# Electronic Version v1.1 Stylesheet Version v1.1

SUBMISSION TYPE: NEW ASSIGNMENT

NATURE OF CONVEYANCE: Court Order Approving Final Distribution of Estate

## **CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
The Executors of the Marlon Brando Estate		05/07/2007	ESTATE: CALIFORNIA

## **RECEIVING PARTY DATA**

Name:	The Trustees of the Marlon Brando Living Trust	
Composed Of:	COMPOSED OF Larry Dressler, US Citizen; Mike Medavoy, US Citizen; and Avra Douglas, US Citizen	
Street Address:	Dressler & Associates, Inc. 10390 Santa Monica Boulevard, #360	
City:	Los Angeles	
State/Country:	CALIFORNIA	
Postal Code:	90025	
Entity Type:	TRUSTEE: CALIFORNIA	

## PROPERTY NUMBERS Total: 7

Property Type	Number	Word Mark
Serial Number:	78462068	MARLON BRANDO
Serial Number:	78582102	MARLON BRANDO
Serial Number:	78703300	MARLON BRANDO
Serial Number:	78582105	THE BRANDO
Serial Number:	78703306	THE BRANDO
Serial Number:	78582106	THE BRANDO HOTEL
Serial Number:	78703308	THE BRANDO HOTEL

#### **CORRESPONDENCE DATA**

Fax Number: (206)682-6031

Correspondence will be sent via US Mail when the fax attempt is unsuccessful.

Phone: 206-622-4900

Email: KevinC.docketing@SeedIP.com

TRADEMARK REEL: 003944 FRAME: 0301

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Correspondent Name: Kevin S. Costanza Address Line 1: 701 Fifth Avenue Address Line 2: Suite 5400 Address Line 4: Seattle, WASHINGTON 98104 310131.001 ATTORNEY DOCKET NUMBER: NAME OF SUBMITTER: Kevin S. Costanza /Kevin S. Costanza/ Signature: Date: 02/27/2009 **Total Attachments: 10** source=Brando Order#page1.tif source=Brando Order#page2.tif source=Brando Order#page3.tif source=Brando Order#page4.tif source=Brando Order#page5.tif source=Brando Order#page6.tif source=Brando Order#page7.tif source=Brando Order#page8.tif

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> TRADEMARK REEL: 003944 FRAME: 0302

# CONFORM AND RETURI

ELIZABETH A. BAWDEN, SBN 212068 CHARLES A. LARSON, SBN 82233 LAW OFFICES OF CHARLES LARSON 9100 Wilshire Blvd. Suite 300 East Beverly Hills, California 90212 (310) 205-2472 (310) 205-2473 (FAX)

Attorneys for Larry Dressler, Avra Douglas & Morris M. Medavoy, Executors

RECEIVED

**APR 27** 2007

PROBATE DEPT. CAL.5 SUPERIOR COURT

CONFORMED COP's OF ORIGINAL FILED Los Angeles Saperior Court

MAY 0 7 2007

SUPERIOR COURT OF CALIFORNIA

COUNTY OF LOS ANGELES.

John A. Clarke, Executive Officer/Cle	
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ESTATE OF

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13 MARLON BRANDO,

DECEASED.

CASE NO. BP 086759

ORDER APPROVING AND SETTLING SECOND AND FINAL ACCOUNT, AND REPORT OF STATUS OF ADMINISTRATION OF EXECUTORS AND GRANTING IN FULL PETITION FOR:

- SETTLEMENT THEREOF;
- PAYMENT OF REMAINING STATUTORY (2)EXECUTORS' COMMISSIONS;
- (3) PAYMENT OF EXTRAORDINARY EXECUTORS' COMMISSIONS;
- PAYMENT OF REMAINING STATUTORY (4)ATTORNEYS' FEES;
- (5)PAYMENT OF EXTRAORDINARY ATTORNEYS' FEES;
- (6) REIMBURSEMENT OF COSTS ADVANCED;
- (7)FILING FEE REFUND; AND
- (8) FINAL DISTRIBUTION TO TRUSTEES

DATE: 4/18/2007 TIME:

8:30 AM

DEPT: 5

The verified Second and Final Account and Report of Status of Administration of Executors and Petition for: (1) Settlement Thereof; (2) Payment of Remaining Statutory Executors' Commissions, (3) Payment of Extraordinary Executors' Commissions; (4) Payment Remaining Statutory Attorneys' Fees; (5) Payment of Extraordinary

ORDER APPROVING AND SETTLING SECOND AND FINAL ACCOUNT CURRENT, REPORT AND

Attorneys' Fees; (6) Reimbursement of Costs Advanced; (7) Filing Fee Refund and (8) Final Distribution to Trustees filed March 8, 2007 by Larry J. Dressler, Avra Douglas and Morris M. Medavoy as Executors of the Estate of Marlon Brando (the "Petition") came on regularly for hearing on April 18, 2007, at 8:30 a.m., in Department 5 of this Court. From proof made to the satisfaction of the Court, the Court finds as follows:

- 1) Notice: Notice has been given as required by law.
- 2) <u>Second and Final Account Approved</u>: All of the acts and transactions of Petitioners, Larry J. Dressler, Avra Douglas and Morris M. Medavoy as Executors of the Estate of Marlon Brando, during the period of the Second and Final Account and Report are truly shown and should be settled, allowed and approved as filed, and all allegations of the Petition for its settlement and for final distribution are true.
- 3) <u>Date of Death</u>: Marlon Brando died testate on July 1, 2004, at Los Angeles, California. At the time of his death, he was a resident of Los Angeles County, California.
- 4) <u>Letters Testamentary Issued</u>: Letters Testamentary were issued to Petitioners on September 2, 2004. At all times since then, Petitioners have been and now are the Executors of the Decedent's estate.
- Petition and for Preliminary Distribution and Report of Status of
  Administration of Executors and Petition: On October 3, 2005, the
  Court issued an Order Approving the First Account Current, and
  Report of Status of Administration of Executors and Petition for:

  (1) Settlement Thereof: (2) For Allowance on Account of Executors'

and Attorneys' Statutory Commissions and Fees, and Extraordinary AttorneyS' Fees; (3) Preliminary Distribution to Trustees; (4) Extension of Time for Administration of the Estate; and (5) Decreased Bond, filed by the Petitioners. The First Account Current, Report and Petition covered the period from Decedent's death on July 1, 2004 through June 30, 2005.

- Administration of Estate's Act: Petitioners were granted full authority by order of this court to administer the estate without court supervision under the Independent Administration of Estates Act and took the following action without court supervision in addition to the actions reported in the First Account Current, Report and Petition:
- a) Consummated a mediated Agreement dated December 22, 2005, by and between the Estate and Maria Cristina Ruiz, individually and as guardian of Ninna Brando, Myles Brando and Timothy Brando, after providing Notice of Proposed Action. No objections to the Notice of Proposed Action were filed.
- b) Sold the Decedent's real property located at 9031 Wonderland Avenue, Los Angeles, CA (APN 5564-031-034 & 5564-031-029) for \$465,000 after providing the required Notice of Proposed Action. The sale resulted in a gain against the \$330,000 carry value of the real property in the amount of \$135,000. No objections to the Notice of Proposed Action were filed.
- c) Consummated a mediated Agreement dated December 20, 2006, by and between the Estate, Executors, and Angela Borlaza Magaling, after providing Notice of Proposed Action. No objections to the Notice of Proposed Action were filed.

7) <u>Inventory and Appraisal</u>: Petitioners filed the following Inventory and Appraisals.

 Date Filed
 Title
 Total

 March 18, 2005
 Partial No. 1
 \$7,035,064.86

 August 17, 2005
 Supplemental
 \$525,153.00

 February 28, 2007
 Amended and Superceding [sic] Final
 \$4,212,713.60

 TOTAL
 \$11,772,931.46

As set forth in the above listed inventories and appraisals, the total value of all property is \$11,772,931.46.

- 8) Nature of Estate Property: As set forth in the First Account Current, Report and Petition, at the time of his death, the Decedent was not married. All estate property inventoried in these probate proceedings was the Decedent's separate property.
- 9) Notice to Creditors & Creditor's Claim Period: As set forth in the Second and Final Account, Report and Petition, Notice of Death and Petition to Administer the Estate was published in the manner prescribed by law, and within thirty (30) days after completion of publication an Affidavit showing publication was filed with the court. A Notice of Administration to Creditors was mailed to all known and reasonably ascertainable creditors of Decedent. The time for filing or presenting creditor's claims has expired.
- 10) Disposition of Creditor's Claims: Eighteen (18) creditors' claims were filed in these proceedings as set forth in EXHIBIT 1 of the Petition which contains updated details of the status of all fully paid, partially paid, and rejected creditor's claims. All claims have been acted on, and the limitations periods for maintaining actions on all rejected claims has expired and/or the litigation on the claims has concluded.

- Payment of Bona Fide Debts Probate Code §9154: All bona fide debts of the Decedent paid by Petitioners were set forth in the First Account Current, Report and Petition.
- 12) Medi-Cal Notice: No notice to the California Department of Health Services was required under Probate Code Section 9202 because the decedent did not receive and was not the surviving spouse of a person who received any Medi-Cal benefits.
- 13) Tax Clearance Certificate. The sole residuary beneficiary of the Estate is a trust resident in California and whose Trustees are all residents of California. Therefore, a Franchise Tax Board Income Tax Certificate is not required.
- 14) <u>Personal Property Taxes</u>: The estate owes no personal property taxes.
- 15) Income Taxes: The decedent's final personal income tax returns have been filed and all tax owing has been paid. By their signatures hereon, Petitioners, as Trustees of the Marlon Brando Living Trust, u/d/t dated August 28, 2002 (the "Trust"), have assumed responsibility for the preparation and filing of the Estate's final income tax returns and the payment of any tax due thereon.
- Return has been filed for the Decedent's estate state showing a total tax liability of \$2,042,121.00, and a California Estate Tax Return showing a total tax liability of \$127,221.00, all of which has been paid. Petitioners have not received a closing letter from the Internal Revenue Service and an audit of the return is in progress. Petitioners have not been released from liability for payment of possible further estate tax which may be owing.

Petitioners, as Trustees of the Trust, have assumed any liability relating to the estate tax returns of Decedent.

17) <u>Summary of Account</u>: Petitioners are chargeable with the sums, and are entitled to the credits, respectively, as set forth in this Summary of Account covering the period from July 1, 2005 through and including January 31, 2007:

	CHARGES	
Property on Hand as of 7/1/ as reflected in First Accou Adjusted per Amended & Supe (Schedule A)	nt Current [9,63	
Receipts (Schedule B)	1,08	2,448.00
Gains on Sales (Schedule C)	13	7,097.00
	Total Charges \$10,37	2,322.00
	CREDITS	•
Disbursements (Schedule D)	2,98	5,410.00
Losses on Sales (Schedule E)		4,222.00
Distributions (Schedule F)	3,66	7,479.00
Ending Property on Hand (Schedule G)	3,71	5,211.00
		2,322.00

- 18) Property on Hand for Distribution: Assets on hand for distribution are in the sum of \$3,715,211, consisting of cash, various business interests and intellectual property rights.
- 19) <u>Status of Administration</u>: The estate is in a condition to be closed. Petitioners have performed all duties required of them as Executors of the Estate. All costs of administration

incurred to date have been paid except the attorneys' fees and costs sought herein.

- 20) Preliminary Distributions Completed: During the period of the First Account Current, Petitioners made distributions of the decedent's personal property not sold at auction, having a value of \$32,658, to the decedent's children, and monthly cash payments of \$2,700 to Alice Marchak and \$1,200 to Blanche Hall. These distributions were approved by the Court. With Court approval, and as set forth in the October 3, 2005 Order Approving First Account Current, the following assets were distributed to Petitioners, as Trustees of the Marlon Brando Living Trust, u/d/t dated August 28, 2002:
- a) Cash from Sale of tangible personal property in the sum of \$1,997,750.00.
- b) 100% interest in intellectual property rights related to name and likeness of Marlon Brando valued at \$1,354,600.00.
- c) Cash in the sum of \$319,529.00 for the purchase annuities for Alice Marchak and Blanche Hall.
- 21) Proposed Distribution of Estate. The residue of the Estate, whether now on hand, known or hereafter discovered, is distributable to Petitioners as Trustees of the Marlon Brando Living Trust u/d/t dated August 28, 2002.

# 22) Payment of Executors' Statutory Commissions:

Petitioners are entitled to total statutory compensation of \$151,050.10. As approved by the Court, statutory compensation has been paid to Petitioners in the amount of \$93,766.57. The Court should direct payment of the remaining statutory compensation of

\$57,283.53 to Petitioners for services rendered as Executors of the Estate.

- 23) Payment of Extraordinary Executors' Commissions: The reasonable value of extraordinary services performed by the Petitioners during the period of the Second Account and for the benefit of the Estate as follows, and the Court should direct payment to Petitioners of: \$18,750 to Larry J. Dressler, \$15,625 to Avra Douglas, and \$7,875 to Morris M. Medavoy.
- 24) Payment of Attorneys' Statutory Fees: Petitioners engaged the Law Offices of Charles A. Larson to provide legal services to the estate. The attorneys have rendered legal services, and the statutory fee for such services is \$151,050.10. Pursuant to Court Order, \$93,766.57 of the statutory fees have been paid to the Law Offices of Charles Larson. The Court should direct payment of the remaining statutory fee of \$57,283.53 to the Law Offices of Charles Larson for services rendered as attorneys for the Executors of the Estate.
- 25) Payment of Extraordinary Attorneys' Fees: The reasonable value of extraordinary legal services performed by the Law Offices of Charles A. Larson during the period of the Second Account and for the benefit of the Estate is \$142,022.50. The Court should direct Petitioner to pay the Law Offices of Charles A. Larson \$142,022.50 as compensation for extraordinary services.
- 26) Reimbursement of Costs Advanced: Petitioners' attorneys the Law Offices of Charles A. Larson advanced \$849.46 to the Estate for administrative costs. The Court should direct Petitioner to pay the Law Offices of Charles A. Larson \$849.46 as reimbursement of costs advanced.

 27) Graduated Filing Fee Refund: As set forth in the Schedule for Graduated Filing Fee Information contained in the Petition, a filing fee refund is due to the Estate in the amount of \$21,625.55 and the Court should direct payment of that refund to Petitioners as Trustees of the Marlon Brando Living Trust u/d/t dated August 28, 2002.

## THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

- 1. The Second and Final Account and Report of Status of Administration is settled, allowed and approved as filed.
- 2. All the acts and transactions of the Petitioners are ratified, approved and confirmed.
- 3. Petitioners are authorized and directed to pay to themselves the sum of \$57,283.53 as remaining statutory fees for services rendered, and for extraordinary services rendered during the period of the Second and Final Account, are authorized and directed to pay \$18,750 to Larry J. Dressler, \$15,625 to Avra Douglas, and \$7,875 to Morris M. Medavoy.
- 4. Petitioners are authorized and directed to pay to the Law Offices of Charles A. Larson the sum of \$57,283.53 as remaining statutory fees for services rendered, \$142,022.50 for extraordinary services rendered during the period of the Second and Final Account, and \$849.46 as reimbursement for costs advanced.
- 5. The Court shall refund filing fees due to the Estate in the amount of \$21,625.55 by payment to Larry J. Dressler, Morris M. Medavoy and Avra Douglas as Trustees of the Marlon Brando Living Trust u/d/t dated August 28, 2002.
- 6. Distribution of the Estate of Decedent in Petitioners hands and of any other property of Decedent or the Estate not now

٠	1 known or which may hereafter be discovered be made to Larry J.				
	2 Dressler, Morris M. Medavoy and Avra Douglas, as Trustees of the				
	3 Marlon Brando Living Trust, u/d/t dated August 28, 2002; and				
	DATED: "MAY 0 7 2007 . 2007				
	DATED: "NAY 0 7 1001" , 2007				
	By: MITCHELL B-				
	Judge of the Obserior Court				
	8 No 12-				
	9 LAW OFFICES OF CHARLES LARSON				
11	By: / /// WM/(LXXXIM) _				
1.	Elizabeth A. Bawden, Esq. Attorneys for Larry Dressler,				
12	Avra Douglas and Morris M. Medavoy, Executors				
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	ORDER APPROVING AND SETTLING SECOND AND FINAL ACCOUNT CURRENT, REPORT AND GRANTING PETITION FOR FINAL DISTRIBUTION				

TRADEMARK REEL: 003944 FRAME: 0312

**RECORDED: 02/27/2009**