

## RE: Payment & Request to Terminate Services

From: **Ian Wheelles** (ian@wheelleslaw.com)

Sent: Thu 6/30/11 3:23 PM

To: Cynthia AnyCity (cferndez@hotmail.com)

4 attachments

Fernandez statement.pdf (6.9 KB) , Invoice 1567.pdf (1624.0 KB) , Motion to withdraw 6.30.11 IW.pdf (43.1 KB) , Erwin letter 6.29 and proposed final orders.pdf (568.7 KB)

Hi Cindy,

Attached is a motion for withdrawal and a consent form for you to sign and return so I can file it. I do need the original, so please mail back or drop it at my office (in the box on the door is fine if we are out or after hours).

Also attached is a final bill. Balance is \$1,185. I will run the payment for \$300 and balance will be \$885.00.

Pending matters

1. There are no currently scheduled court hearings.
2. I have not sent a letter yet responding to Ms. Erwin's letter of 6/21. The most recent version from Tuesday was still waiting your approval.
3. I received a letter from her in today's mail with the list of things David still wants.
4. I received in today's mail a proposed final order that they filed in court for the judge to sign. You must file any objections to this order by July 12, 2011 or the judge may sign it.
  - a. As we have already discussed, the entire settlement was contingent upon you getting financing. So it is totally inappropriate to finalize any of this until that has occurred. For this reason alone, it is imperative that you file a response and ask that the judge sign nothing until you do or don't have financing.
  - b. I briefly scanned the order and these are other issues I see right away:
    - i. P12 it says you'd owe him an additional \$7000. This should not be a set number but just whatever is on the loan that isn't paid off by the sale. It also says you would insure the car until it is sold. That was never agreed to or discussed.
    - ii. P13, you may see items that shouldn't be in the list, I'm not sure.

Exhibit E 1 of 2

- iii. P14 you should add that neither party owes either. That way he can't say you OWE HIM.
- iv. P15, it does not mention the 6 months we agreed to. It also doesn't mention that if you can't get the financing then the deal is off. It incorrectly states that you will get as much as you can and negotiate payments...
5. Since I will still be the attorney of record until the judge signs the withdrawal order, you won't be able to file anything yourself. You can try, but the clerk may kick it back and say your attorney has to file it for you. So I would recommend that I file for an extension of 20 days to file your objections so that you can either seek other counsel or prepare your own response. I'm sure the judge will grant that no questions asked. I can file that motion along with my withdrawal (no charge), but please let me know that you want me to before I do.
6. That should be all the pending issues. Please let me know if you have any other questions. I will not bill for them.

Thanks, take care. I can file the withdrawal tomorrow if you are able to get the consent to me before 215pm when I will leave for afternoon court.

*Ian Wheelles*

*Alaskan Attorney*

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**From:** Cynthia AnyCity [mailto:cferndez@hotmail.com]

**Sent:** Thursday, June 30, 2011 11:27 AM

**To:** Ian Wheelles

**Subject:** Payment & Request to Terminate Services

Exhibit E 2 of 2

Good Morning Ian,