

PROBATE COURT 4

NO. 412.248

ESTATE OF § IN PROBATE COURT  
ELMER H. BRUNSTING, § NUMBER FOUR (4) OF  
DECEASED § HARRIS COUNTY, TEXAS

INVENTORY, APPRAISEMENT AND LIST OF CLAIMS

Date of Death: April 1, 2009

The following is a full, true, and complete Inventory and Appraisement of all personal property and of all real property situated in the State of Texas, together with a List of Claims due and owing to this Estate as of the date of death, which have come to the possession or knowledge of the undersigned.

INVENTORY AND APPRAISEMENT

ASSETS	VALUE	ESTATE INTEREST
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1. **Real Estate:**  
See List of Claims
2. **Stocks and Bonds**  
See List of Claims
3. **Mortgages, Notes and Cash:**  
See List of Claims
4. **Insurance Payable to Estate**  
See List of Claims
5. **Jointly Owned Property**  
See List of Claims

FILED  
 2013 MAR 26 PM 3:15  
 Stan Stewart  
 COUNTY CLERK  
 HARRIS COUNTY, TEXAS

Case 1:07-cv-00000-00000-00000

ASSETS	VALUE	ESTATE INTEREST
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**6. Miscellaneous Property**

6a. See List of Claims

6b. 2000 Buick LeSabre..... \$6915.00  
VIN--1G4HR54K3YU229418

DECEDENT'S COMMUNITY ONE-HALF OF Buick Vehicle..... \$3457.50

**TOTAL VALUE OF ESTATE**..... Yet to be determined

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LIST OF CLAIMS

1. Based upon the information currently available to the personal representative of the estate, it is not possible to determine with certainty what assets were in the estate at the Decedent's death. That determination will have to be made the subject of further judicial proceedings. After that judicial determination is made, to the extent it becomes necessary, this Inventory, Appraisement and List of Claims will be amended to reflect the descriptions and values of assets later determined to have been estate assets at the time of Decedent's death.

2. The estate has asserted a claim against Candace L. Kunz-Freed and Vacek & Freed, PLLC f/k/a The Vacek Law Firm, PLLC relating to actions taken and omissions made in the course of their representation of decedent and his wife which may result in additional estate assets. That case is pending under Cause No. 2013-05455, styled *Carl Henry Brunsting, Independent Executor of the Estates of Elmer H. Brunsting and Nelva E. Brunsting v. Candace L. Kunz-Freed and Vacek & Freed, PLLC f/k/a The Vacek Law Firm, PLLC*, in the 164<sup>th</sup> Judicial District Court of Harris County, Texas.

3. The Brunsting Family Living Trust was signed by Decedent and his wife on October 10, 1996 and was restated on January 12, 2005 (the "Family Trust"). The Family Trust purported by its terms to provide for the creation of successor and/or subsequent trusts. The Family Trust also described other documents which, if created in compliance with the terms of the Family Trust, could impact the assets and status of the Family Trust. Attempts were made by various parties to change the terms and control of the Family Trust through later instruments which have been or will be challenged. The estate also asserts claims against Anita Brunsting and Amy Brunsting, the current purported trustees of the successor trusts or trusts arising from the Family Trust or documents

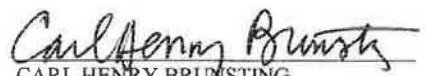
U.S. District Court, Southern District of Texas

allegedly created pursuant to the terms of the Family Trust. Those claims will be the subject of separate proceedings and may result in additional estate assets.

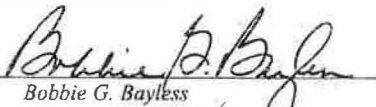
4. The estate also asserts a claim against Anita Brunsting, Amy Brunsting, and Carole Brunsting in their individual capacities for amounts paid and assets believed to also include, among other things, stocks and bonds which were removed from the Family Trust and/or the estate. This was accomplished either through the use of a power of attorney for Decedent's wife, through their position as trustees, through their position as joint signatories on accounts and safe deposit boxes, or because they otherwise had access to the assets. Those claims will also be the subject of a separate proceeding and may result in additional estate assets.

There are no known claims due or owing to the Estate other than those shown on the foregoing Inventory and Appraisalment.

The foregoing Inventory, Appraisalment and List of Claims should be approved and ordered entered of record.

  
CARL HENRY BRUNSTING,  
*Independent Executor of the Estate of  
Elmer H. Brunsting*

BAYLESS & STOKES

By:   
*Bobbie G. Bayless*  
State Bar No. 01940600  
*Dalia B. Stokes*  
State Bar No. 19267900  
2931 Ferndale  
Houston, Texas 77098  
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*Attorneys for Independent Executor*

201010091548:2008

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing instrument was forwarded to the following interested parties as specified below on the 26<sup>th</sup> day of March, 2013, as follows:

Maureen Kuzik McCutchen  
Mills Shirley, LLP  
2228 Mechanic, Suite 400  
P.O. Box 1943  
Galveston, Texas 77553-1943  
Houston, Texas 77056  
*sent via Telecopier*

Candace Louise Curtis  
1215 Ulfinian Way  
Martinez, California 94553  
*sent via U.S. First Class Mail*

Carole Ann Brunsting  
5822 Jason St.  
Houston, Texas 77074  
*sent via U.S. First Class Mail*

  
BOBBIE G. BAYLESS

4306261558 P0108

THE STATE OF TEXAS §  
  §  
COUNTY OF HARRIS §

I, CARL HENRY BRUNSTING, having been duly sworn, hereby state on oath that the foregoing Inventory, Appraisalment and List of Claims is a true and complete statement of all the property and claims of the Estate that have come to my knowledge.

*Carl Henry Brunsting*  
CARL HENRY BRUNSTING  
*Independent Executor of the Estate of  
Elmer H. Brunsting, Deceased*

SWORN TO and SUBSCRIBED BEFORE ME by the said CARL HENRY BRUNSTING,  
on this 26<sup>th</sup> day of March, 2013, to certify which witness my hand and seal of office.



*Shawn M. Teague*  
Notary Public in and for the  
State of T E X A S  
Printed Name: *Shawn M. Teague*  
My Commission Expires: 4-3-2014