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Hon. Thomas Sachse
ANDERSON & BYRD, LLP
216 South Hickory
P.O. Box 17
Ottawa, Kansas 66067
Via: TSachse@andersonbyrd.com

Re: In the Matter of the Guardianship and Conservatorship of Thomas J. Price – Case No. 22GC00224

Dear Judge Sachse:

Thank you for agreeing to be a mediator in the above matter. Please consider this letter to be the mediation statement of Thomas J. Price, Jr., the Proposed Ward and Conservatee.

I represent Thomas J. Price, Jr., who will turn 87-years of age a few days after the mediation, on February 7, 2023. Mr Price tells me he worked all his adult life at the Proctor and Gamble factory in Kansas City, Kansas. His wife of 60 years died in 2017. He lives at Cedar Lake Village in Olathe in his own apartment. He will soon be moving to Assisted Living. I am told his assets are between \$7 – 8 million, although, I have not personally verified that fact.

I am a retained attorney because Mr. Price became frustrated with his court-appointed attorney who he felt was not returning his telephone calls or advocating for him strongly enough.

This is a matter brought by his daughter, Teresa Kuhn, who contends that he is an adult with an impairment (dementia), and needs a guardian and conservator.

Also involved is his son Jeff (Thomas J. Price, III), who has a close relationship with his father, but apparently does not have a good relationship with his sister.

Teresa has brought this action, but in my opinion, does not have strong medical evidence. No actual doctor's report has been provided; just some testing notes, which are inconclusive. (Mr. Price now believes that his daughter may have surreptitiously taken him to get tested for purposes of bring this action. I do not know if this is accurate or not.) Unfortunately, from preliminary hearings, it appears that Judge Droege has already concluded that he is an adult with an impairment. Mr. Price and I must be cognizant of that in this mediation. The Court has recently appointed a

Guardian Ad Litem for Mr. Price. I believe the Court wishes for the Guardian Ad Litem to ascertain and opine what is in Mr. Price's best interests.

Tom has a long standing relationship with Dr. Martin J. Schermoly, M.D. Dr. Schermoly's reports are provided. I have been told he will testify favorably on behalf of Tom at the trial of this matter. (I also believe he may have checked a box wrong on the form, which we can discuss at the mediation.)

Judge Sachse – you can meet and talk to Tom, and attempt to draw your own conclusions of his capacity and abilities.

I am convinced that, while he has some minor issues easily stating his thoughts, that he does get his thoughts out, and in my opinion he is competent, or otherwise I would not have taken on this representation.

I believe that Tom, working with Jeff as a Power of Attorney, will be an outstanding result for Tom and fits best with his desires.

Jeff Price is a strong personality, who can easily rub someone the wrong way. He can be aggressive and abrasive.

But, the reality is that he cares for his father and is close to his father. More importantly, Tom Price enjoys his son, trusts his son, and they have a good relationship. (I am convinced of this, and believe he can convince you and the Court also.) Tom feels like Jeff, and he can work well together.

On the other hand, he now distrusts his daughter. Tom says, "I don't know if I can forgive her." He is angry and upset over this Court matter. It has stressed him. He is hurt by what he feels are lies told by his daughter. He also feels that she has not put in the effort to help him like his son has.

I am confident that Teresa as a Guardian and Conservator would be a disaster as Tom would not work with her.

Are Tom's feelings about Teresa as a result of Jeff negatively influencing him? I have endeavored to flush that out, and do not think it is so. You can talk to him and come to your own conclusions.

Mr. Price's strongest wishes are that he not have a guardian and conservator. He is a private person and does not want all of this Court "nonsense".

His ideal resolution from this would be the dismissal of the case, and let him get the help he needs from his son, Jeff, using the Powers of Attorney.

He would be fine somehow satisfying his daughter that his money is safe, if that is her concern.

(He consistently asks me: "What does she want?" meaning, why did she bring this legal action. I am hoping that can be answered as a part of this mediation.)

I am advocating for Tom in this case because I think his wishes were not being respected and his voice was not being heard.

I suspect that Teresa has good motives that she wants the best for her father. But frankly, my impression is that their relationship, while adequate before this, (with the usual "father/daughter issues" as Tom phrases it) has been significantly damaged by this Court action.

The animosity between Jeff and Teresa has also significantly clouded matters.

The bottom line is that, in my opinion, there is nothing wrong or abnormal in Tom Price being closer with his son than his daughter, and wanting to work with his son on his matters rather than his daughter. That happens in families sometimes. But, somehow everyone seems suspicious of this.

Mr. Price's assets are invested at Edward Jones. There is a controversy concerning his relationship with Edward Jones (see timeline created by Jeff Price that delves into that.) It is also a primary focus for Ms. Burge, counsel for Petitioner. In my opinion, it does not have much to do with the issue of whether or not Mr. Price is incapacitated.

He informed me that he was upset about the amount of money he was losing in his account in 2022, and wanted to discuss the fact that Edward Jones had him in some higher risk investments, which resulted in the issues at Edward Jones, mentioned in Jeff Price's outline.

Mr. Price is disappointed in his Edward Jones representative because he believes that they were not honoring his wishes and possibly communicating with Teresa behind his back.

He was contemplating moving some assets to be managed by Creative Planning wealth investment firm. (The Power of Attorneys prepared for him in September of 2022, were done by attorneys at Creative Planning.)

It is all of this interaction with Edward Jones as mentioned in the outline (and in Court pleadings,) that probably triggered this filing. For what it is worth, Kansas Adult Protective Services investigated and found there was no financial exploitation going on.

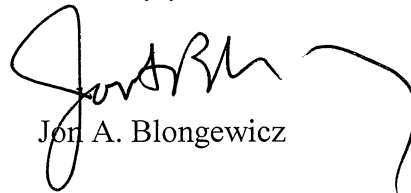
Ltr to T. Sachse (Mediator)
dtd 01/27/2023
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I attach the following documents that might assist you in preparation.

1. Letter from Amanda Fulks, State of Kansas Department for Children and Families Prevention and Protection Services
2. Filed Report of Examination and Evaluation by Dr. Martin J. Schermoly, M.D.
3. Timeline Notes, submitted by Jeff Price
4. General Durable Power of Attorney for Thomas J. Price, Jr.
5. Health Care Power of Attorney for Thomas J. Price, Jr.

I hope this letter is also of assistance to you. I look forward to discussing these matters with you in greater detail at the mediation on February 1, 2023.

Sincerely yours,



Jon A. Blongewicz

JAB/lc
Enclosure

cc: Thomas J. Price, Jr.