

DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF DIRECTOR

ACTION REFERRAL

TO <i>Roberts</i>	DATE <i>12-1-14</i>
----------------------	------------------------

DIRECTOR'S USE ONLY	ACTION REQUESTED
1. LOG NUMBER <i>000128</i>	<input type="checkbox"/> Prepare reply for the Director's signature DATE DUE _____
2. DATE SIGNED BY DIRECTOR <i>CC: Liggett, MaKy</i>	<input type="checkbox"/> Prepare reply for appropriate signature DATE DUE _____
<i>* Same as log # 124, just more documentation added.</i>	<input type="checkbox"/> FOIA DATE DUE _____
	<input checked="" type="checkbox"/> Necessary Action

APPROVALS (Only when prepared for director's signature)	APPROVE	* DISAPPROVE (Note reason for disapproval and return to preparer.)	COMMENT
1.			
2.			
3.			
4.			

PATRICIA L. HARRISON
ATTORNEY AT LAW
611 HOLLY STREET
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE (803) 256-2017

FAX (803) 256-2213

November 26, 2014

RECEIVED

DEC 01 2014

Department of Health & Human Services
OFFICE OF THE DIRECTOR

Kenneth P. Woodington, Esquire
Davidson and Lindemann, PA
PO Box 8568
Columbia, SC 29202-8568

Damon C. Wlodarczyk, Esquire
Riley Pope & Laney, LLC
PO Box 11412
Columbia, SC 29211

- Re: 1. Jane Harrison v. Fred Owens, Fourth Circuit, 14-1789
2. Letter dated November 21, 2014

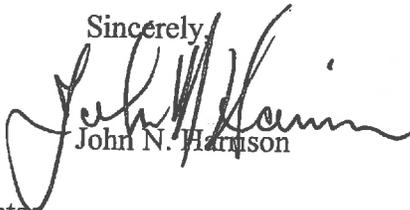
Dear Ken and Damon:

It was my error in not including the attachments referred to in the letter dated November 21, 2014. I apologize for any confusion or inconvenience this might have caused.

Attached is a copy of the letter dated November 21, 2014, for your reference, along with the following:

- (1) Affidavit of Patricia White
- (2) Affidavit of Dr. Lovelace
- (3) Declaration of Lennie Mullis along with her Visitor's Report

Sincerely,


John N. Harrison

Attachments

c: Jane Harrison Wecker
Anthony Keck
George Maky
Representative Walt McLeod
Pat White

PATRICIA L. HARRISON
ATTORNEY AT LAW
611 HOLLY STREET
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE (803) 256-2017

FAX (803) 256-2213

November 21, 2014

Kenneth P. Woodington, Esquire
Davidson and Lindemann, PA
PO Box 8568
Columbia, SC 29202-8568

Damon C. Wlodarczyk, Esquire
Riley Pope & Laney, LLC
PO Box 11412
Columbia, SC 29211

**Re: Jane Harrison v. Fred Owens
Fourth Circuit, 14-1789**

Dear Ken and Damon:

We are requesting a status report on the pending application for the licensing of the home of Jane Wecker Harrison as a CTH I. UCP filed with DDSN an application to license her home on or about November 26, 2013. Ms. Harrison completed all of the required training and she obtained all necessary inspections of her home so as to be licensed as a CTH I. According to the information provided to me, the only reason given by DDSN for not completing the processing of her application was the pending lawsuit against Tana Vanderbilt, Sam Davis, Andy Laurent and DDSN. If there is some other reason why the application to license Ms. Harrison's home as a CTH I has not been processed in the normal course of business, please share those reasons with us.

We are requesting that you proceed promptly to process the application for licensure of Ms. Harrison's home as a CTH I operated by UCP so that arrangements can be made for Ms. Makins to return to live there. I am attaching affidavits signed by Ms. Makins' guardian, the statement of Dr. Lovelace, and the report of the psychological services provider who was appointed by the Probate Court to examine Ms. Makins (also the affidavit this provider signed after Newberry DSN filed new allegations that Jeannie's current CTH I provider abused another consumer).

DDSN terminated the license of Ms. Harrison's CTH I after then director Laurent assured us that her CTH I license had not been terminated and that she would be provided with an opportunity for a hearing before her license was terminated. Of course, that opportunity for due process was never provided. DDSN terminated the license based on the grounds that the

Newberry DSN Board decided to terminate the license.

We have offered to dismiss Ms. Vanderbilt and Sam Davis as defendants in the pending lawsuit once the requested CTH I license application is approved. Please confirm that this offer has been conveyed to the individual defendants. We would also be willing to discuss a resolution of all of the allegations Ms. Harrison has made related to retaliation for disclosing information about the rape of Ms. Makins and Ms. Vanderbilt's involvement in resolving that pregnancy, with both sides neither admitting nor denying the allegations.

We would also like to put on the record our offer to settle all pending claims against all state agencies and individual defendants for a total of \$300,000.00; in addition to the relicensure of Ms. Harrison's home as a CTH I. Please confirm for me that this offer has also been conveyed to all persons named individually in the Amended Complaint. Damon, although, DHHS and its director have not been named as defendants in the pending case, please advise them that we will likely be filing a new complaint for retaliation resulting from its agent, DDSN, refusing to process the 2013 application. Since DHHS is responsible for the administration of the waiver program, it may be necessary to include DHHS and its director as defendants in that new litigation.

This offer will remain on the table until December 12, 2014.

Sincerely,



Patricia Logan Harrison

Attachments

c: Jane Harrison Wecker
Anthony Keck
George Maky
Representative Walt McLeod
Pat White

Exhibit 33

Affidavit of Patricia White

STATE OF SOUTH CAROLINA

DECLARATION OF PATRICIA WHITE

COUNTY OF LEXINGTON

Now comes Patricia White, who swears and affirms:

1. I was appointed by the Greenwood County Probate Court as guardian for the person named in this lawsuit as "Sarah Doe" in a proceeding filed by Jane Wecker Harrison (hereinafter "Jane").
2. Sarah's aunt filed a competing petition asking the probate court to appoint her as Sarah's guardian, but when the aunt was deposed, she admitted that she did not really want to serve as Sarah's guardian and she agreed to my being appointed as an independent guardian.
3. During that deposition, Sarah's aunt testified that she petitioned the probate court to be named as Sarah's guardian after she was contacted by an attorney in Greenwood, but she did not know how much her attorney was being paid or who was paying for legal services, and she testified that she had not paid for filing the petition or for any legal services.
4. Prior to my appointment as Sarah's guardian, I had never met her, Jane or Sarah's aunt and I am not receiving any payment for serving as Sarah's guardian.
5. I have not been paid by anyone for providing this statement.
6. For a while after my appointment, Sarah's aunt continued to visit her, but it became increasingly apparent to me that it would be in Sarah's best interest for her to return to live with Jane. Consequently, her aunt informed me on several occasions that she was totally washing her hands of Sarah after I requested court approval to move her from the Burton Center back to Newberry, where her friends and Jane could have more contact with her and she would live in a less restrictive setting than a group home.
7. I was aware of the allegations that the director of the Newberry DSN Board had made about Jane, so I was very cautious in allowing Sarah to be in her presence.
8. Jane complied with my requests that she only visit Sarah when I was present until I gave her permission to have unsupervised visits.
9. The first time that Sarah saw Jane was more than a year after she had been removed from Jane's home.
10. When Sarah first saw Jane, she ran into Jane's arms and was so happy to see her and this has been Sarah's reaction to Jane's visits in the numerous times when I have observed them together.

11. I have come to believe that Jane truly loves Sarah and that Sarah truly loves Jane and that they should be reunited.
12. At no time have I observed Sarah exhibiting any fear or anxiety in the presence of Jane. On the contrary, Sarah is always thrilled to see Jane and I have not seen her have such a warm relationship with any other person.
13. Jane is always thinking about what activities that they can do when they are together and this care and concern for Sarah has not waned, despite the delays in getting Sarah returned to Jane's home.
14. Sarah can be indifferent to other people, but she will pick Jane out in a crowd of people and will go directly to her.
15. I felt that Sarah had limited opportunities to socialize with non-disabled persons at the Burton Center and that she was not being integrated into the community the way she was when she was living in Newberry. Also, I had difficulty obtaining information about how Sarah's Social Security benefits were being spent. After Sarah left the Burton Center, I received a letter from the Social Security Administration stating that Sarah had been overpaid by \$2,000 while at the Burton Center. The \$2,000 is now being repaid by monthly deductions.
16. Sarah gained a tremendous amount of weight at the CTH II and she did not appear to be getting much exercise.
17. On her visits with Jane after my appointment as guardian, Sarah and Jane were always "on the go" and Jane provides her with frequent opportunities to interact with non-disabled persons in the community.
18. I put a tremendous amount of thought and prayer into my decision before asking the Court to order that Sarah be moved to a CTH I in Newberry, but she would have lost her CTH I slot had she moved directly into Jane's home.
19. Because of the allegations that had caused the removal of Sarah from Jane's care, I had to find another CTH I and I moved her to that facility in Newberry, pursuant to a probate court order.
20. Sarah was moved in July into the CTH I where she had received respite when she was living with Jane.
21. I have arranged for Sarah to attend an adult day health care program in Lexington and she is very happy attending this program. It gives me assurance that her needs are being met to have this supervision during the day. They are very active in this program and Sarah loves to participate. The program provides only healthy foods.

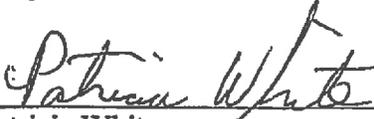
22. About a week after Sarah moved into this home, Newberry DSN Board made an allegation to SLED accusing the new CTH I caregiver of psychologically abusing another consumer in her care.
23. I kept Sarah in my home while this investigation was being conducted.
24. The allegations that Sarah's CTH I provider had psychologically abused her house mate concerned me, so I asked DDSN psychological services provider, Lennie Mullis, who had previously been appointed by the probate court as Visitor in the guardianship proceedings, to evaluate Sarah at my home, as she had done when Sarah was moved to Ware Shoals.
25. No one else was present when Ms. Mullis evaluated Sarah in my home.
26. When I was informed that Newberry DSN Board's allegation of abuse was not substantiated by SLED, I allowed Sarah to return to this CTH I facility, with Sarah having overnight visits with Jane.
27. Then, I was present when Lennie Mullis met with Jane and Sarah together on October 1, 2013.
28. To my knowledge, Ms. Mullis had never before met or spoken to Jane before this meeting.
29. Ms. Mullis was in the lobby with Sarah when Jane came out of a meeting with UCP staff.
30. Ms. Mullis saw how happy Sarah was when Jane came into the lobby.
31. Sarah has become comfortable with me now when I visit her or have her visit in my home, but the reaction she has when she sees Jane is not like any other I have witnessed.
32. There is an extremely close emotional bond between Jane and Sarah and I believe that it would be in her best interest to return to live with Jane.
33. United Cerebral Palsy agreed to apply for Jane to be licensed as a CTH I provider and they told us what the requirements are to be licensed.
34. Jane has successfully completed all of the classes except one, which she will complete in the next few weeks and she has spent a great deal of time arranging to have the necessary inspections.
35. Jane provided a clean SLED report and TB test and has provided all of the other necessary documentation to become a CTH I provider.
36. Although the application to license Jane's home has been pending at DDSN for more

than three months, UCP recently informed me that DDSN has refused to process her application because this lawsuit is pending.

37. I did not know Sarah or Jane when Sarah was removed from Jane's home, but I have personally witnessed the heartbreak that Jane has suffered on all the delays caused by DDSN in getting her license restored.

38. I would appreciate the opportunity to testify in this case, because it is impossible to express on paper why the happiness and well being of both Sarah and Jane is being affected by the efforts of the State to keep them apart for no good reason.

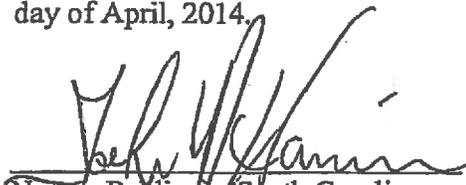
I have read this statement, consisting of 4 pages, and I swear and affirm that it is correct to the best of my knowledge and information.



Patricia White
Guardian for "Sarah Doe"

April 17, 2013

Sworn to before me on this 17th
day of April, 2014.



Notary Public for South Carolina
My Commission Expires 08-14-2017

Page 4 PW

Exhibit 14

Affidavit of Dr. Lovelace

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)

AFFIDAVIT OF OSCAR F. LOVELACE, MD

Now comes Oscar F. Lovelace, MD who swears and affirms:

1. I graduated from the Medical University of South Carolina and completed my residency at the University of Virginia.

2. I am licensed to practice medicine in the State of South Carolina.

3. I established the Lovelace Family Medicine Practice in Prosperity, South Carolina in 1988 and have since served as the senior physician in that practice.

4. I was appointed by Governor Mark Sanford as Chairman of his Health Care Task Force in 2003, which reviewed and made recommendations for making changes in the delivery of medical services to poor and disabled persons throughout the State.

5. Lovelace Family Medicine Practice was named the Rural Practice of the Year in 1996 by the State Office of Rural Health.

6. I was named as Physician of the Year by Wellspring in 1998.

7. I was selected to be a member of nationally recognized Best Doctors in 2007 - 2009.

8. I was named as Physician of the Year by the South Carolina Department of Health and Environmental Control in 2005 for the Midlands Health District.

9. Lovelace Family Medicine Practice was named the Outstanding Teaching Practice of the Year in 2006 for the South Carolina Area Health Education Consortium for our work in training medical students in family medicine.

10. Many of the patients I see in my practice are Medicaid recipients who are poor, elderly or disabled.

11. I have treated Jane Wecker and the ladies who have disabilities who have lived in her home for many years.

12. Based on my personal knowledge from regular medical visits to my office, I have found Ms. Wecker to be a caring and attentive caregiver to these ladies who has been attentive to their physical and psychological needs.

13. The ladies in her care have exhibited a strong emotional attachment to Ms. Wecker during their visits to my office.

14. None of the physicians or nurses in my practice have ever noticed any evidence of neglect or abuse of these ladies, on the contrary, we have all been impressed with the close attention Ms. Wecker pays to their health and well being.

15. I believe that there would have been physical evidence of bruising or fearful behavior by these ladies if Jane Wecker had been abusing them.

16. I have been informed that an investigation was initiated by the Director of the Newberry County Disabilities and Special Needs Board based on one of these ladies taking moldy bread to the Newberry Disabilities and Special Needs workshop.

17. If this individual had eaten moldy bread ^{it is very unlikely *of course*} she would have suffered ~~as~~ serious medical harm.

18. ^{In fact this *Other*} individual's health and safety were not endangered by the incident of taking moldy bread to the Newberry County Disabilities and Special Needs workshop.

19. My staff and I have found the two ladies who live with Ms. Wecker to be well nourished and all indications suggest that Ms. Wecker provides healthy and wholesome foods.

20. I believe that these ladies were at risk of psychological harm by removing them from the home of Ms. Wecker because of their close emotional bond to her.

21. Because of their limited mental capacity, these ladies may be subject to pressure from third parties to make allegations that are not true.

22. I have not been contacted by anyone other than Ms. Wecker about these individuals being removed from her home or whether eating moldy bread would endanger the health of a consumer of South Carolina Department of Disabilities and Special Needs services.

23. In my opinion, it was not in the best interest of these ladies to be removed from this home.

24. It was foreseeable that Ms. Wecker would suffer emotional and physical harm from these ladies being removed from her care.

Further affiant sayeth not.



Oscar F. Lovelace, MD
Lovelace Family Medical Practice
Prosperity, South Carolina

SWORN TO BEFORE ME ON
THIS 25th DAY OF JUNE, 2009.

Ruidera M Kinard
Notary Public for South Carolina
My Commission Expires: *May 4, 2016*

STATE OF SOUTH CAROLINA

DECLARATION OF LENNIE S. MULLIS

COUNTY OF LEXINGTON

Now comes Lennie S. Mullis, who swears and affirms:

1. I am a certified provider of psychological and behavioral support services for persons receiving services from the Department of Disabilities and Special Needs (DDSN).
2. I received my bachelor's degree in 1980 from Northeastern University and my master's degree in 1985 from Francis Marion College in: *FSM*
3. I received my LPCI certification in 2012.
4. I served as the Director of the Lancaster County Disabilities and Special Needs Board for 7 years before becoming a provider of psychological and behavioral support services for DDSN consumers.
5. When I was the Director of the Lancaster DSN Board, before the special victims unit was established at SLED and before the Ombudsman was investigating complaints of abuse and neglect at DSN facilities, the Boards performed their own investigations of allegations of abuse or neglect in DSN facilities.
6. I received training from DDSN in the investigation of allegations of abuse, neglect and exploitation as the Director of the Lancaster DSN Board.
7. In 1994, I became a certified provider of psychological and behavioral support services for persons who receive DDSN services and now I provide these services for DDSN consumers in 7 counties of South Carolina as a private provider.
8. I have been appointed as Visitor by several probate courts in South Carolina and I was appointed by the Newberry Probate Court as Visitor in the guardianship proceedings for the two consumers Fred Owens removed from the CTH I that was operated by Jane Wecker Harrison. Exhibit 1.
9. When I arrived on October 26, 2009 at the CTH II where Sarah Doe had been placed in Ware Shoals, I showed the staff there my court order and I was allowed to visit with Sarah and to inspect the home. Exhibit 2. Visitor's Report.
10. I found Sarah to be dressed neatly, and she was well groomed and the home was in good condition.
11. Sarah seemed to get along with the staff at the facility, but she appeared to be somewhat indifferent to the staff and the other consumers in the home.

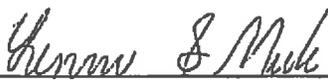
LSM

12. Sarah indicated that she knew Jane Wecker Harrison, but she did not understand the concept of guardianship, but she did not express any objection to Jane Wecker Harrison being involved in her care or becoming her guardian.
13. When I asked Sarah about Jane Wecker Harrison, Sarah showed no signs of fear or anxiety, but she was not able to answer my questions about having a guardian appointed.
14. Having also been appointed by the probate court as the Visitor in the guardianship proceedings for Sally Doe, I attempted to visit the CTH II in Newberry where she had been placed by Fred Owens when she was removed from the home of Jane Wecker Harrison.
15. When I provided the staff at that CTH II facility with the court order appointing me as Visitor, there was great commotion and they would not allow me see Sally or to inspect the home, as I had been ordered by the court to do.
16. Sally's cousins had been called by the staff and they would not allow me to meet with her.
17. About a week after Sarah was removed by probate court order from the CTH II in Greenwood in July of 2013, her guardian informed me that Newberry DSN had filed another complaint with SLED.
18. This time, Newberry DSN Board reported that the new CTH I caregiver in Newberry, who now provides these services through United Cerebral Palsy (UCP), had psychologically abused another consumer in her home.
19. The allegation the Newberry DSN Board made was that the new CTH I caregiver psychologically abused the other consumer in her care.
20. While the allegations that Newberry had made against this CTH I caregiver were being investigated, her guardian removed Sarah from that facility and she was keeping her in her own home in Lexington, pending the results of the investigation.
21. Since I had previously been appointed by the probate court, Sarah's guardian asked me to evaluate Sarah to determine if she appeared to have been abused or neglected in this new CTH I caregiver's facility to determine whether it would be necessary for her to remove her from that facility.
22. I met with Sarah at the guardian's home in Lexington and I did not observe any indicators of abuse or neglect in her behaviors.
23. Sarah was pleasant and cooperative and she showed no signs of being depressed, fearful or anxious.

U&M

24. Sarah was again well dressed and groomed and she appeared to be very happy and comfortable staying in the home of the guardian.
25. Sarah had gained a tremendous amount of weight since I met with her in 2009 in Ware Shoals at the Burton Center CTH II.
26. I did not observe any signs that indicated to me that Sarah had been subjected to abuse or neglect in the new CTH I home.
27. After Sarah was returned to the home of the new CTH I caregiver when the investigation was completed, I again observed her, this time at the offices of United Cerebral Palsy (UCP) on October 1, 2013.
28. I was able to observe Sarah in the presence of her new CTH I caregiver and she appeared to be comfortable with her.
29. Sarah's guardian was present and she again seemed to be comfortable with her guardian.
30. I had never met or spoken to Jane Wecker Harrison until October 1, 2013, but when Ms. Harrison entered the room, Sarah was elated to see her and she ran to Jane and gave her a big hug.
31. Sarah's reaction to Ms. Harrison was different from her behaviors when I met with her at Ware Shoals and at the guardian's home and it was obvious that there was great mutual affection between Sarah and Ms. Harrison which I had not observed when she was with any other person.
32. When we left UCP, Sarah was taken to Hope Bridge, a day program she will be attending.
33. Sarah immediately joined in the activities at Hope Bridge and she appeared to be very comfortable there.
34. I have now met with Sarah on three occasions in three different settings and it is my opinion that there is no basis for the allegations that Jane Wecker Harrison abused or neglected her.

I have read this statement, consisting of 4 pages, and I swear and affirm that it is correct to the best of my knowledge and information.

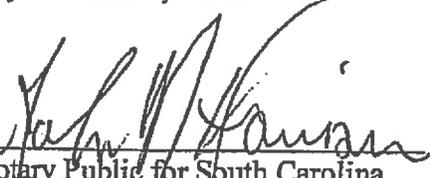


Lennie S. Mullis

October 7, 2013

LSM

Sworn to before me on this 7th
day of October, 2013.


Notary Public for South Carolina
My Commission Expires August 14, 2017

WJH

STATE OF SOUTH CAROLINA

PROBATE COURT

COUNTY OF NEWBERRY

IN THE MATTER OF CAROLYN JEAN MAKINS

CASE NUMBER 2009 CC 36 00015/16

ORDER TO SEND VISITOR

COPY

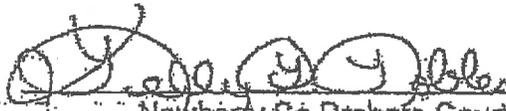
FILED
2009 SEP 28 AM 11:00
CLERK OF COURT
NEWBERRY COUNTY

IT IS HEREBY ORDERED that Lennie Mullis, who is trained in (check as appropriate),

- law
- nursing
- social work

be sent as visitor to the place where the allegedly incapacitated person resides to observe conditions and report in writing to the Court (Form #531PG) prior to the hearing date.

Executed this 10th day of October, 2009.



 Lennie Mullis
 Newberry Co. Probate Court Judge

Exhibit 1

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

PROBATE COURT

IN THE MATTER OF CAROLYN JEAN MAKINS

CASE# 2009 GC 36 00015/16

VISITOR'S REPORT

The undersigned court-appointed visitor in this guardianship proceeding submits the following report concerning the investigation which I conducted pursuant to Section 62-5-303 of the South Carolina Probate Code. In my visit to the place where the allegedly incapacitated person resides, I observed the following.

B.O. 5-2-67

REPORT ON THE INCAPACITATED PERSON

1. Date and place of interview:

Manday, Oct. 26, 2009 4:00

2. Oriented as to the time and place? YES NO

Jean Makins was not aware of the current date. Jean Makin was aware that she was living in a "home."

3. Physical Appearance:

Jean was dressed neatly in a pair of jeans and a shirt. Jean's hair was combed and styled.

4. Who are his/her closest family members? N/A

5. Does he/she have a doctor? NO YES If yes, please list the doctor's name, address, and phone number.

6. Does he/she have an attorney? NO YES If yes, please list the attorney's name, address, and phone number.

7. Does he/she feel he/she needs help caring for himself/herself? NO YES If yes, in what areas?

Jean requires assistance with bathing, i.e. adjusting water temperature, food preparation, i.e. cooking and microwaving, and being transported to appointments.

8. Would he/she like help in caring for himself/herself? YES NO

9. Does he/she know the proposed Guardian? YES NO

10. How does he/she feel about having that person appointed as his/her guardian?

11. Does he/she feel any of the guardian powers or duties should be limited or restricted in any way? If so, how?

No, Jean did not state any restriction by a guardian, as she has limitations of understanding restriction for guardian.

12. How does he/she feel about the proposed guardianship?

Jean has a limited understanding of the many purposes of guardianship.

13. How does he/she feel about the proposed scope and duration of the proposed guardianship?

Jean has a limited understanding of scope and duration of the proposed guardianship.

REPORT ON THE PROPOSED GUARDIAN

1. Has an adult protective service case or family management case ever been opened on this person? NO YES
If yes, please explain.

If yes, does the DSS record reveal anything you believe the court should know? NO YES If yes, please explain.

2. Does your investigation of the proposed guardian reveal anything that you believe the court should know? NO
 Yes if yes, please explain.

3. Does your investigation reveal any other person who should be considered to be appointed the guardian in this matter? NO YES If yes, please explain, including name, address, telephone, age, and relationship to allegedly incapacitated person.

REPORT ON CONDITION OF PRESENT PLACE OF RESIDENCE

1. Date and time visited:

Monday, Oct 20, 2009 4:00p

2. Address (include street, city, county, state, zip):

3. Type of abode: Brick HUD Home, 32 Saluda Ave., Ware Shoals, S.C.

4. Condition:

- a. exterior: - Excellent - Brick HUD Home - 2 years old
- b. interior: - Excellent - New interior, free from obstacles, 2 exit/entrances
- c. utilities working: - Excellent central heating and air
- d. cleanliness: - Excellent
- e. fire hazards: - There were no fire hazards observed in hallways or exit/entrance areas.
- f. other (explain):

CONCLUSIONS AND ADDITIONAL COMMENTS:

Prior to your visit, did you know the person who is alleged to be incapacitated? NO YES If yes, please explain.

Prior to your visit, did you know the person who is seeking appointment? NO YES If yes, please explain.

or to your visit, did you or do you now have a personal interest in these proceedings? NO YES If yes, please explain.

Executed this 15th day of December 2009.

Signature: *Louise S Mullis*
Name: Louise S Mullis