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The State of New Hampshire

Rockingham County

PROBATE COURT

IN RE: ESTATE OF LOUISNEIL MARIANI

Docket No.: 2002-0051

MOTION TO REMOVE ELLEN M. MARIANI AS ADMINISTRATRIX

PETITION/MOTION

Petitioner Name Ellen Mariani Telephone (unpublished) _____

Mailing Address P.O. Box 306, East Derry, New Hampshire 03041

Petitioner Name _____ Telephone _____

Mailing Address _____

Attorney Name Rebecca J. Rutter Telephone 603-434-0068

Mailing Address Lane Road, Derry, New Hampshire 03038

The petitioner(s) states as follows:

To: Judge Christina M. O'Neill

From: Ellen Mariani

Date: September 23, 2004

Your Honor, Judge O'Neill,

This is to certify the I, Ellen Mariani, appeared at the Rockingham County Court House in New Hampshire on Thursday, September 23 at 8:45 am to inform Your Honor that the Agreement and Stipulation I signed (and of which I was not given a copy) with much reservation on Tuesday evening, September 21, 2004 at 11:00 pm (34 hours ago) is null and void. The reason for this is that a notary was not present to witness my signature in my presence and place a stamped seal on the agreement to remove me as administratrix.

On Tuesday evening, I asked Mr. Morgan for a copy of my resignation as administratrix that I had just signed; but he refused, saying "I have to have it notarized first." Since this is such an important document related to my husband's estate after his United Airlines 175 jet was intentionally crashed into the World Trade Center on September 11, I now feel that each of the pages should have been notarized and initialed by me. Your Honor, I have no way of knowing whether additional clauses or extra pages have been added without my knowledge or permission. And I cannot imagine that a State of New Hampshire licensed notary, whether that person is a clerk, paralegal or lawyer, would stamp and notarize an unknown person's signature without being there to witness it personally as required by State law.

This morning the clerk told me that today's 9:00 am court hearing was canceled yesterday, and that my attorney Robert Morgan had not yet registered with the court as my New Hampshire attorney. As a matter of fact, Mr. Morgan has still not presented me with a contract for representation. I can't understand why he only wanted a verbal agreement between us. And I don't understand how Mr. Morgan could legally insist on my

unnotorized signature at 11:00 pm at night at the very end of our five hour meeting when I was exhausted after listening to his bizarre military combat experiences which really wore me down just as the restaurant employees asked us to leave since they were closing.

Mr. Morgan told me that "I did not need to go to court on Thursday--everything has been taken care of..." Your Honor, I am concerned that my public testimony and the other side's reasons for my removal due to the so-called errors of my attorney Phillip Berg will never be placed into the official court record for your consideration. Mr. Morgan and Miss Rutter have told me they do not know the official reasons yet; but they said they will provide them after I have signed all the necessary documents that will remove me from control of my my husband's estate.

Since I was told just one day prior to the hearing that there is no need to have me appear for a court hearing (which I thought strange), I now realize that I will also not receive your legal opinion in this matter, Your Honor. This is unfair to the best interests of my husband's estate; but it is also very sad since I have spend three long, lonely years working in Neil's name and on behalf of his estate. To be removed and not even know the official reasons is a second tragedy in my life.

As a still-grieving 9-11 widow who wants only the best for my husband's estate, I am very concerned since Mr. Morgan insisted that I "sign the document and resign now because you are really only a glorified clerk. So just let it go, enjoy your life now, and admit that Mr. Berg's mistakes reflected back on your judgement since you hired him to assist in my husband's New Hampshire estate." No one on either side of this case presented me with legal documentation as to the nature of these so-called grave errors and fatal flaws which Phillip Berg committed. Mr. Berg even told me last night that "these legal claims and accusations are not valid. I did nothing wrong."

My New Hampshire attorneys Rebecca J. Rutter and Robert Morgan told me that I was going to lose the **MOTION TO REMOVE ELLEN M. MARIANI AS ADMINISTRATRIX** anyway. They told told me to just accept it and not fight it because my Pennsylvania attorney had made several mistakes, one of which was filing on my behalf a Racketeering Influenced Corrupt Organization (RICO) lawsuit against President Bush and other high government officials. I was told these things at the last minute since I said I would take my chances and go before you, Your Honor. Apparently, for some reason, Rebecca Rutter, Robert Morgan, Thomas Pappas, and Charles Capace did not want me in court this morning to testify in front of you, Your Honor.

The only way I am able to communicate with you now is through this Petition/Motion which a court clerk told me I could prepare, after I had asked what I could do in this matter to protect the interests of my dead husband's 9-11 estate. The clerk also said my signed (but improperly notorized) Agreement would reach Your Honor's desk in two days but that this Petition/Motion would take up to ten days for Your Honor to receive it and read it--even though I am hand delivering it to your court in person today.

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The RICO suit was filed to hold those in charge accountable for their actions and failures both before and during the actual two-hour period of the attacks between 8:13 am when the first plane was determined to be hijacked and 10:06 am when the fourth plane crashed in Pennsylvania. This critical time period of nearly two hours was filled with failures and lack of strong decisive action; but worse, these failures have remained undiscussed and uninvestigated for three years up to the present time. As administratrix, I am required to research and investigate all evidence and information which would benefit the estate of my murdered but beloved husband. And so Your Honor, the only other heir besides me is now claiming that I am neglecting my duties to the estate.

However, up to and before the original RICO suit was filed against the President and other government officials and became known to the public, my step-daughter and only biological heir Lauren Peters had agreed that I was suitable and qualified to administer her father's estate.

Shortly thereafter, Lauren Peters went to Boston and met with Daniel Bakinowski, an attorney with the Greenberg Traurig law firm. The Greenberg firm represented President Bush in the 2000 election vote recount and currently represents the President's brother, Florida Governor Jeb Bush. I believe this to be a conflict of interest.

Interestingly enough, President Bush,--through Attorney John Ashcroft, hired Kenneth Fineberg as Special Master of the 9-11 Victim Compensation Fund, and Mr. Fineberg in turn happened to hire the Boston office of the Greenberg firm to handle 9-11 family applications regarding the Fund.

Even though Lauren Peters testified under oath in deposition that she did not know Daniel Bakinowski nor met him, but may have met with Mr. Greenberg since his name sounded familiar, I have a witness and 9-11 widow named Deborah Hayes of Amesbury, Massachusetts who told me and others that she met Lauren Peters in Greenberg's Boston office of Daniel Bakinowski. Debby told me that she recognized the pin with a photo of Lauren's father Neil Mariani which Lauren was wearing when she met Bakinowski. Not long after this meeting, Lauren filed a motion in your court to remove me as administratrix even though she had previously agreed that I should serve my husband's estate.

After the meeting with Greenberg Traurig attorneys, I was asked firmly though my attorney Rebecca Rutter and Lauren's first attorney Jon Levenstein to complete forms which would require me to cancel my original December 20, 2001 wrongful death lawsuit to which I was so dedicated. I was the first 9-11 widow to file suit regarding the attacks.

Mr. Levenstein demanded in a letter in my possession that I comply "in case something unforeseen happened to me," which I interpreted as a possible threat. After that, Rebecca Rutter called Dan Bakinowski's office at Greenberg Traurig to ask him what he says to 9-11 family members when one family member wants to go into the Victim Compensation

Fund but the widow/wife already has a wrongful death lawsuit filed against the the airlines since December 20, 2001.

Mr. Bakinowski told Rebecca Rutter "Don't worry. We're going to take her into court and remove her." And that's what they had planned and it happened to me today. I wanted Rebecca to report this telephone conversation to your court, and she refused. But she also said "If publicize anything about Dan Bakinowski's telephone call, I will quit."

You see, it was also explained to me that any upset in the estate, no matter how minor or trivial, you, Your Honor would automatically throw me out as administratrix.

Your Honor, it gets worse. About two weeks ago, I was researching on the internet and went to Rebecca Rutter's website and noticed for the first time the name of her former partner Thomas Colantuono. I did not know who he was, so I did a google search to find out something regarding his background.

I was shocked to find that President Bush nominated Mr. Colantuono as United States Attorney for New Hampshire on November 30, 2001, and he was confirmed by the U.S. Senate about 10 days later. But not only is Rebecca Rutter his former law partner, but Rebecca told me that she is the godmother to his daughter. Your Honor, the only way Rebecca Rutter could be closer to President Bush is if he appointed Rebecca to be the U.S. Attorney. Is this also a gross conflict of interest, Your Honor?

Your Honor, in light of all that has happened to me above, I plead that you move to rule that the Agreement and Stipulation just filed is invalid for the reasons stated above and that you consider ruling to permit me to continue as the administratrix of my husband's estate.

And I would also request that you move that Lauren Peters' outrageous statements defaming my character be removed from the court records as I will only discuss Lauren's past indiscretions and behavior privately in your chamber, as I was married to and lived with her father at the time of said indiscretions.

My children have been devastated by how I have been mistreated, disrespected and manipulated since the day of the September 11, 2001 attacks; and I must set the record straight with all the facts by pleading that you take all of the above into consideration of the law and respect for the law. You see, Your Honor, I hired some of these lawyers to protect me.

Since 9-11 murders affected citizens and families all over the world, I know that you will seriously consider and evaluate all of the above information, call all those involved in this matter to properly testify in your court so that you are able to make a fair and honest assessment and decision as to the disposition of my husband's estate and my position as administratrix.

The petitioner(s) asks that the court grant the following:

Hand Delivered to the Rockingham County Court House,

Ellen M. Mariani
September 23, 2004

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Date: 9-23-2004

Ellen M. Mariani
Petitioner Signature

Date: _____

Petitioner Signature

Rockingham COUNTY THE STATE OF NEW HAMPSHIRE DATE 9-23-2004

Subscribed and sworn to by the above named petitioner(s) that all matters herein contained are true to the his/her/their best knowledge and belief. Before me

My Commission Expires _____
Affix Seal ANDREW CHRISTIE, JR., Justice of the Peace
My Commission Expires November 7, 2006

Andrew Christie, Jr.
Justice of the Peace/Notary Public

ORDER

Petition/motion is granted.

Petition/motion is denied.

Date: _____

Judge

The State of New Hampshire

Rochester COUNTY

PROBATE COURT

IN RE: Estate of Louis Neil Mariani
DOCKET NUMBER: 2002-0051

CERTIFICATION OF COPIES TO PARTIES

I hereby certify that a copy of the Petition/Motion has been forwarded to the parties listed below who have filed an appearance for this case or are otherwise interested parties.

Name of Party	Address
1 ✓ Att Jon H Leneveu	1 Club Acre Lane Bedford NH 603-641-9887
2 ✓ Attorney Thomas J Pappas Weggin & Nowie PO Box 808 Manchester NH-03105	3 Lane Rd erry NH 03038 603-434-0068
3 ✓ Rebecca J. Rutler Attorney	706 Ridge Pike Lafayette Hill Pa 610 825 1944/1711 3134
4 Philip Berg Attorney	
5 Lauren E. Peters 53 Belmont Dr Merrimack NH 03054	Celen M. Mariani Signature

Date: Sept 23 - 04