

# Fear

## Summary

The secret advisors frame their clients with their accounting. Here they make the innocent family member appear negligent for not reporting a joint CD, and consequently, for having to amend the Estate Tax Return. I believe one purpose is to scare Jean Nader into keeping accountings secret (as if she had done something wrong) and to divert attention from their two versions of the Estate Tax Return (*They Steal Money*).

I believe the secret advisors now have the innocent family member so scared of having Estate accountings fully exposed, that she feels that there is no safe place for her to turn to, except to continue to follow their secret advice. A just power could verify this with a personal visit.

Note: Before her death, my mother, Jean M. O'Connell, told me that her CPA (Jo Ann Barnes) had advised her to create a joint CD with Jean Nader in order to cover the extra expenses Jean Nader would incur as co-executor of her estate.

Page 1: The secret advisor(s) report to the IRS, on the Testator's 1991 individual tax return 1040, that the balance of joint CD# 66211061 is on Jean Nader's individual tax return 1040. But they don't advise Jean Nader to report it, or ask her if she had reported it, on her individual tax return 1040.

Page 3, May 29, 1992: Anthony O'Connell asks the lawyer, with a copy to the CPA firm, about this joint CD: *On Schedule B under dividend income, what is the significance of \*\*BAL ON 1040 OF JEAN NADER, SSN 225 50 9052?* Neither the lawyer nor the CPA firm responded.

Page 4: They have the innocent family member respond.

Page 8, January 21, 1993: I receive a statement and a check for this joint CD. I had not previously received any bank statements of my mothers at my address (6541 Franconia Road, Springfield, Virginia). I believe Mr. White requested that the bank send it to my address. I forward it to the innocent family member.

Page 10, April 26, 1993: The lawyer makes the innocent family member appear responsible: *Since this was a joint account, the income was yours. Since you sent me that statement, I assumed you had picked it up on your return.*

Page 12, June 21, 1993: The lawyer amends the Estate Tax Return due to the "discovery" of the joint CD. He makes a show of protecting the innocent family member in explaining it to the IRS, as if the innocent family member had done something wrong.

Page 13, July 7, 1993: The lawyer attacks me. He got the innocent family member to cosign this letter: *Second, an amendment to the estate tax returns was filed at the end of June reflecting the existence of a CD which had not been discovered until recently (See IRS correspondence attached)*

The existence of the joint CD was clearly known to the secret advisors, at least as early as May 29, 1992 (which is before the June 15, 1992 due date of the original Estate Tax Return), before the lawyer tells the IRS on June 21, 1993 that it was recently discovered.

JEAN M. O'CONNELL

230-50-6044

PART I		INTEREST INCOME	AMOUNT
		(List name of payer)	
		(List any seller-financed mortgage interest first)	
INTEREST INCOME	1	LYNCH PROP PTR NOTE	(1) 56,335.
		HALLMARK B&T **	3,852.
		SOVRAN BANK *	922.
		FIRST VIRGINIA BANK *	133.
		VIRGINIA 1990 INC TAX REFUND INTEREST	61.
		A.G. EDWARDS VIRGINIA BOND	N 2,347.
		FRANKLIN TAX FREE VA FUND *	N 852.
		NUVEEN PREMIUM INC MUN BOND FUND	N 578.
		IRS 1990 REFUND INTEREST	99.
		PERPETUAL AMER BANK #66211061	920.
	H. A. O'CONNELL TRUST	41,446.	
	2 Add the amounts on line 1.....	(2) 103,768.	
	3 Enter the excludable savings bond interest, if any, from Form 8815, line 14. Attach Form 8815.	(3)	
	4 Subtract line 3 from line 2.....	(4) 103,768.	
PART II		DIVIDEND INCOME	AMOUNT
		(Include capital gain and nontaxable distributions)	
DIVIDEND INCOME	5	KEMPER MUN BOND FUND *	(5) 1,303.
		INVESTMENT CO OF AMERICA (AM FUNDS) *	751.
		SIGNET BANK *	156.
		WASHINGTON GAS LIGHT CO *	312.
		* NOTE: ITEMS MARKED WITH * REFLECT INCOME RECEIVED TO DATE OF DEATH (9/15/91) REST OF INCOME TO BE REPORTED ON ESTATE 1041 Edward J. White, Co-Executor 118 South Royal St. Alexandria, Va. 22314 EIN #25-6377917 ** BAL ON 1040 OF JEAN NADER, SSN 225 50 9052	
	6 Add amounts on lines 5.....	(6) 2,522.	
	7 Capital gain distributions. Enter here and on Schedule D.....	(7)	
	8 Nontaxable distributions.....	(8) 1,303.	
	9 Add lines 7 and 8.....	(9) 1,303.	
	10 Subtract line 9 from line 6.....	(10) 1,219.	
PART III		11a At any time during 1991, did you have an interest in or signature authority over a financial account in a foreign country (such as bank/securities account, or other)?	Yes [ ] No [X]
		b If 'Yes', enter the name of foreign country	
FOREIGN ACCOUNTS AND FOREIGN TRUSTS	12	Were you the grantor of, or transferor to, a foreign trust that existed during 1991, whether or not you have any beneficial interest in it?	Yes [ ] No [X]

The yet to be discovered joint CD # 66211061 is behind this.

Entangles my sister's individual income tax return.

Anthony O'Connell  
6541 Franconia Road  
Springfield, Virginia 22150  
May 29, 1992

Mr. Ed White, Attorney  
118 South Royal Street  
Alexandria, Virginia 22314

Reference: Your letter of May 19, 1992

Dear Mr. White:

Thank you for your letter concerning the Seventh Trust accounting. In the future would you please send letters concerning me or the trust directly to me? It will save the beneficiaries attorney expense. I would appreciate you sending a copy to Mr. Prichard.

I talked with Mr. Forrest Balderson today. Mr. Balderson prepared the account and states that the numbers are correct. He reminded me that court accounting and taxable accounting are different animals and often do not match. I believe this applies to your questions in paragraphs 1 and 2. Please feel free to call Mr. Balderson at (703) 549-7800.

I will try to address your paragraph 3. Rather than wait until the end of each year and calculate the exact net income of the trust to be distributed to my mother, I estimated the net income in April so I could make the distribution to her immediately after the trust received the annual April payment. The consequent year end adjustments were:

Third Account	\$ -5,906.72	{Mother owed to trust}
Fourth Account	- 687.03	{Mother owed to trust}
Fifth Account	+5,796.98	{Trust owed to mother}
Sixth Account	-2,908.97	{Mother owed to trust}
Net carryover	\$ -3,705.74	{Mother owed to trust}
Seventh Account, 1991	\$ +5,181.71	{Trust owed to mother}

The net carryover of \$ -3,705.74 up to the seventh account combined with the \$ +5,181.71 of the seventh account netted \$1,475.97 the trust owed my mother. This is the \$ 1,475.97 check I mailed to you.

Mr. Balderson tells me he called you concerning the real estate taxes before he did the account and discussed it with you. Is it necessary to change it now?

My trust accounting is on a cash basis. I think a per diem split of the September interest would be accrual accounting. I don't think I can mix the two methods. If the Commissioner of Accounts says it's appropriate, it's fine with me.

At this point in time, I believe Mr. Balderson and I are of one mind that the estate does not owe the trust and the trust does not owe the estate.

I have a few questions concerning my mother's 1991 tax return.

1. My copy shows she should be penalized by IRS and Virginia because adequate estimated tax payments were not made after her death. I believe my sister is convinced I am responsible for this. If it is my fault, I will pay for it out of my pocket. I feel the other beneficiaries should not be charged for the negligence of another. Would you please lay out the specifics on what happened? Please be very specific.

2. My copy also does not show the principal of \$125,188.17 paid to my mother by the Lynch Note in April of 1991. It does show the interest. With a gross profit percentage of .79 on the installment sale, about \$ 98,898.65 of the \$125,188.17 should have been reported on line 13 of the 1040 as a capital gain. It appears that this omission is up and above the penalties and interest already acknowledged. Why was it not reported? Will you amend the return?

3. On Schedule B under dividend income, what is the significance of "\*\*\*BAL ON 1040 OF JEAN NADER, SSN 225 50 9052"?

I look forward to your response.

The yet to be discovered joint  
CD # 66211061 is behind this.

Yours truly,

*Anthony O'Connell*  
Anthony O'Connell

Neither Mr. White nor the CPA(firm) responded to my question 3. About eleven months later Mr. White blames Jean Nader:

*Since this was a joint account, the income was yours. Sent you sent me that statement, I assumed you had picked it up for your return.*

From Mr. White's letter to Jean Nader of April 26, 1993

Enclosures:

Your letter of May 19, 1992

IRS Form 1040, Schedule B and Wavier of Penalty Request for Jean O'Connell, 1991. The other IRS forms attached to this return were not included in this enclosure.

Copies to:

Mr. Ed Prichard  
Mr. Forrest Balderson  
Ms. Jean Nader  
Ms. Sheila O'Connell

This accountant works for  
the CPA Joanne Barnes.

I don't remember my sister ever questioning my trust accounting. Ten days after my accounting questions of 5/29/92, my sister asks me these accounting questions about the trust. Please remember the CPA and lawyer are advising my sister. The known documentation of their advice is what you see.

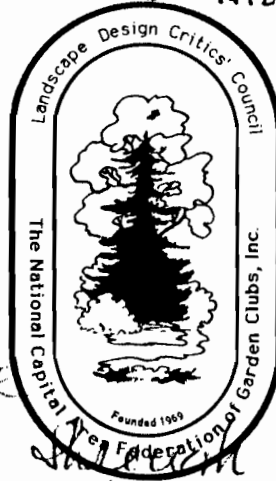
Personal Questions from me -

pertaining to your accountings  
of the trust.

- 1) Does the trust now own a computer and if so when-?
- 2) When was a compass bought-?
- 3) When is it due a final accounting?

I understood from Mr. Pritchard in Sept that I Mother's death the trust ended.

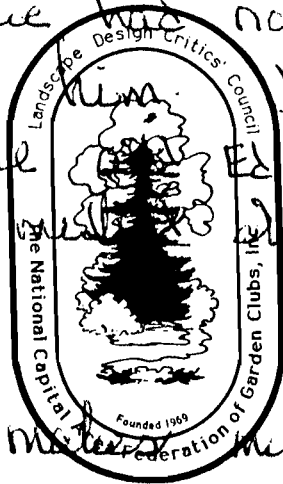
Please understand that I am asking questions for info. There were questions that went through my mind as I read the account.



I know how you like things in  
writing. You asked me 5-14-92 if  
I trusted Ed White. In fact you  
asked me twice. At the time of  
the question we were discussing  
the estate. I answered the  
question. Yes.

I probably should have said  
Yes. In matters of Jean O'Connell's  
estate, I have had no instance  
not to trust him. I confer with  
my lawyer here Ed White  
advice and must follow  
the execution of Mother's  
will or correct.

I hope this makes my answer clear.



The conflict of the  
yet undiscovered  
joint CD #66211061  
is kept planted  
between sister and  
brother.

In the estate, there is a CD  
to me, POD from Mother. I  
found it in the boxes you  
left here. I also received  
an IRS form for it. There  
were no other CD papers  
"still in use" in the boxes.  
I have the money deposited  
in my savings account.

Love Jean

When will your appraiser do his  
appraisal -? It's before June 15<sup>th</sup>  
will his findings be available for  
the June 15<sup>th</sup> filing?  
Thank you ~

Mr. White and/or the CPA(firm) should be responding to my letter of May  
29, 1992. On April 26, 1993, Mr. White blames innocent Jean Nader:

*Since this was a joint account, the income was yours. Sent you sent  
me that statement, I assumed you had picked it up for your return.*



Anthony O'Connell  
6541 Franconia Road  
Springfield, Virginia 22150  
June 9, 1992

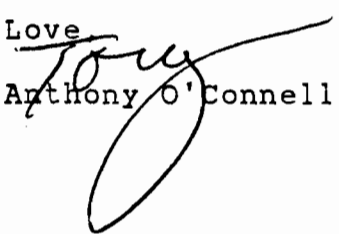
Mrs. Jean Nader  
350 4th Avenue  
New Kensington. Penn 15068

Dear Jean,

You asked me some questions in your letter I received today. I will be glad to answer them but first I wanted to check with you as to what you wanted me to understand by prefacing your questions with "Personal questions from me".

I feel any issues involving the trust or mother's estate should be dealt with above board and in the open sunshine for all to see. Consequently, my correspondence concerning the trust or mother's estate will include copies to all the beneficiaries, Mr. Prichard, Mr. White, perhaps the Commissioner of Accounts or whoever I think should know. I did not want to do this without your prior approval. If you are agreeable to that I will be happy to respond to your questions.

Thanks for the nice letter. Sounds like the beach was wonderful.

Love  
  
Anthony O'Connell

BANK  
BOX 26150  
RICHMOND, VA 23260  
E.I.N. 54-1109779

00106851L

IF YOU HAVE ANY QUESTIONS REGARDING THIS INFORMATION, PLEASE CONTACT YOUR CUSTOMER SERVICE REPRESENTATIVE.



JEAN M OCONNELL  
JEAN NADER  
6541 FRANCONIA RD  
SPRINGFIELD

VA 22150-1409

FOR CALENDAR YEAR
1992

TAXPAYER ID NUMBER
230-50-6044

THIS IS IMPORTANT TAX INFORMATION AND IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE. IF YOU ARE REQUIRED TO FILE A RETURN, A NEGLIGENCE PENALTY OR OTHER SANCTION MAY BE IMPOSED ON YOU IF THIS ITEM(S) IS REQUIRED TO BE REPORTED AND THE IRS DETERMINES THAT IT HAS NOT BEEN REPORTED.

INTEREST REPORTED TO THE I.R.S

63.17

1099-INT TYPE  
PSB CERTIF  
BOX 1

ACCOUNT NUMBER  
66211061

INTEREST INCOME

63.17

The yet to be discovered joint  
CD # 66211061 is behind this.

*January 21, 1993*

*Dear Jean,*

*Enclosed is a bank statement  
that was mailed here today.*

**Statement**

NON-TRANSFERABLE — See back for important information

Perpetual Savings Bank, F.S.B.

**PERPETUAL**  
Community Banking

1864

THERE'S A LOT OF INTEREST IN PERPETUAL CDS. WE OFFER A FULL LINE OF HIGH INTEREST FIXED RATE CDS. OR TRY OUR ONE YEAR, ONE PENALTY-FREE WITHDRAWAL CD ACCOUNT. IT HAS A VARIABLE RATE AND GUARANTEED FLOOR. ADD TO IT ANYTIME! FOR CURRENT RATES, VISIT ANY BRANCH OR CALL 838-6110 OR 800-422-6546, X6110.

JEAN M O'CONNELL  
3440 S. JEFFERSON ST. →  
APT. 1128  
FALLS CHURCH, VA. 22041

STATEMENT PERIOD  
FROM NOV 01 1988  
THROUGH NOV 30 1988

SOCIAL SECURITY NUMBER  
TAX ID NUMBER  
230-50-6044

MARKET RATE SAVINGS	ACCOUNT NUMBER	54753579		
INTEREST PAID:	THIS PERIOD	\$141.52	YEAR TO DATE	\$1,310.8
FEDERAL WITHHOLDING:	THIS PERIOD	\$00.00	YEAR TO DATE	\$0.0
DATE TRANSACTION DESCRIPTION			AMOUNT	BALANCE
-----				
BEGINNING BALANCE				
IV 07 FROM	00000006620603		13.26	26,401.2
IV 07 FROM	00000006620604		13.26	26,414.4
IV 30 DEPOSIT INTEREST			141.52	26,427.7
IV 30 FROM	00000006620603		55.42	26,569.2
IV 30 FROM	00000006620604		55.42	26,624.6
IV 30 FROM	00000006620605		58.50	26,680.1
				26,738.5

**REGULAR MARKET RATE SAVINGS AVERAGE INTEREST RATES FOR NOVEMBER.**

BALANCE UNDER \$2,500	RATE: 5.25%	YIELD: 5.39%
BALANCE \$2,500 TO \$9,999.99	RATE: 6.00%	YIELD: 6.18%
BALANCE \$10,000 OR MORE	RATE: 6.50%	YIELD: 6.72%

BALANCE \$50,000 OR MORE EARNS A PREMIUM RATE EFFECTIVE DEC. 1, 1988.

INTEREST IS CREDITED ON THE LAST DAY OF EACH MONTH.

----- END OF STATEMENT -----

Perpetual Savings Bank had my mother's correct address at the retirement home as early as 1988.

EDWARD J. WHITE  
ATTORNEY AT LAW  
118 SOUTH ROYAL STREET  
ALEXANDRIA, VIRGINIA 22314  
TELEPHONE 836-5444

April 26, 1993

Mrs. Jean M. Nader  
350 Fourth Ave.  
New Kensington, Pa. 15068

Dear Jean,

Enclosed are the old Perpetual papers you sent me which I do not need any more.

Also enclosed are the 1991 and 1992 statements of interest paid by them. I called Crestar and they said the account was closed in January. I had a note stating that it was closed in January 1991, but it must have been 1992. The \$63.17 in earnings would have been for that period of time in 1992. Since this was a joint account, the income was yours. Since you sent me that statement, I assumed you had picked it up for your return.

The 1991 interest was reported under your mother's final return.

Allison's letter is also in this package.

Sincerely,



Edward J. White

EJW/e

Fear. I cannot stop the secret advisors from framing Jean Nader with their accounting. I believe they did this to make Jean Nader afraid of having the accounting exposed (as if the CPA-lawyer-stockbroker accounting were her fault).

Anthony O'Connell:

3. On Schedule B under dividend income, what is the significance of \*BAL ON 1040 OF JEAN NADER, SSN 225 50 9052"?

To Edward White, copy to CPA firm, May 29, 1992

[Note: No response from Edward White or the CPA firm]

Lawyer:

Since this was a joint account, the income was yours. Sent you sent me that statement, I assumed you had picked it up on your return.

To Jean Nader, April 26, 1993

[Note: This is about eleven months after I asked the lawyer about it. There is only one joint CD so should be no confusion about which joint CD is being discussed]

Lawyer:

The amendment to this return is due to the discovery of a jointly owned certificate of deposit, held by the descendent and Jean M. Nader..... To the IRS, with the first amendment to the Estate Tax Return, June 21, 1993

Bank

May 17, 1993

~~CRESTAR~~

Ms. Jean M. O'Connell  
Ms. Jean Nader  
350 4th Avenue  
North Kensington, PA 15068

The CPA Joanne Barnes and  
Mr. White avoid accountability.  
They use Jean Nader.

Dear Ms. O'Connell and Ms. Nader:

Please respond before June 15, 1993.

I have responded to this.

This letter contains important information about your former Perpetual Savings Bank certificate of deposit(s). You may remember that Perpetual Savings Bank was declared insolvent last year by the Resolution Trust Corporation (RTC). All insured funds were transferred to Crestar Bank on January 10, 1992. At that time, all certificate of deposit accounts were closed and a Crestar cashiers check for the balance of the account was mailed to the owners at their last known address.

She believes to Franconia Rd -  
and was returned to Crestar -

Cashiers checks #88052398 in the amount of \$11,208.22 was issued to you on January 24, 1992 for certificate #66211061. However, the check was subsequently returned to Crestar because of an incorrect address. Efforts by Crestar to locate a better address identified the above to which this letter was sent.

These extra efforts to locate you are being made because our purchase agreement with the RTC requires that we return to them any transferred deposits that have not been "claimed" within 18 months of the acquisition date. This includes the funds for uncashed Crestar checks issued for closed certificate of deposits. Unless action is taken by you, Crestar will be required to return the balance of your Perpetual certificate of deposit to the RTC, which means your FDIC insurance coverage will expire and you may be prevented from claiming the full amount of your insured deposit.

It is important that you contact me, Carolyn Chenoweth at (804)782-7332, or Doreen Gregory at (804)782-7185, immediately to prevent your funds being returned to the RTC. Upon contacting us, we will instruct you as to what will be required to make and validate your claim. A replacement check will be sent to you after we have received the necessary documentation. We look forward to hearing from you as soon as possible so we may assist you in recovering your funds.

Sincerely,

*Carolyn Chenoweth*

Carolyn D. Chenoweth  
Corporate Accounting Officer

This means an amended federal  
and state estate tax return  
The CD goes to me but  
interest goes to Mother  
6005-

ESTATE OF JEAN M. O'CONNELL

ADDENDUM TO AMENDED RETURN

The amendment to this return is due to the discovery of a jointly owned certificate of deposit, held by the decedent and Jean M. Nader.

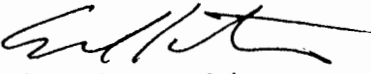
The amended return shows this as Item 2 on Part 2 of Schedule E. The estate's check in the amount of \$3629.09 for the additional tax is enclosed.

The certificate was held by Perpetual Savings Bank of the District of Columbia and Northern Virginia. That institution was declared insolvent and was taken over by the RTC. The accounts of Perpetual were transferred to Crestar Bank on January 10, 1972. Enclosed is a copy of a letter from Crestar Bank outlining the discovery of this account and its subsequent payment to the Co-holder, Jean M. Nader in the late Spring of 1993.

On March 16, 1992, within the nine months period for filing the 706 return, the undersigned went to Crestar to check if there were any outstanding accounts in the name of the decedent. At that time Crestar could find no such accounts, but stated that the Perpetual accounts received by Crestar were in very poor condition, and that much confusion existed concerning Perpetual's paperwork.

The decedent died on September 15, 1991. Crestar sent the payoff check to the decedent on January 24, 1992 apparently to the wrong address, as she had moved into a nursing home prior to her death.

In view of the fact that efforts had been made to ascertain the existence of all assets of the estate, and the fact that the Co-Executors had no knowledge of this account, it is requested that penalties and interest be waived in this case.

  
Edward J. White  
Co-Executor

These words strike me as more of a message to Jean Nader than the IRS. I believe this is to demonstrate to my sister how much effort the lawyer is putting forth to protect Jean Nader from the consequences of the IRS finding out what she did (as if she did something wrong).

This amendment  
was dated 6/21/93

C.

Item number	Enter letter for co-tenant	Description (Including alternate valuation date if any) For securities, give CUSIP number, if available.	Percentage Includible	Includible alternate value	Includible value at date of
1	A	Savings Account Hallmark Bank Springfield, Va. 31107849600	100		40,796.81
2	A	CD Crestar Bank #66211061 <i>AMENDED ITEM</i>	100		10,867.05

EDWARD J. WHITE  
ATTORNEY AT LAW  
118 SOUTH ROYAL STREET  
ALEXANDRIA, VIRGINIA 22314  
—  
TELEPHONE 836-5444

July 7, 1993

Edgar A. Prichard, Esq.  
8280 Greensboro Dr.  
#900  
McLean, Va. 22102

Re: Estate of Jean M. O'Connell

Dear Mr. Prichard,

Since you represent Mr. Anthony O'Connell, who has once more indicated his displeasure with the administration of this estate, we feel it is best to communicate with you before any precipitous action is taken.

The estate remains undistributed at this time for several reasons. First, no closing letter has been received from the IRS. Second, an amendment to the estate tax returns was filed at the end of June reflecting the existence of a CD which had not been discovered until recently (see IRS correspondence attached).

The first accounting, which was filed in October, 1992 (approximately three months before it was due) was approved on March 20, 1993. The delay apparently being inherent in the Commissioner's office. Debts and Demands were requested on November 13, 1992 and final action was taken by the Commissioner on them on December 30, 1992. A request for discharge of liability letter was sent to the IRS on April 18, 1993. On the same date an informal request as to the cause of the delay was sent to the IRS.

The Philadelphia office of the IRS has spoken to Mr. White on several occasions and is "checking" on the status of things.

As is true in any estate at this point, the following needs to be done:

1. Receive closing letters for the original and amended returns.
2. File a Motion to Show Cause for distribution.
3. Have an Order to Show Cause entered after due publication.
4. Present the Order of Distribution.
5. File the fiduciary income tax returns for the period

ending August 31, 1993.

6. Distribute the estate.

7. File the Second and Final Accounting. (Assuming that the tax matter is cleared so that a Third accounting is not needed.)

As was stated in Mr. White's letter to you of December 16, 1992, no distribution will be made until a final order is entered. If this is not the usual and customary procedure in Virginia, we would appreciate being enlightened.

The bulk of the estate is held in A. G. Edwards and is invested in various accounts, copies of the income from which are attached. The only major financial transaction of the estate which has occurred was in February, 1993 when Signet stock was sold at a gain of more than twice its value. Any claim that the Estate is losing money is spurious.

Mr. O'Connell recently has requested to know how much was charged for the preparation of the amended return. The answer is zero, since Mr. White prepared it as well as the original returns, even though that task is often given to accountants.

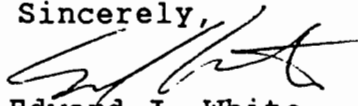
Mr. O'Connell's serious accusations against Mr. White, which he lodged with the Virginia State Bar were categorized by the Bar as having "no basis in fact or in law".

Mr. O'Connell's latest request to replace one of the Co-Executors has been denied.

The filing of a law suit is the prerogative of any person, however in this case, the estate will obviously hire counsel to defend itself (which will be a cost of administration) and will assert all possible defenses including Va. Code Ann. Section 8.01-271.1.

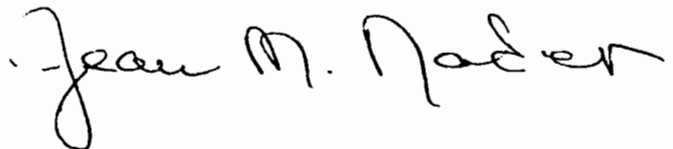
We would request that Mr. O'Connell be counseled as to these matters.

Sincerely,



Edward J. White

Jean M. Nader



EJW/e  
Encl.