

**DRAFT**

May 21, 2002

Andrew and Eloisa Furer  
P.O. Box 7206  
Incline Village, NV 89452

**Re: Estate Planning Package**

Dear Mr. and Mrs. Furer:

Forwarded herewith for your review are drafts of the following documents:

1. Revocable Trust Agreement
2. Certificate of Trust
3. Transfer Instructions for Revocable Trust
4. Assignment of Tangible Personal Property
5. Assignment of Motor Vehicles to Revocable Trust
6. Pour-over Wills
7. General Durable Powers of Attorney
8. Durable Powers of Attorney for Health Care Decisions
9. Declarations regarding health care
10. Grant, Bargain and Sale Deed
11. Letter to Bank of America, N.A.
12. Letter to Donaldson, Lufkin & Jenrette

**Wills:**

The wills should be fairly self-explanatory. They are "pour over" wills which ensure that any property not placed into the trust prior to your death will be added to the trust. Please check to make sure that I have the correct spelling of everyone's names. Note that Article II. B. of your wills provides for a tangible personal property listing in accordance with N.R.S. § 133.045. This allows you to designate who will receive specific items of your personal property. In order to be valid, the listing must contain the following:

- (a) The date of its execution.
- (b) A title indicating its purpose.
- (c) A reference to your will.
- (d) A reasonably certain description of the items to be disposed of and the persons to receive the items.
- (e) Your signature.

Once your trust agreement has been signed, we will provide you with sample forms that you can use to make this list.

**Certificate of Trust:**

The Certificate of Trust is designed to preserve confidentiality when you deal with third persons such as stock brokers, title companies and banks. The Certificate simply restates the trustees' powers and provides a means to identify the trust and prove its existence, together with informing third parties of the current and successor trustees.

**Trust Agreement:**

The trust agreement itself is the most important document in the package. Please keep in mind while you are reading the trust agreement that so long as you are alive and able, no one else will be a trustee of this trust. Furthermore, as we discussed, the trust can be amended or revoked at any time prior to your becoming incompetent or your death. I have enclosed a memorandum which discusses the trust agreement in greater detail.

**General Durable Power of Attorney:**

Also, we have enclosed a General Durable Power of Attorney form. This document is provided to allow the person you designate to continue to manage non-trust affairs (such as signing and filing income tax returns and depositing pension checks, etc.) in the event that you become incompetent. This document creates a "springing" power of attorney. In other words, it becomes effective only when you are deemed by your physician to be physically or mentally incapable of managing your finances.

**Health Care Documents:**

Finally, I have enclosed herewith for your review a Durable Power of Attorney for Health Care Decisions together with a form of a Declaration. These documents relate solely to health care treatment and are standard forms taken right from the Nevada Revised Statutes. Because the documents are not drafted very well, they are a little difficult to understand. If you do not wish to be kept alive by heroic-type measures, you should initial boxes 2, 3, and 5 on page 4 of the durable power. We would be happy to answer any questions you might have concerning these documents. **Please provide me with Victoria's telephone number.**

Further, please consider the following items regarding your estate planning:

1. **Amendments.** Your Trust and Will documents will be executed with certain formalities and can be changed or revoked only by using similar procedures. Please call me if you wish to make an insertion or a change. A note in the margin of your documents, or striking out words -- even next to your signature -- is ineffective. We cannot overemphasize the need to follow the proper steps for amendment.

**2. Funding the Trust.** Although the trust agreement provides you with an orderly disposition of your estate without the need for court proceedings, you will not avoid a probate proceeding unless or until the trust obtains legal title to your property. This procedure is called "funding" the trust. In addition to the following, please refer to the enclosed memorandum which provides "transfer instructions" for funding your trust.

You should bear in mind that it is essential that you maintain ownership of all your assets in the trust. This includes all real property, bank accounts, certificates of deposit, stocks, bonds, business interests, etc. The name on your existing bank accounts and title to assets you acquire in the future should be put in the trust's name; if you take title to property in your own name at any time without disclosing the trust, you will undo the trust to that extent. In general, title should be held as follows:

**ANDREW E. FURER and ELOISA B. FURER, Trustees of  
the ANDREW & ELOISA FURER TRUST, dated \_\_\_\_\_, 2002**

**3. Estate Plan Review.** Your estate plan should be reviewed regularly to make certain the plan is still consistent with your family situation and the current tax laws. We should meet at least every two years to review your plan – sooner if you have a change in your finances, family situation, or distribution plan.

Once you have reviewed all of the documents please call me with any questions you may have. We will then finalize the documents for your signatures.

Very truly yours,

Don L. Ross

DLR/daj  
Enclosures

6/28/02

Andrew and Eloisa Furer  
P.O. Box 7206  
Incline Village NV 89452

TAX I.D. 88-0104505

Matter: 08582 0001 Estate Planning DLR

Period Ending : 5/31/02

Previous Balance \$ .00

Services Rendered:

5/20/02	DLR	Initial meeting with clients	2.00	\$	410.00
5/21/02	DLR	Begin drafting documents and conference with Shawn Meador re postnuptial	2.10	\$	430.50
5/22/02	DLR	Continued drafting	2.80	\$	574.00
5/23/02	DLR	Continued drafting; Extended telephone call with Andy re documents	5.50	\$	1,127.50
5/24/02	DLR	Draft separate trust for Andy; Finalize documents; Meet with clients	7.40	\$	1,517.00
		Total Services Rendered.	19.80	\$	4,059.00

Disbursements:

Postage expense	\$	.80
Photocopies	\$	59.50
Federal Express to San Francisco, CA 05/24/02	\$	14.23
Federal Express to Concord, MA 05/30/02	\$	28.46
Total Disbursements	\$	102.99

Total Current Charges \$ 4,161.99

Balance Due \$ 4,161.99

*Paid By A 1557  
7-16-02*