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KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA.

EXPO 1

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

IN RE THE ESTATE OF
STEPHEN G. POTHIER,
Deceased.

NO: 10-4-005002 SEA
ORDER APPROVING AND
RATIFYING SETTLEMENT
AGREEMENT PURSUANT TO
TEDRA

THIS MATTER came on regularly for hearing before the undersigned Judge/Court Commissioner of the above-entitled court upon the Petition for an Order: (1) Approving Settlement Agreement; (2) Authorizing Administrator to Perform Actions Pursuant to Settlement Agreement; (3) Directing Delta Pilots Mutual Aid to Transfer Funds; and (4) Directing Metropolitan Life Insurance to Distribute Proceeds, filed by Kara Pothier as the personal representative of the Estate of Stephen Pothier. Now, Therefore, the Court enters the following findings and conclusions:

1. All parties entitled to notice have received proper notice of the hearing on this Petition, including: John Pothier, Mary Pothier, William Pothier, Theresa Pothier, Domonic Harper, and Richard Wills.

2. All procedural requirements of TEDRA with respect to the *Binding CR 2A Agreement Regarding the Estate of Stephen Pothier* have been satisfied.

ORDER APPROVING AND RATIFYING SETTLEMENT
AGREEMENT PURSUANT TO TEDRA - 1
Cause No.: 10-4-00500-2 SEA
Pothst.001

ORIGINAL

AIKEN, ST. LOUIS & SILJEG, P.S.
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SEATTLE, WASHINGTON 98104
(206) 624-2650/FAX (206) 623-5764

1 3. The interests of John Pothier have been adequately represented in the *Binding*
2 *CR 2A Agreement Regarding the Estate of Stephen Pothier* and John Pothier is bound by the
3 agreement's terms.

4 4. It is in the best interests of the Estate, its beneficiaries, and its creditors for the
5 Court to approve the *Binding CR 2A Agreement Regarding the Estate of Stephen Pothier*.

6 Based on the foregoing, it is Hereby

7 ORDERED that the *Binding CR 2A Agreement Regarding the Estate of Stephen*
8 *Pothier* is APPROVED, and Kara Pothier's entry in the *Binding CR 2A Agreement Regarding*
9 *the Estate of Stephen Pothier* as personal representative of the estate is hereby RATIFIED. It
10 is further

11 ORDERED that Kara Pothier, as personal representative of the Estate, shall be and
12 hereby is authorized to perform all obligations required of her as personal representative
13 pursuant to the *Binding CR 2A Agreement Regarding the Estate of Stephen Pothier*, including:
14 to pay the administrative expenses including her attorneys' fees up to the sum of \$95,000.00
15 from the Estate accounts; to file an amended Estate tax return; and to take any other actions or
16 execute any other documents that may be necessary to effectuate the terms of the agreement.

17 It is further

18 ORDERED that Delta Pilots Mutual Aid shall be and hereby is directed to transfer to
19 Kara Pothier, individually, all funds payable from Delta Pilots Mutual Aid that have not yet
20 been dispersed, pursuant to ¶ G of the *Binding CR 2A Agreement Regarding the Estate of*
21 *Stephen Pothier*. And it is further

22 ORDERED that Kara Pothier has agreed to withdraw any objection she has made
23 regarding the competency of Stephen Pothier at the time of the change of beneficiary
24 designation, pursuant to the terms of the *Binding CR 2A Agreement Regarding the Estate of*
Stephen Pothier, and that the proceeds from the decedent's Metropolitan Life policy shall be

distributed only pursuant to the outcome of the interpleader action pending before the Federal District Court for the Northern District of Texas, Dallas Division, 10-CV-01950-O.

~~*** Order~~
DONE IN OPEN COURT this 14th day of December 2010.

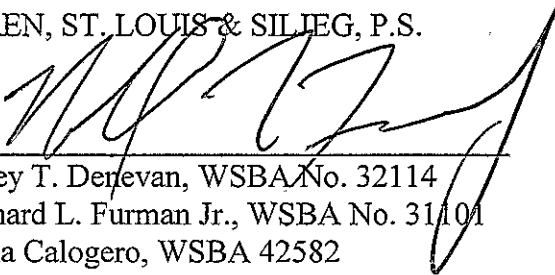

JUDGE/COURT COMMISSIONER
ERIC WATNESS

Presented by:

DEC 14 2010


AIKEN, ST. LOUIS & SILJEG, P.S.

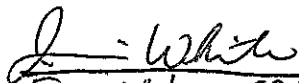
COURT COMMISSIONER

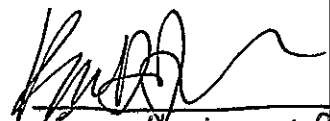
By 
Corey T. Derevan, WSBA No. 32114
Richard L. Furman Jr., WSBA No. 31101
Carla Calogero, WSBA 42582
Attorneys for Kara Pothier, Administrator

~~***~~ *Ordered that John Pothier shall be and hereby is sanctioned for two hours time at Richard Furman's hourly rate of \$250 for the late filing of his response to the petition to approve the settlement. The total sanction is thus \$500.00.*

ordered that John Pothier's interest in the Met. Life insurance proceeds is limited to the funds remaining in that policy at the date of Stephen Pothier's death pursuant to the recently published case from the Court of Appeal, Lake v. Brateng.


Robert Morgan WSBA No 26368
Attorney for John Pothier


Janis White WSBA No. 29158
Attorney for Thomas Pothier


Kasey Huebner WSBA No. 32870
Attorney for Benjamin Thompson and William Pothier.

ORDER APPROVING AND RATIFYING SETTLEMENT AGREEMENT PURSUANT TO TEDRA - 3
Cause No.: 10-4-00500-2 SEA
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