

Mr. Gregory DeVico  
January 25, 2005  
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*Allegation #3, #4, #5, #7*

As to allegation #3, I have found the fiduciary failed to file a supplemental inventory when it transferred and re-titled the proceeds from the closed bank MidWest account into the estate in violation of:

- a. Arizona Revised Statute ("ARS") § 14-3708
- b. ACJA § 7-202
- c. Code of Conduct Standard 7

As to allegation #4, I have found the fiduciary failed to accurately account for the changed value in estate personal property in the final accounting in violation of:

- a. ACJA § 7-202
- b. Code of Conduct Standard 5(h)

As to allegation #5, I have found the fiduciary failed to properly take possession of an estate asset title prior to selling the asset in violation of:

- a. ARS § 14-3715(23)
- b. Code of Conduct Standard

As to allegation #7, I have found the fiduciary failed to insure all fees and expenses for the estate, including compensation for the fiduciary, were necessarily incurred in the administration of the decedent's estate in violation of:

- a. ACJA § 7-202
- b. Code of Conduct Standards 2(e), 5(f) and 5(g)

A Letter of Concern, an informal disciplinary sanction is hereby issued. It is further ordered Southwest Fiduciary, Inc. shall provide the program proof it distributed the amount it owes the heirs (\$ 692.45) and filed a closing statement with the court. It is ordered Southwest Fiduciary, Inc. provide this documentation no later than **February 14, 2005**. The complaint files and their contents are now open to the public, unless otherwise confidential by law.