58
7/27/2015	Travel	Travel to Moses Lake to visit Anna May	3.66667	75.00	275.00
7/27/2015	Guardianship Duties	Meet with attorney to review trust documents; Visit Anna May at Summerwood	0.91667	95.00	87.08
7/27/2015	Guardianship Duties	Attempt visit at trust home on Linden Ave; Deb not home NO CHARGE		95.00	95.00
7/28/2015	Guardianship Duties	Telephone conference with Lee Nordstom and David Webster	0.58333	95.00	55.42
7/29/2015	Guardianship Duties	Emails to Deb; Telephone Conference with Doctor's office; Telephone conferences with John Black; Email to Lee Nordstom; Telephone conference with Lee N.	1.91667	95.00	182.08
7/30/2015	Travel	Travel to Moses Lake	3.66667	75.00	275.00
7/30/2015	Guardianship Duties	Meeting at Summerwood; Assess Linden home; Telephone conference with attorney	1.5	95.00	142.50

Total

\$1,858.74

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
8/20/2015	504



Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
8/1/2015	Accounting/Admini...	Administrative: Accounting; Bill pay; Filing; Record keeping; Mail receipt	1	55.00	55.00
8/3/2015	Guardianship Duties	Telephone conference with Summerwood regarding change of room to private	0.16667	95.00	15.83
8/5/2015	Guardianship Duties	Telephone conferences with attorney and John Black	0.16667	95.00	15.83
8/7/2015	Guardianship Duties	Visit Summerwood - updates from staff; Visit with Anna May (states she wants to go home); Visit with John Black to review documents and Anna May's history	2.5	95.00	237.50
8/7/2015	Travel	Split travel to Moses Lake	1.83333	75.00	137.50
8/10/2015	Guardianship Duties	Telephone conference to make appointment with Dr. Graham; Telephone conference with attorney	0.2	95.00	19.00
8/11/2015	Guardianship Duties	Telephone conference to attorneys regarding guardianship and 90-day care plan	0.23333	95.00	22.17
8/12/2015	Guardianship Duties	Telephone conference with John Black; Telephone conference regarding caregivers; Telephone conference with attorney (Fowles); Email to Pat Acres;	1.08333	95.00	102.92
8/13/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
8/13/2015	Guardianship Duties	Updates from staff; Visit with Anna May: having cold symptoms, Anna May states she wants to go home	0.75	95.00	71.25
8/16/2015	Guardianship Duties	Telephone conference and Email with John Black	0.25	95.00	23.75
8/17/2015	Guardianship Duties	Initial Personal Care Plan	1.25	95.00	118.75
8/19/2015	Travel	Travel to Moses Lake and to appointment	3.83333	75.00	287.50
8/19/2015	Guardianship Duties	Appointment with physician. Visit with Anna May regarding concerns and preferences. Updates and information from staff.	2.3	95.00	218.50
8/20/2015	Guardianship Duties	Finalize Initial Personal Care Plan and additional court documents	0.66	95.00	62.70

Total

\$1,463.20

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Date	Invoice #
9/1/2015	511

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
8/18/2015	Guardianship Duties	Telephone conference with John Black; Communication with attorney	1	95.00	95.00
8/21/2015	Guardianship Duties	Telephone conference with attorney; Emails to attorney; Finalize care plan and file at Courthouse	1.41667	95.00	134.58
8/26/2015	Guardianship Duties	Telephone conference with APS regarding financial exploitation of Anna May	0.41667	95.00	39.58

Total

\$269.16

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
10/1/2015	531

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
9/1/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
9/1/2015	Guardianship Duties	Telephone conference with attorney; Visit with Anna May at Summerwood; Updates from staff; Dropped off documents to attorney	0.91667	95.00	87.08
9/1/2015	Accounting/Admini...	Reporting and Filing	0.33333	55.00	18.33
9/10/2015	Guardianship Duties	Emails to attorney; Telephone conference with John	0.6	95.00	57.00
9/11/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
9/11/2015	Guardianship Duties	Updates from staff; Long visit with Anna May;	1.33333	95.00	126.67
9/16/2015	Guardianship Duties	Telephone conference with John Black regarding care needs and history	1.2	95.00	114.00
9/17/2015	Guardianship Duties	Telephone conference with John Black; Telephone conference with dentist and neurologist	0.33333	95.00	31.67
9/18/2015	Guardianship Duties	90-day care plan court hearing; Visit with Anna May at Summerwood; Updates from staff	1.08333	95.00	102.92
9/18/2015	Travel	Split travel to Moses Lake/Ephrata	1	75.00	75.00
9/21/2015	Guardianship Duties	Telephone conference with Trust attorney regarding fees; Telephone conference to dentist regarding appointment	0.16667	95.00	15.83
9/22/2015	Guardianship Duties	Telephone conference to dentist; Telephone conference to John regarding dental appointment; Email attorney	0.2	95.00	19.00
9/25/2015	Guardianship Duties	Communications with John Black regarding outing with Anna May	0.16667	95.00	15.83
9/28/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
9/28/2015	Guardianship Duties	Emails to trust attorney and Trustee regarding fees; Telephone conference with John Black; Travel to Summerwood - Anna May asleep	0.95	95.00	90.25

Total

\$978.58

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
11/1/2015	565

PAID

Bill To:

Anna May Black
No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
10/1/2015	Accounting/Admini...	Filing, record keeping,	0.33333	55.00	18.33
10/2/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
10/2/2015	Guardianship Duties	Met with Anna May; Talked with staff - looking for records; Wrote check for hair care as no funds were available	0.66667	95.00	63.33
10/5/2015	Guardianship Duties	Email to Trustee; Email and telephone conferences with attorney; Telephone conference with Summerwood re: flu shot	0.41667	95.00	39.58
10/6/2015	Guardianship Duties	Telephone conference concerning house situation; Telephone conferences with John Black and attorney	0.8	95.00	76.00
10/12/2015	Guardianship Duties	Telephone conference with John Black	0.58333	95.00	55.42
10/13/2015	Guardianship Duties	Emails with attorney and Lee Nordstrom	0.16667	95.00	15.83
10/13/2015	Travel	Split travel	1	75.00	75.00
10/13/2015	Guardianship Duties	Met John for meeting and information; Visit with Anna May at Summerwood; Updates from staff	1.08333	95.00	102.92
10/16/2015	Travel	Split travel	1	75.00	75.00
10/16/2015	Guardianship Duties	Court hearing regarding access to Anna May's house; Visit Anna May at Summerwood; Telephone conference with APS; Deliver written notice of entry; Paperwork	1.35	95.00	128.25
10/17/2015	Guardianship Duties	Telephone conference regarding contractor for home remodel	0.4	95.00	38.00
10/20/2015	Travel	Travel to Moses Lake; Dentist appointment	2	75.00	150.00
10/20/2015	Guardianship Duties	Picked up Anna May from Summerwood with John and took her to the dentist; Updates from staff; Visit with Anna May	2.08333	95.00	197.92
10/27/2015	Guardianship Duties	Prepare information and be on phone standby for APS hearing	0.88333	95.00	83.92
10/30/2015	Guardianship Duties	Telephone conference with attorney	0.2	95.00	19.00

Total

\$1,213.50

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
12/1/2015	594

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
11/1/2015	Accounting/Admini...	Record keeping, filing and administrative duties	0.33333	55.00	18.33
11/4/2015	Guardianship Duties	Telephone conference with APS; Prepare information for fax	0.46667	95.00	44.33
11/6/2015	Travel	Split travel	1	75.00	75.00
11/6/2015	Guardianship Duties	Care plan; Updates from staff; Visit with Anna May	0.95	95.00	90.25
11/9/2015	Guardianship Duties	Telephone conference with John Black	0.16667	95.00	15.83
11/9/2015	Guardianship Duties	Telephone conference with John Black	0.16667	95.00	15.83
11/16/2015	Guardianship Duties	Telephone conference with attorney	0.25	95.00	23.75
11/17/2015	Guardianship Duties	Telephone conference with attorney	0.11667	95.00	11.08
11/25/2015	Guardianship Duties	Telephone conference with John Black regarding entry to Linden home for next Wed at 11 am	0.16667	95.00	15.83
11/30/2015	Travel	Split travel to Moses Lake	1	75.00	75.00
11/30/2015	Guardianship Duties	Telephone conference with John Black; Phone message to Deb; Emails to attorney; Email from Deb Black; Visit with Anna may	0.88333	95.00	83.92

Total

\$469.15

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
1/1/2016	623



Bill To:

Anna May Black
No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
12/1/2015	Accounting/Admini...	Record keeping, Filing	0.33333	55.00	18.33
12/1/2015	Guardianship Duties	Numerous phone calls to attorneys and John Black regarding remodel of home and access issues and accounting	0.95	95.00	90.25
12/2/2015	Travel	Split travel	2	75.00	150.00
12/2/2015	Guardianship Duties	Telephone conferences to attorney and John Black; Met contractor at house to discuss project; Deb was there but did not allow access; Emails to Spokane Attorney	1.61667	95.00	153.58
12/4/2015	Travel	Travel to Moses lake	2.5	75.00	187.50
12/4/2015	Guardianship Duties	Met contractors at house to plan remodel; Communications with attorneys, John and contractors	1.58333	95.00	150.42
12/5/2015	Guardianship Duties	Telephone conference with attorney; Email about home inspection to numerous people	0.75	95.00	71.25
12/8/2015	Guardianship Duties	Telephone conference with attorney	0.16667	95.00	15.83
12/9/2015	Guardianship Duties	Telephone conference with attorney; Telephone conference with Summerwood; Read, sign, scan declaration	0.35	95.00	33.25
12/14/2015	Guardianship Duties	Emails from attorneys regarding Will and removal from home	0.2	95.00	19.00
12/15/2015	Guardianship Duties	Emails with attorney	0.23333	95.00	22.17
12/16/2015	Travel	Travel to Summerwood, Moses Lake	3.5	75.00	262.50
12/16/2015	Guardianship Duties	Visit with Anna May; Discussed concerns regarding missing items; Telephone conferences with John Black and attorney	2.5	95.00	237.50
12/18/2015	Guardianship Duties	Telephone conference with John Black; Emails from attorneys with court documents to review	0.53333	95.00	50.67
12/21/2015	Travel	Travel for Christmas shopping	1	75.00	75.00
12/21/2015	Guardianship Duties	Christmas shopping	0.66667	95.00	63.33
12/22/2015	Travel	Split travel	1	75.00	75.00
12/22/2015	Guardianship Duties	Visit with Anna May; Delivered Christmas gifts; Telephone conference with attorney	0.66667	95.00	63.33

Total

\$1,738.91

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
2/1/2016	650

PAID

Bill To:

Anna May Black
No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
1/1/2016	Accounting/Admini...	Filing; Record Keeping	0.33333	55.00	18.33
1/9/2016	Guardianship Duties	Communications with John Black	0.16667	95.00	15.83
1/11/2016	Guardianship Duties	Telephone conference with attorneys	0.58333	95.00	55.42
1/14/2016	Travel	Split travel to Moses Lake	0.75	75.00	56.25
1/14/2016	Guardianship Duties	Updates from staff	0.91667	95.00	87.08
1/15/2016	Guardianship Duties	Emails to attorney; Telephone conference with John Black	0.5	95.00	47.50
1/18/2016	Guardianship Duties	Telephone conference with Bill Bucholdt	0.58333	95.00	55.42
1/21/2016	Guardianship Duties	Telephone conference with John Black	0.16667	95.00	15.83
1/22/2016	Guardianship Duties	Telephone conferences: Summerwood regarding hygienist and family issues; John Black; Glennie	1.33333	95.00	126.67
1/25/2016	Guardianship Duties	Telephone conference to make appointment with physician; Telephone conference with nurse; Communications with attorney; Telephone conferences with John Black and Neurology; Read declaration and petition	0.75	95.00	71.25
1/26/2016	Guardianship Duties	Visit with Anna May; Updates from staff	0.33333	95.00	31.67
1/27/2016	Travel	Travel to Dr.	2.5	75.00	187.50
1/27/2016	Guardianship Duties	Took Anna May to the Doctor; Visit with Anna May to comfort; Updates from staff	1.83333	95.00	174.17
1/28/2016	Guardianship Duties	Emails with attorney and review of declaration	0.33333	95.00	31.67

Total

\$974.59

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
3/1/2016	680

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
2/1/2016	Accounting/Admini...	Record keeping; Filing	0.33333	55.00	18.33
2/10/2016	Guardianship Duties	Telephone conference with John Black	0.16667	95.00	15.83
2/15/2016	Guardianship Duties	Reviewed and responded to Email from attorney	0.33333	95.00	31.67
2/16/2016	Guardianship Duties	Email from attorney and response	0.25	95.00	23.75
2/18/2016	Travel	Split travel	0.5	75.00	37.50
2/18/2016	Guardianship Duties	Visit with Anna May; Updates from staff; Read case notes; Telephone conference with attorney; Discussion with administrator	0.91667	95.00	87.08
2/20/2016	Guardianship Duties	Telephone conference with John Black	0.41667	95.00	39.58
2/24/2016	Guardianship Duties	Email correspondence with attorney	0.16667	95.00	15.83

Total

\$269.57

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
4/5/2016	711

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
3/1/2016	Accounting/Admini...	Record keeping; Filing	0.33333	55.00	18.33
3/3/2016	Travel	Split travel	1	75.00	75.00
3/3/2016	Guardianship Duties	Updates from staff; Visit with Anna may; Text to John	0.66667	95.00	63.33
3/8/2016	Guardianship Duties	Telephone conference with John Black; Left message for Lee Nordstrom	0.13333	95.00	12.67
3/9/2016	Guardianship Duties	Telephone message for Lee Nordstrom; Communication with John	0.43333	95.00	41.17
3/10/2016	Guardianship Duties	Telephone conference with attorney; Review legal documents; Telephone message left for Lee Nordstrom; Communication with John	1.41667	95.00	134.58
3/16/2016	Travel	Split travel to Moses Lake	2	75.00	150.00
3/16/2016	Guardianship Duties	Trip to Summerwood to deliver court documents in person to Anna May; Updates from staff; Telephone conference with John	0.71667	95.00	68.08
3/22/2016	Travel	Split - Moses Lake	1	75.00	75.00
3/22/2016	Guardianship Duties	Updates from staff at Summerwood and tour private room options; Check in on Anna May (sleeping); Notarize legal documents; Telephone conferences and emails with attorney	1.16667	95.00	110.83
3/23/2016	Guardianship Duties	Telephone conferences with John Black and Lee Nordstrom	0.48333	95.00	45.92
3/29/2016	Guardianship Duties	Telephone conferences: Summerwood x4, Eye doctor, John Black Communications with attorney	0.8	95.00	76.00

Total

\$870.91

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
5/3/2016	741

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
4/1/2016	Accounting/Admini...	Filing; Record Keeping; Administrative	0.33333	55.00	18.33
4/1/2016	Travel	Moses Lake	3.25	75.00	243.75
4/1/2016	Guardianship Duties	Court Hearing; Visit Anna May and staff at Summerwood; Telephone conferences and emails with attorney	2.16667	95.00	205.83
4/6/2016	Guardianship Duties	Telephone conference with Summerwood Admin.; Emails to attorney	0.75	95.00	71.25
4/7/2016	Guardianship Duties	Telephone conferences: Attorney; GAL; Summerwood	0.78333	95.00	74.42
4/8/2016	Guardianship Duties	Communications with Attorney	0.16667	95.00	15.83
4/9/2016	Travel	Moses Lake	3.33333	75.00	250.00
4/9/2016	Guardianship Duties	Meet with GAL and visit with Anna May; Emails with GAL	3.58333	95.00	340.42
4/10/2016	Guardianship Duties	Communications with John; Review of documents	1.25	95.00	118.75
4/11/2016	Guardianship Duties	Correspondence with GAL, Attorney and John	1.2	95.00	114.00
4/12/2016	Guardianship Duties	Emails with attorney	0.16667	95.00	15.83
4/13/2016	Guardianship Duties	Shopping for personal items	0.16667	95.00	15.83
4/13/2016	Guardianship Duties	Telephone conference with Summerwood regarding room costs	0.16667	95.00	15.83
4/14/2016	Guardianship Duties	Emails to attorney and Trustee; Communication with John; Visit with Anna May	0.56667	95.00	53.83
4/17/2016	Guardianship Duties	Telephone conferences with Summerwood	0.2	95.00	19.00
4/18/2016	Travel	Split - Moses Lake	2	75.00	150.00
4/18/2016	Guardianship Duties	Visit with Anna May; Communication with family; Meeting with care staff and meetings with administrator	0.83333	95.00	79.17
4/19/2016	Guardianship Duties	Telephone conferences with Summerwood and John	0.23333	95.00	22.17
4/20/2016	Guardianship Duties	Email attorney; Telephone conferences with Administrator at Summerwood; Communications with John	0.61667	95.00	58.58
4/21/2016	Guardianship Duties	Telephone call to Dentist	0.08333	95.00	7.92
4/21/2016	Guardianship Duties	Telephone conferences with attorney, APS and John Black	1.16667	95.00	110.83
4/22/2016	Guardianship Duties	Attended mediation	12	95.00	1,140.00
4/22/2016	Travel	To Spokane - Mediation	6.5	75.00	487.50
4/23/2016	Guardianship Duties	Check in with Anna May; Updates from staff	0.38333	95.00	36.42

Total

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
5/3/2016	741

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
4/25/2016	Travel	Split - Moses Lake	2	75.00	150.00
4/25/2016	Guardianship Duties	Visit with Anna May; Met and interviewed potential companion; Updates from staff; Email attorney	1.23333	95.00	117.17
4/26/2016	Guardianship Duties	Emails to attorney; Review settlement statement	0.38333	95.00	36.42
4/27/2016	Guardianship Duties	Telephone conference with attorney regarding Agreement	0.25	95.00	23.75
4/29/2016	Guardianship Duties	Visit with Anna May	0.53333	95.00	50.67
4/29/2016	Guardianship Duties	Telephone conference with attorney; Reviewed proposed Agreement changes	0.25	95.00	23.75

Total

\$4,067.25

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
5/22/2016	770

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
5/2/2016	Accounting/Admini...	Filing; Record Keeping; Administrative	0.33333	55.00	18.33
5/2/2016	Travel	Split - Wenatchee	0.75	75.00	56.25
5/2/2016	Guardianship Duties	Visit bank - attempt to set up payee account; Visit Social Security - applied to be Representative Payee	0.91667	95.00	87.08
5/3/2016	Guardianship Duties	Telephone conference with John Black	0.41667	95.00	39.58
5/5/2016	Travel	Split - Moses Lake	1	75.00	75.00
5/5/2016	Guardianship Duties	Telephone conference with John Black; Email from attorney; Visit with Anna May; Updates from staff; Telephone conference with Summerwood administrator	1.91667	95.00	182.08
5/6/2016	Guardianship Duties	Telephone conferences: with Summerwood; with proposed companion; with John	0.41667	95.00	39.58
5/15/2016	Guardianship Duties	Telephone conference with Summerwood regarding care plan; Communication with John	1.13333	95.00	107.67
5/17/2016	Guardianship Duties	Telephone conference to confirm care plan; Communication from John	0.16667	95.00	15.83
5/18/2016	Travel	Split - Moses Lake	2	75.00	150.00
5/18/2016	Guardianship Duties	Care plan; Updates from nurse; Visit with Anna May	1.33333	95.00	126.67
5/19/2016	Guardianship Duties	Email to GAL	0.16667	95.00	15.83
5/20/2016	Guardianship Duties	Email and phone call to attorney; Communication with John	0.53333	95.00	50.67
Total					\$964.57

***THIS DOCUMENT IS CONFIDENTIAL
AND HAS BEEN PREVIOUSLY SENT
SEPARATELY WITHIN THE ORIGINAL
DESIGNATION***

SUB# 164

PAGE(S) 759-768

1 these various causes of actions in which the Incapacitated Person was a named or interested
2 party, as well as, assist with issues relating to the care and comfort of the Incapacitated
3 Person. The causes of action related to the Incapacitated Person's beneficial interests in the
4 Jack Black and Anna May Black Second Amended and Restated Trust ("Trust") and the
5 Estate of Jack Black ("Estate"). At the time we were retained, no party had been appointed to
6 represent the Incapacitated Person's interest in these causes of action.

7 Since there was no appointed representative in these causes of action, the Guardian
8 requested the court to be appointed to represent the Incapacitated Person in the causes of
9 action. The daughter of the Incapacitated Person who was also acting at the Co-Trustee of the
10 Trust opposed the appointment of the Guardian to represent the Incapacitated Persons interest
11 and requested that Richard Perednia be appointed as Guardian Ad Litem under RCW 4.08.040
12 for the Incapacitated Person. The Court granted the request of the Incapacitated Person's
13 daughter and appointed Richard Perednia as the Guardian Ad Litem.
14

15 In addition to representing the Incapacitated Person's interests through the Guardian in
16 this matter, we represented the guardian at the mediation of the causes of action held on April
17 22, 2016.

18 The total attorney fees incurred by the Trust and Estate with respect to these causes of
19 actions has exceeded \$100,000.

20 During the course of this proceeding, and in relation to the representation of the
21 Guardian of the Person of Anna May Black under Cause No. 14-4-00036-1 as outlined above,
22 in excess of 140 hours have been spent on this matter. Our billing invoice in this matter has
23

24 DECLARATION OF WILLIAM A.
25 BUCKHOLDT RE: ATTORNEY FEES - 2

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SPOKANE, WASHINGTON 99201-0653
(509) 747-2052

1 been submitted to the Court under seal as the invoice contains privileged attorney-client and
2 attorney work product information. The Guardian has reviewed this invoice and approved the
3 work that has been performed.

4 **Summary**

5 **Professional fees:**

6 William A. Buckholdt (124.5 hours at \$350.00 per hour \$31,125.00
reduced to \$250.00 per hour)

7 Troy Y. Nelson (1 hour at \$325.00 per hour reduced to \$ 250.00
8 \$250.00 per hour)

9 Brook L. Cunningham (4.40 hours at \$250.00 per hour) \$ 1,100.00

10 Douglas J. Siddoway (.30 hours at \$385.00 per hour \$ 75.00
11 reduced to \$250 per hour)

12 David A. Kulisch (4.5 hours at \$325.00 per hour reduced to \$ 1,125.00
13 \$250.00 per hour)

14 Debbie J. King (2.9 hours at \$100.00 per hour reduced to \$ 274.00
15 \$94.48 per hour)

16 Daralyn Lohr (14.3 hours at \$130 per hour) \$ 1,859.00

17 **FEES TOTAL: \$32,870.50**

18 **Expenses: \$ 507.28**

19 **TOTAL: \$33,377.78**

20 DATED this 15th day of August, 2016 at Spokane, Washington.

21 RANDALL | DANSKIN, P.S.

22 By: 
23 William A. Buckholdt, WSBA #29833
24 Attorneys for Court-Appointed Guardian
25 Of the Person, Lori Sorensen

26 F:\Users\19927\Guardianship Proceedings\Plead\AFF of Service by Lori Sorenson.docx.js

DECLARATION OF WILLIAM A.
BUCKHOLDT RE: ATTORNEY FEES - 3

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CERTIFICATE OF SERVICE

I hereby certify that I caused to be served a true and correct copy of the foregoing document on the 19 day of August, 2016, addressed to the following:

Lisa Malpass
Winston & Cashatt
601 W. Riverside, Suite 1900
Spokane, WA 99201

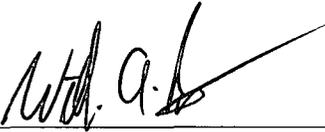
Hand Delivered
 U.S. Mail
 Overnight Mail
 Fax Transmission

Deborah A. Black
210 W. Linden
Moses Lake, WA 98837

Hand Delivered
 U.S. Mail
 Overnight Mail
 Fax Transmission

Ryan Best
905 W. Riverside Ave., Suite 409
Spokane, WA 99201

Hand Delivered
 U.S. Mail
 Overnight Mail
 Fax Transmission



William A. Buckholdt, III

DECLARATION OF WILLIAM A.
BUCKHOLDT RE: ATTORNEY FEES - 4

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Appendix F

RANDALL | DANSKIN

ATTORNEYS

A Professional Service Corporation

1500 BANK OF AMERICA FINANCIAL CENTER | 601 WEST RIVERSIDE | SPOKANE, WASHINGTON 99201

P: 509 747-2052 | F: 509 624-2528 | randalldanskin.com

CLIENT # 19927

ANNA MAY BLACK
C/O LEE V. NORDSTROM
VORPAHL WING SECURITIES
505 W. RIVERSIDE AVENUE
SUITE 205
SPOKANE, WA 99201

DATE	June 09, 2016
AMOUNT DUE	\$33,377.78
PERIOD ENDED	May 31, 2016

PLEASE RETURN THIS UPPER PORTION WITH YOUR REMITTANCE

THIS LOWER PORTION IS FOR YOUR RECORDS

RANDALL | DANSKIN, P.S. - 601 W. RIVERSIDE AVE. STE. 1500 - SPOKANE, WA 99201-0653
FEDERAL ID # 91-1226184 (509) 747 - 2052

INVOICE #	98621	STATEMENT DATE:	PERIOD COVERED:
19927	ANNA MAY BLACK	June 09, 2016	May 31, 2016

COMBINED PREVIOUS BALANCE	\$0.00
COMBINED PAYMENTS RECEIVED	\$0.00
COMBINED A/R ADJUSTMENTS	\$0.00
COMBINED NET PREV BALANCE	\$0.00

PREVIOUS BALANCE	\$0.00
PAYMENTS RECEIVED	\$0.00
A/R ADJUSTMENTS	\$0.00
NET PREV BALANCE	\$0.00

MATTER 15446101
GUARDIANSHIP PROCEEDINGS

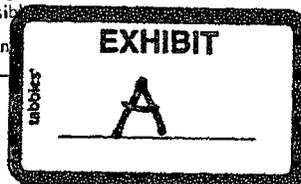
PROFESSIONAL FEES:

10/15/2015	1.50	WAB	TC with L. Sorensen re issues with guardianship; review issues with potential representation; review status of guardianship proceedings
11/16/2015	1.00	WAB	Review letter from Guardian Sorensen; TC with Guardian Sorensen; review case file; review issues with status of property
11/18/2015	1.00	WAB	TC with attorney Wyman re issues with guardianship proceedings; draft email to attorney Wyman re issues with case and request for documents
11/19/2015	0.50	DJK	Long distance phone calls to Grant County Superior Court; access on line docket summaries of four separate cases; order specific pleadings in several Grant County cases; Lt to Court Clerk enclosing prepayment for pleadings
11/19/2015	1.50	WAB	Review material from attorney Wyman; work on issues with removal action and status of fiduciaries managing non-trust

If you have any question about our engagement, the nature of the legal services described above, or the method or amount of billing, please bring those questions to the attention of the firm member(s) with whom you are working, as soon as possible.

Unbilled expense items will appear on succeeding statements, statements

may be utilized for payment by contacting our accounting department.



EM E-mail
LD Long Distance
LR Legal Research

TC Telephone Conference
TF Telephone Call From
TT Telephone Call To

RANDALL | DANSKIN

ATTORNEYS

A Professional Service Corporation

1500 BANK OF AMERICA FINANCIAL CENTER | 601 WEST RIVERSIDE | SPOKANE, WASHINGTON 99201

P: 509 747-2052 | F: 509 624-2528 | randalldanskin.com
property

11/25/2015	0.50	WAB	Review issues with accounting requests
11/30/2015	1.50	WAB	EM to and from Guardian Sorensen; work on issues with home placement; TC with attorney Acres re issues with status of proceedings
12/01/2015	0.10	DJK	E-mail Grant County Superior Court requesting additional pleadings in the Black Court File No: 14-4-00036-1.
12/01/2015	1.50	WAB	Finalize trust and power of attorney accounting letter; draft and review emails from/to Guardian Sorensen; work on issues with Petition for moving Anna May to her home
12/04/2015	0.10	DJK	LDTT with Grant County Superior Court to confirm earlier e-mail requesting additional court documents (Randi)
12/14/2015	0.10	DJK	LDTF & LDTT Randi, Clerk at Grant County Superior Court re copies of court pleadings
12/14/2015	1.00	WAB	Work on Petition re issues with moving Anna May home and other related matters; draft emails to Guardian Sorensen
12/22/2015	0.25	WAB	TC with attorney Acres; review issues with process
01/11/2016	1.50	WAB	Prepare for and attend conference call with attorney Acres and Guardian Sorensen re issues with cases; review issues with status of proceedings
01/13/2016	1.30	DLL	Conf w/WAB; Review file; Revise motion to substitute; Prepare Declaration of WAB in support of motion to substitute and Order granting same; Provide to WAB for review
01/13/2016	3.00	WAB	Continued review of case file re Petition to Fund from Trust and Petition to Remove; review issues with interests of Anna May Black in cases; LR re scope of guardian authority and Motions for Substitution
01/14/2016	1.20	DJK	Assemble pleadings of two new and separate Grant County cases filed in 2015 i.e., Petition for Order Directing Request in Decedent's Will to be funded with Assets; and Removal of Trustee
01/14/2016	2.00	WAB	Continued review of Court files; work on issues with case; review mediation requirements
01/17/2016	1.50	WAB	Continued review of issues with case; work on issues with dismissal of removal action; review guardianship statutes (RCW 11.88 and 11.92); work on issues with status of trust accounting
01/19/2016	0.90	DJK	Draft and final Notice of Appearance on behalf of Guardian Lori A. Sorenson in Grant County Cause No: 15-4-00169-1; draft and final Notice of Appearance on behalf of Guardian Lori A. Sorenson in Grant County Cause NO: 15-4-00128-4; Letter to Grant County Superior Court enclosing same for filing; serve via mail on all parties

If you have any question about our engagement, the nature of the legal services described above, or the method or amount of billing, please bring those questions to the attention of the firm member(s) with whom you are working, as soon as possible.

Unbilled expense items will appear on succeeding statements, statement due when rendered. VISA or Mastercard may be utilized for payment by contacting our accounting department.

EM E-mail
LD Long Distance
LR Legal Research

LT Letter To
OC Office Conference
OOC Out of Office Conference

TC Telephone Conference
TF Telephone Call From
TT Telephone Call To

RANDALL | DANSKIN

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01/20/2016	1.50	WAB	P: 509 747-2052 F: 509 624-2528 randalldanskin.com Review and revision to Petition to move Anna May home; review required Declarations; work on issues with notice of Petition
01/21/2016	0.50	WAB	TC with J. Black re status of guardianship matters
01/22/2016	0.50	DAK	OC with WAB re status and motion (.10); review and revise motion (.30); OC with WAB re revisions to the motion and needed declarations (.10);
01/22/2016	3.00	WAB	Review and revision to Petition; draft Declaration of L. Sorensen; begin work on Declaration of contractor; TC with J. Black
01/25/2016	0.10	DAK	Review email from WAB to Lori Sorenson re Petition;
01/25/2016	1.50	WAB	Review information from Guardian Sorensen; review issues with Petition for Move Home; draft email to Guardian Sorensen; prepare revisions to Petition and Declaration
01/26/2016	0.10	DAK	OC with WAB re status and Petition;
01/27/2016	2.00	WAB	TC with M. Suhling re visit to 210 W. Linden and renovations; work on Declaration of M. Suhling
01/28/2016	1.00	WAB	Review and revision to Declaration of M. Suhling; TC with attorney Acres office; work on issues with moving Anna May home
01/29/2016	0.10	DAK	Review email from WAB with attached declaration;
01/29/2016	0.30	DAK	OC with WAB re status, strategy, Petition and supporting documents for the Petition (.20); review WAB's email and attached letter from the doctor (.10);
01/29/2016	1.00	WAB	Review email from Guardian Sorensen re letter from doctor; work on issues with Petition
02/01/2016	0.20	DAK	OC with WAB re status;
02/01/2016	1.00	WAB	Work on Motion to Stay and Motion to Substitute Party; review timing matters; email to attorney Acres office
02/02/2016	0.70	DAK	OC with WAB re status and declaration (.20); review letter from Ms. Milpass re status, estate and trust actions (.20); OC with WAB re Ms. Milpass' letter and assist in redrafting doctor's declaration (.30);
02/02/2016	0.50	DLL	Research court docket to determine hearing date/judge; TT Crystal - Grant County Superior Court Deputy Court Administration re date for hearing (left vm); TF Crystal; Conf w/WAB; TT Crystal re time for hearing
02/03/2016	0.50	DAK	TC with Jeff Ropp at Winston Cashatt re status and scheduling mediation (.20); OC with WAB re status and scheduling mediation (.20); email to Jeff Ropp re mediation dates (.10);
02/03/2016	1.70	DLL	Finalize motion to stay, motion for substitution, supporting declarations and exhibits for filing w/court; Prepare notices of

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hearing and provide all to WAB for signature; LT Grant
County Superior Court providing docs for filing and for
provision to Judge in advance of hearing; Fax all motion
documents and supporting declarations/notes for hearing to
counsel

02/03/2016	2.00	WAB	Work on Motion to Stay and Motion to Substitute Party; work on issues with case; review issues with Petition to Move Anna May home
02/05/2016	0.20	DAK	Review email from Jeff Ropp re rescheduling mediation and responsive email re same (.10); email to Bill Buckholdt re rescheduling mediation and review responsive email re same (.10);
02/08/2016	1.00	WAB	Review issues with timing of hearing; TC with attorney Acres office re rescheduling of hearing; work on issues with Petition to Move Anna May home
02/09/2016	0.20	DAK	Review email from WAB and OC with WAB re status, arbitration and approach to Petition;
02/09/2016	1.50	WAB	LR on issues with stay of proceedings; work on Motion to Stay and Declaraion; instructions to DL re Motion to Substitute Parties and Motion to Stay
02/10/2016	1.00	WAB	TC with attorney Heaps re status of hearing; review issues with filing Petition to Move Anna May home
02/11/2016	1.00	WAB	Work on email to attorneys Heap and Leland re issues with hearing and guardianship matters
02/12/2016	0.20	DAK	Review email from WAB and OC with WAB re status;
02/16/2016	0.30	DAK	Review email from Collete Leland (.10); OC with WAB re Collette's email and status (.10); review WAB's email to Lori Sorensen re status (.10);
02/16/2016	1.00	WAB	Review email from attorney Leland; review issues with scope of guardianship
02/18/2016	0.50	WAB	TC with Guardian Sorensen re issues with guardianship proceedings and scope of authority
02/23/2016	1.00	WAB	Work on Petition to Modify Guardianship; review procedures relating to appointment to guardianship of estate; work on email to attorneys Leland and Heap
02/24/2016	0.10	DAK	OC with WAB and review (2) emails to Lori re status;
02/24/2016	3.00	WAB	Review guardianship issues with expanding scope of guardianship; work on Petition to Modify Guardianship; review and revision to email to attorneys Leland and Heap re guardianship matters and scope of authority
02/25/2016	4.00	WAB	Continued work on Petition to Modify; TC with attorney Wyman re representation of Anna May on expansion of guardianship; review issues with procedural matters; review

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 information from attorney Acres; finalize email to attorneys
 Leland and Heaps re issues with outstanding legal matters
 affecting guardianship matters

02/26/2016	0.10 DLL	TT M. Finke @ Grant County Superior Court to request hearing date for Motion to Modify Guardianship/Modify Guardian's Authority (left vm)
02/29/2016	0.20 DLL	VM from M. Finke @ Grant County Superior Court; TT M. Finke (left vm) re hearing date
03/01/2016	0.10 DLL	TT M. Finke (Grant County Superior Court) re date for hearing on motion to modify guardianship (left vm)
03/01/2016	0.25 WAB	OC DL re issues with court dates and hearing availability
03/02/2016	0.20 DLL	TT C. Burns @ Grant County Superior Court to obtain hearing date
03/07/2016	1.00 WAB	Review email from attorney Leland; work on Motion to Modify; TC with J. Black re issues with attorney Acres
03/08/2016	0.10 DAK	Review email from Collette Leland re status;
03/08/2016	0.90 DLL	Prepare Note for Hearing on Motion/Declaration fo Modify Guardianship/Modify Guardian's Authority; Finalize motion and declaration re same; TT Crystal @ Grant County Superior Court re re-noting hearing re substitution (left vm)
03/08/2016	1.00 WAB	Review Motion to Appoint GAL; work on filing Motion to Modify; work on Declaration re Motion to Modify
03/09/2016	1.50 DLL	TF Crystal @ Grant County Superior Court re hearing date; Revise re-note for hearing on motion for substitution; LT Grant County Superior Court w/filing instructions; Compile all pleadings and serve on all parties via fax, mail and/or hand-delivery! TT Crystal re hearing date (left vm)
03/09/2016	1.00 WAB	TC with L. Sorensen; review issues with Motion to Modify and Motion to Substitute
03/10/2016	0.50 DLL	Prepare documents for service on L. Malpass and serve same; TT process server in Moses Lake to personally serve Deborah Black (left vm)
03/10/2016	1.50 WAB	TC with L. Sorensen; review email from attorney Leland; review Notice of Appearance; review issues with scope of appearance; review issues with notice requirements; OC DL re service of process; TC with attorney Leland
03/11/2016	0.30 DLL	TT SSP Legal Support re service of process of motion to modify on Deborah Black; EM documents to be served
03/11/2016	1.00 WAB	Work on matters relating to responding to Motion to Appoint GAL
03/11/2016	0.50 TYN	OC w/ Mr. Buckhold re status of the 4 pieces of litigation and analysis of appearance by Winston Cashette and service on co-trustee individually

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03/14/2016	0.50	WAB	Review issues with appointment of GAL for Anna May; work on Declaration in opposition to Appointment of GAL
03/15/2016	0.10	DAK	OC with WAB re status and responsive motion;
03/16/2016	0.10	DLL	EM A. Sperline (process server) re status of service on Deborah Black
03/16/2016	0.50	WAB	Work on-Declaration in Opposition of Appointment of GAL; review issues with Motion to Modify
03/17/2016	2.50	WAB	Review email from L. Sorensen re visit with Anna May; review suggestions re care for Anna May; work on Affidavit of Service; work on email to L. Sorensen re issues with care for Anna May
03/18/2016	0.20	DAK	OC with WAB re status and strategy going forward on motions and mediation;
03/18/2016	1.00	WAB	Review issues with Motion for Appointment of GAL; work on Declaration of L. Sorensen in Opposition to Appointment of GAL
03/22/2016	2.50	WAB	Work on Declaration in Opposition to Appointment of GAL; TC with Guardian Sorensen re issues with pending motions
03/22/2016	0.20	TYN	Review and edit declaration re guardianship motion
03/23/2016	1.00	WAB	Work on letter to attorney Leland and Malpass re Anna May's living conditions and room change; review issues with request for funding from trust
03/24/2016	0.50	WAB	TC with attorney Best re issues with case; review issues with service of process
03/25/2016	1.50	WAB	OC with attorney Best re issues with case; review issues with various proceedings
03/28/2016	1.00	WAB	Work on letter to attorneys Ropp, Malpass and Leland re issues with change in room and hiring companion; review information from Guardian Sorensen
03/29/2016	0.20	DAK	Review fax and pleadings from Ryan Best;
03/29/2016	2.50	WAB	TC with Guardian Sorensen re hearing on 4/1; work on letter to Co-Trustees re care for Anna May; review email from Guardian Sorensen re issues with doctor appointments and Anna May's glasses; review email from Guardian Sorensen
03/30/2016	0.50	WAB	Review material from attorney Best re application for appointment of GAL
03/31/2016	1.50	DLL	Prepare motion notebook in preparation for April 1, 2016 hearings
03/31/2016	5.00	WAB	Review filing by attorney Leland; review issues with service of process; work on motion presentation; review pleadings; review issues with motions under RCW 11.88.120; TC with attorney Wyman; work on issues with appointment of Guardian Sorensen as Guardian for litigation purposes

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04/01/2016	7.00 WAB	P: 509.747-2052 F: 509.624-2528 randalldanskin.com Travel to, prepare for and attend hearing re issues with appointment of GAL and modification of guardianship; TC with L. Sorensen; work on issues with Motion to Revise; TC with attorney Best re Motion to Revise
04/04/2016	0.50 WAB	Review notes from hearing; review issues with Motion to Revise
04/05/2016	0.20 DLL	TT Grant County Superior Court re date for hearing on motion(s) to revise commissioner's rulings; Conf w/WAB re same
04/06/2016	0.60 DLL	Prepare Notices for Hearings on motions to revise commissioner's rulings
04/06/2016	1.00 WAB	Review issues with Orders from hearings; draft email to attorneys Heaps, Ropp, Leland and Malpass; review issues with Motion to Revise; TC with attorney Best
04/07/2016	0.90 DLL	Revise/finalize motions to revise commissioner's ruling; LT Grant County Superior Court providing same for filing and provision to Judge
04/07/2016	1.50 WAB	Review issues with Motion to Revise Commissioner Ruling; email to attorneys Ropp, Leland and Malpass re issues with Order; draft email to attorney Best re Order for Motion to Revise
04/08/2016	0.20 DAK	OC with WAB re status and review draft order on last Friday's motions;
04/08/2016	3.10 DLL	Prepare all documents for service; Serve all motions to revise via fax and mail on M. Heaps; Serve motion to revise via mail on D. Black; Serve all motions to revise on C. Leland; Serve motion to revise on L. Malpass; Draft Orders pertaining to three motions; Prepare Notice of Presentment re same; TT Grant County Superior Court for presentment date (left vm)
04/08/2016	2.50 WAB	Review emails from attorney Ropp re Orders; work on Motion to Revise; review issues with status of case; TC with attorney Perednia re issues with case; TC with L. Sorensen re meeting with attorney Perednia
04/08/2016	0.30 BLC	Review proposed Orders on Guardianship Proceedings.
04/08/2016	0.30 BLC	Review correspondence between counsel regarding proposed Orders on Guardianship Proceedings.
04/08/2016	0.20 BLC	Phone call to opposing counsel Jeffrey Ropp regarding timing of proposed Orders on Guardianship Proceedings.
04/11/2016	0.20 DAK	OC with WAB re status, new guardian and strategy going forward;
04/11/2016	0.40 DLL	Prepare binder of updated motion documents in preparation for 04/15/16 hearings
04/11/2016	1.00 WAB	TC with L. Sorensen; TC with attorney Perednia re weekend

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visits; TC with attorney Best; review status of Motion to
Revise

04/11/2016	0.20	BLC	Review series of emails and correspondence approving Richard Perednia as GAL for Anna May.
04/12/2016	0.20	BLC	Phone call from opposing counsel Jeffrey Ropp regarding hearing on Motion for Reconsideration regarding GAL.
04/13/2016	0.20	DLL	TT Grant County Superior Court clerk's office to strike motions to revise in three causes of action; Confirm w/clerk that there remains one motion scheduled for 04/15/16 (filed by M. Heaps)
04/13/2016	1.30	BLC	Draft Respondent's Response to Motion and Declaration for Order Appointing Guardian Ad Litem in Opposition to Respondent's Motion for Substitution as Anna May Black's Representative.
04/13/2016	0.80	BLC	Review pleadings in preparation for Respondent's Response to Motion and Declaration for Order Appointing Guardian Ad Litem in Opposition to Respondent's Motion for Substitution as Anna May Black's Representative.
04/13/2016	0.80	BLC	Conference with attorney Ryan Best to discuss pending motions.
04/13/2016	0.30	BLC	Draft email to counsel regarding cancellation of pending motions.
04/20/2016	2.50	WAB	TC with L. Sorensen re issues with mediation; TC with attorney Perednia; TC with attorney Best; review accounting of trust; work on issues with mediation statement
04/21/2016	6.00	WAB	Work on mediation statement; TC with attorney Best; meeting with attorney Hoover
04/22/2016	13.00	WAB	Prepare for and attend mediation
04/25/2016	0.50	WAB	Review Settlement Agreement; TC with attorney Best; review email from L. Sorensen
04/26/2016	0.50	WAB	TC with attorney Best and attorney Perednia re status of agreement implementation
04/27/2016	1.00	WAB	TC with L. Sorensen re issues with implementation of Settlement Agreement; draft email to attorneys Ropp and Leland re issues with payments for upgraded room
04/29/2016	1.00	WAB	Review revised Settlement Agreement; review issues with representative payees; TC with attorney Best; draft email to attorney Perednia re language on representative payee
05/05/2016	0.30	DJS	OC WAB re enforceability of partially executed mediated settlement agreement.
05/05/2016	1.00	WAB	TC with attorney Best and attorney Perednia; draft email to attorney Perednia; review issues with implementation of Settlement Agreement

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05/05/2016	0.30	TYN	OC WAB re Mr. Nordstrom's ability to bind trust		
05/06/2016	1.00	WAB	TC attorney Best re issues with guardianship matters; review issues with Settlement Agreement; outline matters relating to appointment of Representative Payee		
05/11/2016	0.50	WAB	Review email from L. Sorensen; work on issues with care for A. Black, including new room and appointment of Representative Payee		
05/13/2016	0.50	WAB	Review issues with communications from RJD office; review issues with care for Anna May and appointment of Representative Payee		
05/18/2016	0.50	WAB	TC with attorney Best and attorney Perednia re issues with settlement		
05/20/2016	1.00	WAB	TC with L. Sorensen re issues with representative payee status and other guardianship matters; work on issues with status of agreement implementation		
05/25/2016	0.25	WAB	TC with L. Sorensen re issues with implementation of agreement		
	140.15	HOURS		PROFESSIONAL FEES	\$32,870.50
CHARGES OTHER THAN PROFESSIONAL FEES:					
11/19/2015			Grant County Clerk / copies of court pleadings		\$15.00
12/07/2015			Grant County Superior Court / prepay for copies of pleadings		\$10.50
03/30/2016			AAP- A2Z Legal Support / service on Deborah Black		\$53.70
04/26/2016			Federal Express / 4/07 package to Grant County Superior Court		\$19.87
04/27/2016			Grant County Superior Court / preparation of record		\$35.00
04/27/2016			SSP-A2Z Legal Support / service on Deborah Black		\$53.70
04/29/2016			WAB / reimburse Ephrata mileage re hearing		\$133.92
05/31/2016			Copy charges		\$182.70
05/31/2016			Postage		\$2.89
				TOTAL OTHER CHARGES	\$507.28
				NET PREV. BALANCE	\$0.00
				INTEREST BILLED	\$0.00
				TOTAL NEW CHARGES	\$33,377.78
				TOTAL BALANCE DUE	\$33,377.78

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FILED
CHERYL HILL
AUG 21 2017

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

**SUPERIOR COURT OF WASHINGTON
COUNTY OF GRANT**

In the Guardianship of:

ANNA MAY BLACK,

Incapacitated Person

No. 14-4-00036-1

**Guardian's Report, Accounting,
Proposed Budget**

12-Month Report (ANR12)

Scope of Guardianship

Full Guardianship of the Person

General Information

Section A – Completed by all Guardians

1. Identity of Guardian, Incapacitated Person, and Standby Guardian

	Incapacitated Person	Guardian	Standby Guardian
Full Name	ANNA MAY BLACK	LORI SORENSEN	ROBERT RUSSELL
Mailing Address	830 Sunburst Court	PO Box 535	PO Box 352
City & State	Moses Lake, WA	Entiat, WA	Wenatchee, WA
Zip Code	98837	98822	98807
*Telephone	(509) 707-8034	(509) 679-4915	(509) 881-7911
*Fax Number			
Date of Birth	June 6, 1929		

2. Date of Appointment and Reporting Period

The Guardian was appointed on May 22, 2015. This is second annual report of the guardian. The last report of the guardian was approved by the court on February 10, 2017. This report covers the period from May 22, 2016 through May 22, 2017. The closing date for all reports is May 22, 2017, and the Guardian is required to file reports within 90 days of that date. The Guardian is to file a report every **12 months.**

Gdn Rpt/Accounting/Prop Budget (ANR12, ANR24, ANR36) - Page 1 of 8
WPF GDN 05.0300 (06/2012) RCW 11.92.040, 043

3. Interested Parties

Name	Mailing Address	Relationship to Incapacitated Person
Deborah A. Black	210 Linden Ave. Moses Lake, WA 98837	Daughter
John Black	3590 Rd F NE Moses Lake, WA 98837	Son
James P. Spurgetis	422 W Riverside Ave Spokane, WA 99201	Trustee of Trust

4. Interested Governmental Agencies : Not Applicable

5. Benefits Received

The Guardian receives the following monthly benefits on behalf of Anny May, in the following amounts:

❖ SSI: \$1,252.30

❖ Trust :

James P. Spurgetis, 422 W. Riverside Avenue Suite 620, Spokane, WA 99201

6. Bond and Blocked Accounts

There is not currently a bond in place.

7. Guardian Fees

The Guardian is requesting fees and costs in the amount of \$21,068.57 for the period of May 22, 2016 through May 22, 2017. A balance of \$12,077.53 remained due for Guardian fees accrued during the first annual reporting period, from May 22, 2015 through May 22, 2016. A payment of \$9,538.23 was made on July 8, 2016 for services carried out during the first accounting period, \$538.23 of which was reimbursement for expenses made by the Guardian on behalf of Anna May. The \$750.00 monthly advance owed for 12 months, totaling \$9,000.00 was applied to Guardian fees owed. The total Guardian fees due to date is \$24,146.10 ($12,077.53 - 9,000.00 = 3,077.53$; $3,077.53 + 21,068.57 = 24,146.10$). James Spurgetis, Trustee, sent two payments in July 2017 to compensate for overdue

guardian fees. On July 20, 2017 and on July 26, 2017 the Guardian received payments from the Trust in the amounts of \$9,244.80 and \$9,000.00. This leaves a balance due of \$5,901.30 for this reporting period. The Guardian has attached to this report (or has filed with this report) a separate itemized fee declaration which describes in detail: the services rendered, the time period that services were provided, the time required to provide the services, the requested rate of compensation, and the out of pocket costs incurred. The Guardian is requesting that the total amount of \$5,901.30 be disbursed from the guardianship assets.

During this accounting period, the Guardian has performed the following duties:

The Guardian has visited Anna May regularly and has remained updated on her status by maintaining communication with Summerwood and all other professionals involved in Ms. Black's care. Additionally, Anna May's companions provide the Guardian with daily reports on Anna May's health status, quality of care, mood and well-being. The Guardian was responsible for filling approved companion hours by advertising for the position, screening applicants, interviewing, and hiring Companions. The Guardian also communicated with the Companions and the Trustee and Trust accountant regarding untimely compensation.

After Anna May was moved into her new private room, the Guardian continued to procure furnishings and personal effects to improve the space and to provide Anna May necessities and some comfort items. This included shopping for, ordering, and facilitating the delivery of furniture and fixtures, selecting paint colors suited for Anna May and ensuring the living space and bathroom were painted appropriately by Summerwood maintenance staff, and purchasing correctly sized clothes to adjust to Anna May's weight changes.

The Guardian was consistently informed by Companions and/or Summerwood staff of changes in Anna May's health, incidents of concern, or general updates and routine medical needs. The Guardian communicated with Anna May's physical therapist, made appointments with Anna May's doctor and dentist as needed, ensured transportation was arranged, and accompanied Anna May to several appointments. The Guardian was informed and engaged through Anna May's admittance to, and discharge from, the Emergency Room. The Guardian has remained active in care plan meetings, inquiring about Anna May's medication, side effects, and advocating for changes and assessments when necessary. The Guardian has updated family and interested parties regarding pertinent matters.

There have been numerous instances surrounding Anna May's guardianship case that have consumed time in reviewing documents, writing declarations, and attending auxiliary court hearings. Extensive communication has taken place between the Guardian, Attorneys, Interested Parties, Trustees, and the Guardian ad Litem appointed in this matter.

The Guardian was appointed as Representative Payee for Anna May's Social Security funds, and completed activation of direct deposit as required by law. Accounting of these funds has been kept up to date and is provided to the Social Security Administration, and to the Trustees as requested. During this reporting period, the Guardian received mail and has maintained organized files and up to date records regarding Anna May.

8. Attorney Fees

The Guardian has retained the services of the Law Offices of Randall | Danskin, P.S., and is requesting that fees and costs in the amount of \$50,924.96 for the time period of May 31, 2016 through May 31, 2017 be paid from guardianship or Trust assets. Attached in this report (or filed herewith) is a separate itemized fee declaration that describes the legal services provided.

9. Court Approval

The guardian petitions the Court for approval of this report.

10. Guardian's Monthly Allowance

Pursuant to RCW 11.92.180, the guardian is requesting a monthly allowance for ongoing:

- (a) guardian fees and costs and (b) attorney fees and costs for services already performed. The amount of guardian fees and costs and attorney fees and costs for services performed for the previous accounting period totaled \$21,068.57. This is a monthly average of \$ 1,755.71. The actual monthly allowance that the Guardian received during the previous accounting period was \$950.00. The Guardian now requests a monthly allowance of \$950.00. This allowance (paid monthly) would be considered an "advance" on the fees and costs billed by the Guardian, or its attorney, for services already performed. However, the total fees and costs billed (notwithstanding the allowance payments) should: (a) ultimately be subject to the review and approval of the court and (b) create no presumptions by the court or the Guardian regarding the reasonableness, or necessity, of those fees and costs. *Said monthly allowance should be made effective as of June 1, 2016.*

11. Lay Guardian Training

Does not apply. The Guardian is a certified professional guardian or financial institution.

Guardian of the Person

12. Status Report

a. Status

Anna May Black is now 88 years of age.

The Guardian believes that Ms. Black is receiving satisfactory care.

b. Change in Residence

None. Anna May continues to reside at Summerwood Care Center in Moses Lake at 830 Sunburst Court (98337).

c. Medical Condition

Anna May has been admitted to the Emergency Room for several different issues over this reporting period. Anna May's Companion have been vital in detecting issues and acute changes simply due to the consistent and extensive time spent providing one on one support.

Arthritis in Anna May's thumb can cause pain, and she has complained of cramping in her legs and feet, as well as occasional chest pains. Medication is administered crushed, in hot cocoa, and Anna May is monitored by care staff for any potential side effects.

d. Mental Condition

Overall, Anna May has become less tearful about her situation and her late husband, but still struggles with cognitive decline as the dementia progresses; Anna May regularly experiences short and long-term memory loss. Anna May is unpredictably aware of her forgetfulness and can become frustrated. Additionally, she might become discontent due to pain, her difficulty hearing, or other factors. Anna May has reportedly been known to release frustration by yelling or swearing at staff members, or at other residents nearby. Anna May can make her needs known, and will understand what is being said to her, but may need things repeated as she will quickly forget or did not hear.

It seems that consistent companionship is helpful in regulating Anna May's mood as she can be redirected, oriented, or made to understand situations that would otherwise be confusing to her. Companions do their best to engage Anna May throughout the day, ideally reducing negative impacts on her circadian rhythm caused by constant napping. Having someone available

to reassure Anna May might also be helpful in lowering her anxiety and curtailing subsequent behaviors.

e. Changes in Functional Abilities

Anna May continues to participate, to some capacity, in most of her activities of daily living. She selects her clothing, and can appropriately place her arms and legs while being assisted in dressing, but needs help with fasteners, undergarments and shoes. Anna May needs assistance, reminders, and supervision while completing personal hygiene tasks. Bathing is done with hands on assist and cueing. She can sometimes be resistive to bathing tasks, but is most content with a bath (rather than shower) as this was her preference when she lived independently.

Anna May is incontinent but uses the toilet with assistance. Staff at Summerwood is expected to toilet Anna May approximately every two hours. Anna May can feed herself and typically attends every meal unless she requests breakfast in her room where her Companion is present to supervise. Summerwood is responsible for all housekeeping and laundry tasks.

Anna May has become unable/unwilling to walk with a walker and is most comfortable using her wheelchair. She can self-propel in the wheel chair by use of her feet. Physical Therapy has been working with Anna May in the hopes of retaining her confidence, motivation, and physical strength needed to maintain safe self-mobility. Ms. Black will, however, attempt to self-transfer if she feels her needs are not being met. This factor, along with medications' side effects, proposes a moderate fall risk. Anna May can reposition herself in bed and can transfer from her wheelchair to a car with assistance.

f. Activities of the Guardian Taken on Behalf of Anna May Black

The following is a description of the activities in which the Guardian has engaged for the benefit of Anna May Black:

- ❖ Visited Anna May regularly and has remained updated on Anna May's status by maintaining communication with Summerwood staff, administrators, medical professionals, and Companions
- ❖ Interviewed and hired Companions
- ❖ Communicated with the Trustee and Trust Accountant and Attorneys
- ❖ Facilitated moving Anna May into larger, private room, decorated and furnished for comfort and familiarity
- ❖ Shopped for clothing and personal items as requested or needed.
- ❖ Advocated for medical needs

- ❖ Coordinated appointments with medical professionals; arranged for transportation if necessary and accompanied Anna May to appointments
- ❖ Communicated with Interested Parties as necessary or upon inquiry
- ❖ Drafted Declarations for pending litigations
- ❖ Applied for and became Representative Payee for Social Security funds distributed to Anna May;
- ❖ Provided accounting for Social Security funds for the Trustee and the Social Security Administration as requested
- ❖ Administrative duties including general accounting, record keeping, filing and receiving mail.

g. Description of Recommended Changes in Scope of Authority of Guardian

The scope of authority of the Guardian should remain the same.

h. Names of Professionals Who Have Aided the Incapacitated Person

The following professionals have assisted Anna May Black during the period covered by this report:

<u>Name</u>	<u>Service Provided</u>
Dr. Graham	Primary Care Physician
Lakeside Dental	Dental

i. Guardian’s Plan for Future Care

Although Anna May Black was placed in Summerwood Alzheimer’s Special Care Center against her will and she continues to request to move home, Ms. Black’s quality of life has greatly improved with the upgrade to a private room and the one-on-one attention and oversight from Companions. At this time, the Guardian believes this is the best option for Anna May Black. The Guardian has met with the new Trustee, James P. Spurgetis, and is confident that upcoming communications will improve, and future issues and/or litigation will decrease. This in turn will stabilize Guardian fees and costs, while reducing unnecessary conflict. These outcomes will all play a part in the continued improvement of Anna May Black’s quality of life.

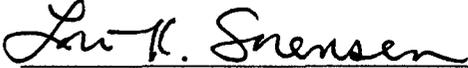
Verification

Section D – (to be completed by All Guardians.)

Dated: August 7, 2017

I certify (or declare) under penalty of perjury under the laws of the state of Washington that to the statements in this report are true and correct, that I (we) hereby petition the court for approval of same, and request that the court direct the clerk of the court to reissue letters of guardianship consistent with the designation made herein.

Signed at Entiat, WA on August 7, 2017


Signature of Guardian

LORI SORENSEN, CPG#11669
Print Name of Guardian

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FILED
CHERYL HILL
AUG 21 2017

KIMBERLY A. ALLEN
GRANT COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF GRANT

5 In the Guardianship of: 6 ANNA MAY BLACK, 7 An Alleged Incapacitated Person 8 _____)))))	No.: 14-4-00036-1 DECLARATION OF GUARDIAN FEES AND COSTS
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Pursuant to RCW 9A.72.085, I, LORI K. SORENSEN, state and declare;

That I am over the age of 18 years and make this Declaration based on my own personal knowledge.

That I have performed professional services as Guardian on behalf of Ms. Black from May 22, 2016 through May 22, 2017. The total sum of fees for this reporting period is \$21,068.57. A balance of \$12,077.53 remained due for Guardian fees accrued during the first annual reporting period, from May 22, 2015 through May 22, 2016. On June 30, 2016, the Trust paid the Guardian \$9,000 to be applied to past fees due. The total balance due through May 22, 2017 is \$24,146.10. However, the Trust has compensated the Guardian in recent months, outside of the current reporting period, for monthly advances owed to the Guardian. On July 20, 2017, the Guardian received a check (#4255) in the amount of \$9,244.80, and another (#4259) on July 26, 2017 totaling \$9,000. To date, Anna May owes the Guardian \$5,901.30 for fees accrued from appointment.

Attached hereto is a billing statement through May 22, 2017. I have reviewed said account for presentation and declare that the charges are accurately and completely stated and are reasonable. The services rendered and the costs advanced are as represented, were necessary to the proper administration of this matter and are reasonable.

I hereby declare under penalty of perjury, pursuant to laws of the State of Washington, that the foregoing Declaration is true and accurate in all respects.

Signed this 7th day of August 2017, in Grant County, State of Washington.

Lori K. Sorensen

LORI K. SORENSEN CPG#11669
Guardian for Anna May Black
P.O. Box 535 Entiat, WA 98822
(509) 679-4915 sorensenlori@hotmail.com

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Statement

Date
7/22/2017

For
Anna May Black Case No.: 14-4-00036-1

Date	Transaction	Amount	Balance
5/22/2016	Balance Forward		\$ 12,077.53
6/2/2016	INV #771	\$ 261.34	\$ 12,338.87
7/6/2016	INV # 804	\$ 1,467.83	\$ 13,806.70
7/8/2016	PMT	\$ (9,000.00)	\$ 4,806.70
8/1/2016	INV # 755	\$ 1,677.34	\$ 6,484.04
9/6/2016	INV # 856	\$ 657.41	\$ 7,141.45
10/1/2016	INV # 885	\$ 4,694.28	\$ 11,835.73
11/2/2016	INV # 908	\$ 2,885.08	\$ 14,720.81
12/5/2016	INV # 932	\$ 2,034.40	\$ 16,755.21
1/9/2017	INV # 937	\$ 1,480.75	\$ 18,235.96
2/1/2017	INV # 990	\$ 1,001.78	\$ 19,237.74
3/6/2017	INV # 1022	\$ 881.00	\$ 20,118.74
4/14/2017	INV # 2	\$ 1,501.42	\$ 21,620.16
5/2/2017	INV #28	\$ 1,627.52	\$ 23,247.68
6/7/2017	INV #52	\$ 898.42	\$ 24,146.10
7/20/2017	PMT	\$ (9,244.80)	\$ 14,901.30
7/26/2017	PMT	\$ (9,000.00)	\$ 5,901.30
			Amount Due
			\$ 5,901.30

Central Washington Guardianship

Invoice

Lori Sorensen MSW, CPG # 11669
 P.O. Box 535 Entiat, WA 98822

Date	Invoice #
6/2/2016	771

Bill To
Anna May Black Case No: 14-4-00036-1

Date	Category	Description	Rate	Hours	Amount
5/25/2016	Travel	Split - Moses Lake	75.00	1.5	112.50
5/25/2016	Guardianship	Meeting with administrator at Summerwood; Looked at available double room; Visit with Anna May; Updates from nursing staff; Telephone conference with proposed companion	95.00	1.08333	102.92
5/31/2016	Guardianship	Telephone conferences with Summerwood; and with John	95.00	0.48333	45.92
			Total		\$261.34

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
P.O. Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
7/6/2016	804

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
6/1/2016	Accounting/Admini...	Record Keeping, Filing	0.33333	55.00	18.33
6/7/2016	Travel	Split - Wenatchee	0.5	75.00	37.50
6/7/2016	Guardianship Duties	Took Social Security check to bank to set up checking account; Email from attorney	0.66667	95.00	63.33
6/8/2016	Guardianship Duties	Emails from attorney; Review document;	0.58333	95.00	55.42
6/8/2016	Guardianship Duties	Review and fax invoices, and Email attorney; Gather invoices, receipts, and statement; Scan and Email to Trustee	0.18333	95.00	17.42
6/13/2016	Guardianship Duties	Email from GAL; Emails to attorney; Visit with Anna May in new room; Visit with staff	1.5	95.00	142.50
6/13/2016	Travel	Split - Moses Lake	1.25	75.00	93.75
6/14/2016	Guardianship Duties	Worked on Annual Report	1.85	95.00	175.75
6/15/2016	Guardianship Duties	Worked on Annual report; Telephone conference (x3) with dental office regarding appointment	1.83333	95.00	174.17
6/15/2016	Guardianship Duties	Telephone conference with Summerwood regarding medication change and upcoming appointments	0.2	95.00	19.00
6/16/2016	Guardianship Duties	Telephone conference and meeting with John Black	0.9	95.00	85.50
6/20/2016	Guardianship Duties	Telephone conference with physical therapist to set up appointment	0.25	95.00	23.75
6/20/2016	Guardianship Duties	Worked on Annual Court Report	1.11667	95.00	106.08
6/21/2016	Guardianship Duties	Emails and telephone conferences regarding insufficient funds for Summerwood payment; Telephone conference to nursing staff regarding dentist appointment	0.41667	95.00	39.58
6/21/2016	Travel	Split - Moses Lake	1.61667	75.00	121.25
6/21/2016	Guardianship Duties	Visit with Anna May; Accompany to dental appointment;	2.05	95.00	194.75
6/22/2016	Guardianship Duties	Telephone conference to Lee; Email to Lee and attorney; Telephone conference with John	0.8	95.00	76.00
6/30/2016	Guardianship Duties	Review Email from GAL and respond	0.25	95.00	23.75

Total

\$1,467.83

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

Date Invoice #

8/1/2016	755
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To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
7/1/2016	Accounting/Admin	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	0.66667	\$ 55.00	\$ 36.67
7/1/2016	Guardianship	Email correspondence with Guardian Ad Litem	0.28334	\$ 95.00	\$ 26.92
7/6/2016	Guardianship	Communication with John regarding Anna May's appointment Telephone conference with Summerwood regarding payments and appointment	0.26667	\$ 95.00	\$ 25.33
7/7/2016	Guardianship	Updates from staff; Visit with Anna May; Appointment with doctor for check up; Review room limits; Interview potential companion	2.75	\$ 95.00	\$ 261.25
7/7/2016	Travel	Moses Lake	2	\$ 75.00	\$ 150.00
7/12/2016	Guardianship	Communication with John; Email correspondence with GAL and attorneys	0.70000	\$ 95.00	\$ 66.50
7/13/2016	Guardianship	Email correspondence with attorney	0.25	\$ 95.00	\$ 23.75
7/14/2016	Guardianship	Visit with Anna may; Updates from staff; Measurements of room; Shopped for furniture	2.25	\$ 95.00	\$ 213.75
7/14/2016	Travel	Split - Moses Lake	2	\$ 75.00	\$ 150.00
7/19/2016	Guardianship	Emails to attorney and Trust attorney; Work on Annual Report	0.71667	\$ 95.00	\$ 68.08
7/20/2016	Guardianship	Telephone conference with Summerwood; Emails to attorney Worked on Annual Court Report	3.45	\$ 95.00	\$ 327.75
7/21/2016	Guardianship	Telephone conference with Summerwood; Set up appointment meet with potential companion	0.28333	\$ 95.00	\$ 26.92
7/22/2016	Guardianship	Met potential companion at Summerwood; Introduced her to Anna May; Background check, visits, and updates	1.58334	\$ 95.00	\$ 150.42
7/22/2016	Travel	Split - Moses Lake	2	\$ 75.00	\$ 150.00
				Total	\$ 1,677.34

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 P.O. Box 535 Entiat, WA 98822

Date	Invoice #
9/6/2016	856

Bill To:

Anna May Black No. 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
8/1/2016	Accounting/Admini...	Record keeping; Filing; Administrative; Accounting	0.66667	55.00	36.67
8/2/2016	Guardianship Duties	Telephone conference with potential companion; Email to attorney; Communication from Son; Review legal documents	0.81667	95.00	77.58
8/3/2016	Guardianship Duties	Shopped for items for room at Summerwood	1.2	95.00	114.00
8/9/2016	Guardianship Duties	Pick out paint color options for room at Summerwood	0.21667	95.00	20.58
8/11/2016	Travel	Split - Moses Lake	1.5	75.00	112.50
8/11/2016	Guardianship Duties	Visit with staff; Make plans for painting room with chosen colors; Discussion with administrator regarding payments; Travel to furniture store and order furniture and set up delivery	1.75	95.00	166.25
8/19/2016	Guardianship Duties	Updates from staff; Received information regarding painting of room	0.46667	95.00	44.33
8/24/2016	Guardianship Duties	Telephone conference with Summerwood regarding incident in dining room	0.16667	95.00	15.83
8/30/2016	Guardianship Duties	Emails with attorney regarding hearing and Summerwood administrator; Telephone conference to set up delivery of furniture; Communication with John	0.73333	95.00	69.67

Total

\$657.41

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Date Invoice #

10/1/2016	885
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To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
9/1/2016	Accounting/Admin.	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	0.66667	\$ 55.00	\$ 36.67
9/1/2016	Guardianship	Shopped for bedding TV and accessory furnishings	2.71667	\$ 95.00	\$ 258.08
9/1/2016	Travel	Split - East Wenatchee	0.50000	\$ 75.00	\$ 37.50
9/5/2016	Guardianship	Telephone conferences with Summerwood regarding chest pain and admission to ER; Communications with children	0.38333	\$ 95.00	\$ 36.42
9/6/2016	Travel	Moses Lake	3.56667	\$ 75.00	\$ 267.50
9/6/2016	Guardianship	Met with new companion; Coordinated with delivery service for furniture drop off; Arranged room and set up accessories; Visit with Anny May; Check in with Admin.	4.11667	\$ 95.00	\$ 391.08
9/12/2016	Travel	Wenatchee	1.00000	\$ 75.00	\$ 75.00
9/12/2016	Guardianship	Clothes shopping for needed items due to Anna May's change in weight	1.83333	\$ 95.00	\$ 174.17
9/13/2016	Guardianship	Shopping for personal items and clothes to finish wardrobe Email from attorney; Review documents filed	1.78333	\$ 95.00	\$ 169.42
9/15/2016	Travel	Moses Lake	3.33333	\$ 75.00	\$ 250.00
9/15/2016	Guardianship	Drop off items for Anna May; Check in with new companion	1.86667	\$ 95.00	\$ 177.33
9/15/2016	Guardianship	Telephone conference and Emails with attorney; Begin Declaration for court	8.55000	\$ 95.00	\$ 812.25
9/16/2016	Guardianship	Reviewed filed declarations; Finished declaration; Emails with attorney; Filed declaration	5.50000	\$ 95.00	\$ 522.50
9/18/2016	Guardianship	Telephone conference with Summerwood	0.13333	\$ 95.00	\$ 12.67
9/19/2016	Guardianship	Sort and compile expense record	0.53333	\$ 95.00	\$ 50.67
9/19/2016	Guardianship	Telephone conference with attorney;	0.12227	\$ 95.00	\$ 11.62
9/20/2016	Guardianship	Telephone conference with attorney; Delivered personal items to Anna May; Visit with Anna May; Updates from staff	0.91667	\$ 95.00	\$ 87.08
9/20/2016	Travel	Split - Moses Lake	1.50000	\$ 75.00	\$ 112.50
9/20/2016	Guardianship	Post ad for weekend/evening Companion	0.21667	\$ 95.00	\$ 20.58
9/21/2016	Guardianship	Prepare files for Court	0.20000	\$ 95.00	\$ 19.00
9/22/2016	Guardianship	Attend Court hearing	0.83333	\$ 95.00	\$ 79.17
9/22/2016	Travel	Ephrata	2.50000	\$ 75.00	\$ 187.50

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

10/1/2016	885
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To:
Anna May Black
Case No.: 14-4-00036-1

9/22/2016	Guardianship	Meet with Companion at Summerwood; Visit with Anna May Telephone conference with attorney; Telephone conference with family	0.61667	\$ 95.00	\$ 58.58
9/22/2016	Travel	Moses Lake to Ephrata	0.75000	\$ 75.00	\$ 56.25
9/23/2016	Guardianship	Telephone conferences with attorney and family	0.65000	\$ 95.00	\$ 61.75
9/27/2016	Guardianship	Register for prepaid cash card for outings	0.20000	\$ 95.00	\$ 19.00
9/27/2016	Guardianship	Purchased medical assists and cognitive stimulation activities	0.81667	\$ 95.00	\$ 77.58
9/27/2016	Travel	Split - Wenatchee	0.50000	\$ 75.00	\$ 37.50
9/28/2016	Travel	Split - Moses Lake	2.00000	\$ 75.00	\$ 150.00
9/28/2016	Guardianship	Deliver medical/personal items; Receive updates and Visit	1.50000	\$ 95.00	\$ 142.50
9/29/2016	Guardianship	Emails with attorneys and Trustee Communications with attorneys and Trustee; Hiring additional companion	1.31667	\$ 95.00	\$ 125.08
9/30/2016	Guardianship	Daily Communications from companions regarding Anna May's status and activities: 2nd pay period	1.86666	\$ 95.00	\$ 177.33

Total \$ 4,694.28

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
11/2/2016	908

To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
10/1/2016	Accounting/Admin	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
10/1/2016	Travel	Entiat to Summerwood	1.83333	\$ 75.00	\$ 137.50
10/1/2016	Guardianship	Updates from staff; Met and interviewed two potential companions; Email third applicant	1.66667	\$ 95.00	\$ 158.33
10/3/2016	Travel	Split - Moses Lake	1.75	\$ 75.00	
10/3/2016	Guardianship	Visit with Anna May and copanion; Interview for second companion; Telephone conference with Standy Guardian	1.66667	\$ 95.00	\$ 158.33
10/4/2016	Guardianship	Draft Declaration for upcoming hearing; Activate and set up alerts for cash card; Review attorney billing	2.11667	\$ 95.00	\$ 201.08
10/5/2016	Guardianship	Telephone conference with attorney; Communication with standby guardian; Wrote Declaration for Court	2.08333	\$ 95.00	\$ 197.92
10/5/2016	Travel	Moses Lake	3	\$ 75.00	\$ 225.00
10/5/2016	Guardianship	Visit Anna May; Updates; Shop for personal items; Gather Declarations for court; Email attorney	2.25	\$ 95.00	\$ 213.75
10/6/2016	Guardianship	Set up tablet and download appropriate programs and games	0.51667	\$ 95.00	\$ 49.08
10/6/2016	Guardianship	Telephone conference with attorney; Work on delcaration; Purchase case for tablet	0.83333	\$ 95.00	\$ 79.17
10/10/2016	Travel	Split - Moses Lake	2	\$ 75.00	\$ 150.00
10/10/2016	Guardianship	Deliver personal items; Updates from staff; Visit with Anna ma	1.16667	\$ 95.00	\$ 110.83
10/11/2016	Guardianship	Work on draft of Declaration for upcoming hearing	1.08333	\$ 95.00	\$ 102.92
10/11/2016	Guardianship	Telephone conference with attorney; Finish declaration; Review Shirk Declaration; File	1.61667	\$ 95.00	\$ 153.58
10/12/2016	Guardianship	Review declaration of GAL; Email attorney Order	0.56667	\$ 95.00	\$ 53.83
10/13/2016	Guardianship	Review court documents sent from Richard Perednia	0.15	\$ 95.00	\$ 14.25
10/15/2016	Guardianship	Daily Communications from companions regarding Anna May's status and activities: 1st pay period	1.91667	\$ 95.00	\$ 182.08
10/18/2016	Guardianship	Telephone conference with Summerwood; Updates from staff	0.38333	\$ 95.00	\$ 36.42
10/20/2016	Travel	Split - Moses Lake	1	\$ 75.00	\$ 75.00
10/20/2016	Guardianship	Visit with Anna May; Care plan meeting at Summerwood; Updates from companions	1.16667	\$ 95.00	\$ 110.83

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

Date **Invoice #**

11/2/2016	908
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To:
Anna May Black
Case No.: 14-4-00036-1

10/28/2016	Guardianship	Visit Anna May and companion; Updates from staff	0.78333	\$ 95.00	\$ 74.42
10/28/2016	Travel	Split - Moses Lake	1	\$ 75.00	\$ 75.00
10/29/2016	Guardianship	Review GAL's response; Review file; Begin Declaration	0.41667	\$ 95.00	\$ 39.58
10/31/2016	Guardianship	Daily Communications with Companions regarding Anna May's status and activities: 2nd pay period	2.43333	\$ 95.00	\$ 231.17

Total \$ 2,885.08

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
PO Box 535 Entiat, WA 98822

Date Invoice #

12/5/2016	932
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To:

Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
11/1/2016	Accounting/Admin	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
11/1/2016	Guardianship	Compile timekeeping and send to accountant	0.25	\$ 95.00	\$ 23.75
11/2/2016	Travel	Ephrata	3	\$ 75.00	\$ 225.00
11/2/2016	Guardianship	Attend court hearing regarding enforcement of agreement; Shop for Anna May's needed personal items	2.5	\$ 95.00	\$ 237.50
11/3/2016	Travel	Moses Lake	1.5	\$ 75.00	\$ 112.50
11/3/2016	Guardianship	Visit with companion; Delivered personal items; Check in with Anna May	0.7	\$ 95.00	\$ 66.50
11/7/2016	Guardianship	Emails with attorney	0.16667	\$ 95.00	\$ 15.83
11/8/2016	Guardianship	Telephone conference with APS	0.20	\$ 95.00	\$ 19.00
11/9/2016	Guardianship	Telephone conference with attorney	0.73333	\$ 95.00	\$ 69.67
11/15/2016	Guardianship	Daily communications from companions regarding Anna May's status and activities: 1st pay period	3.45333	\$ 95.00	\$ 328.07
11/17/2016	Travel	Moses Lake	3	\$ 75.00	\$ 225.00
11/17/2016	Guardianship	Meeting with companions; Updates from staff; Visit with Anna May	1.91667	\$ 95.00	\$ 182.08
11/23/2016	Travel	Split - Moses Lake	0.5	\$ 75.00	\$ 37.50
11/23/2016	Guardianship	Visit with Anna May; Check in with administrator	0.61667	\$ 95.00	\$ 58.58
11/28/2016	Guardianship	Shop for Ann May's needed personal items	0.51667	\$ 95.00	\$ 49.08
11/30/2016	Guardianship	Telephone conference with doctor to set up appointment	0.13333	\$ 95.00	\$ 12.67
11/30/2016	Guardianship	Daily communications from companions regarding Anna May's status and activities: 2nd pay period	3.33333	\$ 95.00	\$ 316.67
				Total	\$ 2,034.40

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

Date Invoice #

12/5/2016	937
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To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
12/1/2016	Accounting/Admin.	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
12/7/2016	Guardianship	Prepare accounting spreadsheets for Social Security account per request of Trustee	0.71667	\$ 95.00	\$ 68.08
12/12/2016	Guardianship	Telephone conference with attorney; Review Court's decision Update companions	0.63333	\$ 95.00	\$ 60.17
12/13/2016	Guardianship	Complete accounting of Social Security income for Trustee's	0.13333	\$ 95.00	\$ 12.67
12/14/2016	Guardianship	Shop for gifts for Anna May	0.3	\$ 95.00	\$ 28.50
12/15/2016	Guardianship	Daily communications from companions regarding Anna May's status and activities: 1st pay period	3.16667	\$ 95.00	\$ 300.83
12/19/2016	Guardianship	Communication with facility regarding needs and wishes for Christmas; Organize purchases; Wrap and prepare gifts for holiday celebration	0.70000	\$ 95.00	\$ 66.50
12/21/2016	Guardianship	Visit with Anna may; Deliver gifts and check in with companions and staff	0.58333	\$ 95.00	\$ 55.42
12/21/2016	Travel	Split - Moses Lake	0.5	\$ 75.00	\$ 37.50
12/22/2016	Guardianship	Accompany Anna May to Doctor appointment; Meet with care partners, companions and nurses; Visit with Anna May	1.95	\$ 95.00	\$ 185.25
12/22/2016	Travel	Moses Lake	3.5	\$ 75.00	\$ 262.50
12/30/2016	Guardianship	Daily communications from companions regarding Anna May's status and activities: 2nd pay period	3.66670	\$ 95.00	\$ 348.34
				Total	\$ 1,480.75

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Invoice

Date	Invoice #
2/1/2017	990

To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
1/1/2017	Accounting/Admin.	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
1/5/2017	Travel	Split - Moses Lake	0.50000	\$ 75.00	\$ 37.50
1/5/2017	Guardianship	Care plan meeting; Updates from companion; Communications with nurse	0.81667	\$ 95.00	
1/9/2017	Travel	Split - Moses Lake	0.50000	\$ 75.00	
1/9/2017	Guardianship	Check in with Anna May; Updates from companion and staff	0.71667	\$ 95.00	\$ 68.08
1/15/2017	Guardianship	Daily communications from companions regarding Anna May's status and activities: 1st pay period	3.5	\$ 95.00	\$ 332.50
1/25/2017	Travel	Split - Wenatchee	0.50000	\$ 75.00	\$ 37.50
1/25/2017	Guardianship	Shopping for Personal items	0.80000	\$ 95.00	\$ 76.00
1/30/2017	Guardianship	Daily communications from companions regarding Anna May's status and activities: 2nd pay period	4.16000	\$ 95.00	\$ 395.20
				Total	\$ 1,001.78

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
 PO Box 535 Entiat, WA 98822

Date Invoice #

3/6/2017	1022
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To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
2/1/2017	Accounting/Admin	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
2/6/2017	Guardianship	Telephone conference with Summerwood regarding medical	0.3	\$ 95.00	\$ 28.50
2/13/2017	Guardianship	Emails to attorney	0.48333	\$ 95.00	\$ 45.92
2/15/2017	Guardianship	Daily communications with companions regarding Anna May's status and activities: 1st pay period	3.36666	\$ 95.00	\$ 319.83
2/15/2016	Guardianship	Telephone conference with attorney	0.16667	\$ 95.00	\$ 15.83
2/19/2017	Guardianship	Telephone conference with Summerwood regarding medical	0.16667	\$ 95.00	\$ 15.83
2/21/2017	Guardianship	Communications with nurse; Visit Anna May; Deliver items	0.66667	\$ 95.00	\$ 63.33
2/21/2017	Travel	Split - Moses Lake	0.5	\$ 75.00	\$ 37.50
2/28/2017	Guardianship	Daily communications with companions regarding Anna May's status and activities: 2nd pay period	3.15	\$ 95.00	\$ 299.25
				Total	\$ 881.00

Invoice

Central Washington Guardianship

Lori Sorensen MSW, CPG #11669
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Date Invoice #

4/14/2017	2
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To:
Anna May Black
Case No.: 14-4-00036-1

Date	Category	Description	Hours	Rate	Amount
3/1/2017	Accounting/Admin	Accounting; Bill pay; Filing; Record keeping; Mail; Administrative	1	\$ 55.00	\$ 55.00
3/3/2017	Travel	Split - Moses Lake	1	\$ 75.00	\$ 75.00
3/3/2017	Guardianship	Visit with companion and Anna May; Conference with nurse Updates from caregivers; Read progress notes status and activities: 1st pay period	1.46667	\$ 95.00	\$ 139.33
3/7/2017	Travel	Split - Wenatchee	0.41667	\$ 75.00	\$ 31.25
3/7/2017	Guardianship	Shopped for personal items	0.78333	\$ 95.00	\$ 74.42
3/10/2017	Guardianship	Delivered items and visited with Anna May; Updates from companion; Discussion with staff	0.78333	\$ 95.00	\$ 74.42
3/10/2017	Travel	Split - Moses Lake	1	\$ 75.00	\$ 75.00
3/15/2017	Guardianship	Telephone conference with potential companion	0.41667	\$ 95.00	\$ 39.58
3/15/2017	Guardianship	Daily communication with companions regarding Anna May's status and activities: 1st pay period	3.83333	\$ 95.00	\$ 364.17
3/16/2017	Guardianship	Email correspondences with accountant; Communication with new companion, son and attorney; Review court documents	0.96667	\$ 95.00	\$ 91.83
3/24/2017	Travel	Split - Moses Lake	1.5	\$ 75.00	\$ 112.50
3/24/2017	Guardianship	Meeting with care partner; Visit with Anna May; Updates from staff; Communication with new companion	1.28333	\$ 95.00	\$ 121.92
3/31/2017	Guardianship	Daily communication with companions regarding Anna May's status and activities: 2nd pay period	2.6	\$ 95.00	\$ 247.00
				Total	\$ 1,501.42

Central Washington Guardianship

Invoice

Lori Sorensen MSW, CPG # 11669
 P.O. Box 535 Entiat, WA 98822

Date	Invoice #
5/2/2017	28

Bill To
Anna May Black Case No: 14-4-00036-1

Date	Category	Description	Rate	Hours	Amount
4/1/2017	Administrative	Administrative; Accounting; Mail receipt; Bill pay; Record Keeping; Filing	55.00	1	55.00
4/6/2017	Guardianship	Telephone conference with dentist to make appointment	95.00	0.43333	41.17
4/6/2017	Guardianship	Care Plan meeting at Summerwood; Assessment of Anna May's leg; Communications with family; Updates from ER	95.00	1.93333	183.67
4/6/2017	Travel	Split - Moses Lake	75.00	1	75.00
4/15/2017	Guardianship	Daily Communications from Companions regarding Anna May's status and activities: 1st pay period	95.00	1.66667	158.33
4/17/2017	Guardianship	Telephone conference with Trustee; Emails to accountant; Print and scan documents for new companion	95.00	0.38333	36.42
4/17/2017	Guardianship	Review expenses and payments made to Guardian	95.00	0.56667	53.83
4/18/2017	Guardianship	Emails with attorney	95.00	0.23333	22.17
4/21/2017	Travel	Moses Lake	75.00	3.5	262.50
4/21/2017	Guardianship	Accompany Anna May to medical appointment; Updates from companion and staff; Visit with Anna May	95.00	1.93333	183.67
4/23/2017	Guardianship	Telephone conference with companions regarding concerns and incident	95.00	0.38333	36.42
4/26/2017	Guardianship	Collected information drafting compilations in order to begin Annual Report for Court	95.00	1.95	185.25
4/26/2017	Guardianship	Visit with Anna May; Updates from companion and nurse	95.00	0.38333	36.42
4/27/2017	Guardianship	Communication with Trustee; Gathered requested information	95.00	0.3	28.50
4/30/2017	Guardianship	Daily Communications from Companions regarding Anna May's status and activities: 2nd pay period	95.00	2.83333	269.17
			Total		\$1,627.52

Central Washington Guardianship

Invoice

Lori Sorensen MSW, CPG # 11669
 P.O. Box 535 Entiat, WA 98822

Date	Invoice #
6/7/2017	52

Bill To
Anna May Black Case No: 14-4-00036-1

Date	Category	Description	Rate	Hours	Amount
5/1/2017	Administrative	Administrative; Mail receipt; Accounting; Record keeping; Filing	55.00	1	55.00
5/3/2017	Guardianship	Prepare social security accounting for new Trustee	95.00	0.78333	74.42
5/4/2017	Guardianship	Gather information for Social Security direct deposit form	95.00	0.13333	12.67
5/9/2017	Guardianship	Telephone conference with companions regarding employment issue	95.00	0.61667	58.58
5/15/2017	Guardianship	Daily Communications from Companions regarding Anna May's status and activities: 1st pay period	95.00	2.58333	245.42
5/15/2017	Guardianship	Visit with Anna May; Updates from companion and care staff	95.00	0.61667	58.58
5/15/2017	Travel	Split - Moses Lake	75.00	0.5	37.50
5/24/2017	Guardianship	Email correspondence with Trustee	95.00	0.16667	15.83
5/31/2017	Guardianship	Daily Communications from Companions regarding Anna May's status and activities: 2nd pay period	95.00	3.58333	340.42
				Total	\$898.42

1 April 27, 2016 mediation, and (ii) the various hearings, motions and related matters resulting
2 from the Guardian filing her Annual Guardian's Report on August 23, 2016. When the
3 Guardian of the Person filed her Annual Guardian's Report, a hearing on the Report was set
4 for September 22, 2016. Prior to the hearing on the Annual Guardian's Report, the Trustee of
5 the Trust for the benefit of the Incapacitated Person filed an Objection to the Annual
6 Guardian's Report. The Guardian of the Person filed a Reply in response to the Trustees
7 Objection to the Guardians Report. In addition to the issues relating to the Guardians Report,
8 the Guardian requested certain information be filed under seal. The Court denied this motion
9 and all attorney fees associated with filing the motion to seal have either been removed from
10 the billing or otherwise marked as "No Charge". The Court held at least three hearings prior
11 to making a decision regarding all of the issues raised in the Annual Guardian's Report and
12 the Objection. A final Order on the Annual Guardian's Report was filed on February 10,
13 2017. The Guardian filed a Motion to Revise the February 10, 2017 Order. The hearing on
14 the Motion to Revise was heard on March 24, 2017. While the Court has issued a letter
15 decision regarding the Motion to Revise, the decision was not rendered until after the closing
16 date of this annual report. As a result, the time reflected in this attorney fee billing reflects the
17 time spent with respect to issues relating to the implementation of the CR 2A Agreement, the
18 Annual Guardian's Report for 2016, responding to the Trustees Objection, the various
19 hearings on the Annual Guardian's Report, and the Motion to Revise.

21 During the course of this proceeding, and in relation to the representation of the
22 Guardian of the Person of Anna May Black under Cause No. 14-4-00036-1 as outlined above,
23

24 DECLARATION OF WILLIAM A.
25 BUCKHOLDT RE: ATTORNEY FEES - 2

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SPOKANE, WASHINGTON 99201-0653
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1 in excess of 140 hours have been spent on this matter. Our billing invoice in this matter has
2 been attached as Exhibit A to this Declaration. The Guardian has reviewed this invoice and
3 approved the work that has been performed.

4 **Summary**

5 **Professional fees:**

6 William A. Buckholdt (138.00 hours at \$350.00 per hour \$28,750.00
7 reduced to \$250.00 per hour with some hours not charged)

8 Troy Y. Nelson (81.70 hours at \$325.00 per hour reduced \$20,425.00
9 to \$250.00 per hour)

10 Daralyn Lohr (5.8 hours at \$130 per hour) \$ 754.00

11 **FEES TOTAL: \$49,929.00**

12 **Expenses: \$ 977.96**

13 **TOTAL: \$50,906.96**

14 DATED this 18 day of August, 2017 at Spokane, Washington.

15 RANDALL | DANSKIN, P.S.

16 By: 

17 William A. Buckholdt, WSBA #29833
18 Attorneys for Court-Appointed Guardian
19 Of the Person, Lori Sorensen

20 F:\Users\19927\14-4-00036-1\2017 - DEC WAB Fees.docx.js

21
22
23
24 DECLARATION OF WILLIAM A.
25 BUCKHOLDT RE: ATTORNEY FEES - 3

26
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CLIENT # 19970

LORI SORENSEN
2415 ENTIAT WAY
P.O. BOX 535
ENTIAT, WA 98822

DATE August 10, 2017
AMOUNT DUE \$50,906.96
PERIOD ENDED July 31, 2017

PLEASE RETURN THIS UPPER PORTION WITH YOUR REMITTANCE

THIS LOWER PORTION IS FOR YOUR RECORDS

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FEDERAL ID # 91-1226184 (509) 747 - 2052

INVOICE # 108269 STATEMENT DATE: August 10, 2017 PERIOD COVERED: July 31, 2017
19970 LORI SORENSEN

COMBINED PREVIOUS BALANCE \$0.00
COMBINED PAYMENTS RECEIVED \$0.00
COMBINED A/R ADJUSTMENTS \$0.00
COMBINED NET PREV BALANCE \$0.00

PREVIOUS BALANCE \$0.00
PAYMENTS RECEIVED \$0.00
A/R ADJUSTMENTS \$0.00
NET PREV BALANCE \$0.00

MATTER 17446101
GUARDIANSHIP OF ANNA MAY BLACK

PROFESSIONAL FEES:

06/01/2016	0.25	WAB	TC with attorney Best re issues with settlement agreement; review recent court filings
06/07/2016	1.00	WAB	TC with attorneys Perednia and Spurgetis re issues with settlement agreement and payment of fees
06/08/2016	1.00	WAB	Review email from Guardian Sorensen re letter from Summer Wood; draft email to attorneys Ropp, Leland, Malpass, Perednia and Best; review issues with payment of fees
06/09/2016	0.25	WAB	Review email from Guardian Sorensen; review issues relating to attorney fees and payment by Trust
06/10/2016	1.00	WAB	TC with attorneys Best and Perednia re issues with fees and change in trustees; work on issues with submitting fees for payment; review issues with attorney-client communications
06/13/2016	0.50	WAB	TC with attorney Best re issues with care for Anna May
06/14/2016	0.50	WAB	Review issues with implementation of Settlement Agreement; review email from Guardian Sorensen re issues with Agreement

If you have any question about our engagement, the nature of the legal services described above, or the method or amount of billing, please bring those questions to the attention of the firm member(s) with whom you are working, as soon as possible.

Unbilled expense items will appear on succeeding statements, statement due when rendered. VISA or Mastercard may be utilized for payment by contacting our accounting department.

EM E-mail
LD Long Distance
LR Legal Research

LT Letter To
OC Office Conference
OOC **00544** e Conference

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06/21/2016	0.50	WAB	TC with attorney Best re issues with case; outline issues with annual report
06/22/2016	0.50	WAB	Review issues with proceedings; review issues with change in room and payment of care expenses
06/23/2016	0.50	WAB	Review emails re case; review issues with payment of costs and fees
07/05/2016	1.50	WAB	Review emails from attorneys Ropp and Perednia; review email from Guardian Sorensen; review issues with communication regarding Anna May living arrangements and arrangement for companion; draft email to Guardian Sorensen
07/06/2016	0.50	WAB	Review status of payments; review issues with annual report
07/07/2016	0.50	WAB	Review email from Guardian Sorensen; review email from attorney Ropp; draft email to attorney Ropp; review issues with annual report filing
07/08/2016	0.50	WAB	TC with L. Sorensen re issues with annual reporting and related matters
07/13/2016	1.00	WAB	Review information from Guardian Sorensen; review required reporting matters; review issues with notice of annual report
07/19/2016	1.00	WAB	Work on Guardian's Annual Report, including Declaration of Attorney Fees; review issues with expanded scope of guardianship
07/21/2016	0.20	DLL	TT M. Finke (Court Administrator) re hearing date for motion to approve annual report and EM WAB re same
07/21/2016	0.50	WAB	Review issues with expiration of letter of guardianship; review issues with petition to extend letters of guardianship
08/01/2016	1.50	WAB	Work on Guardian's Annual Report, Declaration of Fees and related filings
08/03/2016	0.50	WAB	Review issues with filing annual report and personal care plan; work on issues with notice; TC with attorney Best
08/15/2016	0.60	DLL	Research Grant County Local Rules; TT M. Finke @ Grant County Superior re note for hearing and filing document under seal; LT Grant County clerk providing documents for filing and provision to Judge
08/19/2016	0.30	DLL	Revise and finalize LT to court and note for hearing
08/29/2016	1.30	DLL	Conf w/WAB; TC w/Grant County Superior Court Clerk re removal of document filed w/court; Prepare Motion for an Order Shortening Time, Proposed Order Granting Motion for an Order Shortening Time; Prepare Motion to Remove Sealed Confidential Guardianship Document from Court file, supporting affidavit and Proposed Order; Prepare Notices for Hearing
08/30/2016	1.50	WAB	[NO CHARGE] Review Trustee's Motion to Unseal, Disclose

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and Impose Sanctions; review issues with filing; draft email to
Guardian Sorensen

08/31/2016	2.50 WAB	[NO CHARGE] Prepare Declaration in Response to Trustee's Motion to Disclose and Impose Sanctions; TC with Guardian Sorensen; TC with attorney Perednia; TC with attorney Best; review issues with notice
09/01/2016	0.40 DLL	Conf w/WAB; TT M. Finke @ Grant County Superior Court re conference call w/ex parte judge re R. Perednia attendance at hearing (left vm); TF M. Finke and conf w/WAB; TT M. Finke to reschedule hearings (request for special setting)
09/01/2016	3.00 WAB	TC with attorney Perednia; work on issues with notice; TC with attorney Leland; review issues with new hearing date; brief review of Trustee's Objection to Guardian's Report and related filings
09/06/2016	0.50 WAB	Review email from L. Sorensen; review annotations re Objection to Guardian's Report; begin work on reply
09/07/2016	0.60 DLL	Prepare Amended notices for hearing (motion to remove document/motion to approve accounting); LT Grant County Superior Court providing notices for filing and request for return of conformed copies
09/07/2016	0.50 WAB	Draft email to L. Sorensen re issues with case
09/08/2016	2.00 WAB	[NO CHARGE] LR re issues with sealing documents under GR 22 and GR 15; outline Motion to Seal
09/12/2016	0.20 DLL	Conf w/WAB; TT M. Finke @ Grant County Superior Court (out of office); TT C. Burnes @ Grant County Superior Court re hearing date for motion to seal document (left vm)
09/12/2016	2.00 WAB	[NO CHARGE] Review and revision to Motion to Seal; review applicable case law; analyze Ishikawa factors
09/13/2016	0.90 DLL	TT C. Burns @ Grant County Superior Court; Prepare Note for Hearing re Motion to Seal; LT Grant County Superior Court providing Motion and Note for Hearing for filing and provision to Judge; Preparation of all documents for service on counsel and D. Black
09/13/2016	1.00 WAB	Review email from L. Sorensen; draft email to L. Sorensen; begin work on Guardian's Reply to Objection
09/14/2016	8.00 WAB	Draft Reply to Trustee's Objection; Work on Declarations of Guardian Sorensen and WAB in support of Reply
09/15/2016	4.00 WAB	Review and revision to Reply; continued work on associated Declarations; review terms of 90-day Personal Care Plan and Order; work on issues with case
09/15/2016	1.00 TYN	Review objection and Gaurdian's reply; OC Bill Buckholdt re hearing
09/16/2016	2.00 WAB	Review emails from L. Sorensen; draft emails to L. Sorensen;

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finalize Reply and related Declarations

09/19/2016	3.00	WAB	TC with attorneys Perednia and Best; review issues with case; TC with Guardian Sorensen; review filings
09/20/2016	2.00	WAB	Review Motions to Strike; review issues with Objection by attorney Perednia; outline oral argument
09/21/2016	0.20	DLL	TT M. Finke to confirm hearing and verify commissioner (left vm); TF M. Finke and conf w/WAB
09/21/2016	3.00	WAB	Prepare oral arguments; review case law; review issues with objections of Trustee; review Initial Personal Care Plan; review issues with Reply
09/22/2016	0.10	DLL	TT M. Finke @ Grant County Superior Court re date for hearing on Guardian's Report
09/22/2016	5.50	WAB	Prepare for, travel to and from and attend hearing at Grant County re issues with Motion to Seal; OC DLL re scheduling hearing on fees; draft email to attorneys Leland, Best and Perednia
09/23/2016	0.10	DLL	TT M. Finke re combining hearings for 10/14/16 (special set by Commissioner Reese)
09/23/2016	0.10	DLL	EM from M. Finke re hearings and forward same to WAB
09/23/2016	1.50	WAB	TC with attorney Best; review email from attorney Leland re re-noted hearing; OC DLL re issues with scheduling hearing; review issues with case
09/27/2016	0.10	DLL	TT C. Hanson @ Collette Leland's office re status of hearing
09/27/2016	2.00	WAB	Continued work on timeline; review case law matters; review emails from Guardian Sorensen re guardianship matters
09/28/2016	0.10	DLL	EM M. Finke re status of dates for hearings
09/28/2016	0.50	WAB	Review emails from Guardian Sorensen; OC TYN re issues with case
09/28/2016	1.50	TYN	Initial meeting with WAB and Ryan Best re background facts, procedural status and initial plan to appear and argument motion for Guardian fees
09/29/2016	0.10	DLL	EM C. Hansen (Winston Cashatt) re status of hearings
09/29/2016	1.50	WAB	(NO CHARGE) Meeting with TYN re issues with case and procedural matters; work on email to Guardian Sorensen
09/29/2016	5.20	TYN	Review pleadings (1.4); map out plan of action for response to objection to report (2.1); begin working on response to objection (1.7)
09/30/2016	0.50	WAB	OC TYN re issues with Winston Cashatt representation and related matters; review relevant case law
09/30/2016	1.50	TYN	Continue to review pleadings, including declarations and pleadings relating to approval of guardian report and trustee's objection

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10/03/2016	2.00	WAB	OC TYN re issues with history of case; LR re issues with guardian authority; work on Declaration re history of proceedings
10/03/2016	2.50	TYN	Review background facts, notices of appearance and evaluate whether a motion to disqualify could be successful
10/03/2016	0.80	TYN	TC Lori re game plan for upcoming special setting
10/03/2016	3.50	TYN	Review CR2A agreement, review Best's motion to enforce, research enforcability
10/04/2016	3.00	WAB	Review and revision to Declaration; assemble Exhibits for Declaration; OC TYN re issues with hearings
10/04/2016	0.50	TYN	TT Lori re motion for fees
10/04/2016	0.50	TYN	TT Cristie re her observations and declaration
10/04/2016	1.50	TYN	Review declarations of Lori, Alley and Bill
10/04/2016	0.50	TYN	OC Bill re strategy for seeking fees and pending motion
10/04/2016	1.50	TYN	Review Trustee objection to motion for fees and approval of report
10/04/2016	1.00	TYN	Review declarations of Bill and Lori filed in support of motion for fees
10/04/2016	1.50	TYN	Review local rules re motion setting, review email from court administrator re special setting and Commissioner Ries's intitent to hear the guardianship matter
10/10/2016	1.00	WAB	TC with attorney Best re issues with case; OC TYN re CR 2(a) agreement motion; review terms of settlement agreement and trust
10/11/2016	0.50	WAB	TC with attorney Best re issues with hearing; OC TYN re issues with necessary filings
10/11/2016	3.00	TYN	Review declarations of Lori, Christie, Mr. Russell Allison and Bill, all to be filed in support of motion relating to Lori's fees; TT Lori; meet with Bill re motion
10/11/2016	3.30	TYN	Draft motion to enforce CR2(a) agreement
10/12/2016	2.00	WAB	Review and revision to Declaration; assemble Exhibits to Declaration
10/12/2016	1.50	TYN	Complete motion to enforce CR 2(a) agreement and declarations from Lori
10/12/2016	1.00	TYN	Review pleading filed by Prednia
10/13/2016	0.50	WAB	Finalize and file Declaration
10/14/2016	1.00	WAB	Review email from attorney Leland; review proposed Order; OC TYN re terms of Order; brief review of transcript
10/17/2016	1.50	WAB	Review email from attorney Leland; review proposed Order; draft proposed changes; draft email with proposed changes; review Encarcion and Ishikawa cases; additional emails to and from attorney Leland

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10/18/2016	0.50	WAB	Draft email to attorney Leland re payment of sanctions; review email from attorney Leland; review status of Order
10/19/2016	0.50	WAB	OC TYN re issues with case; outline strategy; TC with attorney Best
10/25/2016	0.50	WAB	Review and respond to emails from attorney Leland re Order on Sealing; review issues with presentment and order language on sanctions
10/25/2016	1.50	TYN	Prepare for 11/2 hearing
10/25/2016	1.50	TYN	Review trustee's objection to enforcement of settlement agreement and declarations filed in support
10/26/2016	0.50	WAB	Review email from attorney Best; TC with attorney Best re issues with successor trustee Spurgetis
10/26/2016	0.50	TYN	Review and respond to email from Lori re upcoming hearing
10/26/2016	1.50	TYN	Review motion set for 11/2/16 before Commission Reis
10/27/2016	0.50	WAB	OC TYN re issues with successor trustee; review letter from attorney Hoover; review issues with CR2A motion
10/31/2016	2.00	WAB	OC TYN re issues with hearing; draft Declaration re Spurgetis email and Hoover letter; review timing of filing; meeting with attorney Best re issues with Motion to Enforce CR 2A Agreement
10/31/2016	1.50	TYN	Review declarations provided by LS
10/31/2016	1.00	TYN	Review versions of declaration of LS
10/31/2016	1.00	TYN	Continue preparation for upcoming hearing on 11/2
10/31/2016	1.70	TYN	Review email from Jim Spurgettis agreeing to serve as trustee and analyze impact of the same of hearing to enforce settlement agreement
11/01/2016	150.00	WAB	(NO CHARGE) OC TYN re issues with hearing; review pleadings from Winston Cashatt and attorney Perednia; meeting with attorney Best re status of Spurgetis willingness to serve
11/01/2016	2.00	TYN	Prepare for hearing on various motions by creating outline of oral argument
11/02/2016	4.00	WAB	(NO CHARGE) Travel to and from Grant County Superior Court
11/02/2016	2.00	WAB	Prepare for and attend hearing re CR 2A motion and related matters; review issues with Guardians Report
11/02/2016	2.00	TYN	Prepare responses to motion to strike
11/03/2016	0.50	WAB	Review letter from attorney Ropp; OC TYN re issues with case; LR re timing of hearing on Guardianship Fees
11/03/2016	7.00	TYN	Travel to Ephrata (2.0); attend hearings (3.0); return travel (2.0)
11/09/2016	1.50	WAB	TC with L. Sorensen; work on email to L. Sorensen; review

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issues relating to scope of authority for guardian of person under TEDRA; leave message for attorney Spurgetis

11/15/2016	1.00	WAB	TC with attorney Spurgetis re issues with case; review issues with attorney and guardianship fees
11/18/2016	1.00	WAB	TC with attorney Best re issues with Black hearings; review Show Cause Order; review issues with Show Cause hearing and status of hearing
11/21/2016	1.00	WAB	OC TYN re issues with Show Cause Order; draft Objection to Show Cause; call to J. Spurgetis
11/22/2016	1.00	WAB	TC attorney Best re Show Cause hearing; review issues with Show Cause hearing; review file re Trustee Objections and related matters
11/23/2016	1.00	WAB	Continued review of Objections to fees and related filings; review Motion to Strike and related Declarations
11/28/2016	1.50	WAB	Work on Declaration of WAB and TYN; review correspondence from attorney Ropp; review Trustee Objection, Reply and other related filings; OC TYN re issues with Show Cause Order
11/29/2016	1.00	WAB	OC TYN re issues with Show Cause hearing and related matters; outline strategy re hearing; emails with Guardian Sorensen
11/29/2016	6.70	TYN	Review Trust's order to show cause; evaluate potential responses, review, edit and approve objection; review additional affidavits re fee motion; OC Bill re responses
12/01/2016	1.00	WAB	OC TYN re issues with hearing; review letter from attorney Leland; work on issues with hearing
12/01/2016	5.40	TYN	Prepare for hearing on show cause order by reviewing file, researching responses and preparing for hearing on underlying motion
12/02/2016	4.00	WAB	[NO CHARGE] Travel to Ephrata for hearing
12/02/2016	1.00	WAB	Attend hearing on Show Cause Order; OC TYN re issues with case and guardianship procedure
12/04/2016	6.40	TYN	Travel to Eharata (2.2) attend hearing on show cause order (1.3); conference with client (.7); drive back to Spokane (2.2)
12/05/2016	0.50	WAB	TC with L. Sorensen re issues with guardianship matters
12/12/2016	1.50	WAB	Review Court Rulings; outline issues with ruling; OC TYN re issues with ruling; outline strategy re issues with ruling; TC with Guardian Sorensen; draft email to Guardian Sorensen; outline issues with Motion for Revision; review Grant County Local Rules on Motion to Revise
12/14/2016	1.00	WAB	OC TYN re issues with case; review issues with timing on Motion to Revise; review issues with scope of services
12/16/2016	1.70	TYN	Review ruling from court; consider response, draft letter to

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Judge Reis

12/16/2016	2.00	TYN	Review letter from Ms. Leland, further analysis of response and plan
12/19/2016	0.50	WAB	Review case law re issues with standard of review and potential arguments; begin outlining terms of memorandum on Motion to Revise
12/22/2016	0.25	WAB	OC TYN re issues with status of proceedings and entry of order
12/23/2016	0.25	WAB	Draft email to Guardian Sorensen
01/09/2017	0.50	WAB	TC with attorney Best; review letter from Commissioner Ries; leave message for Guardian Sorensen
01/11/2017	1.50	WAB	Work on issues with Orders based on Commissioner Decision
01/12/2017	1.00	WAB	Review email from attorney Leland; review issues with Orders; OC TYN re issues with Orders; draft email to L. Sorensen
01/17/2017	1.00	WAB	Work on Orders; outline issues covered in letter rulings
01/18/2017	1.50	WAB	Work on Position Statement on Motion to Revise; review and revision to Order
01/20/2017	0.50	WAB	OC TYN; draft changes to Order
01/24/2017	0.50	WAB	Finalize Order and Notice of Presentment; draft email to attorneys Leland, Best and Perednia; TC with attorney Spurgetis
01/25/2017	0.50	WAB	Review email from attorney Leland; draft emails to Guardian Sorensen; review issues with Presentment
01/31/2017	0.50	WAB	Work on Position Statement in Support of Motion to Revise
02/09/2017	1.00	WAB	OC TYN re issues with presentment hearing; review procedure for motion to revise; begin work on memorandum in support of motion to revise
02/10/2017	3.50	WAB	LR re issues with payment of attorney fees in guardianships; review issues with scope of representation and applicable statutes; work on memorandum in support of motion to revise
02/13/2017	3.50	WAB	Continued review and revision to memorandum in support of motion to revise; continued review of relevant case and statutory law; order copies of Order entered by Commissioner Reis
02/14/2017	0.50	WAB	Review terms of Orders entered on February 10, 2017; work on memorandum in support of motion to revise
02/15/2017	0.50	WAB	Review case law re issues with guardianship attorney fees; work on Motion to Revise
02/16/2017	0.50	WAB	OC TYN re issues with Motion to Revise; review issues with memorandum in support of motion to revise

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02/17/2017	0.50	DLL	Conf w/WAB; TT M. Finke re hearing date; Prepare note for hearing on motion to revise commissioner's rulin	
02/17/2017	0.50	WAB	Finalize Motion to Revise, Notice of Hearing and Declaration of Service	
02/23/2017	0.50	WAB	Review status of Motion to Revise; draft email to L. Sorensen	
02/28/2017	0.50	WAB	Review and revision to memorandum in support of motion to revise	
03/06/2017	0.50	WAB	Review and revision to memorandum in support of motion to revise; review issues with RCW 11.88.045. 11.92.060 and 11.92.180	
03/08/2017	1.00	WAB	Review and revision to Memorandum; review relevant case law re award of attorney fees in guardianship matters	
03/13/2017	1.50	WAB	Review and revision to Memo ISO Motion to Revise	
03/15/2017	1.50	TYN	Review and approve brief re motion to revise	
03/16/2017	1.00	WAB	Review and revision to memorandum; OC TYN re issues with memorandum	
03/17/2017	1.00	WAB	OC TYN re issues with memorandum; draft revisions to memorandum	
03/21/2017	0.50	WAB	Review issues with hearing and procedural matters; leave message with attorney Spurgetis	
03/23/2017	3.50	WAB	Meeting with TYN; prepare for hearing; review relevant case and statutory law; review response by Trustee; outline oral argument	
03/24/2017	4.00	WAB	(NO CHARGE) Travel to and from Ephrata.	
03/24/2017	3.00	WAB	Prepare for and attend hearing on Motion to Revise.	
03/24/2017	2.00	TYN	Prepare for hearing on motion to revise	
03/24/2017	3.00	TYN	Attend hearing on motion to revise	
	374.00	HOURS	PROFESSIONAL FEES	\$49,929.00
CHARGES OTHER THAN PROFESSIONAL FEES:				
08/30/2016			Federal Express / 8/22 package to Grant County Superior Court	\$26.08
09/27/2016			Federal Express / 8/29 package to Deborah Black	\$25.39
09/27/2016			Federal Express / 8/29 package to Grant County Superior Court	\$20.37
09/27/2016			Federal Express / 8/31 package to Grant County Superior Court	\$20.37
09/27/2016			Federal Express / 8/31 package to Deborah Black	\$25.39
09/27/2016			Federal Express / 8/31 package to Grant County Superior Court	\$20.37
09/27/2016			Federal Express / 9/07 package to Grant County Superior Court	\$20.27
09/27/2016			Federal Express / 9/13 package to Grant County Superior Court	\$20.27
09/27/2016			Federal Express / 9/13 package to Deborah Black	\$25.27

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09/30/2016	WAB / reimburse % Ephrata mileage re hearing	\$66.96
10/31/2016	Federal Express / 10/19 package to Deborah Black	\$25.27
10/31/2016	Federal Express / 10/19 package to Grant County Superior Court	\$20.27
02/16/2017	ClerkePass WA State Grant County; Other	\$6.25
07/31/2017	Copy charges	\$496.50
07/31/2017	Postage	\$158.93

TOTAL OTHER CHARGES \$977.96

NET PREV. BALANCE \$0.00

INTEREST BILLED \$0.00

TOTAL NEW CHARGES \$50,906.96

TOTAL BALANCE DUE \$50,906.96

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WINSTON & CASHATT, LAWYERS

June 06, 2018 - 10:14 AM

Transmittal Information

Filed with Court: Court of Appeals Division III
Appellate Court Case Number: 35653-1
Appellate Court Case Title: In re the Guardianship of Anna May Black
Superior Court Case Number: 14-4-00036-1

The following documents have been uploaded:

- 356531_Briefs_20180606101144D3285835_5901.pdf
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- richard@legalrwp.com
- ryan.best@bestlawspokane.com
- tyn@randalldanskin.com
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Comments:

Brief of Respondent James P. Spurgetis, Trustee

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