
From: jeffrey E. <jeevacation@gmail.com>
Sent: Monday, May 21, 2018 8:14 AM
To: Noam Chomsky
Subject: Re: Marital Trust

All silly , they can make s final distribution of 2 =illion dollars and you and Valeria release all. Max Harry children and you=receive releases - easy

On =on, May 21, 2018 at 6:46 AM Noam Chomsky [REDACTED] wrote:

the latest.

Mass law prevents beneficiari= to divide up a trust and liquidate it?

----- Forwarded message -----

From: Harry Chomsky [REDACTED]
Date: Sun, May 20, 2018 at 9:19 PM
Subject: Re: Marital Trust=br>To: Noam Chomsky <[REDACTED]>
Cc: Avi [REDACTED] Diana Chomsky [REDACTED]
[REDACTED]

<=iv>

It sounds like you would like me t= say yes or no to your proposal exactly as you have stated it, without fur=her discussion. I can't do that. Here are some reasons:

1. It's not permitted under Massachusetts trust law. I agree=d to certain obligations when I became trustee, and I have to make sure to=discharge them faithfully. Even if you tell me you don't care ab=ut my fiduciary responsibility, the law says I'm responsible anyway.
2. It's not specific. For instance, you mention dividing =he trust into two parts, but you don't say what each part would consis= of.
3. It's not complete. For instance, you haven'= proposed any way to shield us and Max from liability for past actions.

It might be possible to work out all of these problems and devel=p a legal, specific and complete agreement based on the framework you'=e proposed. Would you like to engage with me in some kind of process=to attempt that? Other than having your lawyer talk to mine, do you =ave any suggestion about how to do so?

On Sat, May 19, 2018 at 2:26 PM, Noam Chomsky <[REDACTED]> wrote:

My own=view is different. To me the proposal I suggested seems to be a very=simple way of settling this matter, which to me is extremely troubling. =AO I realize that this is just another case of a longstanding difference i= the way we approach these problems, a difference that has been clear ever=since we were discussing the interest on the loan from the Trust and found=that we could not communicate because I mistakenly assumed that it was a d=scussion among family members while your letters made it very clear and ex=licit that you saw it as a legal issue to be settled among lawyers and Bai=co, perhaps with a mediator in the adversary proceeding. All matters=I find it very hard to comprehend, and to live with, but so be it.

So by all means consult with your lawyer, or perhaps a battery of l=wyers, to make sure that your interests are properly protected. I do=t need any lawyer's advice. The matter is perfectly clear a=d straightforward. So there is no reason for me to hire a lawyer to =eal with the question and to have a lawyer contact yours and initiate a di=cussion in which we all participate.

The matter is very sim=le. We can proceed without delay if you agree to settle the issue in=the simple manner that I suggested.

As for your proposals i= your letter of March 29, as I wrote you, the letter was so shocking that =t was hard for me to bring myself to respond, but I did, in detail, but de=ided not to send it. Perhaps I should. Will think about it.

As for your proposals, my response was the obvious one. =m sorry for the stress you had to endure, but your efforts were a was=e of time for reasons I had already fully explained before you undertook t=em. As I'm sure you recall, a few years ago, I requested tax pay=ents from the marital trust when my IRA was being rapidly depleted by my a=visers who were distributing half to family and using the other half to pa= management fees and taxes for the entire estate, so that to pay Alex'= medical expenses and the expenses for Wellfleet I had to withdraw excess =unds with exorbitant taxes, all that before withdrawing even a cent to liv= on again with exorbitant taxes. Your response was to refuse the req=est unless I agreed to intrusive and insulting financial investigations --of a kind I never considered when providing funds to you for something you=needed. I made it clear and explicit at the time that I would not su=mit to this procedure. Since your efforts and proposals simply repea= the same procedure, they were a waste of time.

There were=some things in your letter that were correct. You're right that =espite what has happened, I'm still a "wealthy man," with in=ome well above the median, though lacking a pension and accumulated proper=y, not at the level of my peers. Furthermore, I can supplement my in=ome by teaching large undergraduate courses, something I'd never done =nd that is not that common for people approaching 90, but something that I=enjoy. And you too are a wealthy man, for the same reasons: the reas=ns are that I've worked hard all my life, lived fairly simply (and liv= even more simply today), and was therefore able to put aside enough money=to ensure that my children and grandchildren are very well cared for, inde=initely.

But I again suggest that we put all of=this aside, and deal quickly and simply with what appears to be the one ou=standing issue: dividing the Marital trust and then dissolving it, all ver= simple, needing no lawyers, at least on my part.

D

On Fri, May 18, 2018 at 1:44 PM, Harry Chomsky <[REDACTED]> wrote:

This is an interesting idea. We could consider it further, but I would need the advice of my lawyer =94 and I assume you would want your own lawyer's advice as well =94 to ensure that any agreement we reach is consistent with Massachusetts law and satisfies the interests, needs, and obligations of everybody involved. Perhaps, as a next step, you could ask your lawyer to contact min= and begin a discussion in which we all participate.

<=iv>I'm also curious to hear your thoughts about the proposals I suggested in my message on March 29th.

On Thu, May 17, 2018 at 10:=5 AM, Noam Chomsky [REDACTED]
[REDACTED] wrote:

As I wrote a little while ago, I did write a long response to your last -- deeply depressing -- letter, but decided not to send it.=C2 I may return to that letter later but will keep to some factual matters that ought to be cleared up.

But now I'm writing=just about one point, which seems to be the core of the problem -- a problem, which, again, I don't understand. But let's put that aside, though I hope we can clear it up soon. All of this is a painful cloud that I never would have imagined would darken my late years.

The core issue seems to be the marital trust. I've explained how M and I actually set it up with Eric, which seemed to =s just plain common sense. I've also explained Max's different interpretation. I've asked you for yours, but haven't heard it. But let's put that aside too, and just resolve the matter, =s can be done very simply -- with no need for lawyers to explain the fiduciary responsibility of the trustee I appointed years ago to replace me, something I never paid any attention to before.

The simple solution is to divide the trust into two parts. One part will go to you, to use as you wish. One part will go to me, for me to use without any investigations of my financial situation and other such intrusions that I won't accept. Then the trust can simply be dissolved, and it is all over.

So I suggest that we proceed this way, and end the whole matter -- at least, whatever it is that I understand about what is of concern to you.

D

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