
From: Richard Kahn <richardkahn12@gmail.com>
Sent: Tuesday, December 12, 2017 6:47 PM
To: jeffrey E.
Subject: Fwd: Scheduling a call

Richard Kahn
HBRK Associates Inc.
575 =exington Avenue 4th Floor
New York, NY 10022
tel 212-971-1306
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Begin forwarded message:

From: =/b>Noam Chomsky <nchomsky3@gmail.com>

Subject: =/b>Re: FW: =cheduling a call

Date: December 12, 2017 at 12:07:01 PM EST

To: =/b>Deborah Pechet Quinan <dq@riw.com>

Cc: =/b>"Valeria Chomsky (valeria.chomsky@gmail.com)" <valeria.chomsky@gmail.com>, "Richard Kahn (richardkahn12@gmail.com)" <richardkahn12@gmail.com>

I wrote Harry a =trong letter say that the matter was indeed urgent and shouldn't be =elayed, and asked him to please arrange the call as quickly as =ossible. I don't think you should bring up any special =onsiderations (health, house, anything). The urgency has to do =ith the taxes, and there is no reason for Max or Harry to have any =laborate explanation of why we need the money.

When money was being withdrawn =egularly from my IRA to pay taxes and management fees for the entire =state, neither Max nor anyone else asked for an explanation or a =inancial review of the beneficiaries, or any account of how money from =he trusts was being used (not for or by me). The withdrawal from =he IRA for taxes and management fees for the entire estate was just =one. There are even stronger reasons to keep to that procedure in =he present case, since I am simply asking for tax payments from funds =hat I should have full access to.

Doesn't seem to me that anything is =eeded beyond that.

Noam

On Tue, Dec 12, 2017 at 7:26 AM, Deborah Pechet Quinan <dq@riw.com <mailto:dq@riw.com> > wrote:

Noam,

Please see the email from Harry below inquiring into the urgency of speaking this week. In my email response to Harry (and in my call with Max today) I would like to make reference to your increasing anxiety level and its detrimental effect on your health that Richard has told me of, which is the primary reason, in addition to the delays in addressing the issues at stake, to insist on some progress this week via a call with Harry. I would also like to make reference to the fact that your recent distribution request was for the purchase of your new home in Arizona since I did not see that specifically referenced in our request to Max.

Since these are private matters to you and I do not know whether Harry is aware of the above health and purpose I would like your permission to disclose them to him, and also to Max.

Please let me know.

Thank you,

Deborah

Deborah Pechet Quinan, Esq. =L.M.

Shareholder

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From: hchomsky@gmail.com <mailto:hchomsky@gmail.com> [mailto:hchomsky@gmail.com] On Behalf Of Harry Chomsky

Sent: Monday, December 11, 2017 7:57 PM

To: Deborah Pechet Quinan

Cc: Noam Chomsky
Subject: Re: Scheduling a call

Yes, I have a copy of the trust and I understand the procedure for selecting a trustee to replace Max should that become necessary.

Can you say more about why it is imperative for us to speak to each other this week in particular? Is the topic of the call simply to consider the possibility of seeking a different co-trustee? If so, I'm not sure where the time pressure is coming from.

If you need to tell me something and don't want to wait until I have established a relationship with a new attorney who can assist me during a call, perhaps you could send me the urgent information by e-mail.

On Mon, Dec 11, 2017 at 4:08 AM, Deborah Pechet Quinan <dq@riw.com <mailto:dq@riw.com> > wrote:

Harry,

Even though I do not represent you I would like to facilitate your understanding of the terms of the trust which are very straightforward relative to your appointment duties. Please let me know if you have a copy of the trust that contains the appointment powers. In the interest of moving your father's desires forward may we please schedule a call for this week. It is imperative that we do so for a number of reasons which I can explain when we speak.

Deborah

Sent from my iPhone. Please excuse brevity and typos.

On Dec 9, 2017, at 8:06 PM, Harry Chomsky <harry@chomsky.net> wrote:

Deborah, I'd like to offer an update on my preparation for the call we are considering. I am still looking for a professional who can advise me during the call. I hope to write to you again with more concrete information soon.

On Sat, Dec 2, 2017 at 3:45 PM, Harry Chomsky <harry@chomsky.net <mailto:harry@chomsky.net> > wrote:

Thank you Max for the clarification.

Deborah, I'd be happy to talk to you about the question of who should serve as my co-trustee. I would need guidance from someone who is an expert in trust law and administration. Since Max cannot fill that role in this particular conversation, I will need to find another professional to advise me. I will begin my search process right away. When I have found someone, I will send a message of introduction to both of you and we can begin looking for a time that we can all talk.

I will get back in touch with you soon.

-- Harry

On Sat, Dec 2, 2017 at 1:27 PM, Deborah Pechet Quinan <dq@riw.com <mailto:dq@riw.com> > wrote:

Thank you Max. I did not feel it necessary to include the fact that a successor that is agreeable to Harry and Noam needs to be appointed as I felt that to be obvious since Harry has the appointment power subject to Noam's approval.

Harry now that Max has offered his clarification please send me your availability to talk at a mutually convenient time on Monday and Tuesday.

Thank you,

Deborah

Sent from my iPhone. Please excuse brevity and typos.

On Dec 2, 2017, at 3:31 PM, Max Kohlenberg <MKohlenberg@hekblaw.com> wrote:

Harry and Deborah –

I am not sure how this misunderstanding was arisen but what I said to Harry and Rich in our call on Monday and what I said again to Deborah and Rich yesterday is not fully captured by the statement that "Your father has asked Max Kohlenberg to resign and he has agreed." What I said in both of those calls is that I have agreed to resign if Noam and Harry wish to name a successor to me and are in agreement as to who that successor should be.

Thank you for giving me the opportunity to clear up this misunderstanding.

Max

A. Max Kohlenberg

Howland Evangelista Kohlenberg Burnett, LP

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mkohlenberg@hekblaw.com

www.hekblaw.com <<http://www.hekblaw.com/>>

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From: hchomsky@gmail.com <<mailto:hchomsky@gmail.com>>
[<mailto:hchomsky@gmail.com>] On Behalf Of Harry Chomsky
Sent: Saturday, December 02, 2017 1:42 PM
To: Deborah Pechet Quinan; Max Kohlenberg
Cc: Noam Chomsky
Subject: Re: Scheduling a call

I have not heard from Max that he has decided to resign. The last time I was told (by Noam, citing Richard) that Max had decided to resign, it was not the case.

Max, will you please clarify your intentions?

On Sat, Dec 2, 2017 at 8:58 AM, Deborah Pechet Quinan <dq@riw.com>
<mailto:dq@riw.com> > wrote:

Dear Harry,

I am writing to introduce myself, and to schedule a call with you to discuss the change of independent trustee that your father desires with respect to the Carol Chomsky Marital Trusts. As you may know, I represent your father with respect to his beneficial interest in the Trusts, and I represent your father and his wife with respect to their estate planning matters.

Your father has asked Max Mohlenberg to resign and he has agreed. Under the terms of the trust you are to make the appointment of the successor independent trustee, subject to your father's approval.

Are you available to speak on Monday between 8:00 a.m and 11:30 a.m. Eastern or between 2:00 p.m and 6:00 p.m. Eastern, or after 8:30 p.m. Eastern, or on Tuesday any time at your convenience except from 2:00 - 3:00 p.m. Eastern? Please send me a time on Monday and Tuesday that is mutually convenient.

I look forward to hearing from you at your earliest convenience.

Thank you,

Deborah Pechet Quinan, Esq.

Deborah Pechet Quinan, Esq. LL.M.

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