

**IN THE MATTER OF THE ESTATE OF
GRACIE HUTCHISON
DECEASED**

**) IN THE PROBATE COURT OF
)
) SHELBY COUNTY, ALABAMA
)
) CASE NO. PR-2013-000069**

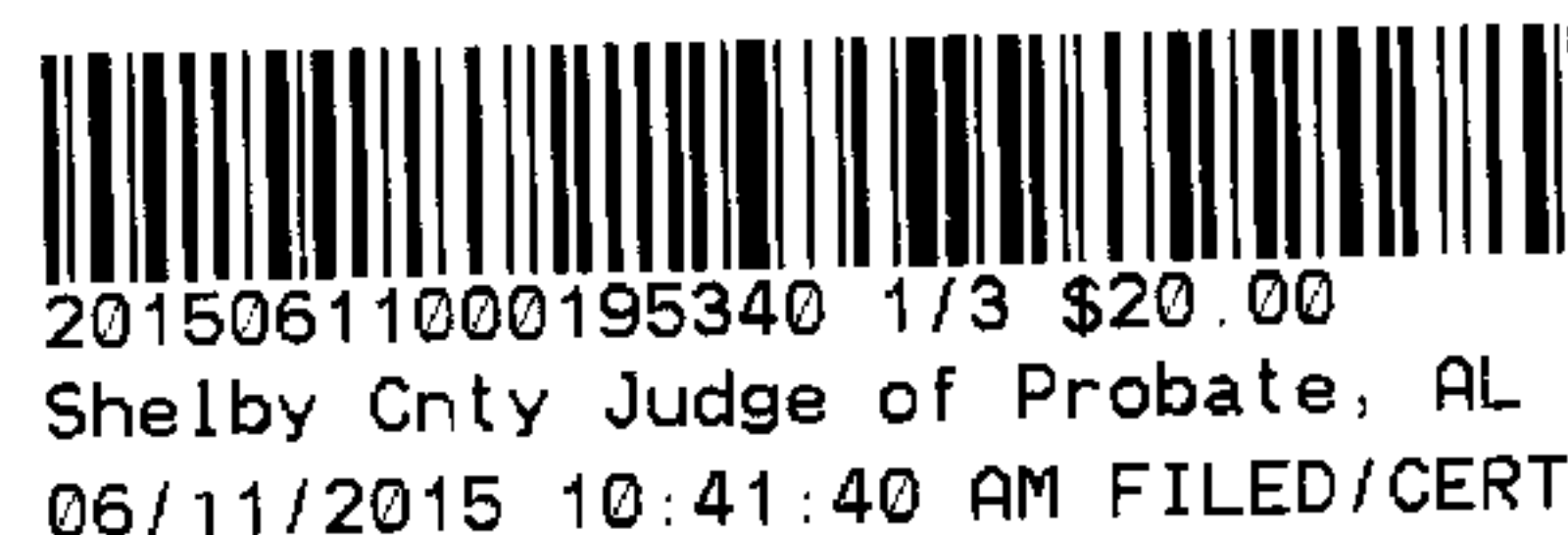
ORDER DETERMINING THE VALIDITY OF CLAIMS

This matter coming on to be heard and submitted for decree upon a Contest Of Claims filed herein on the 24th day of September, 2014 by Shane Caton, as Administrator of the Estate of Gracie Hutchison, deceased, to the claim of John C. Headley, in the amount of \$ 32,700.00, to the claim of John C. Headley, in the amount of \$9,300.00 and to the claim of Patricia Maxwell in the amount of \$28,504.59 which all have been filed against said estate.

It appearing to the satisfaction of the Court that notice of the filing of said contest and of the day set for hearing same was December 1, 2014, has been given said claimants in pursuance of law and now on motion of said petitioner, the Court proceeds to hear the matters and issues raised in this proceeding.

Upon consideration thereof, after hearing argument of counsel, the Court finds as follows:

1. An Order On Final Settlement in the Matter of The Estate Of Gracie Hutchison, an incapacitated person in need of protection Shelby County, Alabama Probate Court Case Number 42-231, was entered by this Court on January 4, 2013 and in that Order On Final Settlement the Co-Conservators, John Headley and Patricia Maxwell were each awarded a Conservator Fee of \$3,250.00 and attorney Gary C. Young was awarded an attorney fee in the amount of \$3,500.00 of which \$1,000.00 was prepaid. Additionally there remains unpaid Court Cost in the amount of \$576.00 which were taxed against the Estate of Gracie Hutchison, deceased. These fees and Court Costs are to be paid by the Estate of Gracie Hutchison, deceased and,



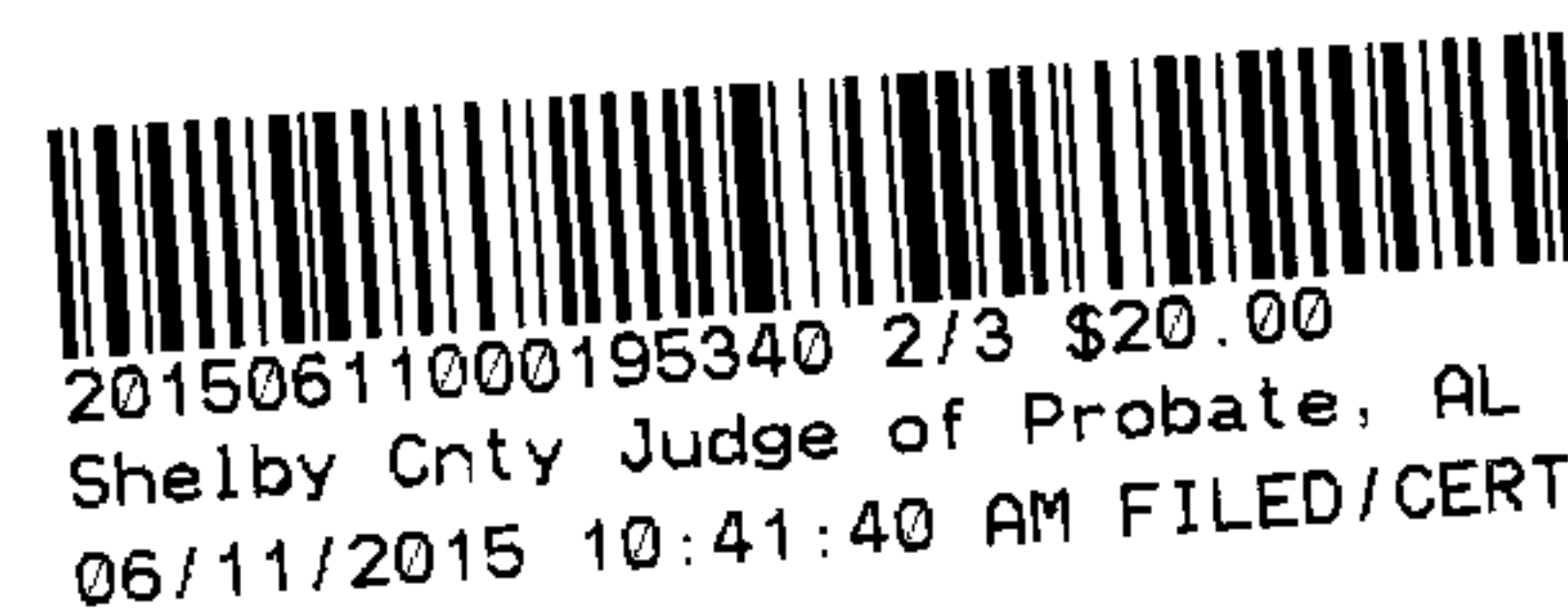
2. Claim of Patricia Maxwell- By agreement of the parties the claim of Patricia Maxwell in the amount of \$28,504.59 is withdrawn and the amount to which Pat Maxwell is entitled from the Estate Of Gracie Hutchison, deceased as the Co-Conservator's fee is the amount of \$3,250.00.

Additionally the Court has been advised that Patricia Maxwell has filed bankruptcy and that Andre Toffel is the Trustee for her case and in said capacity is entitled to all distributions from this Estate paid in respect to any interest of Patricia Maxwell. Payment of the Co-Conservator's fee to Andre Toffel as Trustee for the bankruptcy case of Patricia Maxwell shall satisfy the obligation of the Administrator of the Estate of Gracie Hutchison, deceased for the payment of said fee.

3. Claims of John C. Headley- The claim of John C. Headley in the amount of \$9,300.00 relates to the fees awarded by this Court in the Order On Final Settlement In The Matter Of The Estate Of Gracie Hutchison, an incapacitated person in need of protection which has been addressed in Paragraph 1 of this Order Determining Validity Of Claims.

The claim of John C. Headley in the amount of \$32,700.00 has been partially withdrawn by agreement of the parties and John C. Headley shall be entitled to reimbursement for \$1,000.00 payment to the nursing home when he provides evidence of payment consisting of a cancelled check for the payment, a bill from the nursing home that is was actually billed and confirmation that such nursing home expense was not included in the settlements filed in The Matter Of The Estate Of Gracie Hutchison, an incapacitated person in need of protection.

Additionally John C. Headley is entitled to \$3,250.00 from the Estate Of Gracie Hutchison, deceased for the Co-Conservator's fee awarded him in the Order On Final Settlement described in Paragraph 1 above.



It is therefore ORDERED, ADJUDGED AND DECREED by the Court that the claim of Patricia Maxwell in the amount of \$28,504.59 is withdrawn and is therefore denied. The Claim of John C. Headley in the amount of \$32,700.00 has been partially withdrawn and is hereby denied, provided however John C. Headley may provide evidence that he paid a nursing home bill for \$1,000.00 by submitting a cancelled check for the payment, a bill from the nursing home for the expense and confirmation that such nursing home expense was not included in the settlements filed in The matter Of The Estate Of Gracie Hutchison, an incapacitated person in need of protection and if such evidence is not provided on or before the final settlement of this case then John C. Headley shall not be due reimbursement for payment of said nursing home bill.

It is further ORDERED that that Pat Maxwell is to be paid \$3,250.00, which is to be paid to her Bankruptcy Trustee Andre Toffel, John C. Headley is to be paid \$3,250.00, Gary C. Young is to be paid \$2,500.00 (\$3,500.00 less prepayment of \$1,000.00), the Court Costs from The Matter of The Estate Of Gracie Hutchison, an incapacitated person in need of protection in the amount of \$576.00 are to be paid from the Estate of Gracie Hutchison, deceased and that the costs of this proceeding be taxed against said estate for which execution shall lie.

DONE this the 17 day of March, 2015.



James W. Fuhrmeister
Judge of Probate


cc: Terrill W. Sanders, Esq.
Gregory S. Graham, Esq.
Andre' Toffel, Esq.
Gary Young, Esq.
John C. Headley
Patricia Maxwell

ENTERED AND FILED

MAR 20 2015

KIMBERLY MELTON, CLERK
PROBATE COURT
SHELBY COUNTY, ALABAMA


20150611000195340 3/3 \$20.00
Shelby Cnty Judge of Probate, AL
06/11/2015 10:41:40 AM FILED/CERT

I certify this to be a true and
correct copy 
(1674) 6-11-15 Probate Judge
3 pages Shelby County