SUE BELL

TEL 337-706-8036
FAX 337-706-8036
CELL 337-278-7391

101 CHATEAU PLACE
LAFAYETTE, LOUISIANA 70503
Email:bellsue@cox.net

June 11, 2010

Mr. Simmons Sandoz
Trustee – Bell Family Trust
424 S. Union Street
Opelousas, Louisiana 70571
Via certified mail and email to: sandozlaw@aol.com

REF: SUE BELL PROPOSED - CLAIM FOR 1/6TH INTEREST ESCROW DISTRIBUTION
NOTICE OF WRONGFUL ACTIONS BY LAW FIRMS – TRUSTEE OBLIGATIONS

Dear Mr. Sandoz:

When Pam discussed your March 31, 2010 correspondence indicating you would proceed to close the estate after ten days, she advised she accepted a full time general counsel position and would be concluding her private practice. Since you forwarded that correspondence, we opinioned perhaps given the recent information made available to you and my substantiated three lawsuits you were also served, that perhaps you thought it appropriate to terminate the services of your law firms. We hoped so, but regardless, thank you for attending the February 25, 2010 meeting that as a matter of record was precipitated by WDLA Judge Hanna's urging parties to resolve issues. My three lawsuits filed with substantial factual exhibits were before the Court as the Court made multiple comments, "I've seen some troubling issues", "Then there are the criminal implications." Then Mr. Ackermann offered an argument Barton Principles afforded protection, which the Court replied, "I don't know what I think about Barton I'll have to look at that further." In furtherance the Court in answer to an inquiry commented, "The Office of Disciplinary Counsel would be an authority to review these allegations to determine wrongful actions and that they would be very interested to determine that." The Court then offered his chamber, conference room, sitting room, even bad coffee in efforts urging parties to resolution. In my six years now researching, I could not find where Barton principles offered protection to a trustee and if not to a trustee in accordance would not offer protection to any law firm conducting malicious known wrongful Frauds upon the Court, substantiated unprofessional misconduct having caused damages as argued in my suits. Perhaps with regards to Barton is why the Court may have been uncertain of its opinion of Barton protection. There are many findings that support:

(a). That provision provides that "[t]rustees, receivers or managers of any property, including debtors in possession, may be sued, without leave of the court appointing them, **with respect to any of their acts or transaction in carrying on business connected with such property. Such actions shall be subject to the general equity power of such court so far as the same may be necessary to the ends of justice, but this shall not deprive a litigant of his right to trial by jury."**

"Additional exception to the Barton doctrine "where the trustee commits a tort of any sort." See U. and I. Inc v Fitzgerald (In re Campbell), 13 B.R. 974 (Bankr,.D. Idaho 1981)."

1 Collier on Bankruptcy ¶ 3.04 [1] [b] (15th ed. 1978). "The trustee asserts that 28 USC § 959 (a) was intended to allow suit without leave if court only when the trustee is sued on a contract he had made or for some wrong he had done, but not where the lawsuit would interfere with the title, possession, control, liquidation or distribution of estate assets., However, no case is cited to support this reading. **The cases found support the view that 28 USC § 959 means what its plain words say: "trustees.....may be sued, without leave of court appointing them,** with respect to any of their acts or transactions in carrying on business connected with such property."

Unfortunately, on February 25th we were not afforded the expected private meeting with you. During the WDLA hearing Mr. Ackermann seemed to understand the gravity – himself – offering before the Court he would "not" even be present during any such meeting we had with you in all efforts to promote any resolve of troubling issues. You where there on February 25th when I inquired why he was in attendance he said you requested his presence going onto to further comment, " I will never admit I did anything wrong." Thank goodness I have the documented record. And what will God, our final authority, think of this attitude? Pam and I opinioned his presence was to mitigate his own damage liability without any consideration to other defendants the actions now involve. Perhaps he was also concerned with mitigating the circumstance knowing the arguments before the Court on Barton having the potential defendant inclusion of the Trustee due to the law firms actions. As I mentioned it would have been a special moment to have Mr. Ackermann make any "**contrite effort to right the wrongs or make amends,"** but I did not have any expectations. His attempted acknowledgement, "It will never leave this room, but I think you did a really good job saving the assets and cleaning up the mess," was hardly sufficient to compensate the pain, financial, health loss, career damages, substantiated overwhelming libel, slander, defamation about nearly all the uncontested evidence, testimony. The wrongful writ of $162,214.96 that will continue to damage my elderly mother and my ability to survive and provide for our life subsistence and health issues.

Mr. Sandoz, if you remember Pam and I arrived with a box of case file records that was met for your review, but given Mr. Ackermann's presence and apparent change in attitude from the WDLA hearing, we quickly understood the meeting would not be about resolve as urged by Judge Hanna.

This being final business in the bankruptcy in my behalf as a trust beneficiary I submit to you the attached "proposed" claim. During the February 25th meeting, Mr. Ackermann acknowledged trust law prohibits;

1. Creditor seizure of spendthrift beneficiary interest, and;
2. The Bell Family Trust executed six (6) separate trusts, thus a Sue Bell Trust separate trust exists as exhibit I pg 1, and;
3. I did not agree and have it on good belief there is not any law that requires a party to file suit against oneself, and;
4. The Post Trial Reasons (02-05045 Dkt 141 dated 6/21.05) rendered sixteen months after the trial on the issues did not award against the defendant to pay legal commissions in pursuit of the litigation against me, and;
5. My proposed claim for distribution to the Sue Bell Trust as exhibit I a.

I am formally requesting a determination by you and/or the La Trustee Office authorities whether any obligation exists to investigate my attached proposed claim with regards to the Bell

Family Trust instrument and more importantly Louisiana spendthrift trust law to determine whether the law protects me as a secured claim and by trust law also provides for a 1/6th distribution of total deposited escrow funds to the separate beneficiary trust of Sue Bell Trust, also a spendthrift trust. A distribution approximated at $71,919.87 (I b). In avoidance of further abuse as it is "not" my intention to fight any objection, the decision to approve, or the filing into record of my claim, and distribution and/or voiding attached claim is entirely yours and/or the Office of Trustee authorities. Unresolved I will just include the damage issue in my re-filed suits against defendants as we discussed in the meeting. Especially as this case is not being treated as a chapter 11, nor was the adversary in behalf of creditors. Suits all noticed authorities of this communication were served.

During the last bankruptcy claims hearing I was denied payment of claims although expenses documented, were insurance expenses -farm property, farm vehicles, repairs, utilities and even property taxes if not paid that would have caused property losses. Law firms argued a claim denial was appropriate and would offset damages I caused given their argument of unrelated expenses of $162,214.96. As per attached evidence their claimed damages of $162,214.96 was obtained by intentional fraud upon the Court which I alleged caused me damages of the denied claims. The consensus during the claim hearing was there needed to be transparency. I understood then, since transparency has not and will not be forthcoming from law firms, transparency will need to be my life's journey in order to recover and heal from these intentional egregious documented acts. It should be a disgrace when attorneys, sworn and held to a higher standard of professional ethics, when having unlimited legal resources can decide unethically to destroy a citizen with civil rights, not even caring about the legal trail! I guess an accepted attitude that is reflective in your attorneys comment, "I'll never admit I did anything wrong."

As you are Trustee and the trust and beneficiaries are made defendants in my suits and with respect to transparency moving forward – three suits were served (awaiting re-file) with complaints grounded in these alleged unprofessional acts, I provide exhibits II – II o. The transparent factual record that proves your law firms just lied about the expert witness Rolfes having quantified $162,214.96 allegedly constituting a theft by deception that could exceed $800,000. The entire Rofles testimony is an exhibit to my lawsuits proving no testimony exists of Rolfes having quantified any unrelated expenses. The law firms also ignored an earlier summary judgment ruling I won, that was re-iterated in the Court's Post Trial Reasons the Trustee cannot seek to avoid as transfers more than one year prior bankruptcy filing (II p – II q) from recovery by the Trustee with emphasis on $60,000 retainers. The Rolfes spreadsheet clearly indicates all the $162,214.96 expenses paid (which included the prohibited $60,000 recovery) were all pre one year (II r). Besides Rolfes weak testimony (don't know, can't remember, didn't understand, had not spoken with anyone knowing the business of the trust) and the Trust CPA's testimony, as attached III to III g, that she approved all expenses and IRS had no rejected any expenditure. Given the law firms fraud misrepresentation and deceptions apparently prohibited by law - where are the legal grounds or evidence supporting any lawful inclusion by the law firms of the $162,214.96 in any post trial argument or judgment draft for recovery. I believe the fraud method of obtaining same has caused other defendants exposure to damages and future public transparency. It is apparent **the truth, evidence and law did not matter to these law firms as they meant to maliciously destroy me it appears due to the Omnicraft case where negligence and malpractice law suit were filed against Mr. Ackerman that he apparently blamed me professionally.**

In efforts to determine Trustee obligations, other serious fraud misrepresentations, that in a court setting is represented as Fraud upon the Court, in the bankruptcy the law firms to their benefit partially argued 11 U.S.C. § 548 when statute is reviewed as written - exhibits IV a, requires (B)(i) less than reasonable equivalent value **(and;)** (ii)(I) was insolvent; (II) property remaining was an unreasonably small capital. Evidence provides Mr. Ackermman was aware even pre-lawsuit he

would not have insolvency per Joan Martin's deposition and in fact tried to settle the case pre trial. I was not in agreement so I would be made to pay a severe price. The law firms must have understood they would need something in compliance of 548 – otherwise - why leave a "factual" record trail by knowingly providing fraud misrepresentation of both experts testimony knowingly falsifying the experts testified the trust had less than reasonable capital? The law firms in a six-year pursuit – enhancing their compensation by approximately $300,000 in compensation of their destructive actions. According to factual evidence of the written statute they did not have either what appears the required insolvency (as exhibits IV – IV e) or what appears the required less than reasonable capital as both experts testified the trust had reasonable capital (as exhibits IV d – IV e). I've visited in the last six years with many law firms and after being shown the evidence, there is a overwhelming consensus that malpractice has occurred during the six-year malicious pursuit of "now" documented fraud, fraud upon the court, libel, slander, defamation and alleged theft by deception all meant to destroy me that I had no other recourse but to endure until case conclusion.

In furtherance to any trustee obligation, the law firms and beneficiaries in the first pleading in State Court began and then continued libeling, defaming and slandering me by providing a fraud misrepresentation upon the Court of statute of law LA RS 9:2085 intentionally and knowingly accusing me of committing a breach of fiduciary duty for self-dealing (as exhibits V to V b) that according to law and the family trust did not occur. Any suit to recovery those damages is well established in Louisiana law as premature and not permitted until the involved case conclusion. I sought legal advise early on (see exhibit VI – that rendered I had no other recourse but to keep showing up practicing dignity **while the factual record of wrongful actions was being established**.

Oddly, the Bell Family Trust was the first trust allowed into Louisiana bankruptcy. Judge Schiff commented during a later Bell Family Trust hearing and also during a hearing in the Parker Community Trust case that he likely made a mistake allowing the trust into bankruptcy.

During our February 25th meeting, I reiterated it has been an extremely difficult six year journey of such emotional duress that now has taken its toll on my health and continues to duress my elderly mother. As karma would have it, what these law firms put out there in the public domain, while intentionally increasing their compensation by maliciously ruining my character you would expect reasonable persons would have considered and avoided. Perhaps had there not been such an overzealous, personal vendetta pursuit to destroy my person, finances and career without any consideration to the record trail the wrongful pursuit would document, this might not have occurred. You will recall during the meeting I made clear "I will not misrepresent "one" thing in the future of providing the truth of the factual record." I advised being in proper person in WDLA was a strategic action. The suits will be re-filed as discussed and contrary to Mr.Ackermann's opinion - attorneys have offered representation (VI-VII).

During the WDLA hearing Mr. Ackermann presented a fervent oral plea that I had been enthralled in litigation for long enough, that we should move forward without threats of suits that he had better things to go onto and clients to represent. Given I have suffered for over six years the intended abuses of destruction, including a continuing "known" wrongful writ (to date approximated income withholdings of $15,000) that I allege the evidence constitutes a felony crime of theft by deception is occurring, there is no life of serenity or healing to return to until a journey of transparency can provide the beginning of a healing process for me.

Also, in Federal District Court when 11 USC 362 (stay on pre-petition issues - which my suits argue post petition damages) did not support their argument law firms again misrepresented the statute of law. If you recall during our meeting I inquired about the misrepresentation of the

statute 11 USC 362, Mr. Ackermann chuckled commenting, "I guess the Court just missed that." My response, "You really do not have any respect for the law." Sadly, my complaint is not the only complaint of similar injustice and unethical practices by certain attorneys.

Acting in compliance with laws, I am now just beginning a healing process moving forward with endeavors of transparency beginning with my involvement of a Louisiana non profit "La Concerned Citizens Against Corruption" web site, surrounding locality columns dedicated to that same cause. Upon bankruptcy closing I intend to meet with IRS to provide factual evidence of alleged fraud misrepresentations to the Court and alleged law firms theft by deception to wrongfully seize assets to enhance their compensation and as alleged to intentionally damage me. My complaints to include the record of libel, slander, defamation, $162,214.96 and the house and one acre transferred as a separate act of Exchange with federal documents and evidence supporting a forfeiture was paid by me and asset that was not awarded by the Court Post Trial Reasons as addressed in my separate Declaratory Judgment suit, but not limited to. Other lawful plans are ongoing were information is relevant and can promote positive changes making differences.

It is believed a reasonable assumption the law firms are knowledgeable in irrevocable spendthrift trust law, in fact especially since they did **not** mention the actual Bell Family Trust guidelines (C 67 to C 67H) **not once** in any of their briefs or trial presentation. It appears the law firms avoided the Bell Family trust to avoid the legal issues of broad authority vested upon Sue Bell as Trustee that did not require her to seek Court approval, as well as other authority guidelines. But especially the spendthrift issue that prohibits creditors (themselves) from seizing any spendthrift beneficiary protected interest. I believe there are other trust beneficiaries who did not agree with their litigation pursuit against me whose spendthrift beneficiary interests have been violated. As a trust beneficiary I allege the level of law firms actions constitute malpractice and negligence when there is a six-year factual trail proving known fraud misrepresentations to obtain portion of assets by deception that would increase their compensation. Would it be especially negligent, if they did not advise the clients of known La Trust Law that could, and is precipitating potential damage issues to named defendants?

Researched statutes presented in my complaint against defendants for determination of applicable wrongful actions:

> (RS 14:8 Criminal Conduct, RS 14:47 Defamation, RS 14:67 Theft; RS 14:26 Criminal Conspiracy, RS 14:48 Mistake of Facts, RS 14:133 Filing False Public Records, any document containing false statement or false representation of material fact, Theft Act of 1978 – Fraud Act of 2006, RS 14:67.21 theft of assets of aged person or disabled person, and Title 11 and 12 Criminal Law 81 Code of Criminal Procedure - Deception.)

Best regards

Sue Bell

cc: Office of U.S. Trustee -300 Fannin St, Shreveport, LA 71101-3122 via certified mail
Office of U.S. Trustee, Texaco Centre, Ste 2110, 400 Poydras St, N.O. La 70130 via certified mail
Executive Office U S Trustee – 20 Massachusetts Ave NW, Washington, DC 20530 via cert mail
Office Disciplinary Counsel, 4000 S Sherwood Forest Blvd, Ste 607, B.R., La 70816 via cert mail