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PETER F. QUITTMAN - #72311  
Attorney at Law  
1401 Lakeside Drive, #700  
Oakland, CA 94612  
(510) 832-1376

(Endorsed) JUN 8 1994  
Filed  
Executive Officer/Clerk  
By DANIELA CENTER  
Deputy Clerk

Attorneys for Administrator CTA:  
JACKSON OMER ETTER

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

Estate of: No. 240925-0 Consolidated  
with #240923-2

ALYS CLARE GARCIA,

Deceased.

ORDER SETTLING FIRST AND  
FINAL ACCOUNT AND REPORT  
OF ADMINISTRATOR, FOR  
ALLOWANCE OF ORDINARY &  
EXTRAORDINARY FEES FOR  
LITIGATION AND FOR COSTS;  
FOR ORDER VACATING SALE OF  
REAL PROPERTY AND FOR FINAL  
DISTRIBUTION

Date: 6/8/94  
Time: 9:30 a.m.  
Dept: 23

JACKSON OMER ETTER as Executor of the estate of ALYS  
CLARE GARCIA, Deceased, having filed his First and Final  
Account and Report of Administrator; Allowance of Compensation  
of Ordinary & Extraordinary Fees for Litigation and Costs and  
Petition for Vacating Order Confirming Sale of Real Property,  
and the report and petition having come on regularly in Dept.  
23 at 9:30 a.m. and the court having considered the petition  
and oral and written evidence the court finds:

Due notice of the settlement of the account and of  
the hearing on the petition for final distribution of the

1 estate has been regularly given for the period and in the  
2 manner prescribed by law.

3 All acts and transactions of the Administrator of  
4 the above named decedent during the period of the account are  
5 truly shown and are approved, and all allegations of the  
6 petition for its settlement and for final distribution are  
7 true.

8 ALYS CLARE GARCIA died testate on February 17, 1992  
9 and was at the time of her death a resident of Alameda County,  
10 California.

11 On March 19, 1993 petitioner was appointed  
12 Administrator of decedent's estate and qualified as such on  
13 that date, and since then has been and now is the  
14 Administrator of this estate.

15 Notice of death and to creditors has been published  
16 for the period and in the manner prescribed by law. Within 30  
17 days after completion of publication of notice of death an  
18 affidavit was filed with the clerk of this court showing due  
19 publication of notice of death and to creditors in the manner  
20 and form required by law.

21 More than four months have elapsed since the first  
22 issuance of Letters of Administration. The time for filing or  
23 presenting claims has expired and the estate is now in a  
24 condition to be closed. No creditor's claims were filed or  
25 presented against the estate. All expenses of administration  
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1 have been paid, except closing expenses, fees of PETER F.  
2 QUITTMAN, the attorney and Administrator's commission.

3 No Inheritance taxes were payable by the estate.

4 A Federal Estate Taxes Return was filed showing  
5 taxes due by the estate in the sum of \$340,075.00 and State  
6 pick up tax in the sum of \$71,348.00. All taxes have been  
7 paid.

8 The whole of the estate is decedent's separate  
9 property.

10 The estimated expenses of closing the estate are the  
11 sum of \$100,000.00 for the reasons set forth in the petition.

12 No request for special notice has been received.

13 The names and addresses of each heir are as follows:

14 JACKSON OMER ETTER  
15 16110 Hexham Drive  
Spring, TX 77379

16 Estate of HARRY E. GARCIA  
17 c/o Jon Garcia  
9 Roberts Ct.  
18 Danville, CA 94526

1229 MARLS CT.  
NAPERVILLE, ILL. 60563

19 TILTON POWELL, JR.  
c/o Smith & Smith  
121 S. Beverly Drive  
20 Beverly Hills, CA 90212

21 PAMELA POWELL  
c/o Smith & Smith  
22 121 S. Beverly Drive  
23 Beverly Hills, CA 90212

24 GENEVIVE FORD  
27 Everett  
25 Cambridge, Mass 02128

26 CORINNE CLIFFORD  
1675 Hayes Street, #212  
27 San Leandro, CA 94577

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THE SISTERS OF THE HOLY FAMILY MOTHER HOUSE  
Attn: Sister Linda Orrick, S.N.J.M.  
P. O. Box 3248  
Fremont, CA 94539

OUR LADY OF LOURDES ROMAN CATHOLIC CHURCH  
2808 Lakeshore Ave  
Oakland, CA 94610

THE PASTOR OF ST. JOSEPH'S ROMAN CATHOLIC CHURCH  
435 Monterey Ave  
Capitola, CA 95010

THE PASTOR OF ST. AUGSTIN'S MONASTARY  
SERAPHIC MASS ASSOCIATION  
aka SERAPHIC ASSOCIATION FOR MASSES  
3600 Butler  
Pittsburg, PA 15201

UNIVERSITY OF CALIFORNIA MEDICAL CENTER  
CANCER RESEARCH INSTITUTE  
505 Parnassus Ave  
San Francisco, CA 94122

SISTER ERNESTINE MUNANA  
Sisters of St. Joseph of Corondolet  
1133 Winton Drive  
Concord, CA 94518

ANN LLOYD CROTTY  
1155 Shenandoah Rd.  
San Marino, CA 91108

MARY ELIZABETH O'REILLY  
P. O. Box 1234  
Trinidad, CA 95570

REV. PATRICK GRENNE  
Boyle Catholic Church  
County Roscomon, Ireland

DR. GARY KONO  
2620 Ashby Ave  
Berkeley, CA 94705

DAN CROTTY  
182 Montclair Dr.  
Ventura, CA 93003

PETER CROTTY  
14433 Oak Meadow Rd.  
Valley Center, CA 92082

1 MRS. D.R. VIOLICH  
2 c/o William H. Ahern  
3 Attorney at Law  
3553 Castro Valley Blvd., #D  
Castro Valley, CA 94546

4 DANIEL FREEMAN HOSPITAL  
5 333 N. Prairie Ave  
Inglewood, CA 90301

6 CORONDOLET PLAN OF LOS ANGELES  
7 11999 Chalon Rd.  
Los Angeles, CA 90049

8 POOR CLARE'S MONASTARY  
9 280 State Park Drive  
Aptos, CA 95003

10 THAT MAN MAY SEE AND COMPANY, INC.  
11 8 Kirkham Street  
San Francisco, CA 94143

12 Advanced distributions were granted per Court Order  
13 dated November 24, 1993 and distributions have been made.

14 The assets on hand for distribution are attached as  
15 Exhibit "F" and incorporated herein by reference.

16 The proposed distribution is attached as Exhibit "H"  
17 and incorporated herein by reference.

18 Petitioner & his counsel, PETER F. QUITTMAN are each  
19 entitled to total remaining statutory fees of \$14,421.94.

20 Petitioner's counsel, PETER F. QUITTMAN is entitled  
21 to reimbursement of costs in the sum of \$390.00.

22 Litigation counsel, NICHOLS, CATTERTON, DOWNING &  
23 REED are entitled to remaining fees in the sum of \$238,452.56.  
24 Due to shortage of cash litigation counsel have agreed to have  
25 the balance of their remaining fees paid from the closing  
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*MARY ANN Bendian*  
*c/o Foundation office*  
*310-419-8272*

1 reserve after the payment of any closing expenses and tax  
2 liabilities.

3 Order Confirming Sale of Real Property dated October  
4 27, 1993 is hereby ordered vacated and the property returned  
5 to the estate.

6 IT IS ORDERED AND ADJUDGED THAT:

7 1. The administration of this estate is brought to  
8 a close;

9 2. The First and Final Account of Petitioner as  
10 personal representative is settled, allowed and approved as  
11 filed;

12 3. Petitioner is authorized and directed to pay  
13 PETER F. QUITTMAN the sum of \$14,421.94 as remaining statutory  
14 attorneys fees for his ordinary services to petitioner and to  
15 this estate;

16 4. Petitioner is authorized and directed to pay  
17 himself the sum of \$14,421.94 as remaining statutory  
18 commission for his services to the estate as personal  
19 representative;

20 5. Petitioner is authorized and directed to pay his  
21 attorney, PETER F. QUITTMAN, the sum of \$390.00 as  
22 reimbursement for costs advanced as specified herein;

23 6. Petitioner is authorized to retain the sum of  
24 \$100,000.00 as a closing reserve as specified herein;

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7. Petitioner is authorized and directed to pay litigation counsel, NICHOLS, CATTERTON, DOWNING & REED, the sum of \$238,452.56 as remaining fees as specified herein;

8. Distribution of the estate be made in accordance with Exhibit "H", Proposed Distribution, which is attached hereto and incorporated by reference;

9. Distribution of the estate of decedent in petitioner's hands and any other property of decedent or the estate not now known or discovered be made to the persons entitled to it.

10. After the payment of any closing expenses, tax liabilities and attorneys fees to NICHOLS, CATTERTON, DOWNING & REED any remaining closing reserve or after discovered property should be distributed to the following residuary heirs, DANIEL FREEMAN HOSPITAL, CARONDOLET PLAN, POOR CLARE'S MONASTERY, SERAPHIC MASS ASSOCIATION, THAT MAN MAY SEE & COMPANY INC. and the ESTATE OF HARRY E. GARCIA, in equal shares.

JUN 8 1994

JOHN SUTTER

DATE

JUDGE OF THE SUPERIOR COURT

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EXHIBIT "F"

ASSETS ON HAND

Cash	\$327,358.00
Real Property Commonly known as: 201 E. 14th Street, San Leandro, CA and more particularly described as follows: APN #75-195-1-1. Lot 4, Map of West Broadmoor Extension, Book 2, Page 73	\$198,000.00
Real Property Commonly known as: 223 E. 14th Street, San Leandro, CA and more particularly described as follows: APN #75-195-3. Lot 6, Map of West Broadmoor Extension, Book 2, Page 73	\$142,000.00
Real Property Commonly known as: 100 W. Broadmoor, San Leandro, CA and more particularly described as follows: APN #75-195-16. Lot 8, Map of West Broadmoor Extension, Book 2, Page 73	\$ 42,000.00
Real Property Commonly known as: 1205 Bancroft Ave, San Leandro, CA and more particularly described as follows: APN #77-465-4. Lots 6, 7, 8 and 9 of Whitten Manor, Map Book 7, Page 54, filed 10/11/27	\$144,000.00
TOTAL ASSETS ON HAND FOR DISTRIBUTION	<u>\$853,358.00</u>



EXHIBIT "H"

PROPOSED DISTRIBUTION

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Cash	\$327,358.00
Less:	
Attorneys Remaining Fees	\$ 14,421.94
Administrator's Remaining Fees	\$ 14,421.94
Attorneys Costs	\$ 390.00
Litigation Attorney Fees	\$238,452.56
Closing Reserve	\$100,000.00

TO: DANIEL FREEMAN HOSPITAL

1/6 Residue:	
1/6 Int. 201 E. 14th St., San Leandro	\$ 33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$ 23,666.66
1/6 Int. 100 W. Broadmoor, San Leandro	\$ 7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$ 24,000.00

TOTAL	<u>\$ 87,666.66</u>
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TO: CARONDOLET PLAN

1/6 Residue:	
1/6 Int. 201 E. 14th St., San Leandro	\$ 33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$ 23,666.67
1/6 Int. 100 W. Broadmoor, San Leandro	\$ 7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$ 24,000.00

TOTAL	<u>\$ 87,666.67</u>
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EXHIBIT "H"

PROPOSED DISTRIBUTIONS (CONT.)

TO: POOR CLARE'S MONASTERY

1/6 Residue:		
1/6 Int. 201 E. 14th St., San Leandro	\$	33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$	23,666.67
1/6 Int. 100 W. Broadmoor, San Leandro	\$	7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$	24,000.00
TOTAL	\$	<u>87,666.67</u>

TO: SERAPHIC MASS ASSOCIATION

1/6 Residue:		
1/6 Int. 201 E. 14th St., San Leandro	\$	33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$	23,666.67
1/6 Int. 100 W. Broadmoor, San Leandro	\$	7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$	24,000.00
TOTAL	\$	<u>87,666.67</u>

TO: THAT MAN MAY SEE & COMPANY INC.

1/6 Residue:		
1/6 Int. 201 E. 14th St., San Leandro	\$	33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$	23,666.67
1/6 Int. 100 W. Broadmoor, San Leandro	\$	7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$	24,000.00
TOTAL	\$	<u>87,666.67</u>

TO: ESTATE OF HARRY E. GARCIA

1/6 Residue:		
1/6 Int. 201 E. 14th St., San Leandro	\$	33,000.00
1/6 Int. 223 E. 14th St., San Leandro	\$	23,666.66
1/6 Int. 100 W. Broadmoor, San Leandro	\$	7,000.00
1/6 Int. 1205 Bancroft, San Leandro	\$	24,000.00
TOTAL	\$	<u>87,666.66</u>