

IN THE CIRCUIT COURT FOR BROWARD COUNTY, FLORIDA

IN RE: ESTATE OF

PROBATE DIVISION

BURGESS A. THOMASSON,  
Deceased.

File Number: 00000938  
Division: 43

**ORDER ADMITTING WILL TO PROBATE  
AND APPOINTING PERSONAL REPRESENTATIVES  
(self proved - multiple)**

The instrument presented to this Court as the last Will of Burgess A. Thomasson, deceased, having been executed in conformity with law, and made self-proved at the time of its execution by the acknowledgment of the decedent and the affidavits of the witnesses, each made before an officer authorized to administer oaths and evidenced by the officer's certificate attached to or following the Will in the form required by law, and no objection having been made to its probate, and the Court finding that decedent died on January 9, 2000, it is


**ADJUDGED** that the Will bearing the date December 8, 1993, and attested by W. Tinsley Ellis, Christine L. Amoroso and Dorothy J. Wiley as subscribing and attesting witnesses, is admitted to probate according to law as and for the last Will of the decedent, and it is further

**ADJUDGED** that Rhonda Stockton Thomasson and Burgess A. Thomasson, Jr. are appointed Personal Representatives of the estate of the decedent, and that upon taking the prescribed oaths, filing the designations of resident agent and acceptances, and entering into bond in the sum of \$0, letters of administration shall be issued.

**ORDERED** on April 12, 2000.

  
Circuit Judge **MEL GROSSMAN**

A TRUE COPY  
ED. KENNEDY

  
20150528000176090 1/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT

Bar Form No. P-3.0430  
Florida Lawyers Support Services, Inc.  
Revised October 1, 1997



TOTAL P.03

IN THE CIRCUIT COURT OF THE  
SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY,  
FLORIDA

IN RE:

BURGESS A. THOMASSON,

Deceased.

PROBATE DIVISION

FILE NO.: 00-938

DIVISION: GROSSMAN

STIPULATION AND SETTLEMENT AGREEMENT

This Stipulation and Settlement Agreement is entered into by and between RHONDA S. THOMASSON ("RHONDA") and BURGESS A. THOMASSON, JR. ("TOMMY").

WHEREAS, BURGESS A. THOMASSON ("BURGESS") died on January 9, 1999; and

WHEREAS, RHONDA and TOMMY are the duly appointed Co-Personal Representatives of the Estate of Burgess A. Thomasson ("ESTATE"); AND

WHEREAS, TOMMY has been appointed Administrator Ad Litem to investigate certain transfers made by BURGESS during his lifetime; and

WHEREAS, RHONDA and TOMMY wish to resolve all issues pertaining to lifetime transfers made by BURGESS and resolve all issues existing between themselves;

NOW, THEREFORE, RHONDA and TOMMY wish to resolve all issues which have arisen between them and further to provide for the orderly administration of the ESTATE and in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and adequacy of which each signatory to this Agreement acknowledges, agree as follows:

1. RHONDA will pay the ESTATE One Hundred Twenty-five Thousand Dollars (\$125,000.00) within ten (10) days after execution of this Settlement Agreement and assume liability for and pay all attorney's fees due to Portley and Sullivan, Welch and Finkel and the Law Offices of Jack Loving. In addition, RHONDA will pay TOMMY the sum of Seventy-five Thousand Dollars (\$75,000.00) within ten (10) days after execution of this Settlement Agreement.



2. RHONDA does by this Agreement relinquish all of her right, title and interest in all assets in the ESTATE.

3. TOMMY does by this Agreement assume and will be solely responsible for all liabilities and claims filed against the ESTATE.

4. TOMMY will assume all liabilities associated with, or arising out of, any assets in the ESTATE, including, the "Jack Stack" liability and the indemnification associated with that liability.

5. The payment referred to in paragraph one (1) above will be a net payment, exclusive of any transfer, income or gift taxes and RHONDA will file a gift tax return and be responsible for the payment of any transfer tax imposed on the payment to TOMMY set forth in paragraph one (1) above, provided however RHONDA shall not be obligated to pay estate taxes in connection with the ESTATE.

6. RHONDA will immediately resign as Co-Personal Representative of the ESTATE and the ESTATE will file whatever documents are necessary to indicate that the Law Offices of Jack Loving be permitted to withdraw from further representation of any party in connection with the ESTATE.

7. RHONDA will immediately upon the signing of this Settlement Agreement dismiss all claims which she has made in the action currently pending in the Federal District Court for the Northern District of Alabama regarding the life insurance contract.

8. RHONDA does hereby represent to TOMMY that there are no claims known to RHONDA other than claims already filed in the ESTATE and the "Jack Stack" oil and gas claim. RHONDA further does hereby represent to TOMMY that she has not incurred any liabilities on behalf of the ESTATE other than attorney's fees due to Portley and Sullivan, Welch and Finkel and the Law Offices of Jack Loving.


9. Upon the execution of this Settlement Agreement, RHONDA and Albert Thomasson will exchange General Releases and RHONDA and TOMMY will exchange General Releases.

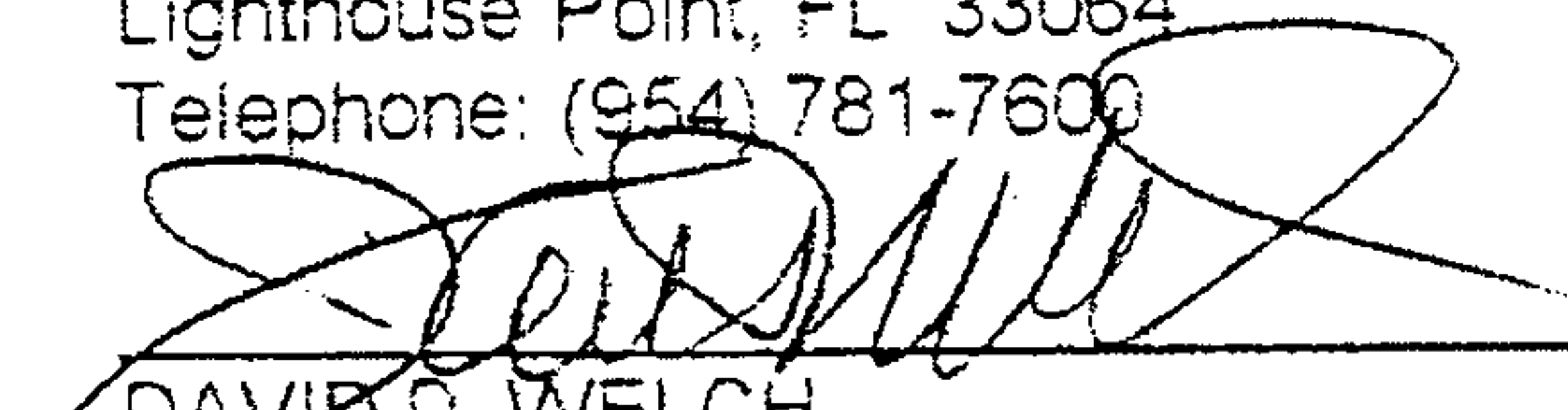
10. TOMMY, as Personal Representative, agrees to withdraw any objection to the 1999 Form 1040 tax return which was filed in the joint name of RHONDA and BURGESS. TOMMY further agrees to allow RHONDA to file a Form 1040 joint tax return, with the ESTATE, for the year 2000. The tax liability will be paid proportionately by RHONDA and the ESTATE by computing each person's tax liability as if they filed a separate tax return for the year 2000.

11. Other than the undertakings contained herein, each party individually and in their representative capacity releases each of the other parties from any claim, demand or action which he or she may have against the other.

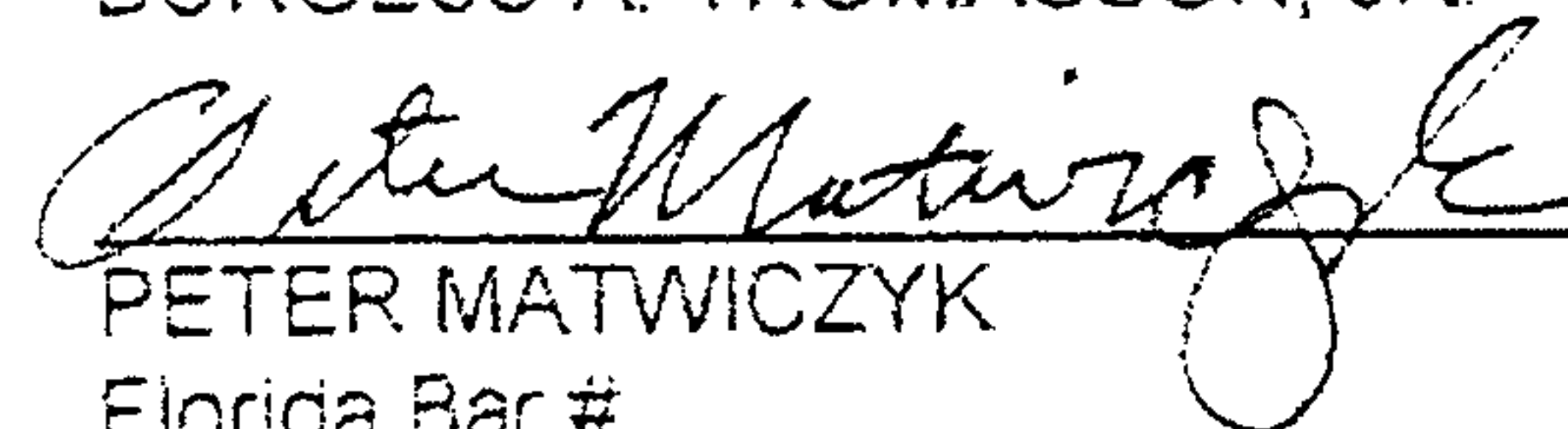
Dated this 8<sup>th</sup> day of February, 2001.


  
RHONDA S. THOMASSON

  
PETER A. PORTLEY  
Florida Bar #112563  
Portley and Sullivan  
Co-Counsel for Rhonda S. Thomasson  
2211 East Sample Road, Suite 204  
Lighthouse Point, FL 33064  
Telephone: (954) 781-7600

  
DAVID D. WELCH  
Florida Bar # 109537  
Welch and Finkel  
Co-Counsel for Rhonda S. Thomasson  
2401 East Atlantic Boulevard, Suite 400  
Pompano Beach, FL 33062  
Telephone: (954) 943-2020

BURGESS A. THOMASSON, JR.

  
PETER MATWICZYK  
Florida Bar #  
Holland & Knight  
Attorney for Burgess A. Thomasson, Jr.  
625 North Flagler Drive, Suite 700  
West Palm Beach, FL 33401  
Telephone: (561) 650-8300

  
20150528000176090 4/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT



10. TOMMY, as Personal Representative, agrees to withdraw any objection to the 1999 Form 1040 tax return which was filed in the joint name of RHONDA and BURGESS. TOMMY further agrees to allow RHONDA to file a Form 1040 joint tax return, with the ESTATE, for the year 2000. The tax liability will be paid proportionately by RHONDA and the ESTATE by computing each person's tax liability as if they filed a separate tax return for the year 2000.

11. Other than the undertakings contained herein, each party individually and in their representative capacity releases each of the other parties from any claim, demand or action which he or she may have against the other.

Dated this 27 day of Feb, 2001.

\_\_\_\_\_  
RHONDA S. THOMASSON

Peter A. Portley  
PETER A. PORTLEY  
Florida Bar #112563  
Portley and Sullivan  
Co-Counsel for Rhonda S. Thomasson  
2211 East Sample Road, Suite 204  
Lighthouse Point, FL 33064  
Telephone: (954) 781-7600


\_\_\_\_\_  
DAVID D. WELCH

Florida Bar #  
Welch and Finkel  
Co-Counsel for Rhonda S. Thomasson  
2401 East Atlantic Boulevard, Suite 400  
Pompano Beach, FL 33062  
Telephone: (954) 943-2020

Burgess A. Thomasson, Jr.  
BURGESS A. THOMASSON, JR.

Peter Matwiczuk  
PETER MATWICZYK

Florida Bar #  
Holland & Knight  
Attorney for Burgess A. Thomasson, Jr.  
625 North Flagler Drive, Suite 700  
West Palm Beach, FL 33401  
Telephone: (561) 650-8300

  
20150528000176090 5/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT

IN THE CIRCUIT COURT FOR BROWARD  
COUNTY, FLORIDA

PROBATE DIVISION

IN RE: ESTATE OF

File No. 00-00938

Burgess A. Thomasson

Division 43

Deceased.

AMENDED  
LETTERS OF ADMINISTRATION  
(single personal representative)

TO ALL WHOM IT MAY CONCERN

WHEREAS, Burgess A. Thomasson, a resident of Broward County, Florida, died on January 9, 2000 owning assets in the State of Florida, and

WHEREAS, Burgess A. Thomasson, Jr. has been appointed personal representative of the estate of the decedent and has performed all acts prerequisite to issuance of Letters of Administration in the estate, and

NOW, THEREFORE, I, the undersigned circuit judge, declare Burgess A. Thomasson, Jr. duly qualified under the laws of the State of Florida to act as personal representative of the estate of Burgess A. Thomasson, deceased, with full power to administer the estate according to law; to ask, demand, sue for, recover and receive the property of the decedent; to pay the debts of the decedent as far as the assets of the estate will permit and the law directs; and to make distribution of the estate according to law.

ORDERED on March 1, 2001.

  
Mel Grossman

Circuit Judge

FTL1 #529377.v1



20150528000176090 6/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT





00000938

INSTR # 100101761

00000938

# Last Will and Testament

OF

BURGESS ALFRED THOMASSON

I, BURGESS ALFRED THOMASSON, a resident of the City of Fort Lauderdale, County of Broward and State of Florida, being of full age and of sound mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils by me heretofore made. I declare that I am married to RHONDA STOCKTON THOMASSON, and that I have one (1) child, namely: BURGESS A. THOMASSON, JR., who is over twenty-one (21) years of age.

## ARTICLE ONE

I hereby authorize the Co-Personal Representatives of my estate, hereinafter appointed, in their sole and absolute discretion, to pay any part or all of my legal debts, expenses of my last illness, funeral and burial, and the administration of my estate, as soon as may be practical after my death.

## ARTICLE TWO

I hereby give, and bequeath all of my clothing, jewelry, books, pictures, household; furniture and furnishings, automobiles (together with any insurance coverage on such personal property) and all other tangible objects of my personal use other than my



20150528000176090 7/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT

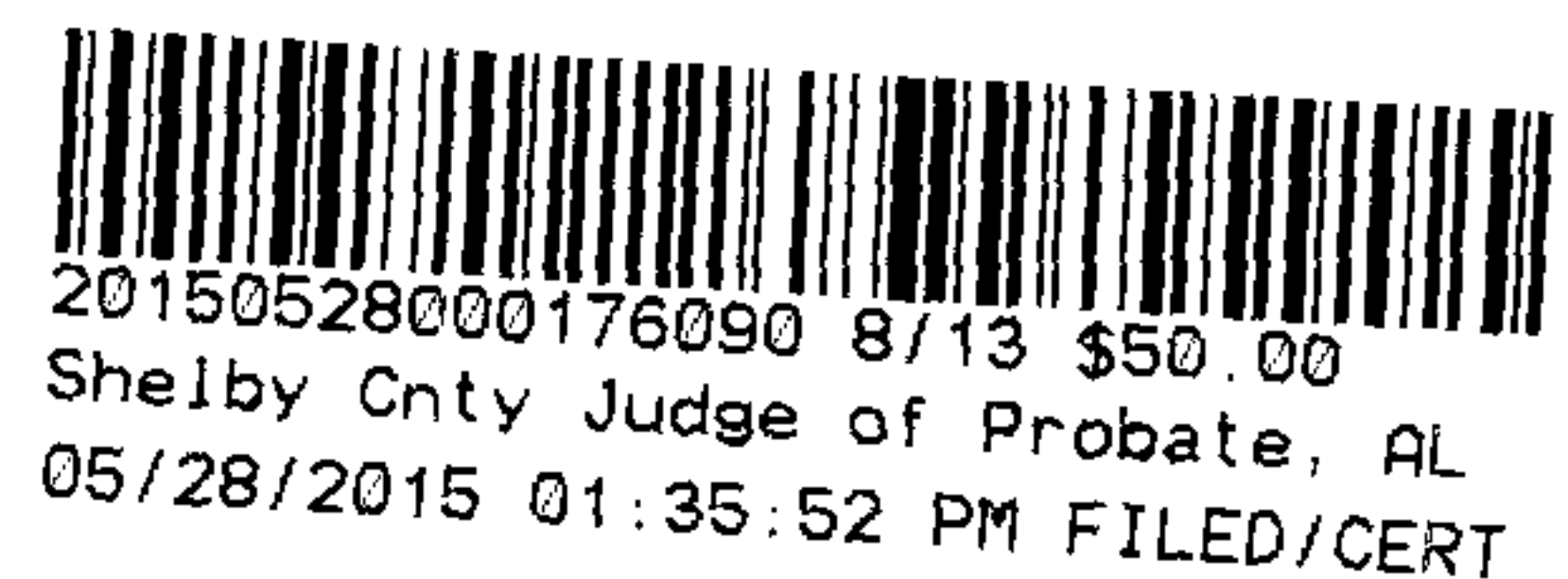
*Burgess Alfred Thomasson**6*

hunting and fishing equipment, boats, and other miscellaneous sporting equipment to my wife, RHONDA STOCKTON THOMASSON, to be hers absolutely, if she survives me. In the event that my said wife should fail to survive me, then I give and bequeath all of said property of my personal use to my son, BURGESS A. THOMASSON, JR., to be his absolutely. I also give to my said son my hunting and fishing equipment, boats, and other miscellaneous sporting equipment, provided that if he does not survive me, I give said items of personal property to my said wife.

### ARTICLE THREE

If my wife, RHONDA, survives me, I direct that my Co-Personal Representatives divide all the rest, residue and remainder of my estate, after payment of all of the obligations of my estate including any indebtedness that may be secured by a mortgage on real estate owned by me jointly with my wife, RHONDA, and other than payment of any estate taxes that may be due with respect to my estate, hereinafter referred to as my residuary estate, into two (2) separate and distinct shares, hereinafter referred to as the marital share and non-marital share.

A. The marital share shall be that fractional share of my residuary estate which shall be equal to one-half of the property subject to disposition by this my Last Will and Testament other than that property mentioned in ARTICLE ONE hereof. It is not my intent





that jointly owned property that passes to the other joint owner by virtue of my death or life insurance policies that may be owned by me at the time of my death but payable to beneficiaries other than my estate (or any other property, the disposition of which is not controlled by my will) be included in my estate for purposes of determining the one-half fractional share which is to be computed as the marital share. In establishing such marital share, the values and amounts, whether of assets or deductions, finally computed to determine federal and state estate tax liability, if any, shall be used. I direct that there shall not be allocated to the marital share any asset or proceeds of any asset which does not fully qualify for the marital deduction allowable in determining the federal estate tax payable with respect to my estate except to the extent that assets of my estate other than the foregoing are not sufficient. If my wife, RHONDA, survives me, I give, devise and bequeath such marital share to her to be held by her absolutely, free of trust.

- B. The non-marital share shall consist of the balance of all of the rest, residue and remainder of my estate after payment of all federal and state estate taxes.



20150528C00176090 9/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT

I give and bequeath the non-marital share to my son, BURGESS A. THOMASSON, JR., to be his absolutely free of trust. In the event that my son shall fail to survive me and that he is survived by lineal descendants, then I give and bequeath the share that he would have received to his lineal descendants.

#### ARTICLE FOUR

*Ryan Alfred Thomason*

A. I hereby nominate, constitute and appoint my wife, RHONDA STOCKTON THOMASSON, and my son, BURGESS A. THOMASSON, JR., as Co-Personal Representatives of my estate, and I direct that they serve as such Personal Representative without bond; and I give to them, as such Co-Personal Representatives full power and authority to sell any part of my estate, real, personal and mixed, for such price, on such terms and to such parties as they shall deem proper; to settle and compromise any and all claims, either in favor of or against my estate, upon such terms as to them may seem fit, and for the purposes aforesaid to execute and deliver all necessary and proper conveyances and to give full receipts and discharges. Insofar as possible, I direct that my Personal Representative shall be exempt from making and filing any returns.

B. In the event either my said wife or my said son does not serve or continue serving as Co-Personal Representative hereunder, then the other one of them shall serve as sole Personal

20150528000176090 10/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT



Representative, also without bond, but with the same full and complete general powers of sale as hereinabove set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this, my Last Will and Testament, consisting of five (5) type-written pages, this page included, on the margin of each of which I have attached my signature for greater security and better identification, this 8 day of December, 1993.

Burgess Alfred Thomasson (SEAL)  
BURGESS ALFRED THOMASSON

WE HEREBY CERTIFY that the foregoing instrument was, on the day of the date hereof, signed, sealed, published and declared in the presence of the Testator, BURGESS ALFRED THOMASSON, as and for his Last Will and Testament, in our presence, who, at his request, in his presence and in the presence of each of us, have hereunto subscribed our names as attesting witnesses to the execution thereof, believing said Testator, at the time of so signing, to be of sound mind and memory.

William L. Allen residing at Hollywood, Florida

Charlotte L. Thomas residing at Plantation, Florida

James J. [Signature] residing at Hollywood, Florida

STATE OF FLORIDA )  
 )  
 COUNTY OF BROWARD )

WE, BURGESS ALFRED THOMASSON, W. Tinsley Ellis,  
Christine L. Amoroso and Dorothy J. Wiley,  
 the Testator and the witnesses, respectively, whose names are  
 signed to the attached or foregoing instrument, having been sworn,  
 declared to the undersigned officer that the Testator, in the pre-  
 sence of the witnesses, signed the instrument as his Last Will,  
 that he signed, and that each of the witnesses, in the presence of  
 the Testator and in the presence of each other, signed the Will as  
 a witness.

20150528000176090 12/13 \$50.00  
 Shelby Cnty Judge of Probate, AL  
 05/28/2015 01:35:52 PM FILED/CERT

Burgess Alfred Thomasson  
 BURGESS ALFRED THOMASSON

W. Tinsley Ellis  
 Witness

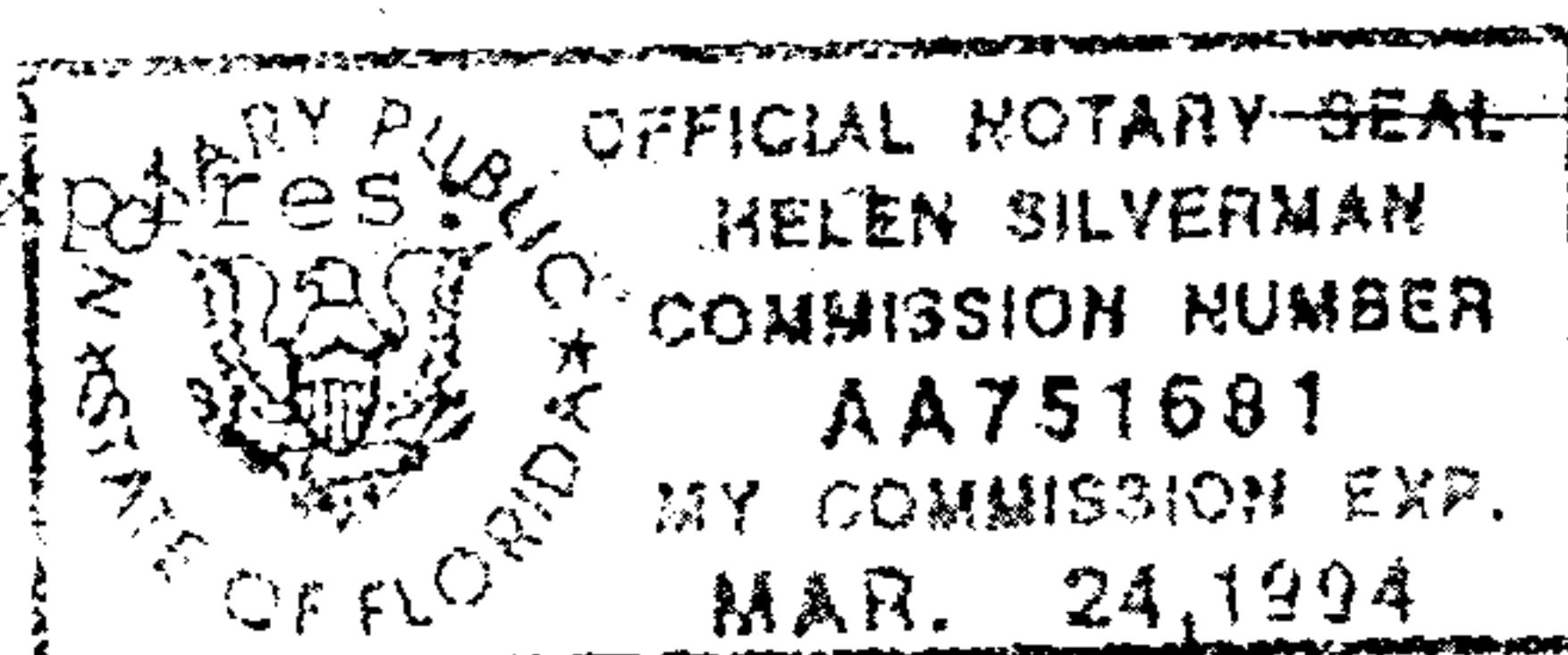
Christine L. Amoroso  
 Witness

Dorothy J. Wiley  
 Witness

SWORN TO AND SUBSCRIBED before me by BURGESS ALFRED  
 THOMASSON, the Testator, and by W. Tinsley Ellis,  
Christine L. Amoroso and Dorothy J. Wiley,  
 the witnesses, on the 8th day of December, 1993, all of whom per-  
 sonally appeared before me. BURGESS ALFRED THOMASSON is personally  
 known to me. W. Tinsley Ellis, Christine L. Amoroso  
 and Dorothy J. Wiley are personally known to me.

Helen Silverman  
 Notary Public  
 Printed name:

My Commission Expires





20150528000176090 13/13 \$50.00  
Shelby Cnty Judge of Probate, AL  
05/28/2015 01:35:52 PM FILED/CERT

STATE OF FLORIDA  
COUNTY OF BROWARD

I DO HEREBY CERTIFY the within and foregoing is a true and correct copy of the original as it appears on record and file in the office of the Circuit Court Clerk of Broward County, Florida, and that same has been duly executed, proven and admitted to probate and record in and for Broward County according to the laws and usages of the State of Florida governing such matters.

WITNESS my hand and Official Seal at Fort Lauderdale, Florida, this is the 16 day of May 20 15,  
Clerk of Circuit County Courts

Deputy Clerk

