



Candice Schwager
16807 Pinemoor Way
Houston, Texas 77058
832.857.7173
candiceschwager@icloud.com

May 6, 2020

Via E-mail:

Stephen Mendel
Neil Spielman

Dear Mr. Mendel and Mr. Spielman:

After speaking with Mr. Mendel today, I contacted my client and submit the following demands for your consideration. I hope we can agree as opposed to seeking court intervention.

The Judge has already ordered you to produce the QBD. We remain adamant that the QBD be forensically reviewed. I provide you with Curt Baggett's contact information, which I include again for your convenience. If Mr. Baggett's review requires in-house technology, we can meet at his office with the original document.

Curt Baggett, Forensic Handwriting Expert
Tel: 972-644-0285
cbhandwriting@gmail.com

Regarding mediation: Judge Horowitz amended order dated 2/27/20 mandated that mediation be scheduled in 14 days and complete within 60. You did not respond to my inquiries until the day after the deadline. I have been flexible regarding choice of mediators. You should have made the appropriate inquiries months ago, yet

mediation remains unscheduled. At this point, I'm not confident mediation will be productive. Tensions are at an all-time high.

We seem to agree that the impasse is the payment of your attorneys' fees. Though your clients blame Candace Curtis for the fees incurred, I cannot imagine that significant fees have been incurred by your "administration" or representation of the trust, as opposed to defending the trustees or the snail's pace that you have conducted this litigation.

In 8 years, the only litigation that has occurred was in federal court—where my client won a Fifth Circuit opinion and injunction protecting the trust. The federal litigation was made necessary by your clients' refusal to account, distribute or otherwise comply with fiduciary duties as purported trustees. Your clients' persistent delays resulted in tax liabilities that would never have been incurred had you followed Judge Butts' instructions and Judge Hoyt's order. *See attached*. Jason Ostrom's underhanded actions, polluting diversity, do not diminish Curtis' successes prior to the "remand" to probate court.

We have asked for tax returns for the past two years and received nothing. We've asked for the QBD, copies of fee statements and fee contracts—and received nothing. My client cannot possibly evaluate the "reasonableness" of your claim for attorney's fees without this. Please produce these items immediately.

For clarification, any offers made at the last mediation are not still on the table. Perhaps you should have taken advantage of Candace's offer when it was given. Candace asked that I forward a new demand to you, which is open until May 11, 2020:

Distribution of 15% of the trust assets to the 5 beneficiaries in equal shares of \$100,000 each. There are no residual debts other than debts you are creating through unnecessary attorneys' fees and taxes. You have denied Carole and Candace's reasonable requests for minimal distributions without cause.

Please respond timely or I will proceed with a motion before Judge Horowitz. We have been beyond patient. Now is the time for action.

Respectfully,

Candice Schwager

Candice L. Schwager