

Candace Louise Curtis	§	
	§	412,249-401
v.	§	Feb 27, 2012
Anita Brunsting & Amy Brunsting et al.,	§ §	
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IN RE: THE ESTATE OF	§	412,249
	§	PROBATE COURT
NELVA E. BRUNSTING,	§	NUMBER FOUR (4) OF
	§	HARRIS COUNTY, TEXAS
DECEASED	§	April 2, 2012
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Estate of Nelva Brunsting	§	
	§	412,249-403
	§	Jan 29, 2013
v.	§	April 10, 2013
	§	
Candace Kunz-Freed et al.,	§	
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Carl Henry Brunsting	§	
Individually	§	412,249-401
	§	April 10, 2013
v.	§	
	§	
Anita Brunsting et al.,	§	

OBJECTION TO MOTION FOR FARM APPRAISAL WITH DEMAND FOR ACCOUNTING

Demand for Accounting

1.1 Every time an accounting has become due the beneficiaries have had to request Defendants' compliance. In August 2018 we received the bank and brokerage statements for February through June 2018.

1.2 The second bi-annual accounting is now past due. This would include the 2017 trust tax returns since they were not previously presented, hence this formal demand.

Objection to Motion for Farm Appraisal

1.3 On January 28, 2019 Defendants Anita and Amy Brunsting filed Motions for Permission to spend money to obtain a second appraisal on the farm in Iowa belonging to the Elmer H. Brunsting Irrevocable Trust.

1.4 Plaintiff Curtis objects very strongly to Defendants' motion for leave to spend money on another farm appraisal and there has been no recent activity that would prompt settlement negotiations. Defendants have not made their intentions very clear.

1.5 Amy and Anita Brunsting continue to ignore their fiduciary duties under any trust agreement and have to be compelled to account every time an accounting becomes due. They have paid excess taxes because of their refusal to distribute trust income to the beneficiaries, as required by the terms of the trust and as ordered by a federal judge. That injunction remains in full force and effect throughout the controversy between these parties.¹

It is further, ORDERED that all Orders rendered by this Court shall carry the same force and effect through the remand that they would have had if a remand had not been ordered.

*SIGNED on this 15th day of May, 2014
Kenneth M. Hoyt United States District Judge*

¹ See Remand Order 2014-06-06 PBT-2014-188311 and the Injunction 2015-02-06 Case 412249 PBT-2015-42743

1.6 Too many issues remain unresolved and Plaintiff believes that any discussion in the direction of settlement would be premature at this juncture and should be had after the deposition of Candace Kunz-Freed and definitely not before.

Respectfully Submitted,

//s//

Candace Louise Curtis

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument was forwarded to all known counsel of record and unrepresented parties in the manner required by the Rules on this 22nd day of February 2019.

//s//

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Estate of Nelva Brunsting is noticed
through the Court

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ORDER DENYING MOTION FOR FARM APPRAISAL

Before the Court is Defendant Anita and Amy Brunstings' motion to obtain an appraisal of a farm asset. The Court has considered the motions, opposition to the motion and the arguments of the parties at hearing and has determined that this motion should be denied at this stage of the proceedings and that will be the Order.

James Horwitz
Presiding Judge