## Grift of the Brunsting’s - The Interception of a Family Generational Asset Transfer.

Third party theft of family generational asset transfers is a big money enterprise. One of the first problems we are confronted with, in the case in point, is that we have a two part story. Due to shenanigans on the back end, we never get to the front end and how we came to be here in the first instance. How it is that we never get to the question of how we came to be here in the first instance is not by inadvertence or excusable neglect but by design.

The front end is an estate planning bait and switch. The estate planning bait and switch Grifters are a protected species as they are the money cow locators. What else would explain why an attorney would file a lawsuit against the estate planning Grifters in one court and the beneficiaries of the family trust in another, when there is only one family, one trust, one estate planning firm and one nucleus of operative facts?

The estate planning, asset management, attorneys don’t just locate the family money cows. They identify which family generational asset transfers are vulnerable. Think of it in terms of fishing or chumming for the weak link in the family moral and financial fabric and then [manipulating that weakness](http://www.probatemafia.com/Brunsting/How%20to%20steal%20your%20family%20inheritance.pdf) into the controversy that opens the back door. Welcome to probate, otherwise known as purgatory. This case has a number of nuances since the first filed action was in federal court, not state court, and it was commenced prior to any state court activity at all!

# 2012

2012-02-27 Candace Louise Curtis vs Anita Brunsting, Amy Brunsting and Does 1-100 SDTX No. 4:12-cv-592

2012-03-08 Dismissal under the Probate Exception

2012-03-09 [Case No. 212-14538](http://www.probatemafia.com/Brunsting/2012-03-09%20case%20212-14538%20Bayless%20Petition%20to%20take%20deposition%20before%20suit.pdf) Bayless Petition to take deposition before suit Harris County 80th District Court

[2012-04-03 Will of Nelva Brunsting is filed](http://www.probatemafia.com/Brunsting/2012-04-03%20Will%20of%20Nelva%20Brunsting.pdf) (sole devisee family trust)

2012-06-11 [Appellants Opening Brief](http://www.probatemafia.com/Brunsting/2012-06-11%20Appellants%20opening%20brief%20on%20appeal_12-20164.pdf) in the 5th Circuit

[2012-08-28 PBT-2012-287037 Order Admitting Nelva Will and Issuing letters to Carl](http://www.probatemafia.com/Brunsting/2012-08-28%20PBT-2012-287037%20Order%20Admitting%20Nelva%20Will%20and%20Issuing%20letters%20to%20Carl.pdf)

# 2013

[2013-01-09 Curtis v. Brunsting 704 F.3d 406 5th Circuit (Jan 2013](http://www.probatemafia.com/Brunsting/2013-01-09%20Curtis%20v.%20Brunsting%20704%20F.3d%20406%205th%20Circuit%20Jan%202013.pdf))

2013-01-29 Bayless [District Court Complaint against Freed](http://www.probatemafia.com/Brunsting/2013-01-29%20Bayless%20District%20Court%20Complaint%20against%20Freed.PDF)

2013-03-01 Case 4-12-cv-00592 [Doc 29](http://www.probatemafia.com/Brunsting/2013-03-01%20Case%204-12-cv-00592%20Doc%2029%20Anita%20and%20Amy%20Answr%20to%20federal%20Complaint.pdf) Anita and Amy Answer to federal Complaint

2013-03-11 Case 4-12-cv-592 [Affidavit](http://www.probatemafia.com/Brunsting/2013-03-11%20Case%20%204-12-cv-592%20Affidavit%20in%20support%20of%20Application%20for%20Injunctive%20Orders.pdf) in support of Application for Injunctive Orders  
[2013-03-11 Case 4-12-cv-592 Application for Injunction](http://www.probatemafia.com/Brunsting/2013-03-11%20Case%20%204-12-cv-592%20Application%20for%20Injunction.pdf)

2013-04-05 [Order Approving Inventory](http://www.probatemafia.com/Brunsting/2013-04-05%20ORDER%20approving%20INVENTORY%20APPRAISEMENT%20AND%20LIST%20OF%20CLAIMS.pdf) Appraisement and List of Claims

[2013-04-09 Case 4-12-cv-592 Injunction Hearing Transcript-Hoyt](http://www.probatemafia.com/Brunsting/2013-04-09%20Case%20%204-12-cv-592%20Injunction%20Hearing%20Transcript-Hoyt.pdf)

2013-04-09 Case 412249-401 PBT-2013-115617 [Bayless files Carl’s Original Petition](http://www.probatemafia.com/Brunsting/2013-04-09%20Case%20412249-401%20PBT-2013-115617%20Bayless%20Original%20Petition.pdf) in probate Court No. 4, individually and as independent executor.

2013-04-19 Case 4-12-cv-592 Doc 45 [Memorandum of Preliminary Injunction](http://www.probatemafia.com/Brunsting/%5b6%5d%202013-04-19%20Case%20%204-12-cv-592%20Doc%2045%20Preliminary%20Federal%20Injunction.pdf)

# 2014

## ENTER JASON OSTROM

2014-01-06 [Ostrom makes his appearance](http://www.probatemafia.com/Brunsting/TAB%208%20%202014-01-06%20Ostrom%20Appearance%20in%204-12-cv-592.pdf) as counsel for Candace Curtis

2014-05-09 Ostrom files [bundle of unopposed motions](http://www.probatemafia.com/Brunsting/2014-05-09%20Ostrom%20Bundle%20from%20ROA%2020-20566.pdf) and obtains order for remand to Harris County Probate Court No. 4

2014-05-28 Harris County Probate Court No. 4, Ostrom files [Motion to enter remand as a transfer order](http://www.probatemafia.com/Brunsting/2014-05-28%20%20Case%20412249%20402%20MOTION%20TO%20ENTER%20TRANSFER%20ORDER%20signed%20by%20Butts%20PBT%202014%20184792.pdf) in 412249-401

2014-06-03 Harris County Probate Court No. 4 Butts [signed transfer order](http://www.probatemafia.com/Brunsting/%5b11%5d%202014-06-05%20%20Case%20412249-402%20Motion%20to%20Enter%20Transfer%20order%20PBT-2014-184792.pdf) in 412249-401

## ENTER STEPHEN A. MENDEL & NEAL E. SPIELMAN

[2014-11-17 Mendel Notice of Appearance for Anita Kay Brunsting](http://www.probatemafia.com/Brunsting/2014-11-17%20Mendel%20Notice%20of%20Appearance%20for%20Anita%20Kay%20Brunsting.pdf)

[2014-12-08 412249-401 Spielman Notice of APPEARANCE](http://www.probatemafia.com/Brunsting/2014-12-08%20412249-401%20Spielman%20Notice%20of%20APPEARANCE.pdf) for Amy Brunsting

On January 5, 2015 Anita Brunsting filed an objection to Ostroms request for distribution. This was Defendant Co-Trustee Anita Brunsting’s first mention of in Terrorem but soon manifests as her chosen method of stealing trust assets from her siblings.[[1]](#footnote-1) Anita’s entire pleading is based upon a presumption that the valid trust instruments have already been determined and, while declaratory judgment would be the first step in the direction of remedy, no declaratory judgment was ever entered by the probate court.

# 2015

2015-01-09 2022-04-08 02-12 Exhibit q Anita’s (Mendel) [attorney Fee Disclosure](2022-04-08%2002-12%20Exhibit%20q%20Anita’s%20(Mendel)%20attorney%20Fee%20Disclosure.highlight.pdf).pdf shows knowledge that the federal case was not properly in the probate court

1/9/2015 BEF Reviewed correspondence re proposed deposition dates; reviewed file re injunction and **problems with the federal court remand or case that was never removed**, J. Ostrom nonsuit of injunctive relief, and trust barriers to such injunction. [Case 4:22-cv-01129 Document 2-12](http://www.probatemafia.com/Brunsting/2022-04-08%2002-12%20Exhibit%20q%20Anita%E2%80%99s%20(Mendel)%20attorney%20Fee%20Disclosure.BAK.pdf) Filed on 04/08/22 in TXSD Page 10 of 56

2015-02-03 [Deposition](http://www.probatemafia.com/Brunsting/2015-07-29%20HC%20Dist%20Ct%20Reporters%20Certification%2066414332%20Oral%20and%20Video%20Deposition%20of%20Carl%20Brunsting.pdf) of Independent Executor Carl Brunsting by the estate planning defendants in the 164th Judicial District Court of Harris County.

2015-02-09 Docket for [Estate of Nelva Brunsting 412249-402](http://www.probatemafia.com/Brunsting/2015-02-09%20Docket%20412249-402.pdf) is created 8 months after the [transfer order](http://www.probatemafia.com/Brunsting/%5b11%5d%202014-06-05%20%20Case%20412249-402%20Motion%20to%20Enter%20Transfer%20order%20PBT-2014-184792.pdf) was signed. (6 days after the deposition of Carl Brunsting and 7 days before his resignation due to want of capacity.) The event that initiated the creation of this case file was called [Notice of Filing of Plaintiff's Original Petition](http://www.probatemafia.com/Brunsting/2015-02-09%20%20PBT-2015-47608%20Notice%20of%20plaintiff's%20filing%20of%20original%20Petition.pdf) 601 pages. There are no proofs of service shown in the docket.

2015-02-17 Independent Executor Carl Brunsting submits his [resignation](http://www.probatemafia.com/Brunsting/2015-02-19%20Case%20412248%20PBT-2015-57597%20Carl%20Resignation_Certified.pdf), Certified. From this date forward the malpractice case against the estate planning attorneys has no plaintiff and “estate of Nelva Brunsting” has no representative. This remains unchanged throughout with the exception of the fraudulent administrator Gregory Lester.

2015-03-16 [Tab 46](http://www.probatemafia.com/Brunsting/TAB%2046%20%202015-02-09%20Docket%20sheet%20412249-402%20Certified%202019-08-22.pdf) Docket -402 Certified “Order to Consolidate” ordering that all pleadings filed under 412,249-402 be moved into 412,249-401 and -402 is closed (There is no evidence that anything was actually moved into -401.)

2015-03-30 [Ostrom Terminated](http://www.probatemafia.com/Brunsting/2015-03-30%20Ostrom%20Termination.pdf)

2015-05-09 Spielman billing entry:

Follow-up telephone conference(s) with Anita's counsel regarding counsel's recent discussion with Anita, discussing plan to proceed with IME for Carl to assist in determination of whether guardian is needed for Carl, discuss pursuing summary judgment on "undue influence" issue, discuss status **of proceedings for appointment of independent successor executor.** [Case 4:22-cv-01129 Document 2-15](file:///C:\Users\Rik\Documents\2022-04-08%2002-15%20Exhibit%20R%20Amy’s%20(Spielman)%20attorney%20fee%20disclosures.BAK(1).pdf) Filed on 04/08/22 in TXSD Page 17 of 52

Spielman billing entry 2015-05-29:

Review draft of proposed Motion for No Evidence Summary Judgment and prepare memorandum to Anita's counsel regarding possible edits to same; review memorandum from counsel regarding possible agreement from Carl's attorney regarding IME in lieu of Motion and hearing. [Case 4:22-cv-01129 Document 2-15](file:///C:\Users\Rik\Documents\2022-04-08%2002-15%20Exhibit%20R%20Amy’s%20(Spielman)%20attorney%20fee%20disclosures.BAK(1).pdf) Filed on 04/08/22 in TXSD Page 17 of 52

Anita and Candace Kunz-Freed [pulled the IME/guardianship threat on Nelva](http://www.probatemafia.com/Brunsting/2010-11-17%20Freed%20email%20re%20Nelva%20Competence%20-%20Capacity.pdf) when Nelva discovered their collusion and treachery and told [Freed to put things back](http://www.probatemafia.com/Brunsting/2010-10-28%20Oct%2028%202010%20Carole%20overhearing%20nelva%20talking%20to%20freed.pdf) the way they were! Anita’s failure to file for Guardianship just shows her intentions were intimidation and not a bonafide concern for Carl’s wellbeing.

Bayless hasn’t had a client since before Carl’s resignation and the trio didn’t make their non-prosecution arrangement public until December 5, 2021 when they filed their [Rule 11 agreement](http://www.probatemafia.com/Brunsting/Certified%2018210428-%20C%23%204%20Rule%2011%20Agreement%202021-12-05.pdf). Nonetheless, we know by their concerted effort to evade hearings on dispositive motions and Spielman’s fee entry notes that they made their arrangement in 2015. This would explain why they would all be attacking Candace Curtis without a specific reason other than her allegations of racketeering where [they all lied to the federal courts](http://www.probatemafia.com/Brunsting/Probate%20case%20matter%20proceeding.pdf).

2015-06-26 Case 412249-401 Anita & Amy's No Evidence MSJ re 8-25-2010 QBD-PBT-2015-208305

2015-07-09 Case 412249-401 Carl's Petition for Partial Summary Judgment PBT-2015-225037

2015-07-13 Case 412249-401 PBT-2015-226432 Notice of hearing on No Evidence Motion

2015-07-13 Case 412249-401 PBT-2015-227302 Bayless Notice of hearing august 3 2015

2015-07-13 Case 412249-401 Plaintiff Curtis Response to No-evidence motion PBT-2015-227757 with Demand to Produce Evidence.

2015-07-15 Spielman billing entry: Case 4:22-cv-01129 [Document 2-15](file:///C:\Users\Rik\Documents\2022-04-08%2002-15%20Exhibit%20R%20Amy’s%20(Spielman)%20attorney%20fee%20disclosures.BAK(1).pdf) Filed on 04/08/22 in TXSD Page 22 of 52

7/15/2015 NES Receipt and review of Plaintiff, Candace Curtis' Response to Defendants, Anita and Amy Brunsting's Motion for Partial Summary Judgment and Motion to Demand to Produce Evidence pursuant to Evidence Codes §1002, 1003.

Thus we see that as early as July 15, 2015 Mr. Spielman was aware of the need to qualify their QBD as evidence and was also aware that they could not do so. So where is it? Where is this precious and magical thing that can change in death what cannot be changed in life? Where are the three original *Qualified Beneficiary Designation and Testamentary Power of Appointment under Living Trust Agreement*? And where oh where are the signatures of two disinterested witnesses to this “testamentary” instrument?

## RICO Case 4-16-cv-01969 July 5, 2016 – May 16, 2017

Probate Case, Probate Matter, and Probate Proceeding (RICO) Case 4-16-cv-01969 July 5, 2016 – May 16, 2017. Mendel did not get a fee award in this case and absolutely nothing happened in probate but none-the-less Mendel has [15 pages in his billing statement](2022-04-08%2002-12%20Exhibit%20q%20Anita’s%20(Mendel)%20attorney%20Fee%20Disclosure.highlight.pdf) claiming his fees are owed by the trust.

Bayless reply to Bill of Review: Statutory Probate court does not need a pending estate administration to take jurisdiction over a living trust. (Cites Lee vs Lee)

# 2015

## RICO Case 4-16-cv-01969 July 5, 2016 – May 16, 2017

[Tab 80a 2016-09-30 Case 4-16-cv-01969 Dkt 36 p2 Stephen Mendel probate case](http://www.probatemafia.com/Brunsting/Tab%2080a%202016-09-30%20Case%204-16-cv-01969%20Dkt%2036%20p2%20Stephen%20Mendel%20probate%20case.pdf)  
[Tab 80b 2016-10-03 Case 4-16-cv-01969 Doc 40 Neal Spielmans Probate, Probate, Probate](http://www.probatemafia.com/Brunsting/Tab%2080b%202016-10-03%20Case%204-16-cv-01969%20Doc%2040%20Neal%20Spielmans%20Probate%20Probate%20Probate.pdf)  
[Tab 80c 2016-09-07 Case 4-16-cv-01969 Doc 23 p2-3 Bayless Probate Proceeding](http://www.probatemafia.com/Brunsting/Tab%2080c%202016-09-07%20Case%204-16-cv-01969%20Doc%2023%20p2-3%20Bayless%20Probate%20Proceeding.pdf)  
[Tab 80c1 2013-11-1 Hannah - Bayless Plea to the Jurisdiction](http://www.probatemafia.com/Brunsting/Tab%2080c1%202013-11-1%20Hannah%20-%20Bayless%20Plea%20to%20the%20Jurisdiction.pdf)  
[Tab 80c2 2014-02-11 Hannah Petition for writ of mandamus filed](http://www.probatemafia.com/Brunsting/Tab%2080c2%202014-02-11%20Hannah%20Petition%20for%20writ%20of%20mandamus%20filed.pdf)  
[Tab 80c3 2014-05-13 IN RE Julie HANNAH](http://www.probatemafia.com/Brunsting/Tab%2080c3%202014-05-13%20IN%20RE%20%20Julie%20HANNAH.pdf)  
[Tab 80d 2016-11-07 Case 4-16-cv-01969 Doc 83 Lester Probate Case](http://www.probatemafia.com/Brunsting/Tab%2080d%202016-11-07%20Case%204-16-cv-01969%20Doc%2083%20Lester%20Probate%20Case.pdf)  
[Tab 80f 2016-10-31 Case 4-16-cv-01969 Doc 78 Ostrom Probate Case](http://www.probatemafia.com/Brunsting/Tab%2080f%202016-10-31%20Case%204-16-cv-01969%20Doc%2078%20Ostrom%20Probate%20Case.pdf)  
[Tab 80g 2016-09-07 Case 4-16-cv-01969 Doc 20 Vacek & Freed Probate Proceeding](http://www.probatemafia.com/Brunsting/Tab%2080g%202016-09-07%20Case%204-16-cv-01969%20Doc%2020%20Vacek%20&%20Freed%20Probate%20Proceeding.pdf)  
[Tab 80h 2016-09-16 Case 4-16-cv-01969 Doc 30 Anita Brunsting Probate Case](http://www.probatemafia.com/Brunsting/Tab%2080h%202016-09-16%20Case%204-16-cv-01969%20Doc%2030%20Anita%20Brunsting%20Probate%20Case.pdf)  
[Tab 80i 2016-09-21 Case 4116-cv-01969 Dkt 35 Amy Brunsting Probate Matter](http://www.probatemafia.com/Brunsting/Tab%2080i%202016-09-21%20Case%204116-cv-01969%20Dkt%2035%20Amy%20Brunsting%20Probate%20Matter.pdf)  
[Tab 80j 2016-09-21 Case 4116-cv-01969 Dkt 35 Amy Brunsting Probate Case](http://www.probatemafia.com/Brunsting/Tab%2080j%202016-09-21%20Case%204116-cv-01969%20Dkt%2035%20Amy%20Brunsting%20Probate%20Case.pdf)  
[Tab 80k 2016-10-31 Case 4-16-cv-01969 Doc 79 Butts Probate Case](http://www.probatemafia.com/Brunsting/Tab%2080k%202016-10-31%20Case%204-16-cv-01969%20Doc%2079%20Butts%20Probate%20Case.pdf)

Defendants are clearly not talking about Candace Louise Curtis vs Anita Brunsting, Amy Brunsting and Does 1-100 SDTX No. 4:12-cv-592 a/k/a Curtis v. Brunsting 704 F.3d 406.

1. See Curtis vs Anita Brunsting, Amy Brunsting and Does 1-100 SDTX No. 4:12-cv-592 [Document 1 page 20 of 28 para. 4] [↑](#footnote-ref-1)