

**IN THE DISTRICT COURT OF JOHNSON COUNTY, KANSAS
PROBATE COURT DEPARTMENT**

**In the Matter of the Guardianship and
Conservatorship of:**

THOMAS J. PRICE, JR., an impaired adult.

**Case No.
Division 8
Chapter 59**

**PETITION FOR APPOINTMENT GUARDIAN AND CONSERVATOR
FOR AN ADULT WITH AN IMPAIRMENT**

COMES NOW, Teresa Kuhn, Petitioner, and alleges:

1. My address is 7805 Alden Road, Lenexa, Kansas 66216.
2. The name, age, residence, present whereabouts and permanent address of the

proposed ward and conservatee as known to me are:

NAME:	Thomas J. Price, Jr.
AGE:	86
YEAR OF BIRTH:	1936
PRESENT WHEREABOUTS:	15329 S. Lone Elm Road, Apt. 322 Olathe, KS 66061
PERMANENT RESIDENCE:	15329 S. Lone Elm Road, Apt. 322 Olathe, KS 66061

3. The places where the proposed ward and conservatee has lived during the last five years and the names and present addresses of the persons with whom the proposed ward and conservatee has lived during that period are: 34600 W. 135th Street, Olathe, Kansas 66061.

4. The name, address, and circumstance of any person or agency having custody or control of the proposed ward and conservatee, to the extent known are: proposed ward and conservatee is not presently under the custody of any other person or agency.

5. I believe the proposed ward and conservatee is an adult with an impairment in need of a guardian. The facts upon which I base my belief are: The proposed Ward had been given a

referral to see a doctor for a dementia and Parkinson's screening just prior to the events of the last month that led to the filing of this action (see medical exhibit A and the first few sentences). Petitioner understands those appointments have all been cancelled and is unaware if the proposed Ward has seen any of his other medical providers. Petitioner was advised there is a strong likelihood the proposed Ward has Parkinson's and early and immediate treatment is imperative. Additionally, Petitioner regularly filled the pill boxes for the proposed Ward and monitored his medications. Since the events outlined below over the last month, the proposed Ward refuses to see or communicate with the Petitioner.

Concurrent with the referral for dementia screening and likelihood of a Parkinson's diagnosis about one month ago, on August 23, 2022, Thomas Price, III (the son of the proposed Ward and brother of the Petitioner), went to the proposed Ward's Edward Jones agent and requested a withdrawal from his account in the amount of \$3.5 million. Petitioner has since been advised the purpose of the withdrawal was for a gift. Edward Jones and their agents, particularly the local agent who has worked with the proposed Ward for many years, would not disburse the funds, froze the account, have opened their own investigation and have referred their concerns to protective services. Edward Jones references in the letter attached hereto as Exhibit B, "the facts and circumstances surrounding this request have raised concerns." (See Exhibit B, letter to Teresa Kuhn from the Field Supervisor with the Edward Jones Senior Client Team). Undersigned counsel has had conversations with Edward Jones regarding the transfer and been advised the account was frozen due to concerns about financial exploitation.

Since the event at the Edward Jones office whereby the proposed Ward's account was frozen, the proposed Ward has refused to communicate with or see the Petitioner because he believes the reason Edward Jones did not distribute his funds was because the Petitioner took them

or has stolen them. The proposed Ward has told Petitioner he never wants to see her again. Petitioner did not steal the proposed Ward's funds, Edward Jones froze the account because they had concerns his request to withdraw the funds was made as a result of financial exploitation, presumably by the proposed Ward's son who was with him when made the request.

Temporary orders are necessary for the Petitioner to follow up with the medical providers of the proposed Ward and work to commence treatment and care for dementia and/or Parkinson's disease immediately, to ascertain if the proposed Ward has been taking his medications in the time frame since he has been advised the proposed Ward stole from him and to otherwise help manage his medical care. Temporary orders are further necessary to determine if additional funds have been withdrawn from elsewhere and protect and preserve the estate of the proposed Ward for his long term needs and care.

6. The names and addresses of the proposed ward and conservatee's spouse, adult children, adult grandchildren, parents, and adult siblings to the extent known are:

NAME	RELATIONSHIP	ADDRESS
Teresa Kuhn (Terri)	Daughter	7805 Alden Road Lenexa, KS 66216
Thomas J. Price, III (Jeff)	Son	Unknown
Stacey Bennett	Granddaughter	915 W. 79 th Street, Apt. 82 Overland Park, KS 66204
Kelley McLees	Granddaughter	4133 Mirrasou Ct. Franklin, TN 37067
Megan Price	Granddaughter	8113 W. 85 th Street Overland Park, KS 66212

7. To the extent known, after diligent inquiry, Teresa Kuhn was nominated by the proposed ward and proposed conservatee to act on his behalf as agent pursuant to proposed ward and proposed conservatee's Durable Financial Power of Attorney dated February 9, 2018 and Health Care Power of Attorney dated June 20, 2008 and as Co-Trustee under the Third Amendment

to the Thomas J. Price, JR and Helen J. Price Trust dated April 6, 2015.

8. The involvement of the proposed ward and conservatee in court proceedings to the extent known is: None

9. The general type, location, probable value and income of the real and personal property of the proposed ward and conservatee's estate are:

TYPE	DESCRIPTION	ESTIMATED VALUE	PROBABLE ANNUAL INCOME
Checking/Savings Accounts	Enterprise Bank & Trust	Unknown	Unknown
Investment Accounts	Edward Jones	\$7,000,000.00	Unknown

10. The names and addresses of witnesses by whom the truth of this petition may be proved:

NAME	ADDRESS
Deb Beckwith, Director	Cedar Lake Village, 15325 S. Lone Elm Road, Olathe, KS 66061
Megan Anders	Cedar Lake Village, 15325 S. Lone Elm Road, Olathe, KS 66061
Dawn Brewer	Cedar Lake Village, 15325 S. Lone Elm Road, Olathe, KS 66061

11. Teresa Kuhn, residing at 7805 Alden Road, Lenexa, Kansas 66216 is a fit and proper person to be appointed guardian and conservator of Thomas J. Price, Jr.

12. Teresa Kuhn has no personal or agency interests that may be perceived as self-serving or adverse to the position or best interests of the proposed ward.

13. This Petition is not accompanied by a report of an examination and evaluation; therefore, the Court should order an examination and evaluation pursuant to K.S.A. 59-3064.

WHEREFORE, the petitioner requests that the court.

1. Determine by clear and convincing evidence that Thomas J. Price, Jr. is an adult with an impairment in need of a guardian and conservator.

2. Appoint Teresa Kuhn as guardian and conservator of Thomas J. Price, Jr.

3. Issue the following:

A. An order fixing the date, time and place of the trial on the petition.

B. An order that the presence of Thomas J. Price, Jr. is not required because it would be injurious to the person's health or welfare and the impairment of Thomas J. Price, Jr. is such that the proposed ward could not meaningfully participate in the proceedings.

C. An order appointing an attorney to represent Stacey L. Janssen at all stages in this proceeding to final determination of the petition and any appeal therefrom.

D. An order fixing the date, time and place that is in the best interest of Thomas J. Price, Jr. to consult with the court appointed attorney with such consultation to be scheduled to occur not later than five (5) days prior to the scheduled trial on the petition and, if an additional examination and evaluation is ordered by the court, then request is made for the consultation to be scheduled to occur prior to the time of the examination and evaluation.

E. Notice in the manner provided by K.S.A. 59-3066 and amendments thereto.

F. An order that Thomas J. Price, Jr. submit for an examination and evaluation pursuant to K.S.A. 59-3064.

I declare under penalty of perjury under the laws of the state of Kansas that the foregoing is true and correct. Executed on 10/5, 2022.



Teresa Kuhn, Petitioner

SUBMITTED BY:

/s/ Michelle M. Burge

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