

From: "jeffrey E." <jeevacation@gmail.com>
To: Noam Chomsky <[REDACTED]>
Subject: Re: marital trust
Date: Sat, 27 Jan 2018 08:17:32 +0000

max is not misunderstanding the documents. he is using the technical points of documents as the required necessities of the estate plan and ignoring the clear intentions of both parties. As you are well aware, the money in the trust, is a result of my work. I was surprised to read that you thought I should have professional advice BEFORE I married. If you believe that somehow, because of the technical details, that the money in the trust is really yours and not mine, let's discuss it. I would like you to agree to my choice of trustee. When Richard Kahn said the money in the trust was all mine, he referred to it as the money as a result of my work. I find it disturbing that you would hold my own money hostage, for goals that are misplaced. Max's argument that he is protecting me from myself and keeping his eye on my financial future, is silly, especially given the fact that he required me to use money from my IRA account, taxed twice as a result of his refusal to distribute money to me to pay my taxes. I would like Max to resign and I ask that you allow me to appoint who I like. If you are worried about your inheritance, suggest what portion of the trust you believe to be yours by right. thx

On Sat, Jan 27, 2018 at 3:27 AM, Noam Chomsky <[REDACTED]> wrote:

Jeffrey:

Below a letter that I plan to send to the three children about the marital trust. Is it OK? Anything wrong or missing?

Noam

You wrote me a letter to which I haven't yet sent a response. I'll respond to the points you raise, which are based on serious misunderstanding and information that is quite wrong. That should be clarified. But I'm writing now about something else.

I don't know whether Max has informed you about our recent correspondence about his trusteeship of the marital trust, but whether or not he did, I'd like to tell you the facts of the matter. And to explain why I have asked you to request that Max resign as Trustee to be replaced by a legitimate independent Trustee.

Max is seriously misinterpreting the history and nature of the marital trust, and the documents pertaining to it. In your letter you misinterpreted this in the same way that he does. The facts are these:

M and I set up the trust with Eric Menouya, at Palmer Dodge, long ago. Eric suggested that for tax reasons, part of my estate should be transferred to a trust in [REDACTED] name. We agreed, in part for our own reasons: we assumed that she would survive me.

To set up a Trust, as Eric explained, I first transfer the funds to a Carol Chomsky Revocable Trust, which is then transferred to a Marital Trust in Carol Chomsky's name. That is a pure technicality of Trust law. There was never the slightest idea about my managing funds for me and her managing funds for her. That is an outlandish idea, which never even occurred to either of us. Or to Eric, I am sure. It was a technical device to set up a Trust in her name, for estate purposes. Our assumption, perfectly understood by Eric (and pretty obvious without explanation) is that the funds would be available to the survivor.

Those are the facts. I'm rather surprised, to put it mildly, that questions arise about it.

My own understanding is perhaps explained further by a letter, attached, which I wrote a while ago but never sent you, after I wrote you a letter, not answered, in which I explained why I felt that all of this is very simple.

D

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please note

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