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Attorneys for Ancillary Co-Personal Representatives Leslie Hiatt and Sandra Evitt

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

In the Matter of the Arizona Estate of,  
CHARLES H. EVITT,  
Deceased.

No. PB2015-051215

DECLARATION OF LESLIE  
HIATT IN SUPPORT OF MOTION  
FOR SUMMARY JUDGMENT  
REGARDING JUDITH EVITT-  
THORNE'S PETITION FOR  
ALLOWANCE OF CLAIM

(Hon. Andrew Russell)

I, Leslie Hiatt, make the following declaration:

1. I am over the age of 18 years and competent to testify to the matters stated herein.
2. I am one of Decedent Charles H. Evitt's daughters. I am a resident of Centennial, Colorado. I am one of the Co-Personal Representatives appointed In the Matter of the Estate of Charles H. Evitt pending before the Fourth Judicial District of Johnson County, Wyoming, Cause No. PR-2013-003. I also have been appointed as a Co-Personal Representative in this ancillary probate proceeding pending before this Court.
3. In my capacity as the Co-Personal Representative in the Wyoming estate, and as the Co-Personal Representative in this ancillary estate, I am familiar with and I was personally involved in the administration of the Estate of Charles H. Evitt. The matters testified to herein are based upon my own personal involvement in those matters.
4. Charles H. Evitt died on September 25, 2013.

1           5.     At the time of his death, Charles H. Evitt was domiciled in Johnson County,  
2 Wyoming.

3           6.     By Order dated October 30, 2013, the Estate of Charles H. Evitt was  
4 admitted to probate by the Wyoming court, and I was appointed as a Personal  
5 Representative in the Wyoming estate. The Court also appointed my sister, Sandra Evitt,  
6 and Mary Jo Evitt, my father's widow, as Co-Personal Representatives of the Wyoming  
7 estate.

8           7.     In connection with our administration of the estate in Wyoming, we  
9 undertook efforts to identify all potential creditors of the estate. We reviewed the available  
10 business records left by my father. We also spoke with my father's accountant, Dennis R.  
11 Lawrence, CPA, to discuss with him any lenders or other creditors that were receiving  
12 regular payments from my father or any other known debts of my father at the time of his  
13 death.

14           8.     In connection with that effort, we identified two potential creditors and gave  
15 those creditors notice of the probate. Attached hereto as Exhibit A is a true and correct  
16 copy of the claims registry for the Wyoming estate.

17           9.     On December 5, 12, and 19, 2013, we caused to be published in the Buffalo  
18 Bulletin a "Notice of Probate," as required by Wyoming statute. Among other things, this  
19 Notice of Probate gave creditors notice of the requirement for them to file claims against  
20 the estate with the Wyoming court. A true and correct copy of the Affidavit establishing  
21 publication of the Notice of Probate is attached hereto as Exhibit B.

22           10.    After all claims of the estate had been addressed, the Wyoming court entered  
23 an Order of Sale of Real and Personal Property on May 27, 2014, and the personal  
24 representatives of the Wyoming estate executed a Stipulation for Distribution of Estate  
25 Property on August 27, 2014 ("Stipulation"). A true and correct copy of the Stipulation is  
26 attached hereto as Exhibit C.

27           11.    In May 2015, I became aware of a letter sent by Lawrence B. Stevens, an  
28 attorney purporting to represent Judy Evitt-Thorne ("Demand Letter"). The Demand Letter

1 had been mailed to Mary Jo Evitt and Sandra Evitt on May 15, 2015. A true and correct  
2 copy of the Demand Letter is attached hereto as Exhibit D.

3 12. In the Demand Letter, Ms. Evitt-Thorne made claims, among other things,  
4 that she was entitled to certain personal property and the payment of \$150,000 upon my  
5 father's death.

6 13. I am aware that my father was married to Ms. Evitt-Thorne and that his  
7 marriage to Ms. Evitt-Thorne terminated in 1987.

8 14. On multiple occasions prior to his death, I specifically recall my father  
9 telling me that he no longer owed Ms. Evitt-Thorne anything and that any obligation he  
10 had to Ms. Evitt-Thorne had long ago been paid in full.

11 15. Based upon how long ago my father had divorced Ms. Evitt-Thorne, and his  
12 statements to me years previously, at no point did it ever occur to me, nor did I ever  
13 contemplate that Ms. Evitt-Thorne was a possible creditor of the estate.

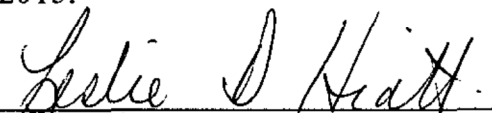
14 16. By letter dated June 15, 2015, attorney Greg L. Goddard, who represents the  
15 Co-Personal Representative Mary Jo Evitt, sent a letter to Mr. Stevens making clear that  
16 the estate denied and rejected any claim or purported claim asserted by Ms. Evitt-Thorne.  
17 A true and correct copy of the letter from Mr. Goddard is attached hereto as Exhibit E.

18 17. On July 15, 2015, my attorney sent a copy of the Notice of Probate in the  
19 Wyoming court to Ms. Evitt-Thorne by certified mail. A true and correct copy of this  
20 certified letter and the return receipt signed by Mr. Stevens on July 20, 2015 are attached  
21 hereto as Exhibit F.

22 18. Ms. Evitt-Thorne has never submitted a claim in the Wyoming probate, or  
23 filed any document whatsoever with the Wyoming court concerning the Wyoming probate.

24 I have read the foregoing declaration and declare under penalty of perjury that the  
25 foregoing is true and correct

26 Executed on this 22<sup>nd</sup> day of December, 2015.

27   
28 Leslie Hiatt