

THE STATE OF NEW YORK
SURROGATE'S COURT : COUNTY OF NEW YORK

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Probate Proceeding,

Last Will and Testament of
Huguette M. Clark,

Deceased.

-----X

OBJECTIONS TO PROBATE

File No. 1995/1375A

Respondents Katherine Hall Friedman, Ian C. Devine, Mallory Culver Devine Goewey, Edith Williams MacGuire, Karine Albert McCall, Paul F. Albert, John Hudson Hall, III, Rodney W. Devine, Thomas Christopher Clark, Alice Gray Coelho, Lisa Lewis, Lewis R. Hall, Gerald Gray, Clifford Berry, William A.C. Berry, Celia Gray Cummings, Patrick Baeyens, Ambassador Andre Baeyens, and Jacqueline Baeyens-Clerte, persons interested in the within proceeding as distributees of the Decedent, Huguette Clark (herein "Decedent") as and for their objections to the probate of the purported Last Will and Testament of the Decedent, dated April 19, 2005, allege, on information and belief, the following:

1. That on April 19, 2005, the Decedent was not competent to make a Will in that she did not know the nature, extent or value of her assets, was not of sound mind or memory and was not mentally capable of making a Will, and, among other things, lacked the clearness of mind necessary to understand the nature and contents of her Will.

2. That the said paper writing so offered for probate was not freely and voluntarily made by the Decedent, but instead, the said writing was obtained and procured by the undue influence of Wallace Bock, Irving Kamsler, Hadassah Peri, and/or by other persons acting in concert or privity with them whose names are presently unknown to the Respondents.

Furthermore, the said writing was the result of the moral coercion and/or acts of importunity of

Wallace Bock, Irving Kamsler, Hadassah Peri, and/or by other persons acting in concert or privity with them, who destroyed the free agency of the Decedent, and caused the Decedent to execute the paper writing against her free will and desire.

3. That the said paper writing so offered for probate was not freely and voluntarily made by the Decedent, but instead, the said writing was obtained and procured by the fraud of Wallace Bock, Irving Kamsler, Hadassah Peri, and/or by other persons acting in concert or privity with them whose names are presently unknown to the Respondents.

4. That the said paper writing so offered for probate was not duly executed by the decedent in accordance with the statutory formalities required by law.

5. That Wallace Bock and Irving Kamsler should be denied their appointment as executors under the propounded instrument on the grounds that their nomination was caused or procured as a result of constructive fraud and/or overreaching practiced upon the Decedent, and are otherwise ineligible to serve in this capacity.


6. A trial by jury of the issues raised by these Objections is hereby demanded.

WHEREFORE, Respondents pray that this proceeding be dismissed with costs, and that the probate of the paper writing so propounded be denied.

Dated: February 3, 2012
Uniondale, New York

Respectfully submitted,

FARRELL FRITZ, P.C.


John R. Morken, Esq.
Attorneys for the Respondents
1320 RXR Plaza
Uniondale, New York 11556

To: Clerk of the Court
Surrogate's Court
County of New York
31 Chambers Street
New York, New York 10007

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New York, New York 10019
Attention: Brian Corrigan, Esq.

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Attorneys for Irving Kamsler
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Attention: Robert Giacovas, Esq.

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Attn: Carl DiStefano, Esq.


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Attention: Edward L. Peck, Esq.

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Co-counsel for Edith MacGuire
521 Fifth Avenue
New York, NY 10175
Attention: Geoffrey H. Ward, Esq.

INDIVIDUAL VERIFICATION


STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, Ian C. Devine, being duly sworn, deposes and says: I am a Respondent in the within action; I have read the foregoing OBJECTIONS TO PROBATE and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe them to be true.



IAN C. DEVINE

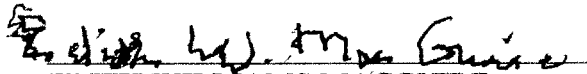
Sworn to before me this
10 day of February, 2012


Notary Public
PEGGIE A. WILLIAMS
Notary Public, State of New York
No. 01WI6002444
Qualified in Bronx County
Commission Expires Feb. 9, 2014

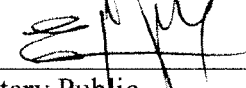
INDIVIDUAL VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)


I, Edith Williams MacGuire, being duly sworn, deposes and says: I am a Respondent in the within action; I have read the foregoing OBJECTIONS TO PROBATE and know the contents thereof; the same is true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and as to those matters I believe them to be true.


EDITH WILLIAMS MACGUIRE

Sworn to before me this
10 day of February, 2012



Notary Public

ERNESTO NEGRON
Notary Public, State of New York
No. 01NF6067764
Qualified in New York County
Commission Expires Dec. 17, 2012 

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NASSAU)

I, JOHN R. MORKEN, declare:

I am an attorney at law duly admitted and licensed to practice before all courts of this State and I have my professional office at 1320 RXR Plaza, 14th Floor, Uniondale, New York 11556-01320.

I am one of the attorneys of record in the above-entitled matter.

Ambassador Andre Baeyens, Jacqueline Baeyens-Clerte, Patrick Baeyens, Alice Gray Coelho, Paul F. Albert, Thomas Christopher Clark, John Hudson Hall, III, Clifford Berry, William A.C. Berry, Mallory Culver Devine Goewey, Rodney W. Devine, Gerald Gray, Celia Gray Cummings, Karine Albert McCall, and Lisa Lewis are absent from the county in which I have my office and for that reason I am making this verification on their behalf.

I have read the foregoing OBJECTIONS TO PROBATE and know the contents thereof.

I am informed and believe that the matters stated therein are true and, on that ground, I allege that the matters stated therein are true.

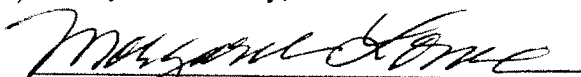
I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct.

Executed at Uniondale, New York, on the 13th day of February, 2012.



JOHN R. MORKEN

Sworn to before me this
13th day of February, 2012.



Notary Public
Interwoven\2207163.1

MARGARET LOWE
NOTARY PUBLIC, State of New York
No. 01LO4613171
Qualified in Suffolk County
Commission Expires September 30, 2013