

Lawyers' Information Requests in Dana and Jan Putnam Case

Information about Lisa Putnam's Will

- Would like to have an original copy
- Who is the lawyer who drafted it? I would want to depose this lawyer to learn of Lisa's state of mind when she was drafting it and her reasons behind giving Dana more
- Who witnessed the will? What did the witnesses observe about Lisa? I would want to depose the witnesses
- Did Lisa have prior wills? Were they substantially the same or different than the final will?
- Was there anyone besides Dana and Jan that she left gifts to in the will?
- Does Lisa have any other family members who might want to contest the will? What is the basis of their claims?

Information about Lisa Putnam's Health

- Who were Lisa's doctors? I would want to depose all of them about her state of mind, particularly for the time frame in which she created the will
- Would like to have Lisa's medical records
- Did the doctors observe Dana and Lisa's relationship?
- Did Lisa see any therapists? Who did she talk to? Friends? Other family members? Hairdresser? Who knew her well and would have observed her mental health?

Information about Jan Putnam

- Jan is an accountant, but exactly how much does she earn? What is her financial history? Is financial trouble the reason behind this contested will?
- What is Jan's personality? What is her relationship with Dana like?
- What was Jan's relationship with her mother like? Her father?
- Who is Jan's lawyer? Do I know this lawyer? Will negotiation be a good avenue to resolve this case? Or does Jan want to litigate this for purely emotional reasons?

Financial Information from the Will

- Value of the home
- Value of the personal jewelry
- Value of the effects of the home
- Value of the mutual funds
- Value of other gifts in the will

Information about Dana Putnam (client)

- What is Dana's relationship with his mother like? Was he controlling? Or was he actually the helpful son?
- What are Dana's goals in this case? Is he likely to get taken advantage of by his sister?
- How involved is Dana's boyfriend with the case? Is his boyfriend pressuring him at all?
- Does Dana need any other legal services?

- Do I think that I can work with Dana?

Other Information

- Based on everything else, do I think Lisa's will was fair to both Dana and Jan?
 - What is my opinion on the facts to the case law?
 - How strong is the case? Is it better for Dana to litigate? What does Jan and her lawyer view as a fair settlement?
 - What is my BATNA? What is my WATNA? What do I think is a fair negotiation range? What does my client think is a fair negotiation range?
 - Can I represent my client well?
 - Is this case worth taking? Client only makes \$30,000/year. Will I be able to adequately represent the client without overcharging him? Am I likely to be paid for what I charge?
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- Copy of the will
 - Value of the house
 - Last three months of utility bills
 - Mortgage payments
 - Mom's medical records (via court order to avoid HIPPA regs)
 - Deposition of Dana
 - Amount spent by Dana for the care of the mom
 - The loan amounts that Dana received from the mom
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- The assets owned by Jan, along with their value.
 - Any documentation regarding the time and care given towards mother in the last 90 days of her life.
 - Would like to depose Nurses and Doctors who tended to mother in final days.
 - Brother's income records.
 - Would like to know brother's personal life (perhaps in a deposition?)
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- Assets in Estate
 - Mutual financial funds
 - Jewelry
 - Bonds
 - House
 - Any other assets
 - Value of Assets in Estate
 - Mutual financial funds
 - Jewelry (value of jewelry AND expert appraisal)
 - Bonds
 - House

- Any other assets
- Deposition of Dana, specifically inquiring into the following:
 - \$15,000 loan amount given by mother prior to death
 - What Dana plans to do with the Assets
 - Mutual financial funds
 - Jewelry
 - Bonds
 - House
 - Would she be open to renting home?
 - Any other assets
 - Relationship with mother
 - Process of will creation by mother
 - What was her specific involvement?
 - Relationship with Jan
 - Goal with will
- Request documents of previously drafted wills
- Request documentation of Mother's cancer
 - Including medication and duration of treatment

- A complete list of assets in the estate and their actual values.
- A list of Jan Putnam's current personal and business assets.
- Jan Putnam's tax returns for the previous three years
- A list of gifts in excess of \$200 given to Jan Putnam from either parent
- A list of any loans given to Jan Putnam from either parent
- The opportunity to depose Jan Putnam
 - We would like to depose Jan Putnam in order to determine her level of assistance to her mother during the time her mother was fighting cancer and to determine her awareness of the specifications of the will prior to her mother passing away.
- What, if any, provisions are present in the will in regards to what will happen if Dana pays off the mortgage?
- What, if any, provisions are present in the will in regards to the consequences of Dana failing to make payments or defaulting entirely on the payment of the mortgage?

- I would want a complete list of all assets and property in the mother's estate. I would also want a list of all debts/loans assessed against the estate.
- I particularly want to know what the value of the estate is without taking the house into consideration.
- I would want all of the mother's medical records, as well as a summary of those records by her primary care physicians. I would especially want any medical records pertaining to her mental health and the possible deterioration thereof.

- I would want a full copy of her will and the name of the attorney who drafted and executed it for her. I am particularly interested in learning the names of the witnesses so that I can get further affidavits from them regarding the mother's mental soundness.
 - To the best of his ability, I would want a complete recounting from Dan of all of the things he did to take care of his mother while she was sick. I want to know what appointments he took her to and how far he drove her. I want to know what prescriptions or medications he picked up for her. I want to know how many things he paid for and how many things his mother paid for. I want to know if his mother gave him any money or other compensation for travel expenses, etc.
 - To the same extent, I would want to know any and all care or expenses that Jan provided to her mother.
 - I want to know more specifically about the \$15K loans from his mother that Dan mentioned.
 - To the extent permitted by law, I want to know Jan's financial situation and what, if any claims, she might have against the mother's estate.
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- We need a copy of the will.
 - We need to know who the attorney is that drafted the will.
 - We need to know who the executor of the will is.
 - We need to know how the interest in the house is divided between Dana and Jan.
 - We need to know whether Dana has moved into the house.
 - We need to know the itemized valuation of all the assets in the estate.
 - We need to know who mom's doctor was.
 - We need a copy of mom's medical records, including any made by her doctor, specifically pertaining to mom's mental state.
 - We need to know who Dana's attorney is.

General information:

- List of all assets and their values—real and personal property—and liabilities
- Copy of will at issue, if available—other wills?
- Name of lawyer that drafted will
- Date of Mrs. Putnam's death
- Names of Attending physicians during cancer period
- Name of family physician
- Names of close friends and other relationships that may know about her condition, such as:
 - Pastor
 - Hairdresser
- Date when will was drafted and executed and who was present.
- Is Dana named executrix of will?

Deposition of Dana—any fiduciary relationship with her Mother?

- Has Dana applied for probate of will—if so date, and,
- Has Dana been appointed as personal representative if she is executrix? Or, has Dana sought to be appointed as personal rep?
- Amount of time spent with mother after she got sick—primary caregiver—live with mother during this time?

Deposition of lawyer in will drafting/execution process.

- Who contacted lawyer about creating the will? Dana, Mrs. Putnam? Date?
- Any conferences between Dana and this lawyer on other occasions during Mrs. Putnam's cancer illness concerning her mother's state of mental a fiduciary relationship, specifically durable powers of attorney: medical, financial?
- If so, date requested and granted? Who made request? Specific reasons for request. If granted, who was present? Was Mrs. Putnam present when will was drafted and executed? Witnesses? Was will notarized?

Deposition of Family physician

- any visits from Mrs. Putnam close to or on date of will drafting and execution?
- Discussions with Dr. about her relationships with, and treatment, from Dana and Jan.
- Medical Opinion on Mrs. Putnam's state of health and mental capacity pertaining to will process.

Deposition of hairdresser

- Discussions with hairdresser about , i.e., Jan, Dana, how Mrs. Putnam felt about both. How was Mother treated by Dana?. By Jan?

- Copy of Mother's Will
 - Copies of all of Mothers medical information
 - Possible psychiatric treatment, etc
 - Dates and times of Dana's residence with the Mother
 - Determine how to calculate value of Mother's assets
 - Any interests in privately held businesses
 - When Will was executed
 - Dates of Jan's last visits to see mother
 - Any information possible on loans given to Dana
 - Tax and income statements
 - Information on the control of any accounts administered by Dana
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- List of assets and values
 - Original Putnam will
 - Any and all copies

- Any and all previous wills drafted/executed
- Power of Attorney (if applicable)
- Doctors' information
 - Names
 - Addresses
 - Dates seen
- Tax Returns
 - Mrs. Putnam and Dana
- Photocopies of checks written for Mrs. Putnam for her care.
- List of potential witnesses attesting to Dana's care of his mother
 - Names
 - Addresses
 - Phone numbers
 - E-mail
- Depose Doctors
 - Questions about Mom's mental state, general well-being, and Dana's level of care for his mother
- Name and contact information of the will's drafter
- Any and all communications between Mrs. Putnam and Jan, between Mrs. Putnam and Dana, and between Dana and Jan.