

1 there was a motion for fees. I think then referee, now Judge
2 Quigley, said I'm going to look at the fees at the time of the
3 account. We're not going to approve them in advance.

4 MR. STEWART: Correct.

5 THE COURT: It seems like she also suggested early
6 on and I'm sure she questioned early on whether there was even
7 a need for guardianship over the estate because there was --
8 the assets were a house that was foreclosed on and a vehicle
9 that was essentially given away that we -- I mean, the property
10 was gone for not earlier on in the process.

11 MR. STEWART: Here's what I have to say about that,
12 Your Honor. It was really actually really necessary because,
13 first of all, when Mr. _____ applied, he said I
14 can't -- early on after CMC, Catholic Medical Center where
15 was at, applied for guardianship over person and estate and
16 then it was going to be _____, he early on motioned the
17 court, says I can't handle his estate. The estate was
18 underwater. He had a business. He hadn't filed tax returns in
19 four years, house was in foreclosure, all his stuff's in the
20 house, nobody knows _____ financial situation.

21 Ms. Marino has to go apply for benefits without a
22 clue. And so she has to go to that house, box up everything
23 and try to put together a financial history so she can apply
24 for benefits which she didn't have. All the while, and I don't
25 know how the Court -- from my perspective, if you're going to

1 do it you have to do it right. You have to close the book on
2 things.

3 And so we got the tax returns haven't been filed.
4 IRS is upset. Creditors swarming. She had to get the stuff --
5 personal property out of John's house, get it to the parent's
6 house in Vermont. Deal with the foreclosure company. Let that
7 house go. Sell the cars that did have value. File his tax
8 returns, all the while aiming towards the federal benefits
9 Medicaid and Social Security which she retroactively got paid
10 going back for over \$1,200 a month in the amount of \$6,700. So
11 he actually did have an income during this time period even
12 though it didn't appear until later on. A complicated mess.

13 So actually I think he absolutely had to have a
14 guardian over his estate otherwise he may not even be sitting
15 here today. I don't mean that in the wrong way, sir. Meaning,
16 those benefits were important to you. And I think they'd be
17 very -- almost impossible for a layperson to do an application
18 without a financial history. You can't do it. So it was
19 actually absolutely necessary.

20 THE COURT: So I'm looking at the account --

21 MR. STEWART: Yes.

22 THE COURT: -- that was approved by Judge Bailey on
23 September 2nd, final account -- first and final account. And
24 it shows total received \$3,882.98 and you just mentioned, and I
25 didn't know about this until the motion for reconsideration,