

Robert T. Kellogg, M.D.
1325 Wyoming N.E.
Albuquerque, New Mexico 87112

October 10, 2005



Mr. Stuart Stein
Stein Law Firm
2155 Louisiana N.E.
Albuquerque, New Mexico 87110

Re: Bruce Clinesmith
D.O.B. 08-02-1917

The purpose of this letter is to document my observations of your meeting with Mr. Clinesmith and his wife for the purpose of revising his Last Will and Testament. As a Psychiatrist, I was invited by yourself to be an observer to the meeting which was held at the Woodmark at Uptown on August 11, 2005.

Those present initially were yourself, Mrs. Clinesmith, Dr. William Summers, Julie and Linda from your office, and myself. Shortly, Mr. Clinesmith accompanied by a Woodmark attendant entered the room. Mr. Clinesmith shook hands with each person present as you introduced them and identified their role. Mr. Clinesmith was alert, cordial and acknowledged each person by name. Mr. Clinesmith stated that he was saving a special greeting for Mrs. Clinesmith and gave her a kiss. Mrs. Clinesmith was noted to display a sense of humor, was socially appropriate, attentive and interactive. He was wearing a device to augment his hearing. Mr. Clinesmith acknowledged the purpose of the meeting was to change his Last Will and Testament and referred to a previous discussion he had with you and the current objective of reviewing and signing the documents. Mrs. Clinesmith clearly stated his objection to his previous designation of Moody Bible Company as the primary beneficiary to his estate and stated "I want them gone." Mr. Clinesmith objected to the previous designation of his wife as a secondary or minor beneficiary and in addressing his wife stated, "We have always shared equally and that's the way it should be." Mr. Clinesmith told you that Mrs. Clinesmith would be the principal beneficiary of his estate until her death, as well as several of their children would receive amounts in the range of \$250,000. Mr. and Mrs. Clinesmith also designated three charities as residual beneficiaries, namely Salvation Army, The Church of Christ, and Gideon Bible Company. Mr. Clinesmith expressed awareness of the size of his estate to be more than ten million dollars.

The above proceedings were disrupted on two occasions. Approximately ten to fifteen minutes into the meeting, a woman, who I later learned was an employee of Decades, LLC entered the room accompanied by a Woodmark attendant and voiced her objection

to the meeting taking place and insisted the meeting cease. You advised her that she was welcome to observe provided she was not disruptive and that you intended to proceed. The woman sat and began making calls on her cell phone which was noisy and distracting.

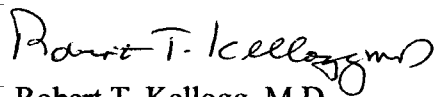
Mr. Clinesmith seemed not to acknowledge her presence and remained focused on yourself and Mrs. Clinesmith. Mr. Clinesmith did appear to have more difficulty hearing due to the increased noise level as he requested several of the questions you were asking be repeated and persisted until he seemed to clearly understand the questions and documents and able to give his response.

Some fifteen minutes to twenty minutes later a second woman arrived who was later identified as a Decades, LLC representative, who also voiced her objections to the meeting and stating that the Judge had indicated that Mr. Clinesmith was not to sign any documents outside the supervision of the court. You again invited this person to observe, not interrupt and that you intended to proceed. The second woman then positioned herself directly behind Mr. Clinesmith and looked over his shoulder at the documents he was reviewing. Dr. Summers then moved to sit next to this person stating that her proximity to Mr. Clinesmith was intimidating and asked that she be less intrusive and allow Mr. Clinesmith his personal space. Again it appeared that Mr. Clinesmith was not phased by this intrusion and remained focused and intent on understanding your questions, seeking repetition when he didn't hear or understand and then have his response.

Near the time that Mr. Clinesmith reviewed and signed the documents you had prepared, more people, who identified themselves as attorneys, arrived and I left the meeting after approximately one hour and discussion among the parties continued.

In Closing, it is my clear impression based on my observations, that Mr. Clinesmith has the capacity to understand the significance of changing the direction of his Last Will and Testament to protect his wife's and his own best interests. I trust these observations will be of assistance to you in representing the best interests of Mr. and Mrs. Clinesmith.

Sincerely,



Robert T. Kellogg, M.D.
Psychiatrist