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LESLIE BOUGHEN
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ORDER SETTLING FIRST AND FINAL ACCOUNT
AND REPORT OF EXECUTOR. PETITION FOR ITS SETTLEMENT,
PETITION FOR ATTORNEY'S FEES AND FOR FINAL DISTRIBUTION

COPY

1 Case No. PR 5096

2 Dept. 2P

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5 IN THE FIFTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
6 IN AND FOR THE COUNTY OF NYE

7
8 In the Matter of the Estate

9 of:

10 DANIEL A. ZIEMBA aka
11 DANIEL ZIEMBA,

12 Deceased.

13 ORDER SETTLING FIRST AND FINAL ACCOUNT
14 AND REPORT OF EXECUTOR, PETITION FOR ITS SETTLEMENT,
15 PETITION FOR ATTORNEY'S FEES AND FOR FINAL DISTRIBUTION

16 KAREN PATTON, as Executor of the Estate of DANIEL A. ZIEMBA,
17 Deceased, having filed a First and Final Account and Report of Executor, Petition
18 for Its Settlement, Petition for Attorney's Fees and for Final Distribution, and the
19 Report and Petition coming on this day regularly for hearing in the above-entitled
20 Court, HONORABLE JOHN DAVIS presiding, the Court finds:

21 Due Notice of the Settlement of the Account and of the Hearing on the
22 Petition for Attorney's Fees and for Final Distribution of the Estate has been
23 regularly given for the period and in the manner prescribed by law.

24 All acts and transactions of the Executor of the Estate of DANIEL A.
25 ZIEMBA, Deceased, during the period of the account are truly shown and should
26 be approved, and all allegations of the Petition for its Settlement, Petition for
27 Attorney's Fees and for Final Distribution are true.

28 The account is full, true and correct and should be settled, allowed and
approved as filed.

1 DANIEL A. ZIEMBA died testate on the 22nd day of January, 2002, in
2 Pahrump, Nye County, Nevada and was at the time of death a resident of said
3 place.

4 The Decedent died leaving a Last Will and Testament which has been
5 previously filed with this Court. On March 22, 2002, a Petition for Probate and
6 Issuance of Letters was filed, due notice thereof was given according to law and on
7 April 8, 2002, an Order was entered Admitting Will to Probate and for Issuance of
8 Letters Testamentary and Regular Administration, and on May 2, 2002, Letters
9 Testamentary were issued to KAREN PATTON the Petitioner herein, and the
10 Petitioner since then has been and now is the Executor of Decedent's Estate.

11 Petitioner has performed all duties required as Executor of the Estate of
12 DANIEL A. ZIEMBA, Deceased, with respect to the administration of the Estate, and
13 the Estate is ready for a final accounting and distribution and is in a condition to be
14 closed.

15 Notice to Creditors has been published for the period and in the manner
16 prescribed by law, the first publication being made on April 26, 2002. A declaration
17 was filed with the Clerk of this Court showing due publication in the manner and
18 form required by law. More than ninety (90) days have elapsed since the first
19 publication; the time for filing or presenting claims has expired; no Creditor's Claims
20 have been filed, and the Estate is now in a condition to be closed.

21 An Inventory and Record of Value of the Estate was filed on June 18, 2002,
22 showing the value of the Estate to be ONE HUNDRED SIXTY-SIX THOUSAND,
23 SEVEN HUNDRED NINETY-ONE and 48/100 DOLLARS (\$166,791.48). The
24 Executor alleges that such Inventory and Record of Value contains all the assets
25 of Decedent's Estate that have come to the knowledge of the Executor or into her
26 possession.

27 All personal property taxes due and payable by the Estate have been paid.
28 There are no Federal Estate Taxes due or owing from the Estate.

1 The beneficiaries under the will and heirs according to law, and their
2 addresses, are set forth below:

3 <u>NAME & ADDRESS</u>	<u>AGE</u>	<u>RELATION</u>
4 KAREN PATTON fka 5 KAREN SUE ZIEMBA 6 2315 E. Gamebird 7 Pahrump, NV 89048	Over 21	Daughter
8 LUCINDA BROWN 9 2226A Fredric 10 Burbank, CA 91504	Over 21	Daughter
11 DANELLE JOSSELYN fka 12 DANELLE STEVENS 13 2110 Moonlite Dr. 14 Las Vegas, NV 89115	Over 21	Daughter
15 ROBERT BROWN 16 4610 Whirlwind 17 Pahrump, NV 89048	Over 21	Grandson

18 The commissions provided by law for Petitioner's ordinary services as
19 Executor are FOUR THOUSAND, FOUR HUNDRED EIGHTY-FIVE and 83/100
20 DOLLARS (\$4,485.83). Executor should be authorized to pay themselves that sum
21 in discharge of statutory commissions.

22 J. FOREST CAHLAN, Attorney for the Executor, has rendered ordinary legal
23 services to Petitioner and to this Estate, and the Petitioner should be authorized to
24 pay Attorney's fees in the amount of SIX THOUSAND, SIX HUNDRED SEVENTY-
25 ONE and 66/100 DOLLARS (\$6,671.66).

26 That J. FOREST CAHLAN, Attorney for the Executor, has expended the sum
27 of THREE HUNDRED NINETEEN and 25/100 DOLLARS (\$319.25), as costs on
28 behalf of the Estate. The Executor should be authorized to pay the Attorney that
sum.

That pursuant to the Last Will and Testament, the Estate should be distributed
as follows:

The entire Estate of DANIEL A. ZIEMBA, to KAREN PATTON, LUCINDA
BROWN, DANELLE JOSSELYN and ROBERT BROWN, once liquidated, to wit:

Fidelity/AT&T 401K/ Long Term Savings for Management Employees/20000
Hartford money market policy Nos. 440006904, 440006907 & 440006909

1 SBC Stock
2 AVAYA Stock
3 Lucent Technologies Inc./Agree Stock, 115 shares
4 NCR Corporation Stock, 22 shares
5 Prudential Financial Life Insurance Policy No. 14098598

6 No one has filed Request for Special Notice.

7 Distribution and settlement of the Estate is ORDERED as specified below:

- 8 1. The administration of this Estate is brought to a close;
- 9 2. The First and Final Account of Petitioner as Executor is settled,
10 allowed and approved as filed;
- 11 3. All the acts and proceedings of Petitioner as Executor are confirmed
12 and approved;
- 13 4. Executor is authorized, and is hereby directed, to pay themselves the
14 sum of FOUR THOUSAND, FOUR HUNDRED EIGHTY-FIVE and 83/100
15 DOLLARS (\$4,485.83) as and for statutory commissions;
- 16 5. Executor is authorized, and is hereby directed, to pay to J. FOREST
17 CAHLAN, Attorney for Executor the sum of SIX THOUSAND, SIX HUNDRED
18 SEVENTY-ONE and 66/100 DOLLARS (\$6,671.66) as and for ordinary legal
19 services for his services to the Executor and to this Estate
- 20 6. Executor is authorized and is hereby directed to pay to J. FOREST
21 CAHLAN, Attorney for Executor the sum of THREE HUNDRED NINETEEN and
22 25/100 DOLLARS (\$319.25), as costs paid on behalf of the Executor and this
23 Estate.

24 7. Distribution of the Estate of Decedent in Executor's hands and any
25 other property of Decedent or the Estate not now known or discovered be
26 distributed to the heirs at law as set forth below:

27 The entire Estate of DANIEL A. ZIEMBA, to KAREN PATTON, LUCINDA
28 BROWN, DANELLE JOSSELYN and ROBERT BROWN, once liquidated, to wit:

Fidelity/AT&T 401K/Long Term Savings for Management Employees/20000
Hartford money market policy Nos. 440006904, 440006907 & 440006909
SBC Stock
AVAYA Stock
Lucent Technologies Inc./Agree Stock, 115 shares
NCR Corporation Stock, 22 shares

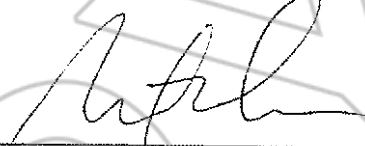
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Prudential Financial Life Insurance Policy No. 14098598

8. The Executor be and is empowered to transfer all personal property to the individuals according to Paragraph 7 above.

9. That upon filing of the Receipts by the persons entitled to payment of fees, costs and distribution, a decree of discharge be entered and filed discharging KAREN PATTON as Executor from all further liability and responsibility herein.

DATED this 19th day of August, 2002.



DISTRICT JUDGE

Submitted by:



J. FOREST CAHLAN, ESQ.
Attorney for Executor and Estate
Nevada State Bar No. 2321
2340 E. Calvada Blvd., Suite 4
Pahrump, NV 89048
(775) 727-5882

RECEIVED BY COPY
of the original, to be retained in full text and
signed by the end of record in this case.
June 24, 2003
of the Judicial District Court and
State of Nevada

