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April 5, 2013

VIA REGULAR UNITED STATES FIRST CLASS MAIL

Re: *United States v Michael E. Kelly*
TIME SENSITIVE MATTER

Dear Representative of Kelly Victim's Estate:

On November 20th, 2012, the Honorable Ronald A. Guzman entered his *Order Approving Distribution of Restitution Fund* (the "Order") directing the Claims Processing Agent to make a first distribution of the Restitution Fund in the amount of \$50,000,000.00. On December 12, 2012 distribution checks were mailed to each eligible victim, or if deceased, to the victim's surviving spouse or appropriate representative. The Order provides that the distribution checks must be cashed within 120 days of the date of the check, and in no event later than April 19th, 2013. Checks which are returned or have not been cashed by April 19th, 2013, will become permanently null and void, any right to receive such payment and all future payments from the Kelly Restitution Fund will terminate and the amount otherwise distributable to the victim shall be disposed of according to the provisions set by the Court.

Our records indicate that to date the distribution check mailed to you on December 12, 2012 on behalf of a deceased Kelly victim has still not been cashed. It has come to our attention that some of the representatives who have received checks made payable to the estate of a victim have had some difficulty negotiating the check. Although the Claims Processing Agent and the Special Master do not represent the victims in this matter, cannot assist you in complying with the law in your jurisdiction, and cannot provide you with legal advice, we do want to make you aware of a process that may assist in administering this check.

If a probate estate was never opened for a deceased victim, some states have what is called a "Small Estate Affidavit" procedure which might provide you with a low cost and relatively simple way of administering this check. This procedure basically involves a signed/notarized affidavit completed by the surviving spouse, or, in some states, another heir, who can attest that it has been at least 30 days or more from the date of the decedent's death (varies by state), that a probate estate has not been opened for the decedent, that the estate is

valued at less than a certain amount (varies by state), and that the person signing the affidavit is entitled to receive the asset on behalf of him/herself or others similarly situated. Some states have their own format they prefer, and others do not. With a few exceptions, these Small Estate Affidavits do not have to be filed with the court and there is no filing fee and/or other fee involved. Again, you are encouraged to consult with your own legal counsel about this and any other legal matter.

If you conclude that the applicable state law authorizes the use of such a procedure in your circumstances, you can submit the completed Small Estate Affidavit to our office at: Kelly Claims Processing Agent, c/o Stenger & Stenger PC, 2618 East Paris Ave, SE, Grand Rapids, Michigan 49546, along with a copy of the death certificate for the Kelly victim. We will then obtain approval from the United States Attorney's Office to reissue the check in the name of the surviving spouse or heir.

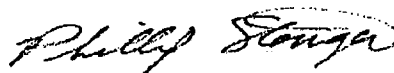
Please note, however, that if a probate estate has been previously opened for the decedent, you will need to re-open the estate in order to administer this check and a small estate affidavit will not suffice. If you are having difficulty administering a check made payable to the estate of a victim, and there has not been a probate estate opened for the decedent, please contact your personal attorney, the local probate court or the legal aid clinic in your area for assistance in obtaining a small estate affidavit.

The Court has extended the deadline for cashing the distribution checks made payable to an estate from April 19, 2013 to **May 20, 2013**. All information must be submitted to our office prior to this deadline. If you need additional time past this date to administer this check, please provide our office with a written request for an extension of time. Any requests for an extension must be received by our office prior to the **May 20, 2013** deadline.

We hope this information is helpful to you. If you have any questions or concerns, please do not hesitate to contact my office at: Phone: (877) 482-4119 or via email at: claimsagent@stengerlaw.com.

Very truly yours,

STENGER & STENGER, P.C.



Phillip S. Stenger