

LUCIFER LIGHTING

Fax:2102274967

** Transmit Conf. Report **

P.1

Jan 20 2005 11:15

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
12127538575	NORMAL	20.11:15	1'01"	6	# O K	

Suzanne Mathews
243 Encino Avenue
San Antonio, TX 78209
(210) 227-7329

January 20, 2005

BY FACSIMILE: (212) 753-8576

Ms. Halima Fazal
The Carlton House
680 Madison Avenue
New York, New York 10021

Dear Halima:

Please find following the referenced Power of Attorney as requested. If you can, please have the hotel charges from our stay during the Thanksgiving holiday charged to my mother's credit card as previously done in past years.

Thank you.

Sincerely,

Suzanne Mathews
Suzanne Mathews *SM*

SM/kls
Enclosure

CONFIDENTIAL

GUARDIAN 006285

REPORTER'S RECORD
VOLUME 2 OF 2 VOLUMES
TRIAL COURT CAUSE NO. 2005-PC-0843

IN THE GUARDIANSHIP OF) IN THE PROBATE COURT
LILIAN GLASSER,)
AN INCAPACITATED PERSON) NUMBER 1
BEXAR COUNTY, TEXAS

CONTINUATION OF SPECIAL APPEARANCE/FORUM NON CONVENIENS
AUGUST 10, 2005

On the 10th day of August, 2005, the following came on to
be heard in the above-entitled and numbered cause before the
Honorable Polly Jackson Spencer, Judge presiding, held in
San Antonio, Bexar County, Texas:

Proceedings reported by Stenographic Method.

* * * COPY * * *

A P P E A R A N C E S

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ATTORNEY FOR JOAN KERN:

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19 ATTORNEY AT LAW
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A P P E A R A N C E S

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GUARDIAN AD LITEM:

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301 Congress Avenue, Suite 1910
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INDEX				
WITNESSES	DIRECT	CROSS	VOIR DIRE	VOL.
Suzanne Mathews	6	23, 78, 95, 116		2

EXHIBIT INDEX				
MS. GLASSER'S EXHIBIT		OFFERED	ADMITTED	VOL.
NO.				
3 Texas FLP		36	37	2

SMITH EXHIBIT		OFFERED	ADMITTED	VOL.
NO.				
16 Photo		125	125	2
17 Photo		125	125	2

06:16 PM

1 going to ask you to kind of move on.

2 Q. (BY MS. PENA) Okay. If we look at it as an action
3 that you took as a power of attorney, is it true that in
4 January of this year you used your power of attorney to
5 reverse a charge on your own credit card and charged your
6 mother's credit card?

06:16 PM

7 A. That was a bill from November 2004. It was our
8 annual Thanksgiving vacation. And my mother arrived in
9 New York and could not go check in because she was not in
10 great shape. And I took her right up to the room, and they
11 hadn't run her credit card. She --

06:17 PM

12 Q. And that's fine.

13 A. She -- excuse me. They had run her credit card,
14 and she hadn't signed.

06:17 PM

15 Q. That's fine. And the point being is, you stayed
16 in New York in -- Thanksgiving?

17 A. With my mother.

18 Q. Your mother came in, and as you told the Court
19 earlier, she came up to join you all?

06:17 PM

20 A. No.

21 Q. And she came --

22 A. She came to join me. There was no one else there.

23 Q. Okay. Your family, because that's what she
24 typically did.

06:17 PM

25 A. They were there later in the week.

06:17 PM 1 Q. Right. Okay. But you did take action to charge
2 back and give yourself a credit for \$6,666 in January --
3 A. It was never supposed to be on my account.
4 Q. It was not supposed to be on your account?
06:17 PM 5 A. No. It was our annual Thanksgiving trip, and I
6 always go to the hotel first. So I'm there, and I register
7 and get the room and give them my credit card. My mother
8 gave her credit card, but she never signed anything. So when
9 it came time to leave, I didn't even know where it was --
06:18 PM 10 whose credit card or anything it was on. They know us there,
11 and it was just very --
12 Q. But you, at some point, gave your own credit card,
13 and it was charged to you.
14 A. I gave my credit card. Every time I stay with my
06:18 PM 15 mother at a hotel, if I arrive there first to the room -- you
16 can't go into a room in a hotel without giving a credit card.
17 Q. But isn't it true that the stay included a junior
18 suite for your children as well?
19 A. My mother -- you have the records going back to
06:18 PM 20 2002, and you can look at November 2002 and November 2003
21 and you will see the same people staying. This was a longer
22 stay because my mother wanted to come in on Sunday.
23 Q. So Thanksgiving, you considered that a gift from
24 your mother, and you went and enjoyed a stay in New York
06:19 PM 25 City?

06:19 PM 1 A. I didn't consider it a gift. It was just a travel
2 that we did to be with her.

3 Q. But with her paying for it, you don't consider
4 that a gift?

06:19 PM 5 A. No.

6 Q. Okay. Isn't it true that your mother's informed
7 you that she believes that your lifestyle is too lavish, and
8 that she doesn't want to support that lifestyle?

9 A. My mother has never supported my lifestyle.

06:19 PM 10 Q. In fact, hasn't your mother tried to get her
11 American Express card away from you?

12 A. I only have the American Express card since the
13 guardianship, and I've given my mother a Visa card. And the
14 reason for this is, I can't get an American Express card with
06:19 PM 15 the kind of limits that she should have right now on a card.
16 So I -- she has a card which is always filled so that she can
17 use it for what she'd like.

18 Q. And then -- so you never use an American Express
19 card?

06:20 PM 20 A. I use my mother's credit cards for her charges. I
21 use my credit cards for my bills. I do not cross-link my
22 mother's things with mine.

23 Q. And since you became agent, you opened a new Saks
24 account, didn't you, for your mother?

06:20 PM 25 A. No, I didn't.

DUPLICATE COPY

AMERICAN EXPRESS
Prepared For
LILLIAN GLASSER

Account Number
XXXX-XXXXX5-81007

Closing Date
02/17/05

Page 3 of 8

Activity Continued		Amount \$
19/05	EXXONMOBIL1801335843HIGHLAND NJ IN-STORE 1801335843	34.00
21/05	HELMSLEY HOTELS CARLNEW YORK NY Arrival Date: 01/20/05 Departure Date: 01/21/05 No of Nights: 1 LODGING ASSURED RESERVATION	6,666.16
22/05	THE FRESH MARKET SBOCA RATON FL GROCERIES/SUNDRIES	59.09
31/05	THE DRUG STORE 5613951650 FL PRESCRIPTIONS/SUNDRIES	227.86
04/05	CONTINENTAL AIRLINES WEB WE From: SAN ANTONIO TX To: HOUSTON TX IAH Carrier: CO Class: NO FORT LAUDERDALE FL CO NO Ticket Number: 00521516050274 Passenger Name: MATHEWS/SUZANNEMS Document Type: PASSENGER TICKET Date of Departure: 02/07	292.40
05/05	THE FRESH MARKET SBOCA RATON FL GROCERIES/SUNDRIES	32.69
08/05	CONTINENTAL ELEC TICKETNG HOUSTON TX040 From: FORT LAUDERDALE FL To: HOUSTON TX IAH Carrier: CO Class: NR SAN ANTONIO TX CO NR Ticket Number: 00521517743902 Passenger Name: MATHEWS/SUZANNEMS Document Type: PASSENGER TICKET Date of Departure: 02/12	0.40
09/05	CONTINENTAL AIRLINES FT LAUDERDALEFL From: FORT LAUDERDALE FL To: HOUSTON TX IAH Carrier: CO Class: VO CO VO Ticket Number: 00503263474583 Passenger Name: MATHEWS/SUZANNEMS Document Type: TICKET BY MAIL Date of Departure: 02/12	100.00
19/05	SAKS FIFTH AVE -024 BOCA RATON FL GENERAL WORK - HAIRCUT	210.00
19/05	CVS STORE - 0426 BOCA RATON FL HEALTH/BEAUTY-AIDS	12.22
19/05	THE FRESH MARKET SBOCA RATON FL GROCERIES/SUNDRIES	220.31
19/05	OPERA PRIMA CAFE BOCA RATON FL FOOD/BEVERAGE FOOD/BEV 62.92	62.92
01/05	CONTINENTAL AIRLINES WEB WE From: FORT LAUDERDALE FL To: NEWARK NJ Carrier: CO Class: NA Ticket Number: 00521518567931 Passenger Name: LESIV/OXANA Document Type: PASSENGER TICKET Date of Departure: 02/11	249.70
1/05	LEGAL SEA FOODS 203 BOCA RATON FL FOOD AND BEVERAGE TIP 00000600	54.30
3/05	NEW YORK TIMES NY NY TIMES 021305 FOR BILLING QUESTIONS CALL ACCT: 839591104 BILL DATE : 02-13-2005	48.76
Total of New Activity		New Charges 15,010.24 Payments/Credits -5,733.28

American Express
000164