

**FILED UNDER SEAL**

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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**KEMP & ASSOCIATES, INC. AND  
DANIEL J. MANNIX**

**Defendants.**

**DECLARATION OF RICHARD F.  
ALBERT, ESQ.**

**Case No. 2:16-cr-403-DS**

**U.S. District Judge David Sam  
Magistrate Judge Brooke C. Wells**

---

RICHARD F. ALBERT, hereby declares pursuant to 28 U.S.C. § 1746, as follows:

1. I am a principal of the law firm Morvillo Abramowitz Grand Iason & Anello, P.C., attorneys for the Defendant Daniel Mannix in the above-captioned matter. I am admitted *pro hac vice* to this Court for this case. I submit this declaration in support of both Defendants' motion for an order ruling that this case be subject to Sherman Act rule of reason analysis, and to dismiss the Indictment, for the purpose of providing the Court with certain materials referenced in the accompanying Motion and Memorandum of Law.
2. Attached as Exhibit A is a copy of the indictment filed in this case on August 17, 2016.
3. Attached as Exhibit B is a copy of a document bearing bates number BBFL20141215 001 through 002, representing an email chain dated May 22 and 23, 2000, produced by the government in discovery in this case.
4. Attached as Exhibit C is a copy of a document bearing bates number BBMA-00010159, representing a fee sharing agreement for the Estate of Margaret Rubinacci produced by the government in discovery in this case.

5. Attached as Exhibit D is a copy of a document bearing bates number KDM00013547, representing an email dated July 30, 2008 produced by the government in discovery in this case (and originally produced to the government by Kemp & Associates, Inc.).

6. Attached as Exhibit E is a copy of the letter dated December 23, 2016 provided by the government in response to a defense request for a bill of particulars. Attachment A to the letter contains a list prepared by the government of "Estates Affected by the Charged Conspiracy."

7. Attached as Exhibit F are copies of documents bearing bates numbers BBMA-00041112, KEMP 00010413 and BBMA-00007417, representing, respectively, fee sharing agreements for the Estates of Russel G. Schoelkopf, Joseph Merlo and Elsie MacNeal, produced by the government in discovery (and KEMP 00010413 was originally produced to the government by Kemp & Associates, Inc.).

8. Attached as Exhibit G are copies of documents bearing bates numbers CVL-ARC-0033539 and BBMA-00043624, representing, respectively, emails concerning the Estate of Sorkness and the Estate of Komarek.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: March 31, 2017

/s/ Richard F. Albert  
Richard F. Albert, Esq.

# Exhibit A

JOHN W. HUBER, United States Attorney (#7226)  
 JACOB J. STRAIN, Assistant United States Attorney (#12680)  
 185 South State Street, Ste. 300 • Salt Lake City, Utah 84111  
 Telephone: (801) 524-5682 • Facsimile: (801) 325-3387

FILED  
 U.S. DISTRICT COURT

2016 AUG 17 1:08

DISTRICT OF UTAH

KALINA M. TULLEY, Asst. Chief, Antitrust Division, U.S. Dept. of Justice (IL 6210304)  
 ROBERT M. JACOBS, Trial Attorney, Antitrust Division, U.S. Dept. of Justice (IL 6289819)  
 RUBEN MARTINEZ, JR., Trial Attorney, Antitrust Division, U.S. Dept. of Justice (TX 24052278)  
 MOLLY A. KELLEY, Trial Attorney, Antitrust Division, U.S. Dept. of Justice (IL 6303678)

*Attorneys for the United States of America*

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEMP & ASSOCIATES, INC. and  
 DANIEL J. MANNIX

Defendants.

INDICTMENT

15 U.S.C. § 1 (Antitrust)(Count 1)

Case: 2:16-cr-00403  
 Assigned To : Sam, David  
 Assign. Date : 8/17/2016  
 Description: USA v.

The Grand Jury charges that:

**I.**

**DEFENDANTS AND CO-CONSPIRATORS**

At times relevant to this Indictment:

1. Defendant KEMP & ASSOCIATES, INC. was a corporation organized and existing under the laws of Utah, with its principal place of business in Salt Lake City, Utah. KEMP & ASSOCIATES, INC. was a provider of Heir Location Services (as defined in Paragraph 6) in the United States.

2. Defendant DANIEL J. MANNIX was a resident of Draper, Utah. At various times, MANNIX was employed by KEMP & ASSOCIATES, INC. as Director of Operations, Estate Researcher, and Vice President/COO.

3. Another corporation and other individuals, not made defendants in this Indictment, participated as co-conspirators in the offense charged in this Indictment and performed acts and made statements in furtherance thereof.

4. Whenever in this Indictment reference is made to any act, deed or transaction of any corporation, the allegation means that the corporation engaged in the act, deed, or transaction by or through its officers, directors, agents, employees, or other representatives while they were actively engaged in the management, direction, control or transaction of its business or affairs.

## II.

### BACKGROUND

5. During the period covered by this Indictment, the Defendants and their co-conspirators sold Heir Location Services in the United States.

6. Providers of Heir Location Services identify heirs to estates of intestate decedents and, in exchange for a contingency fee, develop evidence and prove heirs' claims to an inheritance in probate court.

7. Potential heirs who have yet to contract with, and thus become the customer of, an Heir Location Services provider may receive offers from one or more such providers. Providers may distinguish their offers from those of competitors by offering more attractive contingency fee rates. The complexity of the estate, the determinability and number of heirs to the estate, and the law that governs the estate are factors that affect when heirs receive their final distribution, which can take up to five or more years.



**III.**

**DESCRIPTION OF THE OFFENSE**

**Count 1  
15 U.S.C. § 1  
(Antitrust)**

8. The allegations set forth in paragraphs 1 through 7 above are incorporated herein by reference and realleged as though fully set forth herein.

9. Beginning as early as September 1999 and continuing as late as January 29, 2014, the exact dates being unknown to the Grand Jury, in the District of Utah and elsewhere, Defendants knowingly entered into and engaged in a combination and conspiracy with Richard A. Blake, Jr., and other unindicted co-conspirators to suppress and eliminate competition by agreeing to allocate customers of Heir Location Services sold in the United States. The combination and conspiracy engaged in by the Defendants and their co-conspirators was in unreasonable restraint of interstate trade and commerce in violation of Section 1 of the Sherman Act (15 U.S.C. § 1).

10. The charged combination and conspiracy consisted of a continuing agreement, understanding, and concert of action among the Defendants and their co-conspirators, the substantial terms of which were to allocate customers of Heir Location Services sold in the United States.

**IV.**

**MEANS AND METHODS OF THE CONSPIRACY**

11. For the purpose of forming and carrying out the combination and conspiracy alleged in this Indictment, the Defendants and their co-conspirators did those things that they combined and conspired to do, including, among other things:

(a) participated in conversations and other communications to discuss

methods for allocating heirs of estates in the United States;

- (b) agreed, during those conversations and other communications, that when both co-conspirator companies contacted the same unsigned heir to an estate, the co-conspirator company that first contacted that heir would be allocated certain remaining heirs to that estate who had yet to sign a contract with an Heir Location Services provider;
- (c) agreed that the co-conspirator company to which heirs were allocated would pay to the other co-conspirator company a portion of the contingency fees ultimately collected from those allocated heirs;
- (d) provided notice to the co-conspirator company that first contacted the unsigned heir that the other co-conspirator company had subsequently contacted that heir, in order to effectuate the agreement;
- (e) memorialized on an estate-by-estate basis the terms of the heir allocation and contingency fee split agreement between the co-conspirators as these terms applied to the specific estate;
- (f) made payments to the co-conspirator company, and received payments from the co-conspirator company, in order to effectuate the agreement;
- (g) submitted offers to provide Heir Location Services, which included contingency fee rate quotations, to potential heirs, and refrained from submitting offers and quotations to potential heirs, in accordance with the agreement;
- (h) sold Heir Location Services in the United States at collusive and noncompetitive contingency fee rates;

- (i) accepted payment for Heir Location Services sold to heirs in the United States at collusive and noncompetitive contingency fee rates; and
- (j) engaged in conversations and other communications for the purpose of monitoring and enforcing adherence to the conspiracy.

V.

TRADE AND COMMERCE

12. During the period covered by this Indictment, the Defendants and their co-conspirators sold Heir Location Services that were subject to the charged conspiracy to heirs in the United States in a continuous and uninterrupted flow of interstate trade and commerce. Defendants and their co-conspirators solicited, and sold such services to, heirs located in states other than where the Defendant and co-conspirators were located and other than where the probate courts administering the affected estates were located. Substantial payments for the Heir Location Services and distributions of substantial proceeds from affected estates as well as contracts, invoices, and other forms of business, financial, and legal records and documents related to the Heir Location Services traveled in interstate commerce.

13. During the period covered by this Indictment, the business activities of the Defendants and their co-conspirators in connection with the sale and provision of Heir Location Services that are the subject of this Indictment were within the flow of, and substantially affected, interstate commerce.

ALL IN VIOLATION OF TITLE 15, UNITED STATES CODE, SECTION 1.

Dated: Aug 17, 2016

A TRUE BILL:

151  
Foreperson of the Grand Jury



JOHN W. HUBER  
United States Attorney



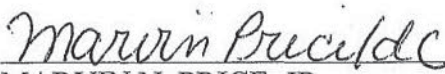
JACOB J. STRAIN  
Assistant United States Attorney



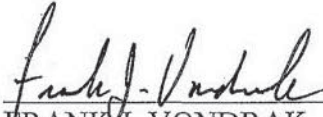
RENATA B. HESSE  
Acting Assistant Attorney General



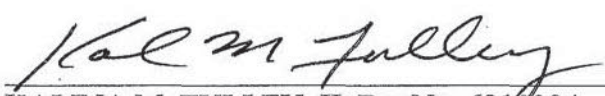
BRENT SNYDER  
Deputy Assistant Attorney General



MARVIN N. PRICE, JR.  
Director of Criminal Enforcement  
Antitrust Division  
U.S. Department of Justice



FRANK J. VONDRAK  
Chief, Chicago Office



KALINA M. TULLEY, IL Bar No. 6210304  
Assistant Chief

ROBERT M. JACOBS, IL Bar No. 6289819  
RUBEN MARTINEZ, JR., TX Bar No. 24052278  
MOLLY A. KELLEY, IL Bar No. 6303678  
Trial Attorneys  
U.S. Department of Justice  
Antitrust Division  
Chicago Office  
209 S. LaSalle Street, Suite 600  
Chicago, IL 60604  
Tel.: (312) 984-7200

# Exhibit B

11/19/2002 13:17 FAX 781 848 9794

BLAKE &amp; BLAKE

+ G SCHIEFERSTIN

0001/002

Page 1 of 2

**Joie Blake**

From: cliff@blakeandblake.com [cvonlangen@bestnetpc.com]  
 Sent: Tuesday, May 23, 2000 8:52 AM  
 To: Daniel J. Mannix  
 Cc: Rick Blake; Joie Blake; Gary R. Schieferstin; Dick Blake  
 Subject: Re: Guidelines

Blake & Blake agrees to incorporate the guidelines below regarding all new cases that we discuss from this day forward.

----- Original Message -----

From: Daniel J. Mannix  
 To: Rick Blake; Gary R. Schieferstin; Cliff von Langen  
 Sent: Monday, May 22, 2000 5:59 PM  
 Subject: Guidelines

Kemp & Associates agrees to incorporate the guidelines below regarding all new cases that we discuss from this day forward.

**GUIDELINES**

1. If company A contacts an unsigned heir that has been hit by company B then company A contacts company B and splits the case. However, company B will get to keep the full value of assignments that are in their hand or are dated prior to the date that company A calls.

-The reasoning here is that each company should be able to keep all heirs that they have signed whether in hand or in the mail.

2. This whole process is initiated when company A contacts an unsigned heir, or if any company can contact the other and offer reasons why they should talk about a case, but if they have not spoken to an unsigned heir yet, the contacted company is under no obligation to discuss the case.

3. The process above should apply per moiety or company A can take one moiety and company B takes the other and we split the case 50/50.

4. The split should be 55-45 with attorney coming off the top and the company that does the signing and documenting getting the 55% share. The company that has more expenses and does more work gets paid more.

5. In the case of smaller estates, defined as under \$75,000 with no heirs and under \$150,000 with known heirs, the fee split will be 2/3 - 1/3 with the company doing the work receiving the larger share. This value will be applied to the amount of the estate distribution, not the petition value. The fee split on any case that distributes above the minimum fees stated above, will be split 55/45.

6. The following scenarios apply to these guidelines:

- A) Company A contacts Company B and they agree to a fee split. After the agreement, should any company find superior heirs (ie: nieces & nephews on a cousin case) the agreement still stands.

5/23/00

BBFL20141215 001

11/19/2002 13:18 FAX 781 848 9794

BLAKE & BLAKE

- G SCHIEFERSTIN

002/002

Page 2 of 2

B) Company B locates cousins and sends agreements. Subsequently, Company B finds superior heirs. Then Company A contacts the unsigned cousins and requests a fee split. At that point, Company B advises Company A that the cousins are inferior heirs and rejects the split. Should Company A later locate any of the correct heirs who are unsigned, they may call Company B again to request a split.

C) Company A locates cousins. Company B locates superior heirs. There is no contact between the companies since they located different sets of heirs. Case belongs to Company B.

7. All of the above is subject to review and change if both parties agree upon said changes.

#### VERIFICATION

*Guideline #1* When a split has been initiated and Company B is claiming exclusive rights to the heirs that they signed prior to the date that Company A contacted an unsigned heir, then Company A may request copies of those assignments to be faxed to them a week later.

*Guideline #2* When Company A contacts an heir that Company B has contacted and when said heir is unsigned Company A must then provide the heir's name, address, & phone number in order to initiate the split process.

5/23/00

BBFL20141215 002



# Exhibit C

**KEMP & ASSOCIATES, INC**

2677 PARLEYS WAY, SALT LAKE CITY, UTAH 84109  
(801) 532-5800 • FAX: (801) 532-5803  
WWW.KEMPANDASSOCIATES.COM

**FAX**

August 14, 2007

Attn: Rick Blake

Fax: 781-848-9794

From: James Kohout

Phone: 801-532-5843 ext. 137  
Fax: 801-532-5803

Re: Estate of Margaret Rubinacci

Total Number of Pages: 1

\*\*\*\*\*

Rick;

This will serve to confirm that we will split the paternal moiety of the Margaret Rubinacci estate 60/40. The 5% attorney fee will be deducted from the gross fee and each of our firms will be responsible for our own correspondent and reporter fees. Kemp & Associates will receive 60% for completing all necessary work while Blake & Blake will receive 40%. Kemp & Associates shall retain full value for any assignments dated on or before August 13, 2007.

  
James T. Kohout

  
Rick Blake

INTERNATIONAL PROBATE RESEARCH

CONFIDENTIAL

BBMA-00010159

# Exhibit D

Message

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**From:** Dan Mannix [DMannix@kempandassociates.com]  
**Sent:** 7/30/2008 5:07:44 PM  
**To:** John N. Bergquist [jbergquist@kempandassociates.com]; Brian Kraus [bkraus@kempandassociates.com]; Derek A. Gersdorf [dgersdorf@kempandassociates.com]; Barbara S. Williams [bwilliams@kempandassociates.com]; Robert Barrett [rbarrett@kempandassociates.com]; John S. Barrett [jbarrett@kempandassociates.com]; Keith R. Hunsaker [khunsaker@kempandassociates.com]; Jeff Kemp [jkemp@kempandassociates.com]  
**Subject:** B&B

Lady & Gentlemen,

The "formal" agreement that we have had with B&B for the last decade is over. If necessary, we will continue to discuss cases when it makes sense. We will attempt to observe what is considered the industry standard of 1/3 whenever possible.

Thank you to everyone for your input and support for this move. I believe it is long past due to end our "official" ties to this crew. If you have any questions or wish to talk about this further, as always, I am free to discuss any aspect of this situation.

In a related note, I will be leaving at midnight:01 tonight to go see Fraser, so if you wish to speak about this now, time is an element.

I will be returning to the office on Friday August 8 and I would therefore appreciate it if everyone can pitch in on a few items in my absence. Please send all solves & cleans (with # of heirs signed, %'s CTN, etc.) to my e-mail while I'm gone. I will be checking e-mail, so I can communicate in that manner. Keith will be in the office next week and he will be taking cases. Brian & Barbara will take cases whenever Keith is indisposed.

Thanks again for your cooperation concerning all of the above.

Sincerely,

Dan



# Exhibit E



U.S. Department of Justice

Antitrust Division

---

*Chicago Office*

*Rookery Building  
209 South LaSalle Street, Suite 600  
Chicago, Illinois 60604*

*312/984-7200  
FAX 312/984-7299*

December 23, 2016

EMAIL AND FEDERAL EXPRESS

James A. Mitchell, Esq.  
Michael J. Grudberg, Esq.  
Ballard Spahr LLP  
919 Third Avenue, 37<sup>th</sup> Floor  
New York, NY 10022

Richard F. Albert, Esq.  
Miriam Glaser, Esq.  
Morvillo Abramowitz Grand Iason & Anello PC  
565 Fifth Avenue  
New York, NY 10017

Re: U.S. v. Kemp & Associates, Inc., et al., No. 2:16-cr-00403-DS

Dear Counsel:

Per your request for particular information in your letter dated October 28, 2016, the United States is providing the following disclosures:

Attachment A - Estates affected by the charged conspiracy; and

Attachment B - Coconspirators.

Please note that we reserve the right to amend or supplement these disclosures if appropriate.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robert Jacobs", followed by a horizontal line.

Robert Jacobs

Enclosures

**Attachment A:**  
**Estates Affected by the Charged Conspiracy (v.2016/12/23)**

STERN, NATHAN  
 NEITZCE, ALBERT  
 SQUIRE, GRACE H  
 GREEN, ELEANOR FAYE  
 WEICHMAN, JUNE L  
 JELINEK, CARL  
 HESSINGER, ANNE B.  
 KELLER, ELMA MAE  
 HUNT, MILDRED A.  
 BUCK, CHARLES  
 WEIHMILLER, DORIS  
 FOX, CHESTER H.  
 TRIVETT, VIVIAN VALADA  
 MCCLAIN, DOROTHY  
 NODGE, JOSEPH FRANCIS JR  
 SWEEDER, STEPHANIE  
 WEISENBERG, CHERIE  
 BLISS, JOHN A.  
 DARE, MADELYN G.  
 SHAFFER, RUTH B  
 WEBER, OLGA SILLIAN  
 HUSSONG, GRACE M.  
 UNDERCOFFLER, CHARLES  
 JOHNSON, WALTER  
 BETTE, CHARLES  
 BEIDLER, HELEN E  
 TANSKI, MARGARET  
 CRAMER, CLINTON F., JR.  
 MCLAREN, GRACE FOWLER  
 WAGAR, EDWARD E  
 KRAMER, EDNA J  
 HUNTLEY, ALBERT  
 KERR, MARGARET J.  
 RUDY, GEORGE V  
 GRAINGER, MARY  
 SWIHART, HARRY JAMES  
 CURTIS, CLIFTON B  
 COLSON, MARY E.  
 PERRITTE, JAMES M.  
 WESTOCK, WILLIAM F.  
 MEKLAND, AMELIA SIEBER  
 PANNY, STEVEN FRANK  
 MILLER, WILLIAM F., JR.  
 MONAHAN, ROGER  
 GANN, DOROTHY L.  
 NEWMAN, MILDRED F.  
 SCHOENHOLTZ, ALICE  
 EWING, DICK

DRAEGER, DUANE  
 SWARTFIGURE, MILDRED R.  
 TANZER, RICHARD F.  
 TOUTON, RUSH DONWELL JR  
 EBY, WILBUR E.  
 MAKOWSKI, STANLEY J.  
 CLEMENTZ, GLADYS A  
 HELFAND, STEPHAN A.  
 WYATT, LORETTA SHARON  
 REID, DEBRA A.  
 HUFFER, CHARLES MATTHEW  
 FARRELL, RICHARD J.  
 MONTEITH, BETTY MAE  
 MACK, THOMAS J.  
 WEDEN, ARTHUR A.  
 SACHEK, JOESPH J.  
 HEIDELMAN, DANIEL J.  
 GILL, JAMES E.  
 DEVAUGHN, EDWARD B.  
 JOHNSTON, CLARENCE L  
 LAZARUS, CLAIRE  
 BECKWITH III, JASON ALFRED  
 ROSENZWEIG, ABE  
 SCHUG, BRUCE R.  
 SAYRE, ELEANOR F.  
 HOAG, CHARLES J.  
 CHASTAIN, ERCIE  
 QUINN, RUTH ELLEN  
 LASER, BRYAN E.  
 SCHULTZ, JEROME ROGERS  
 WALDRON, ALBERT V.  
 ELLIS, GERTRUDE  
 MARIAN, RICHARD JOSEPH  
 SPINNER, SHELDON  
 SESSINE, LEON V  
 TURNER, MARGARET  
 FANELLI, LOU WATSON MCCOY  
 MULLER, ADELAIDE A.  
 WHINYATES, FRANCES  
 BELLAH, JOAN  
 TOPOR, STANLEY J.  
 MEZZETTI, PAUL JOSEPH  
 CRAWFORD, JAY MARKS  
 MEAD, MARILYN BERGER  
 VILLOCHI, LUCIA  
 BREWER, JOHN ROBERT  
 CAMERON, FLORENCE D.  
 BASTIEN, ARTHUR E.

FIELDS, LOUISE TERESA  
LOWE, CLIFFORD  
JOSLIN, PAULINE  
EDGINGTON, ROBERT BAXTER  
FRAZER, MYRTLE E.  
MORROW, ANNA DOROTHY  
PRENDERGAST, HARRY T.  
SHEEHAN, EMILY P.  
EDWARDS, WILSON  
VANWYK, DONALD J.  
GUISE, EDWARD  
DUMBRAUSKAS, ANTHONY B.  
OLIVER, SUSAN N.  
ORMSBY, GEORGE MARTIN  
BREUER, HEDWIG  
HALL, MARY ROSE  
JAEGER, HELEN  
MULLIN, RAYMOND J.  
PAYTON, HELEN  
LLEWELLYN, PHYLLIS M.  
CARR, MARGARET  
KNODT, MARIAN  
GOSS, MARGARET M.  
NEAL, DONALD C.  
ENGLE, HERMAN J.  
BRAUN, KATHY A.  
JANCA, ESTHER A.  
CAUGHEY, GEORGE J., JR.  
KOZUBAL, LAWRENCE J.  
ALLISON, ELIJAH  
LUTSKO, ANNA B.  
PATTERSON, HOYT BLAKE  
HEIM, LOUIS J, III  
GRISSETTE, JEAN CLAIRE  
PON, WU  
WIDMAN, AUDREY J.  
RAGLAND, CHRISTINE  
NICHOLS, RICHARD WALTER  
KORAK, IRENE  
MCALPIN, JOHN  
WILHELM, ROBERT A.  
PARKER, ANTHONY K.  
ROSDAHL, HARRISON L  
HOOKER, JACK  
GILMARTIN, PHYLLIS  
KREISLER, RUTH  
KELLMAN, GRACE C.  
FREEDMAN, WILLIAM  
SCHLECHTIGER, CHARLES  
FEDDEN, HELEN  
RUBBLACK, ADELE F.

WOODALL, GEORGE WASHINGTON Jr.  
EISBART, MOLLIE  
WHITE, GERALDINE  
TOMASITS, EDWARD C., JR.  
WAGNER, ROGER  
HALLER, LINCOLN P.  
BROWN, DALE  
ALLEN, DORIS I.  
BARBEN, HELENA M.  
KNIPPER, LILLIAN MAE LITTLE  
WITMER, NARCISSUS B.  
BARTHOLOMEW, PHYLLIS  
JURCZYNSKI, FLORENCE  
ROBISON, JAMES P.  
FORKO, FRANCES M.  
PIERCE, NINA M.  
BOCHONOK, ANASTAZIA  
STARUN, HELEN  
BACHRAN, MELVIN M.  
BAGLEY, JAMES LESTINE  
SCHLANSKY, FRED S.  
RAWLINS, JOAN AKA GAROFALO  
MURRAY, LAURENCE A.  
CLANCY, DENNIS J.  
EHRENHARDT, WILLIAM  
JONES, LOUISE  
TALLON, VIRGINIA M.  
HAUN, EVELYN RUTH  
HANEY, ROBERT W.  
LEONE, JOSEPH  
ELLIG, ERNEST FRANCIS  
PERRY, WILLIAM R.  
ZACHAREWICZ, PAUL V.  
HUGHES, MARY T.  
ROBERTS, ELEANOR GLENNE  
STRATTON, LEONARD  
LAU, RUTH  
DELASHUMUTT, RAYMOND E.  
HESSIAN, JOHN E.  
WOLCOTT, LEE L.  
MARANOS, DIANE  
CHLEBOWSKI, RICHARD  
MCCARTHY, WILLIAM JOSEPH  
BERNDT, RICHARD  
NELSON, MAE IRENE  
RICHARD, KERMELLE C.  
VAIL, DOLORES  
SCHILL, CARL E.  
SACKMAN, GEORGE W.  
ZIEGLER, EILEEN  
KOLAT, KENNETH



SAILER, KESTER H.  
SAMULSKI, EDNA  
MACOMBER, DOUGLAS  
NELSON, LILLIAN  
BALDASSARE, JEFFREY G.  
KOMAREK, JOSEPH  
REISBACK, THELMA F.  
NELSON, HELEN K.  
SHARP, WILBUR LOUIS, JR.  
VOLCART, JOHN P.  
CAMPBELL, WILLIAM  
KRIEGER, MILDRED  
MILLER, ELSI YEE  
SULLIVAN, MICHAEL F.  
HILL, NORMAN EDWARD  
BURNIE, NANCY BARNES  
COUHIG, PATRICIA  
SMITH, CHARLES W, JR.  
MOOSMAN, ELSIE ROSE  
BARAN, EDWARD A.  
RHODES, ROBERT D.  
VANELLI, FRANCES CATHERINE  
LACAPRA, ANTHONY J.  
ADAMS, JEAN W.  
PIEKARSKI, M. ALPHONSINE  
LARSON, JOHN  
BENTHAM, DENNIS  
SENIA, BARTON  
MORAN, DOROTHY  
BELL, WAYNE T.  
KARAMOL, ROBERT J.  
ARENA, GLORIA V.  
WISSLER, JACOB S. JR.  
STERN, SHELDON  
LEE, ROBERT E.  
MCNARY, MARY A.  
RAINES, ROBERT H.  
ANDERSEN, NANCY  
CORLIES, JANET M.  
HANNON, FRANCIS T.  
GOERTZEN, ROBERT GARVIN  
KUNDROTAS, HAROLD  
LAMB, DONALD PATTON  
CLOWE, TERRENCE  
NINA, DOROTHY P.  
BEREZOWSKY, ANNA  
BROTSCHOL, IRENE  
HUMES, RALPH C.  
RUBINACCI, MARGARET  
LABUDA, PENELOPE  
LAURSEN, VIRGINIA

BAYER, DAVID VALENTINE  
PFISTER, GERHARD  
POTTS, ROBERT E.  
WYLES, HENRY EDMUND  
WILLIAMS, JANET LOUISE  
KRUSH, HELEN  
DAVINO, ROBERTA S.  
BARNES, THOMAS E.  
SHAWCROSS, ROBERT E.  
SWEENEY, NINA  
NIVEN, MARY  
SCHOELKOPF, RUSSELL GERALD  
MERLO, JOSEPH  
MACNEAL, ELSIE  
HURSTAK, HOWARD  
SORKNESS, ARDELLE M.  
WORSTER, VIRGINIA  
KEATING, GEORGE S.  
WILSON, JOANN MARY  
SCHNELL, MARGARET R.

**Attachment B:**  
**Coconspirators in the Charged Conspiracy (v.2016/12/23)**

**Individuals**

Last Name	First Name
[REDACTED]	
Blake, Jr.	Richard
[REDACTED]	
Mannix	Daniel
[REDACTED]	

**Entities**

Name	State of Incorporation
[REDACTED]	
Kemp & Associates, Inc.	Utah

# Exhibit F

BLAKE & BLAKE

\* KEMP ASSOCIATES

001

**BLAKE & BLAKE GENEALOGISTS**

TEL 781.848.9235

FAX 781.848.9794

EMAIL [RICK@BLAKEANDBLAKE.COM](mailto:RICK@BLAKEANDBLAKE.COM)

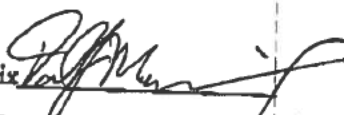

**FACSIMILE TRANSMITTAL SHEET**

TO: Dan Mannix	FROM: Rick Blake
COMPANY: Kemp & Associates	DATE: 5/16/2008
FAX NUMBER: 801.532.5803	TOTAL NO. OF PAGES INCLUDING COVER: 1
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
RE: Estate of Russell G. Schoelkopf	YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

**NOTES/COMMENTS**

This fax will serve to confirm our understanding that we will split the proceeds of the *Russell G. Schoelkopf Estate (Maternal Moiety)* on a 60/40 basis (Kemp & Associates to receive 40% and Blake & Blake to receive 60% for signing the heir/heirs, completing the work and effecting the collection of our fee). The five percent attorney fee will be first deducted from the gross fee and our respective firms will assume the responsibility for their own reporter fees. *Blake & Blake will retain full value of all assignments dated prior to May 13, 2008.*

Dan Mannix  Rick Blake   
Dated: 5-15-2008 Dated: 5-15-08

Regards,

CC/file

50 BRAINTREE HILL OFFICE PARK  
SUITE 202  
BRAINTREE, MA 02184  
[WWW.BLAKEANDBLAKE.COM](http://WWW.BLAKEANDBLAKE.COM)



08/05/2008 11:39 FAX 781 848 9794

BLAKE & BLAKE

\* KEMP ASSOCIATES

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JUN-04-2008 WED 03:47 PM P & ASSOCIATES

FAX NO. 1 83303371

P. 01/01

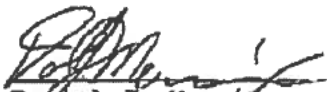
June 4, 2008

Richard A. Blake, Jr.  
Blake & Blake  
50 Braintree Hill Office Park, Suite 202  
P.O. Box 5128  
Braintree, MA 02184  
Fax# 781-848-9794

RE: Estate of Joseph Merlo

Dear Rick:

I am writing to confirm that we will split the estate of Joseph Merlo 60/40. The five percent attorney fee will be deducted from the gross fee and each of our firms will be responsible for our own correspondent and reporter fees. Blake & Blake will receive 60% for completing the work while Kemp & Associates will receive 40%. Blake & Blake will retain full value of any assignments dated on or before June 3, 2008.

  
Daniel J. Mannix

  
Richard A. Blake, Sr.

KEMP & ASSOCIATES, INC

2677 HARLEYS WAY, SALT LAKE CITY, UTAH 84109  
(801) 532-5800 • FAX: (801) 532-5803  
WWW.KEMPANDASSOCIATES.COM


July 30, 2008


Richard A. Blake, Jr.  
Blake & Blake  
50 Braintree Hill Office Park, Suite 202  
P.O. Box 9128  
Braintree, MA 02184  
Fax# 781-848-9794

RE: Estate of Elsie MacNeal

Dear Rick:

I am writing to confirm that we will split the estate of Elsie MacNeal 60/40. The five percent attorney fee will be deducted from the gross fee and each of our firms will be responsible for our own correspondent and reporter fees. Kemp & Associates will receive 60% for completing the work while Blake & Blake will receive 40%.

  
Daniel J. Mannix

  
Richard A. Blake, Jr.

Thanks Dan -

INTERNATIONAL PROBATE RESEARCH

CONFIDENTIAL

BBMA-00007417

# Exhibit G

**Janet Snow - Blake Blake**

---

**From:** Cliff von Langen - Blake & Blake [cliff@blakeandblake.com]  
**Sent:** Thursday, November 18, 2004 7:22 AM  
**To:** Barbara Williams  
**Cc:** Rick Blake; Janet@blake  
**Subject:** Re: SORKNESS

Barb,

Thanks for the update (darn!). By copy, advising Rick and asking Janet to close our file.

Regards,

Cliff

----- Original Message -----

From: "Barbara Williams" <bwilliams@kempandassociates.com>  
To: <cliff@blakeandblake.com>  
Sent: Wednesday, November 17, 2004 3:21 PM  
Subject: SORKNESS

> Cliff,  
>  
> Correction: The will leaves everything to the boyfriend should he survive  
> and he did survive, so his estate will be beneficiary.  
>  
> Thanks,  
>  
> Barb  
>

----- Original Message -----

From: "Barbara Williams" <bwilliams@kempandassociates.com>  
To: <cliff@blakeandblake.com>  
Sent: Wednesday, November 17, 2004 3:15 PM  
Subject: Estate of Ardelle Sorkness

> Cliff,  
>  
> We have decided to shut this case down. A will has been submitted and  
> accepted for probate leaving everything to the decedent's long time live  
> in  
> boyfriend. The boyfriend was murdered shortly after the decedent's death,  
> however, the will provided that his issue would take and his children have  
> appeared as heirs.  
>  
> Barb  
>

Fri, Dec 7, 2007 6:56 PM

---

**Subject: Komarek estate**

**Date:** Friday, December 7, 2007 4:35 PM

**From:** Dan Mannix <dmannix@kempandassociates.com>

**Reply-To:** <dmannix@kempandassociates.com>

**To:** "Richard Blake (E-mail)" <rick@blakeandblake.com>

Rick,

The heir has hired his own attorney to represent him in this estate.  
Therefore  
we have closed our file.

Dan

Page 1 of 1

**CERTIFICATE OF SERVICE**

I, Ruben Martinez, Jr., hereby certify that on January 4, 2018, I caused a copy of the foregoing to be served in accordance with Fed. R. Crim. P. 49, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

Respectfully submitted,

/s/ Ruben Martinez, Jr.

Antitrust Division  
U.S. Department of Justice  
Chicago Office  
209 S. LaSalle Street  
Suite 600  
Chicago, Illinois 60604  
(312) 984-7200