

## STATEMENT OF LEGAL ISSUES

1. Was Richard M. Schnell a victim of undue influence when he made payable on death and transfer on death disposition of his investments and on August 14<sup>th</sup>, 2001 when he executed a Last Will and Testament?

The trial court found he was not suffering from undue influence on the subject dates.

2. Was Richard M. Schnell suffering from an insane delusion when he made payable on death and transfer on death dispositions of his investments and on August 14<sup>th</sup>, 2001 when he executed his Last Will and Testament?

The trial court found he was not suffering from an insane delusion when he made payable on death and transfer on death dispositions of his investments and on August 14<sup>th</sup>, 2001 when he executed his Last Will and Testament on August 14<sup>th</sup>, 2001.

3. Did the trial court err when it found Richard M. Schnell had testamentary capacity when he made disposition of his property?

The trial court found he did have testamentary capacity when he made disposition of his property.

4. Did the trial court err when it entered its Order Denying Preliminary Injunction?

The trial court lifted its Temporary Restraining Order and permitted payable on death and transfer on death beneficiaries gain access to the subject investments.

5. Did the trial court err in admitting the Will of Richard M. Schnell to probate?

The trial court denied Casey's motion for new trial.