

1 Note by Doug Schafer: My name appears nowhere in these documents, because
2 they were not my documents. They were prepared by Donald Barovic's trial
3 lawyers, Sean Hicks and Richard Jensen, who had been representing him for
4 about two years before I was hired in July 1995 to strategize with them due to my
5 background in trusts and estates law.

6 Justice Bobbe Bridge maliciously wrote, "Judge Anderson ruled that Schafer's
7 petition was frivolous and without legal merit, and assessed \$ 1,000 in attorney
8 fees against Schafer's client." She lied.

FILED
IN COUNTY CLERK'S OFFICE
A.M. NOV 20 1995 P.M.
PIERCE COUNTY, WASHINGTON
TED RUTT, COUNTY CLERK
BY _____ DEPUTY

9 IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
10 IN AND FOR THE COUNTY OF PIERCE

11 In the Matter of the Estate
12 of
13 MIKE BAROVIC a/k/a MICHAEL
14 BAROVIC and MITCHELL BAROVIC

Cause No. 94-4-00800-8

DONALD BAROVIC'S PETITION
OBJECTING TO PROBATE OF
REVOKED AND DESTROYED WILL

15 Petitioner, Donald Barovic, petitions the court pursuant to RCW 11.24.010, et. seq., as
16 follows:

17 1. JURISDICTION

18 Decedent died a resident of Pierce County, Washington, on the 31st day of May, 1994, leaving
19 property in the state of Washington subject to probate.

20 2. TESTACY.

21 a. Decedent executed his Last Will and Testament, revoking all prior wills, which will is
22 dated the 22nd day of February, 1993, the original of which will has been filed with the court.

23 b. Decedent executed a Last Will and Testament, revoking all prior wills, which will is dated
24 the 28th day of January, 1993, the original of which will has been filed with the court.

25 c. Decedent executed a Last Will and Testament, revoking all prior wills, which will is dated
26 the 20th day of August, 1990, the original of which will has been filed with the court.

27 3. ORDER PROBATING REVOKED AND DESTROYED WILL

28 On July 21, 1995 the court entered an order in this probate entitled: ORDER PROBATING
AUTHENTICATED COPY OF DESTROYED WILL PURSUANT TO RCW 11.20.070,
APPOINTING PERSONAL REPRESENTATIVE, NONINTERVENTION POWERS AND ORDER

DONALD BAROVIC'S PETITION OBJECTING TO
PROBATE OF REVOKED AND DESTROYED WILL - 1

A-1
Ulin Lambe & Hicks, P.S.
Attorneys at Law
1501 Fourth Ave., Suite 2180
Seattle, Washington 98101
(206) 624-4848

1 OF SOLVENCY, pursuant to a copy of a revoked will dated February 6, 1976, amended by copy of a
2 codicil dated October 7, 1976 and a copy of a codicil dated March 11, 1987.

3 4. OBJECTIONS TO PROBATE OF REVOKED AND DESTROYED WILL

4 As more fully set forth in pleadings, memoranda and declarations previously filed with the court
5 in this action by petitioner, petitioner objects to the probate of the February 6, 1976 will as amended by
6 copies of codicils. Petitioner's objections include the following:

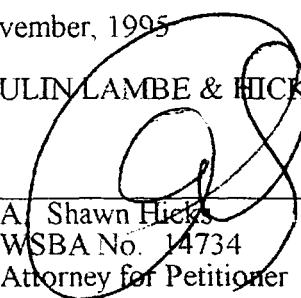
- 7 a. The February 6, 1976 will and its codicils were revoked.
8 b. The original the February 6, 1976 will and its codicils were destroyed and was not filed
9 with court.

10 WHEREFORE, Petitioner prays that the above-entitled Court enter an Order as follows:

- 11 1. That the Will dated February 22, 1993 be admitted to probate as the last will of Mike Barovic,
12 that Petitioner be appointed the Personal Representative of the Estate of Mike Barovic, for an order
13 directing that Letters Testamentary be issued to the Petitioner, and for an order directing that further
14 administration thereof shall be in accordance with said will and the laws of the State of Washington
15 pertaining to the settlement of estates without the intervention of court;
16 2. That the Will dated January 28, 1993 be admitted to probate as the last will of Mike Barovic
17 that Petitioner be appointed the Personal Representative of the Estate of Mike Barovic, for an order
18 directing that Letters Testamentary be issued to the Petitioner, and for an order directing that further
19 administration thereof shall be in accordance with said will and the laws of the State of Washington
20 pertaining to the settlement of estates without the intervention of court; or
21 3. That the Will dated August 20, 1990 be admitted to probate as the last will of Mike Barovic;
22 and for an order directing that further administration thereof shall be in accordance with said will and the
23 laws of the State of Washington pertaining to the settlement of estates without the intervention of court;

24 DATED this 17 day of November, 1995

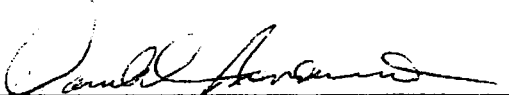
25 ULIN LAMBE & HICKS

26
27 
28 A. Shawn Hicks
WSBA No. 14734
Attorney for Petitioner

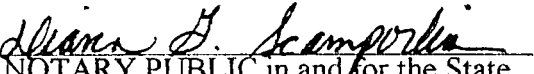
1
2 STATE OF WASHINGTON)
3) ss
4 County of Pierce)

5 Donald Barovic, being first duly sworn, on oath deposes and states:

6 That he is the Petitioner herein; that he has read the foregoing Petition, knows the contents
7 thereof and believes the same to be true.

8
9 
10 Donald Barovic

11 SUBSCRIBED AND SWORN to before me this 17th day of November, 1995.

12
13 
14 NOTARY PUBLIC in and for the State
15 of Washington, residing at University Area
16 My Commission Expires: 2/6/99

17 3051115B.WPD

A-3

FILED
IN COUNTY CLERK'S OFFICE

A.M. **NOV 20 1995** P.M.

PIERCE COUNTY, WASHINGTON
TED RUTT, COUNTY CLERK
BY _____ DEPUTY

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IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

In the Matter of the Estate
of
MIKE BAROVIC a/k/a MICHAEL
BAROVIC and MITCHELL BAROVIC

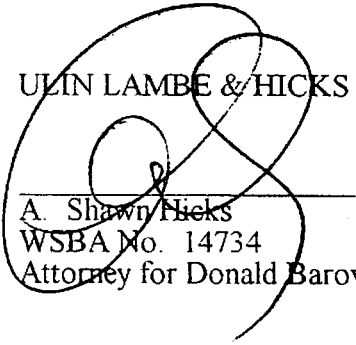
Cause No. 94-4-00800-8

APPLICATION FOR ORDER TO
SHOW CAUSE ON DONALD
BAROVIC'S PETITION OBJECTING
TO PROBATE OF REVOKED AND
DESTROYED WILL

COMES NOW, Petitioner, by and through his undersigned counsel, and moves this court for an
Order to Show Cause why Petitioner's Objection to Probate of Revoked and Destroyed Will and for
Application to Show Cause why the Petition should not be granted pursuant to RCW 11.24.010, et. seq.

Dated this 17 day of November, 1995

ULIN LAMBE & HICKS


A. Shawn Hicks
WSBA No. 14734
Attorney for Donald Barovic

3051115L.WPD

APPLICATION FOR
ORDER TO SHOW CAUSE ON DONALD
BAROVIC'S PETITION OBJECTING TO
PROBATE OF REVOKED AND DESTROYED WILL- 1

A-4

Ulin Lambe & Hicks, P.S.
Attorneys at Law
1501 Fourth Ave., Suite 2180
Seattle, Washington 98101
(206) 624-4848

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A.M. NOV 20 1995 P.M.
PIERCE COUNTY, WASHINGTON
TED RUTT, COUNTY CLERK
BY _____ DEPUTY

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE

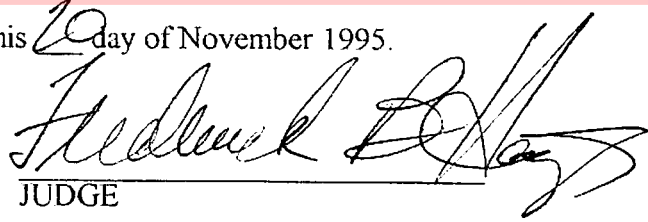
In the Matter of the Estate
of
MIKE BAROVIC a/k/a MICHAEL
BAROVIC and MITCHELL BAROVIC

Cause No. 94-4-00800-8
ORDER TO SHOW CAUSE ON
DONALD BAROVIC'S PETITION
OBJECTING TO PROBATE OF
REVOKED AND DESTROYED WILL

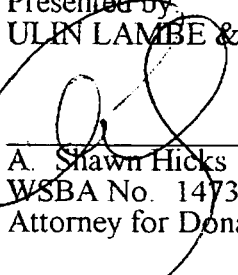
THIS MATTER having come on regularly for hearing, the court having read and considered the Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will and Application for Order to Show Cause why the Petition should not be granted pursuant to RCW 11.24.010, et. seq., NOW THEREFORE,

IT IS HEREBY ORDERED that a hearing on Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will is set for December 15, 1995, at 9:30 a.m., before the Honorable Grant L. Anderson, Department 12 of Pierce County Superior Court.

DONE IN OPEN COURT this 20 day of November 1995.


JUDGE

Presented by:
ULIN LAMBE & HICKS


A. Shawn Hicks
WSBA No. 14734
Attorney for Donald Barovic

3051115K.WPD

ORDER TO SHOW CAUSE ON DONALD
BAROVIC'S PETITION OBJECTING TO
PROBATE OF REVOKED AND DESTROYED WILL- 1

ORIGINALS

Ulin Lambe & Hicks, P.S.
Attorneys at Law
1501 Fourth Ave., Suite 2180
Seattle, Washington 98101
(206) 624-4848

1 Comment by Doug Schafer: Notice that the documents
2 were not even sent to me by either of Don Barovic's two
3 trial lawyers, Richard Jensen and Sean Hicks (in two
4 separate firms). That's because Barovic hired me in July
5 1995 simply to consult with his trial lawyers because of
6 my background in trusts and estates law. But they asked
7 me to appear at two Friday morning hearings, on 7/21/95
8 and 12/15/95 (the latter being on these papers), due to
9 other hearings that they had to attend for other clients.

FILED
IN COUNTY CLERK'S OFFICE
A.M. NOV 22 1995 P.M.
PIERCE COUNTY, WASHINGTON
TED RUTT, COUNTY CLERK
BY _____ DEPUTY

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF PIERCE

In the Matter of the Estate)
)
of)
)
MIKE BAROVIC, a/k/a MICHAEL)
BAROVIC and MITCHELL BAROVIC,)
)
Deceased.)

NO. 94-4-00800-8

DECLARATION OF SERVICE

DIANA G. SCAMPORLINA states and declares as follows:

I am the office manager for the offices of Richard J. Jensen, P.S., attorneys for Donald Barovic in the above-entitled action, am over the age of 18 years, and am competent to testify to the facts contained in this declaration.

On the 21st day of November, 1995, I faxed copies of the documents listed below designated as "Documents Group 1" to the following at the fax numbers listed:

Hollis Barnett, 317 S. Meridian, Puyallup, WA 98371 fax: 845-4941
Larry Nelson, 102 N. Meridian, Puyallup, WA 98371 fax: 848-4891
Gerald W. Neil, 5302 Pacific Ave., Tacoma, WA 98408 fax: 473-5746
John A. Miller, 1019 Regents Blvd., Tacoma, WA 98466 fax: 564-5007

On the 21st day of November, 1995, I also placed copies of the documents listed below

Declaration of Service - 1

ORIGINAL

A-b

Law Offices of
RICHARD J. JENSEN, P.S.
AND ASSOCIATES

720 Sea-First Center
950 Pacific Avenue
Tacoma, WA 98402

Tacoma (206) 272-8400 Seattle: (206) 838-0488

1 designated as "Documents Group 1" in envelopes addressed to the following at the addresses set forth
2 below, placed and affixed proper postage to said envelopes, sealed the same and placed them in a
3 receptacle maintained by the United States Post Office for the deposit of letters for mailing in the City
4 of Tacoma, Pierce County, Washington:

- 5 Pamela Barovic, 807 Emerald, Milton, WA 98354
- 6 Pamela Barovic for Bevin Nichole Barovic, 807 Emerald, Milton, WA 98354
- 7 Andrea Kim Barovic-Hancock, 2218 Keyes Ave., Madison, WI 53711
- 8 Virginia Lee Barovic McConnell, 295 High Drive, Laguna Beach, CA 92651
- 9 Melissa Marie Barovic Hollenbeck, 2111 154th St. Ct. E., Tacoma, WA 98445

10 On the 22nd day of November, 1995, I delivered to ABC-Legal Messengers, Inc. true and
11 correct copies of the documents listed below designated as "Documents Group 1" and the documents
12 listed below designated as "Documents Group 2" for delivery to the following:

- 13 Hollis Barnett, 317 S. Meridian, Puyallup, WA 98371
- 14 Larry Nelson, 102 N. Meridian, Puyallup, WA 98371
- 15 Gerald W. Neil, 5302 Pacific Ave., Tacoma, WA 98408
- 16 John A. Miller, 1019 Regents Blvd., Tacoma, WA 98466
- 17 Shawn Hicks, 1501 4th Ave., #2180, Seattle, WA 98101

18 On the 22nd day of November, 1995, I also placed copies of the documents listed below
19 designated as "Documents Group 2" in envelopes addressed to the following at the addresses set forth
20 below, placed and affixed proper postage to said envelopes, sealed the same and placed them in a
21 receptacle maintained by the United States Post Office for the deposit of letters for mailing in the City
22 of Tacoma, Pierce County, Washington:

- 23 Pamela Barovic, 807 Emerald, Milton, WA 98354
- 24 Pamela Barovic for Bevin Nichole Barovic, 807 Emerald, Milton, WA 98354
- 25 Andrea Kim Barovic-Hancock, 2218 Keyes Ave., Madison, WI 53711
- 26 Virginia Lee Barovic McConnell, 295 High Drive, Laguna Beach, CA 92651
- 27 Melissa Marie Barovic Hollenbeck, 2111 154th St. Ct. E., Tacoma, WA 98445

A-7

Documents Group 1


- 1. Application for Order to Show Cause on Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will
- 2. Order to Show Cause on Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will
- 3. Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will

Documents Group 2

- 1. Proposed Order Dismissing Donald Barovic's Petition Objecting to Probate of Revoked and Destroyed Will
- 2. Proposed Order on Donald Barovic's Petition Probating Mike Barovic's Will Dated August 20, 1990
- 3. Proposed Order on Donald Barovic's Petition Probating Mike Barovic's Will Dated January 28, 1993
- 4. Proposed Order on Donald Barovic's Petition Probating Mike Barovic's Will Dated February 22, 1993
- 5. Proposed Order on Donald Barovic's Petition Probating Mike Barovic's Will Dated February 22, 1993 and Granting Specific Performance to Beverly Foley and Marie Rosenberg of an Agreement Dated October 7, 1976 by Decedent
- 6. Declaration of Service
- 7. Note for Motion Docket

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED at Tacoma, Washington, this 22nd day of November, 1995.


 Diana G. Scamporlina

A-8

12-15-95
M

SUPERIOR COURT OF WASHINGTON - COUNTY OF PIERCE

FILED
IN COUNTY CLERK'S OFFICE
NOV 22 1995 P.M.
PIERCE COUNTY, WASHINGTON
TED HITT, COUNTY CLERK
BY _____ DEPUTY

In the matter of the Estate of Mike
Barovic aka Michael Barovic and
Mitchell Barovic,

Plaintiff(s)

vs.

Case No. 94-4-00800-8

NOTE FOR MOTION DOCKET

Defendants(s)

TO THE CLERK OF THE SUPERIOR COURT AND TO:

Name: Hollis H. Barnett WSB # 2858

Address: 317 S. Meridian Attorney For: Foley/Rosenberg

Puyallup, WA 98371 Phone: 848-3513

(Please note additional attorneys on reverse side)

Please take notice that the undersigned will bring on for hearing
a motion for: Show Cause Hearing on Donald Barovic's Petition Objecting to
Probate of Revoked and xxxxx ~~Type of Motion~~ Destroyed Will
The hearing is requested to be held during the regular motion
calendar on:

DATE REQUESTED FOR HEARING/MOTION
December 15, 1995

At the hearing on 12-15-95, Judge
Anderson denied Barovic's petition
and awarded fees of \$1,000 to
opposing counsel.

Nature of Case: Probate

Dated: 11/21/95 Signed: _____ FOR

Name: Richard J. Jensen WSB # 1562

Address: 950 Pacific Ave., #720 Attorney For: Donald Barovic

Tacoma, WA 98402 Phone: 272-8400

THE ABOVE INFORMATION MUST BE COMPLETED AND SIGNED

FOR CLERK'S USE ONLY

Assigned to: _____ Date: _____ By: _____

ORIGINAL

A-9