

RE: Joyce Smith

From: Tim Flanagan (tflanagan@jastaxlaw.com)

To: benjy.martin@yahoo.com

Date: Monday, June 6, 2011 at 11:12 AM EDT

Mr. Martin,

Once again, due to my attorney-client relationship with your mother, I cannot discuss this matter with you.

Sincerely,

Timothy L. Flanagan

Timothy L. Flanagan, Esquire
Purcell, Flanagan & Hay, P.A.
1548 Lancaster Terrace
Jacksonville, Florida 32204
Jacksonville phone: (904) 355-0355 fax: (904) 355-0820
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From: Benjy Martin [mailto:benjy.martin@yahoo.com]

Sent: Friday, June 03, 2011 11:26 AM

To: Tim Flanagan

Cc: dimcpa@bellsouth.net

Subject: Re: Joyce Smith

Mr. Flanagan

We can understand that you are "ethically barred" from disclosing communications with our mother. See email below.

But what prevented you from disclosing your communications with Mr. Michael McCranie to the other qualified beneficiaries? We wonder - if Mr. McCranie is free to disclose his communications with you, why are you not free to disclose your communications with Mr. McCranie?

Mr. Michael McCranie claimed you approved of a strategy to convert the majority of assets to products that paid him commission from a 3rd party.

Are there any statutory or regulatory considerations that prevented you from setting the record straight with the remainder beneficiaries?

My mom does not seem to understand that the concerns of her children are legitimate. If you, or any other professional, could help me explain to my mother the validity of my concerns - via a conference call - it would be very much appreciated.

I can assure you that I will not rest until my mom gains the proper perspective. When you consider that it took me 6 months and some extreme measures to get my mom to understand the fee increase created by the annuity investments - my job will not be easy.

She will no longer speak to me because I refuse to sign a Settlement Offer that is incredibly ridiculous. She has neglected to pay the premium on an ILIT insurance policy because she now finds it difficult to speak to PTC personnel.

My concerns are well founded - and entirely valid. If your opinion is different, please let me know.

Sincerely

Ben Martin
760 613 9798

--- On **Wed, 9/23/09**, **Tim Flanagan** <TFlanagan@jastaxlaw.com> wrote:

From: Tim Flanagan <TFlanagan@jastaxlaw.com>
Subject: Joyce Smith
To: "Benjy Martin" <benjy.martin@yahoo.com>
Date: Wednesday, September 23, 2009, 11:42 AM

Mr. Martin,

As I believe I may have explained to you before, and while I am not trying to be difficult, I am ethically barred from disclosing my communications with your mother, as my client, without her prior consent.

Sincerely,

Timothy L. Flanagan

Timothy L. Flanagan, Esquire
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From: Benjy Martin [mailto:benjy.martin@yahoo.com]
Sent: Wednesday, September 23, 2009 10:36 AM
To: Tim Flanagan
Cc: wesleyw@coj.net; jametriss.roulhac-boone@flofr.com; suzmart@live.com; Michelle; wyoung@thefloridafirm.com; csawyer@sawyerandsawyerpa.com; stehen.ober@myfloridacfo.com
Subject:

Dear Mr. Flanagan,

My sisters and I are in the process of preparing affidavits that we plan to have delivered to the desks of both Alex Sink and Angela Corey.

In a document provided to us a little over a year ago Mr. Michael McCranie stated:

"We have sought the counsel of Joyce Martin Smith's estate and tax attorney, Tim Flanagan, regarding the issues surrounding the Ben Martin Trust. He is in agreement with the implementation of the tax deferred variable annuity strategy that we have proposed."

I have been informed that you recently sent my mom a letter stating you knew nothing about the variable annuity investments for the credit shelter trust created by my father. **Could you please send me a copy of that letter????** I would very much like to include a copy with my affidavit.

Under 825.103 if a caretaker misrepresents the amount of check to an elderly person and the elderly person signs that check the caretaker is guilty of a crime. We don't believe that corporate employees of companies vending insurance products should have special protection. Where Mr. McCranie's endeavors are concerned we have numerous documented instances of deception, misrepresentation, and lack of disclosure. Mr. McCranie's claims that you approved of the annuity investment strategy is just one example of many.

Thanks in advance for your help.

Ben Martin
cell: 760-613-9798