

REESE, SMALLEY, WISEMAN & SCHWEITZER, LLP
1265 WILLIS STREET, P.O. BOX 994647, REDDING, CA 96099-4647
(530) 241-1611

PAUL C. MEIDUS, (State Bar No. 230334)
REESE, SMALLEY, WISEMAN & SCHWEITZER, LLP
1265 Willis Street
Post Office Box 994647
Redding, California 96099 4647
Telephone: (530) 241 1611
Facsimile: (530) 241-5107
E-mail: paul.meidus@rswslaw.com

Attorneys for Respondent
ROBERT NELSEN

FILED

MAR 20 2018

CLERK OF THE SUPERIOR COURT
BY: K. BESANA, DEPUTY CLERK

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SHASTA

In Re Conservatorship of the Person and Estate of

ALICE McKINNA, Conservatee

No. 29540

DECLARATION OF RAY NICOL

I, Ray Nicol, declare as follows:

1. I am an adult living in the City of Fernley, Lyon County, Nevada. The facts and things attested to in this declaration are facts and things that are personally known to me and if called upon to testify in any Court proceeding, I could and would competently testify from my own personal knowledge to the facts and things set forth in this declaration.
2. I learned my sister, Nancy Pace, is trying to obtain conservatorship over our mother, Alice McKinna after receiving and reviewing her filed paperwork. I believe the claims in that paperwork made about Bob Nelsen are totally unfounded. I also think the estate planning documents used to support Nancy's effort contradict what my mother told me about her wishes.
3. I am almost always able to speak with my mother by telephone any time I call. I speak with her nearly daily. I have never felt Bob was trying to isolate my mother from me or anyone else in our family. Throughout their marriage, I have personally observed the care

1 and attention Bob gives my mother. It is clear to be that he genuinely cares about her and
2 is motivated by an honest affection and concern for her wellbeing. I am accountant by
3 trade with 45+ years experience, and have never held any suspicions that Bob is stealing,
4 hiding, or otherwise mismanaging my mother's assets or their shared assets. Bob has
5 always been completely open and accessible to my family, including traveling with my
6 mother to our residence from the City of Redding when able to do so. I have never
7 suspected Bob of attempting to isolate my mother from her children or extended family.

- 8 4. I speak with my mother by telephone several times weekly. During those conversations,
9 she has told me she wants "Bobby" taken care of after she passes. She is referring to
10 Robert Nelsen when she tells me this. I understand her to mean that she intends for her
11 estate to pass to him as her husband for his care.
- 12 5. I understand my mother is supposed to have voluntarily made changes to her estate plan on
13 December 20, 2017, with a Redding attorney. I find these changes very suspicious to the
14 extent they removed Robert Nelsen and substituted my sister Nancy Pace into positions
15 where Bob had previously been designated. These changes contradict things my mother
16 said to me both before and after December 20, 2017 about wanting to provide for Bob.
- 17 6. In at least one recent telephone conversation I have had with my sister Nancy Pace, Nancy
18 laughingly stated words to the effect "... I have called the Police and Adult Protective
19 Services on Bob many times. ..." Because she was laughing when she made these
20 statements to me, it seemed the calls she referred to were not for ensuring my mother's
21 care or safety but to harass and intimidate Bob. Nancy has never got along with Bob and
22 never accepted him as my mother's spouse.

23 ///

24 ///

25 ///

26 ///

27 ///

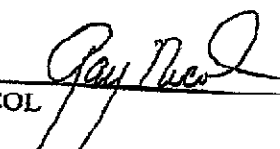
28 ///

1 7. I question Nancy Pace's motives in seeking appointment as my mother's conservator. I
2 think this is more of an effort for her to gain control of my mother and her estate for
3 reasons and motives that have nothing to do with my mother's care and safety. This is
4 evident from the court papers I received. They go to great lengths to make Bob look bad
5 and those negative statements are just not accurate.

6 ///

7 I declare under penalty of perjury under the laws of the State of California that the foregoing is
8 true and correct.

9 Executed this 19 day of March, 2018, in the County of Lyon.

10
11 
12 RAY NICOL

13
14 FILED BY FAX
15
16
17
18
19
20
21
22
23
24
25
26
27
28