
From: Noam Chomsky <[REDACTED]>
Sent: Friday, June 29, 2018 4:26 AM
To: jeffrey E.
Subject: fyi: Fwd: The Carol S. Chomsky Revocable Trust/Marital Trusts.Settlement Proposal

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From: Diana Chomsky <[REDACTED]> <mailto:[REDACTED]> >
Date: Thu, Jun 28, 2018 at 7:26 PM
Subject: Re: Fwd: The Carol S. Chomsky Revocable Trust/Marital Trusts.Settlement Proposal
<[REDACTED]> <mailto:[REDACTED]> >
Cc: Avi Chomsky <[REDACTED]> <mailto:[REDACTED]> >

[REDACTED] >
Date: =A0 27/06/2018 17:33
Subject: =C2 Fwd: The Carol S. Chomsky Revocable Trust/Marital Trusts.Settlement Proposal

According to the letter from Harry's lawyer about the marital trust, below, you agree with this plan. But I would like to hear that directly from you. And soon. This is dragging on far too long.

You've received the earlier correspondence, so you know that this plan is essentially the most extreme and outrageous of the several options I outlined to Harry -- intending it as irony. It establishes that Harry will be in complete control of the Marital Trust, as he has been (with Max) since I appointed him to replace me in 2009. Accordingly, he will be able, as in the past, to ensure that the Trust, in its entirety, goes to the three children after I die. The reasons are very clear; I spelled them out fully in the letter you have seen, and won't repeat them.

Harry's current proposal is that he will let me have \$100,000 a year. That kind offer requires further analysis. Legally, he is required to provide me with income from the trust -- which, incidentally, he apparently did not do until I asked about it in 2015. Exactly what that income is supposed to be I do not know, since I have never received an accounting statement from the Trustees, as of course should have been provided. In the absence of an accounting, I cannot be certain, but now that I am at last looking at what has been done instead of just taking everything on trust, it appears that legal fees were taken from the income that the trustees are legally required to send me. We now have financial advisers concerned with my rights and interests. They were shocked to discover that investments were being made in an entirely inappropriate way: for the long term -- that is, for the beneficiaries after my death -- instead of the standard practice for an elderly person of investments with short-term returns, which it is the obligation of the Trustees to ensure. For these reasons it therefore unclear just what is being planned. Furthermore, nothing is said in the letter about paying taxes on the marital trust, which I've paid in the past.

The meaning is simple. In addition to millions that you have already inherited, you will now also inherit the full Marital Trust -- which, of course, was intended for the survivor. In earlier letters, I've reviewed the legal chicanery employed to evade the conclusion. No need to repeat here. The plan is that I will live on the diminishing IRA, which is no longer being completely depleted the way it was during the period when that was being done for the benefit of family, the

The IRA has a mandatory withdrawal. Half was being distributed to family. The other half was being used to pay taxes and management fees on the entire estate, including your inheritance and the Marital Trust. Withdrawals beyond the limit are subject to exorbitant taxes. Hence when I withdrew funds annually to pay for Alex's medical expenses, that meant exorbitant taxes. The same for all of the Wellfleet expenses. Of course I had to live, and since there is essentially no pension, that meant more withdrawals for daily expenses. Hence a huge tax burden, which, incidentally, we are still paying off, because the payments required more withdrawals over the limit. That's done at last.

I of course have other quite proper concerns, which I've written you about, but since there was never a response, I presume you don't appreciate them and will not repeat them.

D

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Date: Tue, Jun 19, 2018 at 7:55 AM

To: "<=ont size="3" color="blue">[REDACTED] <mailto:[REDACTED]> "<[REDACTED]>
<mailto:[REDACTED]> >, "<=ont size="3" color="blue">[REDACTED]
<mailto:[REDACTED]> "<[REDACTED]> <mailto:[REDACTED]> >

As I have conveyed to Ri=h, Harry is prepared to resolve the dispute regarding the Marital Trusts on the following general terms: (1) the trusts will pay you a fixed sum annually of \$100,000; (2) Max will resign as trustee, and Harry will appoint a new professional trustee to take his place; and (3) mutual releases will be exchanged. With respect to (1), the \$100,000 payment we are proposing would include the income distribution to which you are entitled currently. If in any given year the income from the trust exceeds \$100,000, you would receive the amount of income. Put another way, you would receive a guaranteed payment annually of \$100,000 or the amount of the trust income, whichever is greater.

Harry has conferred with his sisters, who are agreeable to the above terms.

I look forward to hearing from you.

Regards,

Jillian

Jillian B. Hirsch | Attorney at Law

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