

As far as I can tell, the first evidence of my father's cash issues began in 2009 when a tree crashed through his garage and crushed his 1959 Mercedes. My dad was very emotionally attached to the vehicle and despite being advised by myself and others that refurbishing the vehicle was not worth the time and money, he went ahead and brought it to a repair shop where they began the costly process of restoring the car. This along with his medical expenses associated with his back surgery began to drain his cash resources, which led him to look into options to obtain cash from his property.

There is little evidence of my father doing any research or any exhaustive analysis of his options. He was under a tremendous amount of pain due to his back surgery which led him to use prescription narcotics, alcohol and marijuana. He was also at a disadvantage in the fact he was not an internet user and had to rely on mailed publications and periodicals. He was well studied in traditional investments like mutual funds, stocks, bonds etc. He rarely if ever spent any time studying the real estate market and even if he had he would not have been privy to the most up to date and relevant information due to his disconnection from the Internet.

Due to his love for his car and his anxiety over its possible loss, combined with the medical expenses my dad was vulnerable. He made no secret of his commitment to get his car restored and the financial stress that his medical expenses were causing him. The car alone cost him around \$50,000 in cash expenses. The local [REDACTED] paper wrote an article on him and even mentioned the \$400 a gallon paint they were required to use to restore the vehicle to its original color. He met a bail bonds man by the name of [REDACTED]. Once he told [REDACTED] of his troubles, [REDACTED] referred him to Equity key sometime in early 2010. He had refinanced his home in 2009 which leads me to believe he did not have a lot of options in terms of obtaining more loans or a HELOC. Since he really did not consult with anyone on what his plans were, it is hard for us to determine exactly what other options he may have had available. Aside from checking with his accountant to assess any tax implications, there is no evidence that he consulted with anyone about what he was doing. I had assumed he had obtained the funds for his expenses either through his retirement account or some other means.

As fitting for someone in his 70s, particularly someone who has to use marijuana and prescription narcotics to cope with physical pain, there is some evidence of memory loss. On the trust account he had set up with [REDACTED], he had entered the wrong date. To say my dad was "senile" would be false. I did notice some forgetfulness in his later years though. I had always thought of my dad as someone who is very sharp and perceptive, and when someone like that starts showing signs of forgetfulness and absentmindedness it becomes evident very quickly.

One thing I discovered which concerns me is that I do not believe my father fully understood the terms of the arrangement he entered into. He once mentioned to a friend after entering into the deal that he would benefit financially if he lived to a certain age. My understanding after reading the document is that had he lived to the time that loan/option was to expire, he would have been forced to sell the property and move as it meant he would owe Equitykey a cash amount based off the estimated appreciation from the Case Schiller index. The time of his death was only relevant in that his heirs would possibly be relieved of having to pay any "penalties" from exiting the contract early (how thoughtful of them).