

AA

NO. 412,249

ESTATE OF	§	IN THE PROBATE COURT
NELVA E. BRUNSTING,	§	NUMBER FOUR (4) OF
DECEASED	§	HARRIS COUNTY, TEXAS

**APPLICATION FOR PAYMENT OF ATTORNEY'S FEES AND EXPENSES
FOR THE PERIOD AUGUST 1, 2015 THROUGH MAY 31, 2017**

COMES NOW Gregory A. Lester, Temporary Administrator Pending Contest of the Estate of Nelva E. Brunsting, Deceased, ("Applicant"), by and through his counsel of record Jill W. Young, and files this his Application for Payment of Attorney's Fees and Expenses for the Period August 1, 2015 Through May 31, 2017, and for such relief would respectfully show the Court the following:

2.

Applicant was appointed Temporary Administrator Pending Contest of the Estate of Nelva E. Brunsting, Deceased, by Order of this Court signed on July 23, 2015. Applicant qualified as such on July 24, 2015, and has continued to serve in his Court appointed capacity at all times since his date of qualification.

3.

Pursuant to this Court's Order Granting Authority to Retain Counsel dated September 10, 2015, and pursuant to Section 352.051 of the Texas Estates Code, Applicant engaged the law firm of MacIntyre, McCulloch, Stanfield & Young, LLP, with offices at 2900 Wesleyan, Suite 150, Houston, Texas 77027, who have rendered necessary legal services and/or advanced necessary expenses on behalf of Applicant with respect to the Estate of Nelva E. Brunsting, Deceased. By reason of such employment, Applicant is indebted to the law firm of MacIntyre, McCulloch, Stanfield & Young, LLP for legal services rendered to and expenses advanced on his

behalf for the period of August 1, 2015 Through May 31, 2017. Such legal services and expenses are set forth in detailed monthly statements which are attached to the Affidavit of Jill W. Young as **Exhibit "A."**

4.

All of the aforesaid fees and expenses were necessary and all of the fees and expenses were reasonable under all of the circumstances and were incurred in the representation of Applicant with respect to the Estate of Nelva E. Brunsting, Deceased. *See* Exhibit "A."

5.


Applicant requests this Court, after review and consideration, enter an Order that the total sum of \$10,620.73 is equitable and just and should be taxed against and paid from the assets of the Ward's Estate to MacIntyre, McCulloch, Stanfield & Young, LLP for attorney's fees and expenses for the period of August 1, 2015 Through May 31, 2017. *See* TEX. ESTATES CODE §1155.054.

WHEREFORE, PREMISES CONSIDERED, Applicant prays that (i) the Court enter an Order approving the fees and expenses incurred by MacIntyre, McCulloch, Stanfield & Young, LLP on behalf of Applicant; (ii) the Court authorize Applicant's fees and expenses in the total amount of \$10,620.73 as being equitable and just and should be paid from the assets of the Estate; and (iii) the Court grant Applicant such other and further relief as he may show himself justly entitled to receive.

Respectfully submitted,

MacINTYRE, McCULLOCH, STANFIELD
& YOUNG, LLP

By:


JILL W. YOUNG

jill.young@mmlawtexas.com

State Bar No. 00797670

2900 Wesleyan, Suite 150

Houston, Texas 77027

(713) 572-2900

(713) 572-2902 (Fax)

ATTORNEYS FOR APPLICANT

COPY

ORIGINAL

UNCONFIDENTIAL

NO. 412,249

ESTATE OF § IN THE PROBATE COURT
NELVA E. BRUNSTING, §
DECEASED § NUMBER FOUR (4) OF
§ HARRIS COUNTY, TEXAS
§

ATTORNEY FEE AFFIDAVIT

THE STATE OF TEXAS §
COUNTY OF HARRIS §

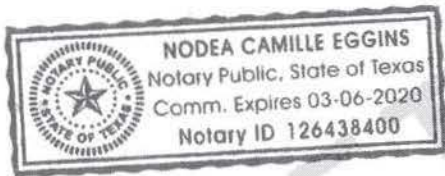
BEFORE ME, the undersigned authority, on this day personally appeared Jill W. Young, the Affiant, who after being by me duly sworn, does state: (1) that Affiant is a duly licensed and practicing attorney in the state of Texas with offices in Houston, Harris County, Texas; (2) that Affiant and her law firm, MacIntyre, McCulloch, Stanfield & Young, LLP have been hired by Applicant to represent her in the administration of the above entitled guardianship proceeding; (3) that a true and correct copy of the MacIntyre, McCulloch, Stanfield & Young, LLP's firm profile and attorneys' resumes showing their qualifications for the type of work involved in this case is attached as **Exhibit "A1"** to this Affidavit filed herein; (4) that Affiant and her law firm, MacIntyre, McCulloch, Stanfield & Young, LLP, have performed the legal services which are described in detail and attached as **Exhibit "A2"** to this Affidavit filed herein and states that such services were properly and timely performed on behalf of Applicant; (5) that all legal services, hours worked, and expenses that are detailed in the attached statements were necessary and all fees and expenses for the work and services rendered were reasonable and rendered on behalf of Applicant; (6) that the fees and expenses included in this Application cover the time period of August 1, 2015 Through May 31, 2017 in the amount of \$10,620.73; (7) that the invoices attached hereto as Exhibit "A2" represent fees and expenses presently due and owing to

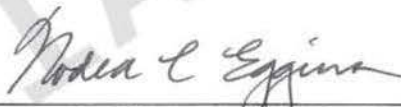
EXHIBIT "A"

MacIntyre, McCulloch, Stanfield & Young, LLP in the amount of \$10,620.73 for the time period August 1, 2015 Through May 31, 2017; (8) that all just and legal offsets, payments, credits and professional discounts provided to the client and known to the Affiant have been allowed and are reflected in the attached statements; (9) that any fees and expenses of legal assistants were done under the direction and supervision of an attorney; and (10) that Affiant has made and presented this Application and Affidavit to the Court with notice to all parties.


JILL W. YOUNG

SWORN TO AND SUBSCRIBED by said JILL W. YOUNG, before me, the undersigned authority, on this 3rd day of October, 2017.




Notary Public In and For the State of TEXAS

MMS&Y

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The attorneys at MacIntyre, McCulloch, Stanfield, Young, L.L.P. deliver legal services to a wide range of business and individual clients: financial institutions involved in or with interest in the disposition of wills, trusts and estates; individual trust beneficiaries, as well as corporate fiduciaries, in their respective roles as guardians, trustees, administrators and/or executors of trusts and estates; individuals within a family seeking representation in court or assistance with estate planning or administration; and businesses and executives seeking representation or counsel in a civil litigation matter.

SENSITIVE MATTERS

The issues in these matters are sensitive: protecting assets that may have taken a lifetime to accumulate; managing property that has been in the family for generations; making long range provisions for beneficiaries; protecting business interests from disputes and other threats. These are matters that can affect personal as well as financial well being.

We understand this and strive to assist our clients with the whole scope of the issues they face. We are lawyers you can talk to.

EXHIBIT "A1"

We proceed with sensitivity and the force necessary to achieve our clients' goals. We assist in prosecuting and defending will contests, will and trust construction, termination of trusts, resignation or removal of trustees, litigation arising out of the administration of estates and trusts, as well as general civil matters, and also handle all forms of alternative dispute resolution.

Results matter, as do the feelings and sensitivities of the people we represent. We never forget the importance of either.

EFFECTIVE SOLUTIONS

Our attorneys represent individual trust beneficiaries as well as corporate fiduciaries in their respective roles as guardians, trustees, administrators, or executors of trusts and estates. Because probate, trusts, and estates litigation is interdisciplinary, clients directly benefit as a result of our experience in businesses transactions, real estate, securities, employee benefits, corporate, and tax, among other areas.

Our attorneys work to resolve the issues in a dispute and achieve the personal as well as financial objectives of our clients, combining keen analysis, careful preparation, practical skills, and comprehensive experience to represent clients effectively before judges, juries, and other arbiters. If we cannot secure a favorable pre-trial solution, we try cases confidently and vigorously to verdict.

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Email: inquiry@mmlawtexas.com



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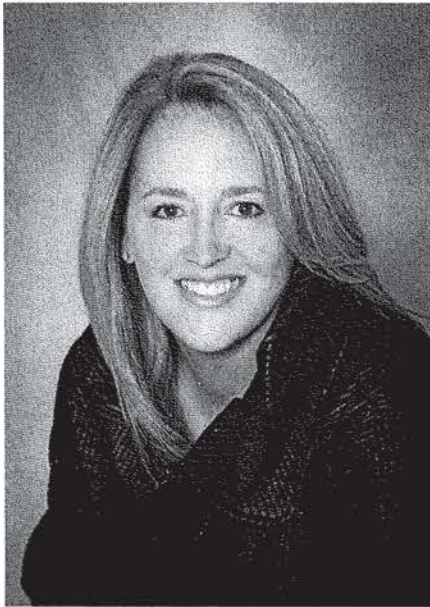
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JILL WILLARD YOUNG



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BIOGRAPHY

Jill Willard Young has over 17 years of representing many different clients in both general civil litigation and probate litigation and has tried cases to verdict in these areas of the law. She represents trustees, administrators, executors, beneficiaries and guardians in litigation concerning trusts, wills, gifts, estates and guardianships. Ms. Young also focuses her practice on commercial litigation matters. She represents businesses and individuals in disputes involving contracts, fraud, misrepresentation, breach of fiduciary duty and administration litigation claims involving state and federal agencies.

EDUCATION

J.D., 1996, South Texas College of Law

REPRESENTATIVE MATTERS

Represented several large corporate fiduciaries in their respective roles as trustees, executors, and/or administrators of trusts and estates as well as individuals in guardianship proceedings and various lawsuits related to wills, trusts, and estates

Represented clients in all types of contested probate, trust and guardianship litigation through trial, summary judgment, mediation and arbitration

Represented several large corporations and individuals in matters involving various contractual and business tort disputes, including fraud, misrepresentation, breach of fiduciary duty, and breach of contract through trial, summary judgment, mediation and arbitration

Represented several large oil and gas companies in multiple litigations matters involving multiple parties in large complex commercial disputes

Represented numerous grocery store chains in administrative disputes with the State of Texas through trial at the administrative level

AWARDS & RECOGNITIONS

- Texas Rising Stars, Texas Monthly; 2004-2006
- Member, State Bar of Texas; Litigation and Probate and Estate Sections
- Member, Houston Bar Association
- Member, College of the State Bar of Texas
- Member, Texas Young Lawyers Association
- Member, Disability and Elder Law Attorneys Association
- Member, Attorneys in Tax and Probate
- Summer Event Chair, Texas Exes Houston Chapter, 1999-2003

National Order of the Barristers; 1996

Dean's Outstanding Advocate Award

1995 and 1996 National American Bar Association & Moot Court Champion

American Bar Association Best Advocate Award, 1996

Finalist, American Bar Association National Mock Trial Competition, 1996

National Appellate Advocacy Champion

American Bar Association, 1995

National Appellate Advocacy Champion

American Bar Association, 1996

Lewis F. Powell Award for Excellence in Advocacy

National Appellate Advocacy, Best Advocate Award, 1996

B.S., 1989, The University of Texas at Austin

ADMISSIONS

Texas

U.S. Dist. Ct.,
E. Dist. Texas

U.S. Dist. Ct.,
S. Dist. Texas

- Auction Chair, "Deep in the Heart of Texas," Texas Independence Gala, 2000
- Event Chair, "Texas Fight," Texas Independence Day Celebration and Auction, 2001
- Event Vice President, Texas Exes Houston Chapter, 2002
- President Elect, Texas Exes Houston Chapter, 2002-2003
- President, Texas Exes Houston Chapter, 2003-2004
- Scholarship Committee, Texas Exes Houston Chapter, 2002-present
- Texas Exes Business Network Advisory Board, 2003-present
- Board of Directors, The University of Texas Health Science Center, Houston, Texas, 2003-2004
- Committee Member, Cystic Fibrosis Foundation Sports Challenge
- Adjunct Professor, South Texas College of Law
- Lecturer, South Texas College of Law Continuing Legal Education Program
- Annual Fund Chair and Committee, Presbyterian School

PRESENTATIONS & PUBLICATIONS

- "The Importance of Keeping Records in Litigation," presented to property managers of Flagship Properties Corporation, 2003
- "Selected Issues Related to Disqualification of Counsel," 2003
- "First Year Secrets: How to Be Good Mentee and a Good Associate," 2003-2007
- "The Trial of a Will Contest," South Texas College of Law, Wills and Probate Institute, 2009
- "Direct Examination of an Expert," South Texas College of Law, 2010, presented by Jill W. Young & Jimmy Walker

2900 Wesleyan, Suite 150
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ADRIANNE ARCHER GRAVES



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BIOGRAPHY

Adrienne Archer Graves focuses her practice on probate litigation, fiduciary litigation, and general civil litigation. She also represents guardians, trustees, administrators, and executors with administrative matters. Additionally, Mrs. Graves assists clients in estate planning matters.

EDUCATION

J.D., St. Mary's University School of Law, 2007

Member, Phi Delta Phi

St. Mary's Law Journal, Editorial Board

B.A., Texas Christian University, 2004

REPRESENTATIVE MATTERS

Probate Litigation and Administration

Fiduciary Litigation

Guardianship Issues and Litigation

General Civil Litigation

Estate Planning

AWARDS & RECOGNITIONS

- Member, State Bar of Texas; Probate, Trust and Estate Section
- Member, Houston Bar Association; Probate, Trust and Estate Section
- Member, Texas Young Lawyers Association
- Member, Houston Young Lawyers Association
- Member, Attorney in Tax and Probate
- Member, Houston Trusts and Estates Club

PRESENTATIONS & PUBLICATIONS

Co-Author, "Step-Monsters and Step-Kids"
South Texas College of Law, 2013

Speaker/Author, "Initiating Guardianship Proceedings"

Guardian and Attorney Ad Litem Certification
Course, South Texas College of Law, 2012

Speaker/Author, "Guardianships A to Z"
Wills and Probate Institute, Houston Bar Association,
2012

Speaker, "Dependent Administration from A to Z"
Wills and Probate Institute, Houston Bar Association,
2011

ADMISSIONS

State Bar of Texas

U.S. District Court, Southern District of Texas

"Restricting *Kelo*: Will Redefining Blight in Senate
Bill 7 Be the Light at the End of the Tunnel?"
St. Mary's Law Journal, 2006

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YOUNG, L.L.P.

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MacIntyre McCulloch Stanfield Young, LLP

2900 Wesleyan, Suite 150
Houston, Texas 77027

Ph:713.572.2900
Fax:713.572.2902

Tax ID No: 76-0847361

November 16, 2015

JWY

Gregory A. Lester, Temporary Administrator Pending Cor
P.O. Box 79766
Houston, Texas 77279

Inv #: 13157

Client #: 101209

Matter #: 002006

Bill Through Date 10/31/15

RE: Brunsting, Estate of Nelva E

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Aug-31-15	Lengthy telephone conversation with Greg Lester; review various dockets in matter and documents forwarded by Mr. Lester.	1.00	350.00	JWY
Sep-01-15	Receipt and review of correspondence; review orders; meeting with Greg Lester to discuss case and how to proceed; memo on documents that need to be prepared and filed.	1.70	595.00	JWY
	Obtained initial information on this matter from Jill Young.	0.50	112.50	AAG
Sep-02-15	Memo on various items; review file; work on procedural matters including moving hearings and trial setting in district court; correspond regarding court hearings set and moving of trial date.	1.70	595.00	JWY
	Receipt and review of Order Appointing Temporary Administrator; attention to Entry of Appearance and Motion for Continuance; begin review of district court filings and attention to upcoming settings; telephone conversation with Neal Spielman; memo to file regarding same	2.50	562.50	AAG
Sep-03-15	Review correspondence; update regarding same.	0.20	70.00	JWY

EXHIBIT "A2"

	Draft Entry of Appearance and Motion for Continuance; review and revise same; receipt and review of memorandum regarding status and attention to hearing setting	1.20	270.00	AAG
Sep-04-15	Correspondence to Greg Lester on status.	0.50	175.00	JWY
	Review and revise Motion for Continuance and Entry of Appearance and attention to setting to continue summary judgment in district court proceedings; receipt of memorandum to client; attention to hearing setting on Application to Retain Counsel and Notice regarding same	0.70	157.50	AAG
Sep-08-15	Follow-up on Motion with Greg Lester and the hearing for application.	0.50	175.00	JWY
	Attention to upcoming hearing on Application to Retain Counsel and notice to counsel regarding same; receipt and review of call from Mr. Neal Spielman	0.40	90.00	AAG
Sep-09-15	Telephone conversation with Neal Spielman; attention to hearing on Application to Retain Counsel; receipt and review of memorandum to Greg Lester; receipt and review of correspondence from opposing parties to Court; attention to Response filed to Application to Retain Counsel; conference with Jill Young	0.80	180.00	AAG
Sep-10-15	Telephone call and correspondence to Greg Lester regarding hearing and matter for Friday.	0.20	70.00	JWY
	Receipt and review of Response to Application to Retain Counsel; telephone conversation with Greg Lester; memorandum to Jill Young	0.50	112.50	AAG
Sep-11-15	Receipt and review of Order Allowing Administrator to Retain Counsel; exchange of correspondence with Greg Lester; memorandum to file regarding fee standards	0.50	112.50	AAG
Sep-14-15	Review Order; conference regarding same; document review from client; advise Adri Graves on how to proceed.	0.50	175.00	JWY
Sep-17-15	Receipt and review of correspondence from parties regarding pleadings; advise Adri Graves on plan for proceeding with the documents; correspondence to parties.	0.80	280.00	JWY

	Attention to compiling pleadings and documents received from counsel; draft correspondence to all counsel regarding litigation and requesting documents; docket deadlines for expiration of temporary administration and report deadlines	0.60	135.00	AAG
Sep-18-15	Attention to pleadings for review of claims in this litigation	0.30	67.50	AAG
Sep-21-15	Receipt and review of correspondence; respond to various emails.	0.30	105.00	JWY
Sep-22-15	Review e-mail correspondence from party; finalize correspondence.	0.30	105.00	JWY
	Continue to review pleadings and pertinent discovery in District Court cause; receipt and review of chronology from Candace Curtis	0.50	112.50	AAG
Sep-24-15	Receipt and review of correspondence and documents from parties in matter; initial review of documents; advise Adri on how to proceed and review of information.	0.80	280.00	JWY
	Receipt and review of correspondence and documents from Candace Curtis' legal assistant;	0.20	45.00	AAG
Sep-25-15	Review relevant District Court pleadings, discovery and documents; prepare memorandum regarding same; attention to review of trust documents and identification of same	1.50	337.50	AAG
Sep-28-15	Receipt and review of additional documents; telephone conversation with Bobbie Bayless regarding documents.	0.80	280.00	JWY
Sep-29-15	Receipt and review of correspondence from parties; follow-up on same.	0.30	105.00	JWY
Sep-30-15	Continue extensive review of Trust materials and prepare memorandums regarding same	2.40	540.00	AAG
Oct-01-15	Receipt and review of correspondence.	0.20	70.00	JWY
Oct-02-15	Continue extensive review of trust documents and pleadings asserting claims in this matter; review and revise memorandums regarding same	3.00	675.00	AAG
Oct-14-15	Conference on documents; review additional correspondence.	0.70	245.00	JWY

Invoice #: 13157

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November 16, 2015

Nov-16-15 Professional discount -350.00 JWY

Totals 26.10 \$6,835.00

DISBURSEMENTS

Sep-01-15 Photocopies 10.00
eFiling with the court 6.17
Sep-04-15 eFiling with the court 2.06

Totals \$18.23

Total Fee & Disbursements \$6,853.23

Balance Now Due \$6,853.23

FEE SUMMARY

JWY	\$350.00	10.50	\$3,325.00
AAG	\$225.00	15.60	\$3,510.00

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MacIntyre McCulloch Stanfield Young, LLP

2900 Wesleyan, Suite 150
Houston, Texas 77027

Ph:713.572.2900

Fax:713.572.2902

Tax ID No: 76-0847361

February 10, 2016

JWY

Gregory A. Lester, Temporary Administrator Pending Cor

Inv #: 13598

P.O. Box 79766

Houston, Texas 77279

Client #: 101209

Matter #: 002006

Bill Through Date 01 /31/16

RE: Brunsting, Estate of Nelva E

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Dec-03-15	Review status of report for Mr. Lester; telephone call to Greg Lester on various topics; correspond regarding same.	0.80	280.00	JWY
Dec-15-15	Continue to review pertinent trust documents and pleadings, revise and prepare memorandums	1.40	315.00	AAG
Dec-16-15	Status update on report; correspond regarding same.	0.30	105.00	JWY
	Telephone conversation with Greg Lester; exchange of correspondence with Alec Covey regarding status; continue to review documents and prepare memorandums regarding same	2.20	495.00	AAG
Dec-17-15	Attention to preparing documents for Greg Lester	0.20	45.00	AAG
Dec-21-15	Receipt and review of message from Greg Lester; attention to scheduling meeting with Mr. Lester and preparation of memorandums	0.20	45.00	AAG
Dec-22-15	Meeting with Greg Lester regarding report	0.50	112.50	AAG
Dec-23-15	Continue to work on report and draft of same	0.40	90.00	AAG
Dec-24-15	Continue to draft memo to Administrator for report	0.50	112.50	AAG

Dec-28-15	Continue to work on Brunsting memorandum for Temporary Administrator	3.00	675.00	AAG
Jan-04-16	Continue to review and revise memorandum regarding evaluation of claims for Temporary Administrator	0.70	157.50	AAG
Jan-05-16	Continue to review pleadings filed in both the Probate and District Court case; review and revise memorandum to Temporary Adminsitator regarding claims; telephone conversation with Temporary Administrator and correspondence to same enclosing draft memorandums	1.80	405.00	AAG
Jan-11-16	Review of draft memo for report; follow-up on same.	0.80	280.00	JWY
	Draft correspondence to Greg Lester; receipt and review of message from Mr. Lester; review No Contest Clause provisions in Trust Agreements and documents; telephone conversation with Mr. Lester regarding same	1.20	270.00	AAG
Jan-18-16	Receipt and review of filed Report of Temporary Administrator	0.40	90.00	AAG
Jan-19-16	Status conference regarding filing of Report; correspond regarding various topics.	0.20	70.00	JWY
Jan-21-16	Telephone conversation with Neal Spielman regarding Temporary Administrator's Report and potential mediators	0.20	45.00	AAG
	Totals	14.80	<u>\$3,592.50</u>	

Total Fee & Disbursements

\$3,592.50

Previous Balance

6,853.23

Balance Now Due

\$10,445.73

FEE SUMMARY

JWY	\$350.00	2.10	\$735.00
AAG	\$225.00	12.70	\$2,857.50

MacIntyre McCulloch Stanfield Young, LLP

2900 Wesleyan, Suite 150
Houston, Texas 77027

Ph:713.572.2900
Fax:713.572.2902

Tax ID No: 76-0847361

July 7, 2017

JWY

Gregory A. Lester, Temporary Administrator Pending Cor
P.O. Box 79766
Houston, Texas 77279

Inv #: 16690

Client #: 101209

Matter #: 002006

Bill Through Date 06 /30/17

RE: Brunsting, Estate of Nelva E

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
May-17-17	Prepare correspondence to Greg Lester on matter and review of opinion.	0.50	175.00	JWY
	Totals	0.50	\$175.00	
	Total Fee & Disbursements			\$175.00
	Previous Balance			10,445.73
	Balance Now Due			\$10,620.73

FEE SUMMARY

JWY \$350.00 0.50 \$175.00