

SUMMARY

APPENDIX A

On July 5, 2006 by Order No. 1025 in the Panamanian Probate Court Richard Lehman was appointed the Executor of the Lucom Estate. Index II (a).

On July 19, 2006 Richard Lehman qualified to become the ancillary executor of Lucom's Florida Estate in which there was one Florida asset (5 acres of land) and one Panamanian asset that was a bank account in Lucom's personal name for \$628,000. This bank account was listed on the Panama inventory of Lucom's estate as a Panama asset.

This bank account was closed by Lehman and a new bank account for \$628,000 was opened in the same bank under the name, the Estate of Wilson C. Lucom, Richard Lehman, Executor.

From July 5th 2006 through the next year, Lehman spent \$604,000 from that bank account, plus One Million Dollars (\$1,000,000) of his own personal funds, to defend the Will of Wilson C. Lucom, from its nullification and appeal by Hilda Lucom; Lucom's third wife. Lehman also needed to defend himself and the office of the Panama Executor from the human rights abuses described in thirteen human rights treaty violations established in a Human Rights Abuse Lawsuit as filed with the Inter-American Commission on Human Rights, Organization of American States.^{1/}

It was proven that not one penny of Lucom's \$604,000.00 or one penny of Lehman's own money was paid to Lehman. It was proven that all of the funds of the Lucom Estate and Lehman's funds, (\$1,604,000) were paid for estate expenses. In spite of this, Hilda sued Lehman for improper expenditures as the Executor in the Florida Probate Court. **Hilda's theory of Lehman's wrongdoing was that Lehman as the Florida Executor had no right to use a Florida bank account to pay expenses to defend the Will in Panama.**

A few months before Lehman's trial in Florida on that lawsuit began; the law firm of Infante & Perez Almillano ("Infante") filed a motion with Judge Juan Bosco Molina in the Panama Probate Court requesting that Judge Molina rule that Lehman's appointment as Albacea by the Panama Court was null and void. At the time Lehman's appointment as Albacea in Panama had been reaffirmed by the First Superior (Appellate) Court in

^{1/} All documents referred to can be found at www.lucompublisheddocuments.com

Panama, Index III (c) (i), and was on appeal to this Court. Therefore, the issue of Lehman's appointment could not be ruled on by Judge Molina.^{2/} Nevertheless, Judge Molina responded to the motion by issuing Order No. 952 which illegally ruled that Lehman's appointment (as requested by Infante) as Albacea was null and void.

This Order No. 952 was appealed by Lehman to the Panama Superior Court where Judge Eva Cal on July 15, 2009, found the motion by Infante to be both legally insufficient and without due process. Judge Cal stated:

As we have noted, Order NO. 952 from the judge under appeal rules on a motion to declare null and void the installation of Mr. Richard Sam Lehman in the office of executor and, as consequence; it renders without effect all which he might have done by virtue of said office. Although it is true that said Motion has no legal foundations whatever and it nullifies legal matters without specifying what matter are those and without hearing the opposing party in those matters . . .

On procedural grounds Judge Cal was unable to overrule the illegal Order No. 952.

However, on November 17, 2009, Order No. 952 was suspended by the Panama Superior Court. Index III (c) (III)

Early in 2009 Lehman's trial in Florida was held to determine the correctness of his expenses. Lucom's Will provided that Lehman, as his executor, could only be responsible under the following circumstances. Lucom wanted Lehman to be able to do everything he needed to do to defend his Will.

Each Individual Executor or Trustee must not be subject to any legal liability for any act, omission or loss in connection with the administration of this estate, except for fraud or theft, or any other crime committed against the assets of the Wilson C. Lucom Trust Fund Foundation.

It was obvious, Lehman had not breached this standard. **Infante needed another way to win in Florida. HE FOUND IT WITH PANAMA JUDGE MOLINA.**

At the last moment just days before trial in Florida, a new issue was introduced in the trial by Hilda's Florida lawyers. The new issue was the introduction in evidence in Lehman's trial in the Florida Court of Order No. 952, the corrupt Panama Order by Judge Molina. **This evidence purported to show that Lehman was not protected by the clause in Lucom's Will mentioned above because Lehman was never an Albacea.**

^{2/} All of this is shown in the Querella against Judge Molina, attached to this Appendix A.

On March 3, 2009, the Florida Judge, wrongfully relying on the illegal Order No. 952 as proof that Lehman had no authority as the appointed Panama Albacea, found Lehman to be a fraud and was so incensed by this perceived fraud on the Florida Court that he “threw the book at Lehman”.

The first paragraph of the Judgment tells it all.

Unequivocal evidence received at trial proved that July 5, 2006 Panama Order appointing Lehman “Executor” of the domiciliary estate was automatically and immediately null and void when Hilda P. Lucom filed her appeal of that Order on July 18, 2006. . . . [Therefore,] At all times material to the action before this court, Lehman was not installed or properly serving as the Albacea of the Panama Estate.

The “unequivocal evidence” was the corrupt Order No. 952. The cornerstone of the Florida Judgment was based upon Judge Phillips wrong interpretation of Panama law and the Judgment was a result of Order No. 952. After Lehman received the Florida judgment and knowing it was based on a corrupt Panama ruling, Lehman returned to the Panama Courts and received the proper clarifications of Panama law by virtue of the August 12, 2009 opinion of the Panama Superior Court and several subsequent court orders and rulings. Index III (c).

Judge Molina’s Order No. 952 was shown to be corrupt in Judge Molina’s own words when a few months after issuing Order No. 952, he issued Order No.587 in which he held, in the Lucom case, that he had no jurisdiction whatsoever over the question of the Executor because the case was on appeal. Index III (b) (ii).

After receiving these favorable Panama rulings, Lehman then returned to the same Florida Probate Court for a rehearing on the issue of Lehman’s proper authority under Panama law. In the same court that rendered the original Florida Judgment, it was proven to the Florida Court that Order No. 952, the ruling behind the judgment against Lehman, was corrupt.

The Florida Judge in the Motion for Rehearing and New Trial and Motion to Alter or Amend Judgment (the “Motion”), after seeing the “newly discovered Panama evidence” ruled on the key question of Lehman’s authority under Panama law. He ruled that Lehman was the appointed and authorized Executor in Panama. The Florida court stated:

There is no dispute that on or about July 5, 2006, Lehman secured an order in Panama installing himself as Albacea of the Estate Wilson C. Lucom, who died a Panama resident on June 2, 2006. This was done even though the Will that Lehman presented to the Panamanian probate court named three persons as Albaceas: himself, Lucom’s surviving wife, Hilda, and Christopher Ruddy.

This ruling reversed almost the entire Florida Judgment against Lehman.^{3/} Several minor issues remain to be cleared up at the Florida Appellate Court to erase this judgment from his name. Lehman expects a Florida Appellate Court opinion on these remaining issues in his favor well before the end of this year.

The written proof of all of this in one more group of documents. It is respectfully requested that if this Court has any further questions regarding this matter, or any doubts as my character, I would implore you to read all three of the Appellate Briefs filed with the Florida Appellate Court on my behalf. These documents can be found at Index No. IV (d), (e), (f) at www.lucompublicdocuments.com

^{3/} The Motion can be misleading, since the ultimate finding in the Motion was that Lehman lost the overall Motion. The Motion attempted to overturn the entire Florida judgment and that is why it was in fact “denied”. The entire Florida judgment could be overturned by the Florida Appellate Court.

The Motion was based upon “newly discovered Panama evidence” and therefore, certain portions of the Judgment could not be overturned by a rehearing.

However, this Motion for Rehearing was filed by Lehman with the knowledge that several of the matters in the Florida Judgment could only be reversed on appeal by the Florida Appellate Court and not by a Motion for Rehearing at the same Florida Court. **There was only one strategic goal in the Motion for Rehearing and that goal; to correct the initial Florida judge’s mistake of Panamanian law and Order No.952. This was accomplished.**