

*Barbara Robbins*

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GRI, ABR, E-PRO PA, ABA, REAL ESTATE BROKER / BUYER REPRESENTATIVE / FINANCIAL CONSULTANT

June 18, 2004

Pueblo County District Court  
320 W. 10<sup>th</sup> Street  
Pueblo CO 81003

FILED IN THE OFFICE OF THE CLERK  
OF THE DISTRICT / COUNTY COURT

JUN 23 2004

PUEBLO COUNTY, COLORADO

**RE: 01 PR 291 The ESTATE OF DONALD E. SKADELAND**  
**ATTN: Judge Reyes**

Your Honor:

You requested at our last meeting, in lieu of setting a hearing date, that I write to you regarding whether or not I received all documentation requested from the other heirs in this estate. If you'll recall, I explained that I did receive a package from Ms. Cuneo (counsel for Ms. Clamp), but had not had the opportunity to review it. I have reviewed the package completely. It was a sizeable package, but unfortunately all required documents were not included.

I am enclosing the copy of the letter that I sent to Ms. Cuneo. I sent it in an attempt to receive all of the other documentation, but considering the tremendous amount of money taken from the account by Ms. Barnesberger (see attached spreadsheet – prepared by myself using the documents received), I believe that even if I receive the documents, an immediate hearing is required to 'stop the bleeding'. They are selling property or notes, or cashing in notes, receiving the money, and disbursing it to one another, with no regard for the severity of the tax issue at hand. I turned over control of the assets in an attempt to protect the assets from my personal issues, but it seems that I had more to fear from my sisters.

I am requesting that you please sign the order that I submitted to you, so I can attach to the properties before they are no longer usable for payment of tax. I will be filing a motion (hopefully within a day or so) to immediately put control of the properties back in the hands of the estate, via the Personal Representative (myself). I would also appreciate it if you would set the hearing that I requested, probably no more than an hour or so, to address the motions filed, and see if we can't get this issue resolved. My only concern is what is best for the estate (and therefore, the heirs to the estate), and in this case I fear that if we don't act quickly, the estate will be left with a quarter of a million dollars in taxes due, with nothing left to sell to pay it.

Respectfully submitted,

*Barbara Robbins*

**Barbara Robbins**

Personal Representative for the Estate of Donald E. Skadeland

**Attachment 12**

Enclosure: Copy of letter to Ms. Cuneo, including spreadsheet

cc: Cuneo

RI Tied - M Response filed I  
will sign order WK 6/30/04



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ne 18, 2004

iana Cuneo  
lover Glover & Haynes LLP  
11 Colorado Avenue  
ueblo CO 81004

FILED IN THE OFFICE OF THE CLERK  
OF THE DISTRICT / COUNTY COURT

JUN 23 2004

PUEBLO COUNTY, COLORADO

RE: Skadeland Estate

Dear Ms. Cuneo,

I received your package this week via UPS ground. Thank you for sending it. I have reviewed it, and have some missing documents, as well as some issues. I will address them here, and (as requested by Judge Reyes) I will address them to the court. They are listed here in no particular order:

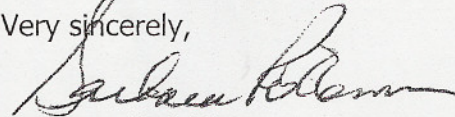
1. I noticed that somebody went to the trouble of taking page 3 of 3 out of the bank statements. It should have been assumed that I would require the check copies, since I was not furnished with the check register. To that end, I will need:
  - a. **The last page of the bank statement for each month you sent and the check register.**
2. I noticed that Land Title wired nearly 20 thousand dollars into the account within the past few weeks. There were some payoffs pending, and two houses left to sell. I have received nothing regarding that disbursement. With that in mind, I need:
  - a. **All closing documents, including the HUD-1 and the transferred deed for the closing that just took place. If it was a payoff, send the documents.**
3. There were two disbursements just days after the wire transfer from Land Title (see above), so it is my logical assumption that both of your clients split the proceeds from the closing (nearly equally). I was under the impression from our last court hearing that it was understood that those proceeds were for estate tax payment – so I will need:
  - a. **Justification for misappropriating, or the courts approval for taking the funds from the Internal Revenue Service/US Treasury.**
4. This item needs no introduction.
  - a. **I need the Federal Form 1065 Partnership Income tax return for 2003. Signed by your client(s).**
5. I noticed the listing documents for the house on Young Lane, but I didn't get copies of the other two.
  - a. **I will need the listing paperwork for the houses on 8<sup>th</sup> Street and 11<sup>th</sup> Street. If they are NOT currently listed, why not?**



This isn't a lot of paperwork that I am missing, but as you can see, it is critical to determining the final figures. The way it stands right now, your clients (equally or not) have taken \$168,228.57 out of a possible \$208,228.57. There were some expenses that were not draws (for instance the debit card transactions listed a vendor), and I have included that. Please see the attached re-created check register. If I had the real one, I would not have to re-create it, but this should be close.

Perhaps your client, Cathy Clamp, is not aware that Deborah Bamesberger has taken an additional \$56,228.57 from the account, over and above any disbursements approved. If she is aware of that fact, it is to be assumed that she also condones it. I do not have the check register to prove which of your clients took that outrageous amount of money, but based on the spreadsheet that I am including with this letter, the possibility of paying the taxes is getting smaller. I will be filing the motions to stop this outrageous behavior immediately, and get the taxes paid.

Very sincerely,

A handwritten signature in cursive script, appearing to read 'Barbara Robbins', written in dark ink.

**Barbara Robbins**

Enclosure: Spreadsheet for Norwest checks

Cc: Judge Reyes



## Norwest bank reconcile

Viking 3 Property Owners, LLC

Norwest Reconcile

	Date	Check #	To ?	For	Account	Jo	Barb	for DEB only	Amount	Deposit	Balance
	04/03/03			Beginning balance							0.00
	04/13/03	Wire			Sale of property					67,892.46	67,892.46
	04/18/03	Wire	Cathy Clamp	disbursement	Sale of property	20,000.00			20,000.00		47,892.46
	04/18/03	Wire	Deborah Barnesberger	disbursement	Sale of property			20,000.00	20,000.00		27,892.46
	04/18/03	Fee	Deborah Barnesberger	wire fee	Sale of property				7.50		27,884.96
	04/18/03	Fee	Cathy Clamp	wire fee	Sale of property				7.50		27,877.46
	04/21/03	1151							250.00		27,627.46
	04/21/03	Cashiers	Barbara Robbins	disbursement	Sale of property		20,000.00		20,000.00		7,627.46
	04/29/03	1152			Deb			2,000.00	2,000.00		5,627.46
	05/02/03	1181			Deb			950.00	950.00		4,677.46
	05/02/03	Fee		stop payment					25.00		4,652.46
Jun-03	04/03/03			check order	office supplies				51.50		4,600.96
	05/09/03			Deposit	Sale of property					56,598.63	61,199.59
	06/02/03	CC	Walmart		Deb			141.86	141.86		61,057.73
	06/02/02	cc	Diamond Shamrock	gas	Deb			41.07	41.07		61,016.66
	06/02/03	cc	Romeros	food	Deb			27.23	27.23		60,989.43
	06/03/03	cc	Chili's	food	Deb			47.24	47.24		60,942.19
	06/03/03	cc	Gunsmoke Truck Stop	gas	Deb			18.30	18.30		60,923.89
Jul-03	06/04/03	cc	Gunsmoke Truck Stop	gas	Deb			3.22	3.22		60,920.67
	06/10/03				Sale of property					77,278.08	138,198.75
	06/10/03	1154	Cleaver Carpet	carpet	repairs				669.15		137,529.60
	06/19/03	1155			Deb			1,000.00	1,000.00		136,529.60
	06/19/03	1156	Deborah Barnesberger	disbursement	Sale of property			18,000.00	18,000.00		118,529.60
	06/24/03	1157	Cathy Clamp	disbursement	Sale of property	20,000.00			20,000.00		98,529.60
	06/23/03	1182	Barbara Robbins	disbursement	Sale of property		20,000.00		20,000.00		78,529.60
	06/17/03	EFT			Deb			2,000.00	2,000.00		76,529.60
Aug-03	07/02/03		Nuskin	vitamins	Deb			142.59	142.59		76,387.01
	07/10/03			rental deposit						1,309.85	77,696.86
	07/29/03	cc	Nuskin	vitamins	Deb			142.59	142.59		77,554.27
	08/04/03	cc	Aquila	utilities	utilities				143.53		77,410.74
	08/04/03	cc	LaQuinta Inn	room	Deb			73.72	73.72		77,337.02
	08/04/03	cc	Red Lobster	food	Deb			55.73	55.73		77,281.29
	08/04/03	cc	Diamond Shamrock	gas	Deb			45.14	45.14		77,236.15
	08/04/03	cc	Safeway	groceries	Deb			43.45	43.45		77,192.70
	08/04/03	cc	Home Depot	?	repairs				29.41		77,163.29
	08/04/03	cc	Home Depot		repairs				8.55		77,154.74
	08/04/03	cc	Aquila	utilities	utilities				3.95		77,150.79
	07/10/03	1159	Internal Revenue	taxes	taxes				40,000.00		37,150.79
Sep-03	08/22/03	transfer			Deb			100.00	100.00		37,050.79
	08/27/03	cc	Walmart		Deb			71.32	71.32		36,979.47
	08/26/03	1160			Deb			60.00	60.00		36,919.47
	08/11/03	1161			Deb			5,000.00	5,000.00		31,919.47
	8/27/03	1163			Deb			2,000.00	2,000.00		29,919.47
	8/12/03	1183			Deb			5.00	5.00		29,914.47
Oct-03	8/12/03	1184			Deb			5,000.00	5,000.00		24,914.47
	9/22/03	cc	Walmart		Deb			29.14	29.14		24,885.33
	10/2/03	cc	Royal Adventure Travel	Jennifers ticket	Deb			250.50	250.50		24,634.83



**Norwest bank reconcile**

**Viking 3 Property Owners, LLC**

	9/16/03	1164		Deb		2,000.00	2,000.00	22,634.83
	9/25/03	1165		Deb		2,000.00	2,000.00	20,634.83
Nov-03	10/7/03	1185		Deb		5,000.00	5,000.00	15,634.83
	10/15/03	1166		Deb		78.41	78.41	15,556.42
	10/14/03	1167		Deb		7,000.00	7,000.00	8,556.42
	10/14/03	1187		Deb		6.00	6.00	8,550.42
	11/3/03	1211		Deb		181.78	181.78	8,368.64
	10/29/03	1212		Deb		5,000.00	5,000.00	3,368.64
	10/24/03 cc	The Colorado Secretary		Deb		30.00	30.00	3,338.64
	10/27/03 cc	withdrawal		Deb		2,500.00	2,500.00	838.64
Dec-03	10/14/03	1186		Deb		101.91	101.91	736.73
	11/12/03						5,438.34	6,175.07
	12/8/03 Fee			bank fees			7.00	6,168.07
Jan-04	11/13/03	1213		Deb		5,500.00	5,500.00	668.07
	12/11/03			rental deposit			869.95	1,538.02
	12/19/03			Sale of property			21,250.71	22,788.73
	12/23/03	1188 Deborah Barnesberger	disbursement	Sale of property		7,000.00	7,000.00	15,788.73
	12/23/03	1215 Cathy Clamp	disbursement	Sale of property	7,000.00		7,000.00	8,788.73
	12/19/03	1214 Deborah Barnesberger		Deb		1,000.00	1,000.00	7,788.73
	12/10/03 EFT	transfer		Deb		82.92	82.92	7,705.81
	12/19/03 fee	wire transfer fee					7.50	7,698.31
Feb-04	12/22/03 cc	ProLink Communications		Deb		99.95	99.95	7,598.36
	1/26/04			house payment			473.00	8,071.36
	1/20/04 eft	transfer		Deb		300.00	300.00	7,771.36
	1/26/04 EFT	transfer		Deb		250.00	250.00	7,521.36
	2/6/04 EFT	transfer		Deb		100.00	100.00	7,421.36
	2/5/04	1168		Deb		5,000.00	5,000.00	2,421.36
	1/27/04	1241		Deb		1,500.00	1,500.00	921.36
	2/24/04			house payment			853.90	1,775.26
	2/10/04 eft	transfer		Deb		50.00	50.00	1,725.26
	2/24/04 eft	transfer		Deb		50.00	50.00	1,675.26
	3/1/04 cc	Sams	gas	Deb		29.60	29.60	1,645.66
	3/8/04 fee			bank fees			7.00	1,638.66
Apr-04	2/25/03	1216		Deb		1,500.00	1,500.00	138.66
	3/22/04 cc	Home Depot		repairs			41.61	97.05
	3/29/04 cc	Walmart		groceries			29.49	67.56
	4/8/04 EFT	transfer		Deb		20.00	20.00	47.56
May-04	4/8/04 fee			bank fees			7.00	40.56
	4/16/04			Sale of property			18,283.22	18,323.78
	4/16/04 fee		wire fee	bank fees			7.50	18,316.28
	5/10/04 cc	Liberty league Internet		Deb		49.95	49.95	18,266.33
	5/10/04 cc	Liberty league Internet		Deb		49.95	49.95	18,216.38
	5/10/04 fee			bank fees			7.00	18,209.38
	4/20/04	1169 Cathy Clamp	disbursement	Sale of property	9,000.00		9,000.00	9,209.38
	4/20/04	1189 Deborah Barnesberger	disbursement	Sale of property		8,500.00	8,500.00	709.38
END						56,000.00	40,000.00	112,228.57
								249,538.76