

From: "jeffrey E." <jeevacation@gmail.com>

To: Richard Kahn <[REDACTED]>

Subject: Re: max

Date: Wed, 30 May 2018 20:39:41 +0000

max regarding details of income or expenses. why not agree to just pay the tax , due, . royalties fluctuate his salary is 175 per year . his taxes clearly are permissible. . he has no other income . separate from the sale . office expenses. houses expenses. , paying his tax seems an easy idea that takes into account fluctuations. thoughts. .

On Wed, May 30, 2018 at 4:15 PM Richard Kahn <[REDACTED]> wrote:
no call from max yet..

attached is what was sent in encrypted email along with PDF below:

Max Kohlenberg

1 hours ago

Rich –

I know this is not a complete response to your question that I just received viz. "can you please detail the total income and total fees paid and to who for 14 15 16 17,," but I believe it's at least a good start. As you will see, the attached materials summarize income and expenses for each of the two trusts from 2010 through 2016 and also show how TAI (Trust Accounting Income) was calculated. I believe I have already forwarded to you the information on income distributions in 2018. Though the reports don't show it, I believe that (a) everything listed as a management fee was paid to Bainco, (b) everything listed as a trustee fee or legal fee was paid to Edwards Wildman Palmer or Howland Evangelista Kohlenberg Burnett, LLP, and (c) everything listed as a tax prep fee was paid to Abrams Little-Gill Loberfeld PC.

In your message just received you noted several other items. Here are my thoughts on those (your text in black and my reply in blue):

harry has said he is willing to give Noam additional access to trust ? I do not have the benefit of all of Harry's conversations with his counsel or his sisters but I have encouraged Harry (and his sisters) to consider a settlement based on some form of unitrust arrangement, where Noam receives larger (perhaps substantially larger – details have not been discussed with me) distributions defined as a percentage of the year-end value of the trust each year going forward.

i will get you tax info, plus i need from you a last list to produce you say income.

not sure what you want , and want to end this part of the problem and not have you come back and say not enough Other than the element of medical expenses (which you left open in the summary of expenses that you shared with me) I think I have a pretty good understanding of expenses. What I need to understand vis a vis Noam's income is (a) what the total income is, (b) what the sources of income are, and (c) the extent to which it is recurring (as opposed, for example, to one-time income from the sale of the Cambridge condo). What I need to understand so as to consider principal distributions is (i) the extent to which Noam's income is likely (in 2018 or after) to fall short of his expenses, and (ii) whether in making principal distributions to Noam the trust will be (directly or indirectly) funding expenditures which the trust is not permitted to fund.

Thanks,

Max

A. Max Kohlenberg
Howland Evangelista Kohlenberg Burnett, LLP
One Financial Plaza – Suite 1600
Providence, Rhode Island 02903
Direct: [REDACTED]
Main: [REDACTED]
Fax: [REDACTED]
[REDACTED]
[REDACTED]

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From: Max Kohlenberg
Sent: Thursday, October 19, 2017 12:00 PM
To: 'Deborah Pechet Quinan'
Subject: Account summaries ENCRYPTTHIS

Good morning Deborah –

I'm now sending along to you the summary information with respect to the Carol S. Chomsky Non-Exempt Marital Trust and the Carol S. Chomsky Exempt Marital Trust. Please let me note a few aspects, as follows:

1. As you'll see, there is a one page summary for each of the trusts which shows, year by year, sources of income and items of expense, as well as distributions made to or on behalf of Noam. We have broken out income into the categories we thought most likely to be of use and have likewise broken out expenses among typical categories.
2. The third sheet that I've attached aggregates the income and expense information for both trusts and provides a Trust Accounting Income analysis, with comparison of that income to actual distributions for each year.

I hope you'll find that these reports give you, Noam and Valeria the information that you're looking for, but I'll be standing by to answer questions, of course. If you wish I can also provide you with copies of the underlying account statements, bearing in mind that those run to several thousand pages.

As I mentioned in our exchanges yesterday, I'll be out of the office through October 30. On my return I anticipate being called as a witness in a trial, but the trial schedule is still up in the air, so my availability

during the week of the 30th may be spotty. Please bear with me.

Thanks,

Max

A. Max Kohlenberg
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One Financial Plaza – Suite 1600
Providence, Rhode Island 02903
Direct: [REDACTED]
Main: [REDACTED]
Fax: [REDACTED]
[REDACTED]
[REDACTED]

Richard Kahn
HBRK Associates Inc.
575 Lexington Avenue 4th Floor
New York, NY 10022
tel [REDACTED]
fax [REDACTED]
cell [REDACTED]

Begin forwarded message:

From: Max Kohlenberg <[REDACTED]>
Subject: RE:
Date: May 30, 2018 at 2:53:21 PM EDT
To: 'Richard Kahn' <[REDACTED]>

Rich -

I just sent you a reply to this email in encrypted form. If you have not received it please check your spam filter.

Thanks,

Max

A. Max Kohlenberg
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-----Original Message-----

From: Richard Kahn [mailto:[REDACTED]]
Sent: Wednesday, May 30, 2018 2:11 PM
To: Max Kohlenberg
Subject:

can you please detail the total income and total fees paid and to who for 14 15 16 17,. thx.
harry has said he is willing to give Noam additional access to trust ?
i will get you tax info, plus i need from you a last list to produce you say income.
not sure what you want , and want to end this part of the problem and not have you come back and say not enough .
thx

Richard Kahn
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please note

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