



FIDUCIARY BOARD

Arizona State Courts Building
1501 West Washington Street, Phoenix, Arizona 85007
Hearing Room 109

October 18, 2022 1:00 p.m.
Approved Regular Meeting Minutes

MEMBER ATTENDANCE:

Present:

Elaine Acosta Sweet
Zora Manjencich

Telephonically Present:

Teresa Lancaster
Diana M Corry
Hon. Jay M. Polk
Nicole Surran
Kathryn Blair
Sharon Yates-Joined @ 1:02 p.m.

Absent:

Deborah Primock
Paul Friedman

OTHER ATTENDEES:

AOC Staff:

Aaron Nash
Kristina Tuba
Pasquale Fontana
Tea Bravo
Yesenia Corella

Guests:

Glenn
Susan Wulff
Warren Bartholomew
Lena Kalkbrenner
Sam Stirling
Patricia Flores
Bill Chalmers
Lisa Hauser
R. Bartholomew
Jeannie Bartholomew
Terrence P. Woods
Kelly Wagner
Teresa
James

CALL TO ORDER

Called to Order By: Elaine Acosta Sweet, Interim Chair

Time: 1:01 p.m.

1) EXECUTIVE SESSION: LEGAL ADVICE:

1-A: As authorized by ACJA § 1-202(C)(5)(c), discussion or consultation with counsel regarding legal advice concerning licensed fiduciaries Patricia Flores and Diane Prescott.

Individual Addressing the Board: Aaron Nash/Lisa Hauser

Motion: Move to enter executive session to receive advice of counsel on pending complaints:

Motion Proposals: First Theresa Lancaster
Second Diana Corry

Motion Results: Pass

ENTERED IN EXECUTIVE SESSION – 1:04 P.M.

Discussion: Brief discussion and update regarding the matter of Patricia Flores. The Board received legal counsel from Lisa Hauser.

Brief discussion and update in finalizing the negotiations in the matter of Diane Prescott. The Board received legal counsel from Lisa Hauser.

1-B: As authorized by ACJA § 1-202(C)(5)(b), discussion or consideration of records or matters made confidential by statute, court rule, or the ACJA concerning complaint investigations 20-0013, 20-0014, 22-0051, and 22-0052.

Recused: Hon. Jay M. Polk

Individual Addressing the Board: Aaron Nash/Lisa Hauser

Discussion: Brief discussion regarding complaint investigations 20-0013, 20-0014, 22-0051, and 22-0052.

EXITED EXECUTIVE SESSION – 1:36 P.M.

2) **PENDING COMPLAINTS:**

2-A: *Review, discussion, and possible action regarding Complaint No. 20-0003 involving license holder Patricia Flores.*

Individual Addressing the Board: Aaron Nash

Discussion: It is recommended that staff continue to negotiate a settlement agreement.

Motion: Consideration of and motion to accept staff's motion to continue to negotiate a settlement agreement.

Motion Proposals: First Zora Manjencich
Second Hon. Jay M. Polk

Motion Results: Pass

2-B: *Review, discussion, and possible action regarding Complaint No. 18-0061 involving license holder Diane Prescott.*

Individual Addressing the Board: Aaron Nash

Discussion: It is recommended that the staff finalize negotiations.

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

Motion Proposals: First Teresa Lancaster
Second Zora Manjencich

Motion Results: Pass

2-C: *Review, discussion, and possible direction to Staff regarding confidential pending complaint investigations 20-0013 and 20-0014, 22-0051, and 22-0052.*

Individual Addressing the Board: Aaron Nash

Discussion: It is recommended that a dual track of pursuing a negotiated settlement continue during the open investigation in all matters

Motion: Consideration of and motion to accept staff's recommendation that a dual track of pursuing a negotiated settlement continue during the open investigation in all matters

Motion Proposals: First Zora Manjencich

Motion Results: Second Sharon Yates
 Recuse Hon. Jay M. Polk
 Pass

CALL TO THE PUBLIC

Individuals Addressing the Board:

- Russel Bartholomew
 - Sam Stirling
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ADJOURNMENT

Motion: Move to adjourn.

Motion Proposals: First Zora Manjencich
 Second Sharon Yates

Motion Results: Pass

Time: 1:46 p.m.

Initials: YC/AO