

APPENDIX A

I N T H E
COURT OF APPEALS OF INDIANA

Supervised Estate:
Lawrence T. Newman,
Appellant,
v.
Robert W. York, as
Personal Representative, et al.
Appellee.

Court of Appeals Case No.
49A05-1710-ES-2475

Order

[1] Appellee Robert W. York, as Personal Representative, pro se, has filed a Verified Motion to Strike and a Second Verified Motion to Dismiss Appeal. He further requests an award of appellate attorney's fees. Appellant Lawrence T. Newman, pro se, has filed Verified Reponses to both motions.

[2] After reviewing the motions, the responses, the parties' briefs and appendices, and the transcript, the Court concludes the Verified Motion to Strike and Second Verified Motion to Dismiss Appeal should be granted.

[3] Having reviewed the matter, the Court finds and orders as follows:

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1. Appellee's Verified Motion to Strike is granted. The Second Corrected Brief of Appellant is stricken.
2. Appellee's Second Verified Motion to Dismiss Appeal is granted. This appeal is dismissed with prejudice.
3. Appellee's request for appellate attorney's fees is granted. This case is remanded to the trial court to calculate the amount of appellate attorney's fees Appellee is entitled to recover.

[4] Ordered 9/12/2018

[5] All panel judges concur.

For the Court,
/s/ Nancy Harris Vaidik
Chief Judge

APPENDIX B

IN THE COURT OF APPEALS OF INDIANA

Supervised Estate:
Lawrence T. Newman,
Appellant,
v.
Robert W. York, as Personal
Representative,
Appellee.

Court of Appeals Case No.
49A05-1710-ES-2475

Order

[1] Appellant Lawrence T. Newman has filed a Verified Motion for Reconsideration of Order Striking Second Corrected Brief of Appellant, and a Verified Petition for Rehearing. Appellee Robert W. York, as Personal Representative, has filed responses to the motion and the petition.

[2] Appellant has also filed a Verified Motion to Strike Appellee's Brief in Response to Petition for Rehearing Due to Untimeliness. Appellee has filed a response.

[3] Finally, Appellee has requested an award of appellate attorney's fees.

[4] Having reviewed the matter, the Court finds and orders as follows:

1. Appellant's Verified Motion for Reconsideration of Order Striking Second Corrected Brief of Appellant is denied.
2. Appellant's Verified Petition for Rehearing is denied.
3. Appellant's Verified Motion to Strike Appellee's Brief in Response to Petition for Rehearing Due to Untimeliness is denied.
4. Appellee's request for additional appellate attorney's fees is granted.

This case is remanded to the trial court to calculate the amount of appellate attorney's fees Appellee shall recover for responding to the Verified Motion for Reconsideration of Order Striking Second Corrected Brief of Appellant, the Verified Petition for Rehearing, and the Verified Motion to Strike Appellee's Brief in Response to Petition for Rehearing Due to Untimeliness.

[5] Ordered 11/19/2018

[6] All panel members concur.

For the Court,
/s/ Nancy Harris Vaidik
Chief Judge

APPENDIX C

In the Indiana Supreme Court

Supervised Estate of Al Katz:

**Lawrence T. Newman,
Appellant,
v.
Robert W. York,
Appellee.**

**Court of Appeals Case No.
49A05-1710-ES-2475**

**Trial Court Case No.
49D13-1009-ES-40244**

Order

This matter has come before the Indiana Supreme Court on a petition to transfer jurisdiction, filed by the appellant pursuant to Indiana Appellate Rules 56(B) and 57, following the issuance of a decision by the Court of Appeals. The appellee has filed a motion to dismiss the transfer petition.

The Court has reviewed the decision of the Court of Appeals, and the submitted record on appeal, all briefs filed in the Court of Appeals, and all materials filed in connection with the request to transfer jurisdiction have been made available to the

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Court for review. Each participating member has had the opportunity to voice that Justice's views on the case in conference with the other Justices, and each participating member of the Court has voted on the petition.

Being duly advised, the Court DENIES the "Petition to Transfer of Appellant." As to "Appellee Robert York's Verified Motion to Dismiss Petition to Transfer," the Court DENIES the motion with the exception of GRANTING the appellee's request for attorney's fees. We remand this case to the trial court to determine the amount of attorney's fees the appellee is entitled to recover from the appellant related to the transfer proceedings. All other motions currently pending before this Court are DENIED as moot.

Done at Indianapolis, Indiana, on
4/12/2019.

/s/ Mark Massa
Mark Massa
Acting Chief Justice of Indiana

All Justices concur except Rush, C.J., who is not participating.