



## FIDUCIARY BOARD

Arizona State Courts Building  
1501 West Washington Street, Phoenix, Arizona 85007  
Hearing Room 230

September 14, 2023  
10:30 a.m.

### Draft Regular Meeting Minutes

#### MEMBER ATTENDANCE:

**Present:**

Hon. Jennifer Perkins-Chair  
Sharon Yates  
Vinay M. Singh

**Telephonically Present:**

Elaine Acosta Sweet-Vice  
Diana M. Corry  
Teresa Lancaster  
Hon. Brian Hauser  
Jeanette S. Bloss  
Deborah Primock

**Absent:**

Zora Manjencich

#### OTHER ATTENDEES:

**AOC Staff:**

Aaron Nash  
Kristina Tuba  
Pasquale Fontana  
Hal White  
Wil Castro  
William MacIntyre  
Téa Bravo  
Alexis Towey  
Afton Foutz  
Jared Arthur  
Sarah Penttinen  
Yesenia Corella  
Shanneyvie Halk  
Arnita Oliver  
Lisa Hauser

**Guests:**

David Redkey  
Laurie Ann Servin  
Jazmine Fickas  
Vivien Spencer  
Kimberlee Waggoner  
Susan Wulff  
Sherry Lund  
Heidi Ernst  
Terrence P. Woods  
Kuol Awan  
Claire DiPardo  
Holly Lawder  
Ari Simones  
Christopher Leas  
Cora Schuler

Fred Chen  
KNXV  
Ann Lander  
Emerald  
Key  
Larry  
Malinda Sherwyn  
Stephanie McCollum  
Anthony Nelson  
B. Brimhall  
A. Camacho  
Ann  
Deborah Gilliland  
Elise Adams  
Julian

**Guest Continued:**

Heather Bull  
Jenni Monnier  
Kathy Speirs  
Lena Kalkbrenner  
Nicole Corona  
Samantha Stirling  
Sean Thrash  
Taylor Galas  
Lisa James

Janet Pipes  
Kathryn Blair  
Ki Son  
Letty Segovia  
Robin O'Connell  
Sara Stark  
Shawnie Patterson  
A. Gray  
William Chalmers

DRAFT

---

## CALL TO ORDER

***Called to Order By:***

Hon. Jennifer Perkins-Chair

***Time:***

The meeting was called to order at 10:35 a.m. Technical review of the recording equipment was required, and the meeting resumed at 10:45 a.m.

---

### **1) REVIEW AND APPROVAL OF MINUTES:**

***1-A: Review, discussion, and possible action regarding the regular session minutes of the meeting held on July 13, 2023.***

***Individual Addressing the Board:*** Hon. Jennifer Perkins-Chair

***Discussion:*** None

***Motion:*** Consideration of and motion to accept the regular session minutes of the meeting held on July 13, 2023

***Motion Proposals:*** First Elaine Acosta Sweet  
Second Diana Corry

***Motion Results:*** Pass

---

### **2) INITIAL LICENSURE AND ELIGIBILITY:**

***2-A: Review, discussion, and possible action regarding the following applications for initial individual and/or business licensure:***

- 1. Kuol Awan***
- 2. Jennifer Monnier***
- 3. Cora Schuler***
- 4. Ari Simones***
- 5. Ki Son***
- 6. Sean Thrash***
- 7. Casey Ross***
- 8. Dianne McNamara***
- 9. Debora Luna***
- 10. Aspen Grove Fiduciary Services, LLC.***

**Individual Addressing the Board:** Wil Castro

**Discussion:** It is recommended the Board grant initial fiduciary licensure to the following applicants:

1. *Kuol Awan*
2. *Jennifer Monnier*
3. *Cora Schuler*
4. *Ari Simones*
5. *Ki Son*
6. *Sean Thrash*
7. *Casey Ross*
8. *Dianne McNamara*

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Teresa Lancaster  
Second Vinay Singh

**Motion Results:** Pass

**Discussion:** The Division recommends the Board grant initial fiduciary licensure to Debora Luna contingent upon completing the fiduciary training.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Vinay Singh

**Motion Results:** Pass

**Discussion:** The Division recommends the Board grant initial fiduciary licensure to Aspen Grove Fiduciary Services, LLC

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Teresa Lancaster  
Second Sharon Yates

**Motion Results:** Pass

---

### 3) PENDING COMPLAINTS:

**3-A: Review, discussion, and possible action regarding Complaint No. 22-0068.**

**Individual Addressing the Board:** Derek Francis

**Discussion:** The Division recommends the Board dismiss Complaint No. 22-0068 with prejudice.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Hon. Brian Hauser  
Second Vinay Singh

**Motion Results:** Pass

**3-B: Review, discussion, and possible action regarding Complaint No. 23-0006.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** The Division recommends the Board dismiss Complaint No. 23-0006 with prejudice.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Hon. Brian Hauser  
Second Teresa Lancaster

**Motion Results:** Pass

**3-C: Review, discussion, and possible action regarding Complaint No. 22-0055 involving license holder Laura Sharek.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Laura Sharek has not committed the alleged acts of misconduct in Allegations 1, 2, and 3 as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in complaint number **22-0055**.

It is further recommended the Board dismiss complaint number **22-0055** with prejudice.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Sharon Yates

**Motion Results:** Pass

**3-D: Review, discussion, and possible action regarding Complaint No. 22-0083 involving license holder Christopher Leas.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Christopher Leas has not committed the alleged acts of misconduct in Allegations 1, and 2 as detailed in the Investigation Summary, Determination, Probable Cause Review, and Recommendation Report in complaint number **22-0083**.

It is further recommended the Board dismiss complaint number **22-0083** with prejudice.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Vinay Singh  
Second Hon. Brian Hauser

**Motion Results:** Pass

**3-E: Review, discussion, and possible action regarding Complaint No. 21-0009 involving license holder Nicole Corona.**

**Individual Addressing the Board:** Janelle Bauserman

**Discussion:** The Division recommends the Board accept the proposed Consent Agreement to resolve complaint number 21-0009 involving license holder Nicole Corona.

Sara Stark, counsel for Nicole Corona, addressed the Board, indicating acceptance of the Consent Agreement.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Teresa Lancaster  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**3-F: Review, discussion, and possible action regarding Complaint No. 20-0013, 20-0014, 22-0051 and 22-0052 involving license holder Jane Geisler and Managed Protective Services.**

**Individual Addressing the Board:** William McIntyre

**Discussion:** Terrence Woods, counsel for Jane Geisler and Managed Protective Services, Inc., addressed the Board, providing an update on matters pending with the court. Woods provided a spreadsheet of cases for Division staff to forward to the members.

By consensus, the Board directed that formal closure of the Consent Agreement be held, pending further update from Jane Geisler or her counsel regarding the current status of remaining cases and to explain what remains to be done to resolve the cases and the timeframes necessary to complete them.

**3-G: Update regarding pending complaints**

**Individual Addressing the Board:** Pasquale Fontana

**Discussion:** As of September 6, 2023, there are 37\* open complaints.

*\* Complaints are open until probable cause is determined. The total known open complaints do not include complaint numbers 20-0013, 20-0014, 21-0009, 22-0051, 22-0052, 22-0055, 22-0068, 22-0083; and 23-0006 presented at this Board meeting.*

---

**4) RENEWAL LICENSURE AND APPLICATIONS:**

**4-A: Review, discussion, and possible action regarding the following applications for renewal of individual and/or business entity licensure:**

1. *Cochise County Public Fiduciary*
2. *Phyllis Cornell*
3. *Belvet Elsouhag*
4. *Patrick J. Moore*
5. *Pamela Walsma*
6. *Theresa Eells*
7. *Fiduciary Solutions, LLC.*
8. *Laura Sharek*
9. *Audrey Hanks*
10. *Mario S. Martinez*
11. *Rashida Suminski*

**Individual Addressing the Board:** Téa Bravo

**Discussion:** It is recommended renewal of standard licensure be granted to the following license holders for the 2022-2024 renewal cycle:

1. Cochise County Public Fiduciary
2. Phyllis Cornell
3. Belvet Elsouhag
4. Patrick J. Moore
5. Pamela Walsma

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Sharon Yates

**Motion Results:** Pass

**Discussion:** The Division recommends approval of renewal of standard individual licensure be granted to Theresa Eells for the 2020-2022 renewal cycle.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Vinay Singh  
Second Elaine Acosta Sweet

**Motion Results:** Pass

**Discussion:** The Division recommends approval of renewal of standard business licensure be granted to Fiduciary Solutions, LLC for the 2018-2020 and 2020-2022 renewal cycles.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana M. Corry

**Motion Results:** Pass

**Discussion:** The Division recommends approval of renewal of standard licensure be granted to Laura Sharek for the 2022-2024 renewal cycle.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Vinay Singh

**Motion Results:** Pass

**Discussion:** During the background investigation it came to the Division's attention that Audrey Hanks passed away on February 23, 2023. The Division recommends approval of renewal of standard licensure be granted to Audrey Hanks for the 2016-2018 and 2018-2020 renewal periods and recommends approval of renewal for the 2022-2024 renewal cycle through February 23, 2023, the date of Hanks' passing.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana M. Corry

**Motion Results:** Pass

**Discussion:** During the background investigation it came to the Division's attention that Mario S. Martinez passed away on June 13, 2023. The Division recommends approval of renewal of standard licensure be granted to Mario S. Martinez for the 2016-2018, 2018-2020, and 2020-2022 renewal cycles and recommends approval of renewal for the 2022-2024 renewal cycle through June 13, 2023, the date of Martinez's passing.

**Motion:** Consideration of and motion to accept staff's recommendation

**Motion Proposals:** First Elaine Acosta Sweet  
Second Teresa Lancaster

**Motion Results:** Pass

**Discussion:** The Division recommends approval of renewal of standard licensure with non-disclosure language be granted to Rashida Suminski for the 2022-2024 renewal cycle.

**Motion:** Consideration of and motion to accept staff's recommendation.

**Motion Proposals:** First Elaine Acosta Sweet  
Second Diana M. Corry  
Recusal Sharon Yates

**Motion Results:** Pass

---

## 5) ADMINISTRATIVE ITEMS:

**5-A: Review, discussion, and possible action regarding the establishment of the 2024 Board meeting schedule.**

**Individual Addressing the Board:** Téa Bravo

**Discussion:** The Division recommends the Board keep its schedule of meeting on the second Thursday of every other month, beginning in January, but change the start time to 10:00 a.m. Proposed schedule below.

- January 11, 2024
- March 14, 2024

- May 9, 2024
- July 11, 2024
- September 12, 2024
- December 14, 2024

**Motion:** Consideration of and motion to accept proposed schedule meeting dates for 2024.

**Motion Proposals:** **First** Deborah Primock  
**Second** Sharon Yates

**Motion Results:** **Pass**

**5-B: Review, discussion, and possible action regarding Division updates.**

**Individual Addressing the Board:** Aaron Nash

**Discussion:** Division Director Aaron Nash addressed the Board. Updates included proposed changes to ACJA 7-202 posted on the ACJA Forum; Board meeting procedures, including Zoom format and public requests to speak; Complaints and Audit Unit staffing; an overview of the complaints process, including that going forward, pending open complaints will be counted based on each license holder included within a complaint; an overview of the Division Director Dismissal process within the ACJA, which includes recommending dismissal of complaints that are not public because they did not reach probable cause review; an overview of changes to the Fiduciary Program website, including content of the public directory, a new frequently asked questions page, and a reorganization of the webpage for complaints where sanctions were imposed, which is now searchable by year and license holder name. Informational update only.

**5-C: Review, discussion, and possible action regarding rule amendments from recent rules agenda(s).**

**Individual Addressing the Board:** Aaron Nash

**Discussion:** Discussion regarding Rule Petition R 23-0039. Legislation was passed to obtain a jury trial; the court rule was changed to reflect the legislative languages which becomes effective October 30, 2023.

Informational update only.

***Individuals Addressing the Board:***

- Holly Lawder
  - David Redkey
  - Susan Wulff
  - William Chalmers
  - Malinda Sherwyn
  - Laurie Ann Servin
- 

**ADJOURNMENT**

The chair adjourned the meeting at 12:10 p.m.

Initials: AO

DRAFT